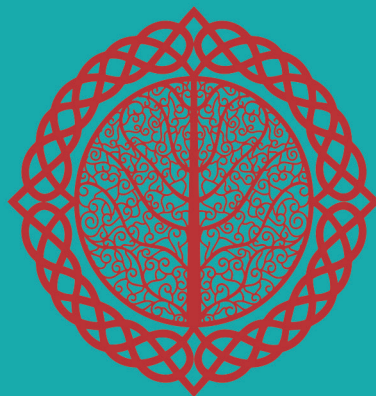


Assessment of First Phase of NAP 1325 (2015-2018) in Six Provinces of Afghanistan

Progress | Challenges | Recommendations

August 2018-2020



DROPS

ORGANIZATION FOR POLICY RESEARCH
& DEVELOPMENT STUDIES

نهاد پژوهش و توسعه

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Abbreviations

| | | | |
|----------------|--|----------------|---|
| AGO | Attorney General Office | MoD | Ministry of Defense |
| AIHRC | Afghanistan Independent Human Rights Commission | MoE | Ministry of Economy |
| AUAF | American University of Afghanistan | MoF | Ministry of Finance |
| BPHS | Basic Package for Health Services | MoFA | Ministry of Foreign Affairs |
| CSO | Civil Society Organizations | Mol | Ministry of Interior |
| DoHS | Directorate of Health Services | Moj | Ministry of Justice |
| Doj | Directorate of Justice | MoLSAMD | Ministry of Labor, Social Affairs, Martyrs and Disabled |
| DoLSAMD | Directorate of Labor, Social Affairs, Martyrs and Disabled | MoPH | Ministry of Public Health |
| DoWA | Directorate of the Ministry of Women's Affairs | MoRR | Ministry of Refugees and Repatriation |
| DoRR | Directorate of Refugees and Repatriation | MoRRD | Ministry of Rural Rehabilitation and Development |
| DROPS | Organization for Policy Research & Development Studies | MoWA | Ministry of Women Affairs |
| EPA | Environmental Protection Agency | NAP | National Action Plan |
| EVAW | Elimination of Violence Against Women | NAPWA | National Action Plan for Women of Afghanistan |
| FGDs | Focus Group Discussions | NDS | National Directorate of Security |
| FPCs | Family Protection Centers | NGOs | Non-Governmental Organizations |
| GoIRA | Government of the Islamic Republic of Afghanistan | PPC | Provincial Peace Committee |
| HPC | High Peace Council | UN | United Nations |
| IARCSC | Independent Administrative Reforms and Civil Services Commission | UNSC | United Nations Security Council |
| IDPs | Internally Displaced Persons | UNSCR | United Nations Security Council Resolution |
| IEC | Independent Election Commission | VAW | Violence Against Women |
| KIIs | Key Informant Interviews | | |

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INTRODUCTION

The United Nations Security Council (UNSC) adopted a resolution on Women, Peace and Security on October 31, 2000 in an effort to increase women's participation in all decision-making on issues related to peace and security and to end conflict-related sexual violence. The resolution, also known as UNSCR 1325, stresses the importance of increasing women's participation in conflict prevention, management and resolution.

UNSCR 1325 places the responsibility for its implementation on all UN member states as the resolution was adopted under Chapter VII of the UN Charter and thus is international law.¹ As a UN member state, Afghanistan has adopted two national action plans to implement the UNSCR in the country. The National Action Plan for the Women of Afghanistan (NAPWA) was the first attempt. It was approved in 2008 and was due to reach completion by 2018.. The NAPWA has three key pillars at its core. The first pillar is security; the second is governance, rule of law and human rights; and the third is economic and social development. The government of Afghanistan demonstrated their support for UNSC Resolution 1325 in the NAPWA's security pillar (chapter four) where one of the three key Specific Actions of progress is an increase in the number of women engaged in peacebuilding and security initiatives.

On June 13, 2015, the Afghan government adopted Afghanistan's National Action Plan on UNSCR 1325—Women, Peace and Security (NAP 1325) — to be implemented from 2015 to 2022 in two phases: its first phase from 2015 to 2018 and its second phase from 2019 to 2022. Essentially, NAP 1325 was to complement the initiatives under the NAPWA during the first phase of its implementation and would take over from the NAPWA when it ends in 2018.

NAP 1325 was given an eight-year timeline to achieve its two-pronged approach to gender equality and empowerment of women in all social and political domains of the public sector. In order to achieve the goal of inclusion and participation of women in decision-making bodies at all levels of government and in all aspects of conflict prevention, conflict resolution, peacekeeping and peace-building, the NAP 1325 of the Afghan government commits to working around four pillars: participation, prevention, protection, and relief and recovery.

