



Medica Afghanistan
PRESS RELEASE

OUR FIRST ANTI-HARASSMENT LAW AND WHY IT SHOULD BE AMENDED

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In November 2016, Parliament passed a law to protect women and children against harassment. A great step forward, but not enough.

Legal aid organization, Medica Afghanistan, led a Petition to His Excellency President Ashraf Ghani, to amend the anti-harassment law, in Kabul, on 19 February 2017.

Many called it a “courageous” act, to bring up the matter through an official Petition to the Presidential Palace. Medica’s Executive Director, Humaira Rasuli says:

“For us, it was absolutely necessary. The government has asked us to provide critical and technical reasoning. So we took up the challenge. My lawyers interviewed and spoke to lawyers and judges from India, Nepal and Singapore to learn from their experiences. We also reviewed many laws. **We also learned a lot from technical meetings with the Afghanistan Ministry of Justice held between August- October, 2016.**

The Petition drew from lessons learned by Medica’s legal cases, as well as, the laws of India, Pakistan, Nepal, Singapore, Malaysia, Philippines, and their impact on women’s lives on the ground.

Like many countries, women and children in Afghanistan are sexually harassed daily, causing them to fear their surroundings, suffer mental trauma, resign from their jobs and drop out of school and social activity. Medica’s legal and psychosocial teams handle these cases on a daily basis.

“The effects of trauma from sexual harassment can last very long. Our clients say that they feel like they lose control over their bodies...” says one of Medica’s psychologists.

Medica also provides psychosocial support to women who experience violence and sees sexual harassment, as a serious public health issue.

The law seems to have been passed with good intentions. However, the Petition warns against loosely drafted laws which might end up harming women, instead of helping them. The Petition described the law as incomplete, replete with errors and largely unenforceable. It forewarns that the law, however well-intentioned, may lead to mishandling of complaints and cause harm to survivors who are depending on the law for redress and justice.

The team of lawyers who are leading the Petition, says: “The focus of the law should not just be to punish. Before and after the incident, it is necessary and important to ensure that there are protective measures for women. Also, we need to do a lot of awareness raising sessions and use the media to let people know about the law, once it is amended.”

A supporter of the Petition who does not wish to be named shared: *“The law vaguely define harassment and its different types. It does not protect survivors. And the cash fine and sentences are very basic.”*

Most survivors of sexual harassment do not report out of fear, shame and intimidation. The Petition calls for a law which is designed to enable survivors to obtain redress outside of the court process and protect them from intimidation by offenders.

Essentially, Medica is asking H.E. President Ashraf Ghani to ensure that the law adds value to existing mechanisms.

It is not too late to sign the Petition, which you can do so [by clicking here](#) or copying this link into your browser:

[<https://www.change.org/p/amend-the-anti-sexual-harassment-law-of-afghanistan>]

Medica expresses its gratitude to AWEC, CW4AW, WAWI, AWSDC, and, network coordination bodies like ACBAR and AWN who sent us their positive comments to the Petition and collectively agreed that the law must be amended to truly help survivors of sexual harassment on the ground.

For further information, please contact:

Yalda Ahmadi

Phone: +93(0)793 200 524

Email: lap.lawyers@medica-afghanistan.org

Website: www.medicafghanistan.org