To implement the commitments made under the four mentioned pillars of NAP 1325, the Afghan government has developed the *NAP Actions Matrix for Implementing Agencies on UNSCR 1325—Women, Peace and Security*. This document outlines the overarching objectives, specific actions that should be taken, expected results produced, indicators to assess the

1. Ministry of Foreign Affairs of Afghanistan (MoFA). *2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security)*., Accessed August 05, 2018. Page 1. <https://www.mfa.gov.af/reports-and-documents/2017-status-report-on-the-afghanistan-s-national-action-plan-on-unscr-1325-women-peace-and-security.html>

achievements, timeline of the implementation of the specific actions and implementing agencies for each of the specific actions.

The timeline for the implementation of the first phase of NAP 1325 is coming to its end by the end of 2018. The Government of the Islamic Republic of Afghanistan (GoIRA) is expected to have implemented all the commitments and activities that were incorporated in the first phase. This study attempted to assess the implementation process of the first phase of NAP 1325 (2015-2018), evaluate its progress, and identify the bottlenecks and challenges preventing the implementation of the NAP 1325 during its first phase.

This study is presented in two main sections: findings from Kabul and findings from the provinces.

The first section explores the progress in the implementation of the first phase of NAP 1325 with a focus on the first specific actions under each of the strategic objectives set under four pillars in the NAP Actions Matrix (with the exception of the Civil Service Strategic Objective under the participation pillar where this study has focused on two of the specific actions). This section also identifies the challenges that have hindered the implementation process of the first phase of NAP 1325 at the national level.

The second section of the study provides field insights and analysis concerning six themes which emerged during the study: (1) provincial level consultations during the implementation of the NAP Actions Matrix, (2) status of women's participation in decision-making at the provincial level, (3) access to justice and prevention of violence, (4) quality of services to Internally Displaced Persons' (IDP) women, (5) coordination between implementing agencies at the provincial level, and (6) challenges in the implementation of the NAP Actions Matrix at the provincial level.

In light of its findings, this study has identified concrete policy recommendations based on grassroots-level expertise and experiences gathered from a wide range of stakeholders at the national and provincial levels. The recommendations are meant to help the Afghan government and the international community to address the identified challenges, gaps, and opportunities to facilitate the implementation of the second phase of NAP 1325 (2019-2022).

METHODOLOGY

This study is based on both secondary and primary data. At the beginning of the study, Organization for Policy Research & Development Studies (DROPS) conducted a thorough desk review on the status of implementation of NAP 1325 since its adoption in 2015 in an attempt to evaluate its progress and identify existing hurdles preventing its implementation. To complement the findings of the second part of the study, DROPS conducted secondary data collection in two phases. The first phase was Key Informant Interviews (KIIs) with NAP 1325 implementing agencies in Kabul. In-depth interviews were conducted with officials from the Ministry of Women Affairs (MoWA), the Ministry of Public Health (MoPH), the Ministry of Labor, Social Affairs, Martyrs and Disabled (MoLSAMD), the Ministry of Justice (MoJ), the Ministry of Interior (MoI), the Ministry of Finance (MoF), the Ministry of Foreign Affairs (MoFA), the High Peace Council (HPC), and the Afghanistan Independent Human Rights Commission (AIHRC).

The primary data collection phase was carried out in five provinces: Takhar, Herat, Kandahar, Nangarhar, and Laghman. These provinces were selected to represent northern, western, southern and eastern zones of the country, respectively, and to portray a more holistic picture of NAP 1325 implementation progress, challenges and gaps. More particularly, DROPS conducted KIIs with government officials at the provincial level as well as Focus Group Discussions (FGDs) with representatives from civil society. KIIs were conducted in each of the five provinces with two members from the Directorate of Women Affairs (DoWA) (which is the provincial office of the MoWA and one member of the Provincial Peace Committee (PPC) which is the provincial office of the HPC. A total of nine officials from DoWAs and six officials from PPCs were interviewed in the mentioned provinces. To cross-check the data gathered through KIIs from government officials, DROPS conducted one FGD in each of the five provinces with five to seven participants from civil society organizations. In total, 30 participants from civil society participated in FGDs for this study in the five provinces.

Due to the limitations this study faced in terms of resources, time, and access, the data collection for the study could only be conducted in Kabul and the five provinces detailed above. Due to the same limitations, the focus of the current study is also limited to the first specific actions under each of the strategic objectives set under the four pillars of NAP 1325 with the exception of the Civil Service Strategic Objective under the participation pillar where this study has focused on two of the specific actions. A detailed explanation of the focus of the current study is as follows:

A: Participation Pillar

Under the participation pillar, NAP 1325 sets two objectives: (i) increased meaningful participation of women in the decision-making and executive levels in civil service, security, peace, and reintegration and (ii) strengthening women's active participation in national and provincial elections. Under objective one, this study has assessed:

1. Civil Service Strategic Objective (1a): Adequate laws and policies strengthening women's participation in civil service are in place.
2. Civil Service Strategic Objective (1b): Increased representation of women in all government institutions.
3. Security Strategic Objective: Increased women's capacity to effectively perform their duties and assume leadership positions in the security sector.
4. Enhancing women's meaningful participation in reconciliation, negotiation, and reintegration at all levels.

Under objective two, this study has assessed whether relevant laws, policies and procedures ensuring the increased women's nominations for elections and ensuring their security are in place.

B: Protection Pillar

Under the protection pillar, NAP 1325 sets three objectives: (i) protecting women from all kinds of violence (domestic, sexual, etc.) and discrimination through the implementation, monitoring and amendment of existing laws and policies and the development of new laws and policies, (ii) protecting women through access to an effective, active and accountable justice system, and (iii) making available health and psychological support for survivors of

sexual and domestic violence throughout Afghanistan.

Under objective 1, this study has assessed protection of women through implementation and monitoring of the Elimination of Violence Against Women (EVAW) laws and the anti-human trafficking and abduction law. Under objective 2, it assessed the creation of an inclusive mechanism for increasing women's awareness of legal issues and access to justice as well as the level of current active participation by women. Under objective three, this study assessed the availability of health and psychological support for victims and survivors of violence through Basic Package for Health Services (BPHS).

C: Prevention Pillar

Under the prevention pillar, NAP 1325 has set one objective which is the protection of women against all types of violence and discrimination through awareness raising and public outreach. This objective was to be achieved by creating a specific mechanism for family courts to oversee the EVAW cases and establish procedures to hold members of the judiciary responsible for avoiding discrimination against women in EVAW cases. Under Objective 1, this study has assessed measures taken for the elimination of the culture of impunity surrounding sexual violence against women.

D: Relief and Recovery Pillar

Under the relief and recovery pillar, NAP 1325 set three major objectives: (i) increased economic security for vulnerable women, (ii) ensuring adequate financial resources are available for activities related to women in an emergency, and (iii) implementation of IDPs policy provisions related to UNSCR 1325. This study focuses on three of the six Specific Actions under this pillar to evaluate progress and achievements towards the three mentioned objectives. Under objective 1, this study has assessed the recruitment of recent female university graduates (especially women in rural areas) into the government institutions. Under objective 2, it assessed whether existing programs incorporate a gender perspective and respond to the needs of women. Finally, under objective three, it assesses whether the quality of service delivery to IDPs is improving.

SUMMARY OF FINDINGS

The timeline for implementation of the first phase of NAP 1325 (2015-2018) is nearing its end. In this four-year period, implementing agencies of NAP 1325 have implemented parts of the action plan that mostly needed no particular budget. The main achievements, challenges and gaps in the process of its implementation are highlighted below:

Achievements in women's participation in the civil service sector have been relatively good but not all of the commitments have been delivered. In the civil service sector, a total of twenty-two laws and policies have been reviewed by the MoJ and the MoWA to address legal restrictions for women's participation in this sector. Moreover, the 10 percent increase in women's participation in this sector that was committed to in NAP 1325 has been revised to a two percent increase per year, totaling eight percent during the four years of the first phase of NAP 1325.

Women's presence in the security sector remains low and their participation in the decision-making level remains particularly low. The capacity building strategy for women that was committed to under NAP 1325 was not implemented but the findings of this study shows that the MoI has incorporated strengthening women's participation into its four-year strategy (2018- 2021). To that end, the MoI currently has capacity building programs for its female employees which include scholarship opportunities for them to continue their higher education in public and private universities in Kabul.

Women's participation in the peace and reconciliation processes has improved. The findings of this study show that the HPC developed a strategy to strengthen women's participation in the peace, reconciliation and reintegration processes but "reintegration" is not included in their strategy. Moreover, the establishment of a national roster of potential women negotiators committed under NAP 1325 is still in progress.

Women's participation in national and provincial elections remains generally low. Four laws and policies related to women's participation have been reviewed to ensure women's active participation as candidates in national and provincial elections. The laws and policies are: (1) The Election Law, (2) Recruitment Policy, (3) Procedures of Registration of Voters, and (4) Procedures on the List of Candidates.

Achievements of NAP 1325 with regards to ensuring women's protection from violence have been limited. As findings of this study show, the committed mechanism for the implementation of EVAW Law was not created. Legal clinics, however, are established in all of the 34 provinces but not under NAP 1325. These clinics are limited to provincial centers and thus do not satisfy the NAP 1325 objective that required the establishment of such clinics in the scope of community centers. Dispute Resolution and Emergency Response Committees are not yet established. The BPHS package was developed before NAP 1325 but under the action plan a psychological counselor was added to the package.

Achievements of NAP 1325 with regards to protecting women from violence have also been limited. The findings of this study shows that the mechanism for oversight of Violence Against Women (VAW) cases in family courts is not yet implemented and EVAW Commissions that were established before NAP 1325 are used for oversight instead. With regards to transparency and accountability of court decisions related to VAW cases, five regulations have been adopted by the Supreme Court to prevent discrimination and ensure accountability and transparency. In addition, a national database was created for registration of VAW cases to avoid the registration of cases with multiple agencies.

Achievements of NAP 1325 under the Relief and Recovery pillar have been limited. The findings of this study show that the recruitment campaign targeting recent female university graduates is conducted to a limited extent. However, the mapping of all government programs through a gender perspective has not been implemented. The IDP policy provision on UNSCR 1325 are not implemented either.

There have been several challenges that have held back the implementation of NAP 1325 during its first phase. The challenges this study has identified are: budget gaps, lack of coordination between implementing agencies, incapacity of implementing agencies, and insecurity. These challenges were highlighted during the interviews and the *2017 Status Report*. Budget gaps and insecurity were mentioned by all interviewees and in the *2017 Status Report*.

Report, while lack of coordination between and incapacity of implementing agencies were not mentioned by all interviewees but are deduced from their overall answers during the interviews.

The study identified several gaps that have caused long delays in the full implementation of NAP 1325. In this study, “gaps” refers to issues that the designers of NAP 1325 failed to consider, and, as a result, these issues made implementation of the action plan difficult. Unrealistic budgeting and underestimating the difficulty of finding donors for the activities designed in the action plan were gaps that were mentioned by the majority of the interviewees. There were also a few other gaps that were mentioned by only a few of the interviewees but are of vital importance because they help explain how the implementation of the first phase of NAP 1325 was affected by them.

**SECTION ONE:
FINDINGS FROM
KABUL**

Afghanistan's National Action Plan 1325 (2015-2022) on the implementation of UNSCR 1325 Women, Peace and Security was launched in 2015. Its implementation was planned to be achieved in two phases: 2015-2018 and 2019-2022. As the first phase of this action is ended, the financial mechanism and the budget for its implementation has not been finalized and approved yet.² According to the MoF, the budget for the implementation of NAP 1325 will be incorporated in the budget for the fiscal year 1398³ and the ministry will hold meetings with the ministries to make sure implementation of NAP 1325 is part of their annual budget plan.⁴

As such, since 2015 the implementing agencies have not been able to implement the activities and objectives of the action plan that required budget. As a result, during the first implementation phase of NAP 1325, they have only implemented those activities that did not require any particular budget.⁵ The implementation process of the action plan seems to have accelerated in 2017 as the *2017 Status Report* covered 37 of the 39 Specific Actions compared to the *2016 Status Report* that only reported on 10 of the 39 Specific Actions.⁶

The fact that the recent status report covers 37 of the 39 Specific Actions portrays a promising picture of the implementation status of NAP 1325 in Afghanistan. However, the study conducted by DROPS reported here attempts to dig deeper and provide a more qualitative evaluation of how far along has the implementation of NAP 1325 come as the end of its first phase approaches.

In this section, we employ our findings through in-depth interviews with key officials in the implementing agencies in Kabul to assess how much progress has been made under each of the four pillars. We also compare the findings with figures and achievements highlighted in the *2017 Status Report*.

NAP 1325 IMPLEMENTATION: PROGRESS IN THE FIRST PHASE (2015- 2018)

A: PARTICIPATION PILLAR

(i) Under the participation pillar, NAP 1325 sets two objectives: (i) increased meaningful

2. Alokozay, Salma. Director of Coordination of National Priority Programs at the Ministry of Finance. Interviewed by DROPS, Kabul, Afghanistan, July 24, 2018.

3. Ibid.

4. Ibid.

5. Osman, Abeda. Director General of Human Rights and Women's International Affairs at MoFA. Interviewed by DROPS, Kabul, Afghanistan, May 26, 2018.

6. *2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security)*. Page 1.

participation of women in the decision-making and executive levels in the civil service, security and peace and reintegration, (ii) and strengthening women's active participation in national and provincial elections. Under objective 1, this study has assessed the following strategic objectives:

- a. Civil Service Strategic Objective (1a): Adequate laws and policies strengthening women's participation in civil service are in place. To evaluate how far NAP 1325 has come in accomplishing this objective, DROPS assessed the following Specific Actions:
 - Assessment and review of laws and policies for strengthening women's participation.
 - Amendment of existing laws and policies for strengthening women's participation and/or the development of new laws and policies if needed.
 - b. Civil Service Strategic Objective (1b): Increased representation of women in all government institutions. To evaluate how far NAP 1325 has come in accomplishing this objective, DROPS assessed the following Specific Actions:
 - Increasing representation of female employees in the civil service through quotas and their representation in recruitment committees.
 - c. Security Strategic Objective: Increased women's capacity to effectively perform their duties and assume leadership positions in the security sector. To evaluate how far NAP 1325 has come in accomplishing this objective, DROPS assessed the following Specific Actions:
 - Development of a capacity building strategy to enable women to perform their duties efficiently and acquire leadership roles in the security sector.
 - d. Enhancing women's meaningful participation in the reconciliation, negotiation, and reintegration at all levels. To evaluate how far NAP 1325 has come in accomplishing this objective, DROPS assessed the following Specific Actions:
 - Adoption of a policy to ensure women's participation in peace, reconciliation and reintegration.
 - Establishment of a national roster of potential women's negotiators from all 34 provinces.
- (ii) Under objective 2, this study has assessed the following strategic objectives:
- a. Relevant laws, policies and procedures ensuring the increased women's nominations for elections and ensuring their security are in place:
 - Conduct a review of laws, policies, and procedures
 - b. Increased meaningful participation of women in the decision-making and executive levels in the civil service, security and peace and reintegration

Objective 1

Assessment and review of laws and policies for strengthening women's participation in civil service & amendment of existing laws and policies for strengthening women's participation and/or the development of new laws and policies if needed:

In the civil service sector, a total of twenty-two laws and policies have been reviewed by the MoJ and MoWA to address legal and policy restrictions that prevent women's participation

in this sector. Under this objective, the implementing agencies, the MoWA and MoJ, worked together to identify and tackle the legal hindrances and limitations to women's participation in the civil sector. According to Spozhmai Wardak, Deputy Minister of Policy and Planning at the MoWA, the ministry did not have a budget to carry out this task however they determined that reviewing of laws and policies did not require a budget and thus they choose to implement this activity regardless of a budget. "We did not wait for the requested budget for implementation of NAP 1325, [we] went on with the implementation of those activities that did not need specific budget," explained Wardak.⁷ The same was highlighted by the MoWA's counterpart, the MoJ. Shah Wali Ataye, Director of Policy, Planning and Case Management System at the MoJ, also stated that those projects in the implementation of the NAP which did not require a budget were implemented such as the review of laws and policies.⁸

Abeda Osman, Director General of Human Rights and Women International Affairs at the Ministry of Foreign Affairs, a member of the NAP 1325 Steering Committee, stated that as per the *2017 Status Report on NAP 1325*, both the MoWA and MoJ have reviewed 22 laws and policies to ensure there is no legal or policy hindrance ahead of women's meaningful participation in the civil service sector.⁹ Based on the assessment and review of these laws, the MoWA told DROPS that through its suggestions for amendments, it identified several new articles and clauses to be incorporated in these 16 existing laws and policies in order to "protect and ensure women's rights."¹⁰ These suggestions, according to the 2017 report, have all been accepted by the MoJ.¹¹ The report, however, provides no information on what those recommendations were. Moreover, while the report also mentions that the MoWA has reviewed a number of policies and strategies in 2017,¹² it does not clearly explain the purpose of the review and does not mention whether "meaningful participation"¹³ of women in the civil sector was considered in the process.

Ms. Wardak asserted that the ministry has reviewed 16 policies and strategies and have suggested amendments for each one.¹⁴ She insisted that the assessment of documents through a gender lens is "an everyday responsibility of the MoWA."¹⁵ She highlighted that in reviewing these documents, the ministry has focused on "women's access to justice, access to their rights, and insurance that their rights are not violated."¹⁶

The 16 laws and policies reviewed by the MoWA are:¹⁷

1. Draft policies of widowed women of the MoLSAMD;
2. The national labor policy of the MoLSAMD
3. National policy on protection of consumers of the Ministry of Industries and Commerce;

7. Wardak, Spozhmai. Deputy Ministry of Policy and Planning at the MoWA. Interviewed by DROPS, Kabul, Afghanistan, July 08, 2018

8. Ataye, Shah Wali. Director of Policy, Planning and Case Management System at MoJ. Interviewed by DROPS, Kabul, Afghanistan, July 09, 2018.

9. Osman, Abeda. Interview.

10. Wardak, Spozhmai. Interview.

11. *2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security)*. Page 11.

12. Ibid.

13. Ibid.

14. Wardak, Spozhmai. Interview.

15. Ibid.

16. Ibid.

17. Ibid.

4. The gender strategy of the Independent Directorate of Local Governance;
5. Local Governance Policy;
6. Public-Private Partnership policy by the MoF;
7. The Gender Policy of the Ministry of Rural Rehabilitation and Development (MoRRD);
8. The policy and strategy of the National Directorate of Security;
9. The National Youth Strategy;
10. The policy for people with disabilities by the MoLSAMD;
11. The policy on decreasing illiteracy rates by the Ministry of Education;
12. Policy on the Sustainable Development of Environmental Protection Agency (EPA);
13. The strategic plan of the Ministry of Economy (MoE);
14. The policy on increasing participation in civil service;
15. The National Policy on Minerals by the Ministry of Mines and Petroleum;
16. The gender policy of the Ministry of Energy and Water.

In terms of the laws reviewed by the MoWA, the *2017 Status Report* shows that three important laws have been assessed by the ministry so far. However, they are not part of the original 22 laws and policies mentioned by Wardak during the interview.

The three laws reviewed by the MoWA are:

1. The Penal Code
2. The Anti-Harassment Law on Women and Children
3. The Law on Reconciliation Jirgas for Civil Disputes

Additionally, as per the 2017 MoFA *Status Report* on the implementation of NAP 1325, six of the 22 laws, policies and strategies have been assessed and amended by the MoJ to strengthen women's participation in "different roles and different levels."¹⁸ It is important to note that, according to Mr. Shah Wali Ataye from the MoJ, the MoJ also assessed the EVAW Laws which was an additional law not originally part of the 22 laws and policies that were reviewed. Thus, the assessment of EVAW has not been mentioned in the *2017 Status Report*. Mr. Ataye also mentioned a number of laws including the Anti-Harassment Law and the EVAW Laws that have been reviewed by the MoJ.¹⁹

The six documents reviewed by the MoJ are:

1. The "Empowerment Strategy" legal document
2. A policy on scoring in recruitment to incentivize women applying
3. The Civil Servants Law
4. The Administrative Performance Law
5. The Easy Service Provision Law
6. The Anti-harassment Law on Women and Children.

Increase the representation of female employees in the civil service through quotas and their representation in recruitment committees:

With regards to women's participation in the civil service sector, NAP 1325 had set a target of a 10 percent increase of women's participation from 2015-2018. However, according

18. *2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 10.

19. Ataye, Shah Wali. Interview.

to the MoWA, this target was changed by all government ministries and the Independent Administrative Reforms and Civil Services Commission (IARCSC) to two percent per year,²⁰ which cumulatively adds up to eight percent by the end of the first phase of NAP 1325 in 2018. This falls two percent short of the target initially set by the NAP.

This study was unable to determine exactly when the two percent target per annum was decided by the implementing agencies and the main reason behind this decision. The MoWA referred DROPS to the 2017 MoFA *Status Report* where it is only vaguely explained that “The Indicator was revised from “10 percent of women in civil service” in the 2016 status report to a simpler measurement/quantification of the number of women in civil service.”²¹

According to the MoWA, the decision was informed by the lessons learned from implementation of the NAPWA which was approved in 2008 and concluded in 2018.²² Wardak told DROPS:

“Currently the target is two percent increase in the participation of women in all government offices since the 3 percent increase in women’s participation based on the NAPWA was challenging for us. There were some barriers that we could not implement the plan. For example, we could meet that goal in the security sector. The increase would be 2+ to hardly three percent. The government was way behind in achieving the goal.”²³

The NAPWA had three key pillars at its core. The first pillar is security; the second is governance, rule of law and human rights; and the third is economic and social development. The government of Afghanistan demonstrated their support for UNSC Resolution 1325 in the NAPWA’s security pillar (chapter four) where one of the three key Specific Actions of progress is an increase in the number of women engaged in peacebuilding and security initiatives. But when the NAP was released, it was to complement the initiatives under the NAPWA during the first phase of its implementation to improve the status of women and would take over from the NAPWA in 2018.

The ministries interviewed in this study did not provide DROPS with statistics on how much this target has been met during the first phase of NAP 1325. Instead, they referred to the 2017 *Status Report* on the implementation of NAP 1325. Moreover, when reviewing the report, DROPS discovered that it remains very general and does not break the statistics down by sectors, by ministries, or by center and province. Instead, the report shows that women make up 22.5% of all employees in the civil service sector²⁴ with 8.85% as contract staff and 26.41% as official staff.²⁵ The report also says that women make up 10.3% of the overall decision-makers in the civil sector.²⁶

Develop capacity building strategy to enable women to perform their duties efficiently and acquiring leadership roles in the security sector:

Under NAP 1325, the security agencies were supposed to develop a strategy on how to enhance women’s capacity in their ministries from 2015-2018. When asked about the

20. Wardak, Spozhmai. Interview.

21. 2017 *Status Report on the Afghanistan’s National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 11.

22. Wardak, Spozhmai. Interview.

23. Ibid.

24. 2017 *Status Report on the Afghanistan’s National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 12.

25. Ibid.

26. Ibid.

specific strategy for implementation of this objective, the MoI told DROPS that the ministry has not created a capacity building strategy for women in the ministry. Instead, the issue of women's capacity building has been included in the ministry's 4-year Strategy covering 1397 to 1400 (2018-2021).²⁷ To this end, the MoI has both created incentives and capacity building programs aimed at increasing women's participation in the sector and in building their capacity.

According to Reza Kateb, Director General of Policy and Planning at the Ministry of Interior, the ministry offers a key incentive to encourage women to join the security sector. For instance, Kateb stated that a higher salary is provided for women to encourage them to join, particularly as part of the MoI.²⁸ As an example, he explained that if a male employee receives a salary of AFN 15,000 per month, a female employee will receive AFN 21,000 per month for the same position.²⁹ Additionally, in terms of the capacity building programs offered to female employees by the MoI, Kateb told DROPS that two capacity building programs have been created to assist women in assuming leadership positions within the ministry.

The first program is called 'Staff College' which provides the opportunity for female employees at the MoI to attain a Bachelor's Degree (BA) and/or, a Master's Degree (MA) while still on duty. This means that female employees are permitted to attend university classes during their duty time. Under this program, female employees who already have a BA are offered discounts to assist them in attaining an MA from any public and private universities in Kabul.³⁰

The second program offers 10 out of 50 Master's Degree scholarships given by the American University of Afghanistan (AUAF) for MoI female employees.³¹ Kateb explained that although the two programs are intended to build capacity among all MoI employees, special attention is given to female employees and female candidates.³² In addition to these two scholarship programs, the MoI has signed MoUs with private universities that offer partial scholarships for its employees both in Kabul and in the provinces.³³ When asked about the effectiveness of these programs and initiatives, Kateb said that, currently, women's presence in mid-level leadership positions is "good" at the MoI while stressing that their presence in senior leadership positions still remains "low."³⁴ He highlighted that it would take more time to increase women's presence in senior leadership at the ministry given that such growth requires professional education as well as experience.³⁵

According to the *2017 MoFA Status Report*, the National Directorate of Security (NDS) also offers capacity building courses for its female recruits. The Report indicates that the NDS provides courses on first aid, gunfire, English, computing, and driving.³⁶ The report also shows that the Ministry of Defense (MoD) has reserved 600 leadership positions for women amounting to 12% of the professional and mid-level ranks in the sector. These positions will

27. Kateb, Reza. Director General for Policy and planning at Ministry of Interior. Interviewed by DROPS, Kabul, Afghanistan, July 07, 2018.

28. Ibid.

29. Ibid.

30. Kateb, Reza. Interview.

31. Ibid.

32. Ibid.

33. Ibid.

34. Ibid.

35. Ibid.

36. *2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 14.

be filled presumably in the second half of 2018 and the beginning of 2019.³⁷

According to the *2017 Status Report*, the percentage of women in the National Army reached 2.5% in 2016, up from only 1.3% in 2015.³⁸ This promising increase is offset by a fall in women's percentage in officer ranks from 2.9% in 2015 to 2.75% in 2016.³⁹ On the other hand, in the National Police, women's presence recorded a slight increase from 0.5% in 2015 to 0.6% in 2016 while women's presence in officer ranks also rose from 1.1% in 2015 to 1.7% in 2016.⁴⁰ Nonetheless, the report lacks information on the status of women's participation in the security sector in 2017 and provides only information and statistics covering the achievements between 2015 and 2016. Therefore, the report fails to portray a comprehensive picture of women's presence in the security sector and their role in leadership positions throughout the first phase of NAP 1325.

Adopt a policy to ensure women's participation in peace, reconciliation and reintegration:

Enhancing women's meaningful participation in at all levels of reconciliation, negotiation, and reintegration is another strategic objective under the participation pillar of NAP 1325. To achieve this, the HPC, PPCs and the MoI were tasked to adopt a policy to ensure women's participation in these three processes. The findings of this study show that instead of developing a policy (the initial objective of the NAP), the implementing agencies created a strategy. It is not clear why this decision was made. Ultimately, it raises concerns over the applicability of a strategy in the absence of a policy that would offer guiding principles to assist implementing agencies in taking logical decisions based on fixed and actionable principles.

The HPC told DROPS that it has developed a five-year strategy⁴¹ to enhance women's participation and role in negotiation and reconciliation processes. This strategy was finalized in June 2017.⁴² Interestingly, DROPS discovered that the strategy encompasses peace and reconciliation but does not include the element of reintegration which is an important component of the commitment under the NAP. Alternatively, the *2017 Status Report* does mention reintegration as being included in the HPC's five-year strategy⁴³ but this, as DROPS has discovered in its interview with Dr. Sarabi, is inaccurate.

Dr. Habiba Sarabi, Deputy Head of the HPC, explained that past experiences in reintegration programs implemented in Afghanistan were largely controversial and as a result did not set a good precedence. For instance, she explained, in past reintegration programs, the armed opposition groups would surrender their weapons to the government but would later rejoin the insurgency. Nonetheless, Dr. Sarabi emphasized that reintegration still remains a vital component of the peace process since the implementation of a peace agreement would not be possible without a reintegration program in place. Therefore, she insisted that reintegration needs to be incorporated into the strategies and policies of the HPC.

The strategy defines women's role in peace and reconciliation as negotiators, mediators,

37. Ibid.

38. Ibid. Page.13.

39. Ibid.

40. Ibid.

41. The document is titled "strategy" not "policy".

42. Sarabi, Habiba. Deputy Head of the HPC. Interviewed by DROPS, Kabul, Afghanistan, July 7, 2018.

43. *2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 17.

and as participants in national consensus-building.⁴⁴ According to Dr. Sarabi, the strategy covers five focus areas and women are included in each. These five areas of focus include negotiations, promoting and strengthening local peace initiatives, capacity building and institutionalization of peace, implementation of peace agreements, and building a national consensus on peace in Afghanistan.⁴⁵

Moreover, according to Dr. Sarabi, the HPC has also made noticeable achievements in enhancing women's participation in all decision-making levels within the HPC body itself. For instance, prior to 2017, there were nine women in the HPC but in 2018 that number increased to 16 women. In other words, among the 79 people in the HPC, 10 percent are now women with one woman, Dr. Habiba Sarabi, in the leadership position as the Deputy Head of the HPC. Women's presence in the Secretariat of the HPC has also improved significantly. The Secretariat is a highly influential body responsible for all budgeting and logistical support to the HPC. Dr. Sarabi explained that there were only three women in the Secretariat prior to 2018 and now there are 18, making a total of 7.5% of staff of the Secretariat.⁴⁶ The findings of this study also show that women's presence in the PPCs, the sub-national arm of the HPC, has also increased. PPCs are representatives of the HPC at the provincial level and carry out all activities of the HPC at the sub-national level. According to Dr. Sarabi, there are a total of 104 PPC women with three female PPC members in 33 provinces and four members in the Herat Province.

When Dr. Sarabi was asked about the effectiveness of this strategy, she told DROPS that it has been effective in enhancing women's participation in the peace process. She noted that as a result of the strategy, women's presence in the HPC has increased to 21%, up from 6% in 2016.⁴⁷ Similarly, she mentioned that women's presence in the PPCs has also increased as 20.6% of all PPCs members now women. However, while the HPC is taking efforts to ensure women's presence is increased in the peace process and that this increase has meaningful effects, there is still a lack of women in leadership positions within both the HPC and PPCs. Dr. Sarabi told DROPS that the HPC is currently lobbying for the inclusion of one female deputy in the Secretariat and one female deputy in each of the PPCs.

Establish a national roster of potential women's negotiators from all 34 provinces:

Another part of the above-mentioned strategic objective was the establishment of a national roster of potential women negotiators from all 34 Provinces. The roster is to reflect a full list of potential women negotiators who can participate in all phases of peace, reconciliation and reintegration processes at the national and provincial levels. The findings of this study shows that efforts to establish this roster are in progress, however. As Dr. Sarabi notes, "The roster has not yet been created."⁴⁸ However, Dr. Sarabi also stated, "it [the roster] is underway," with regards to six rosters from six provinces, set to be completed in August 2018. She also added that the HPC has committed to finishing the remaining provinces as soon as possible but did not offer a time-line for its completion.

44. Sarabi, Habiba. Interview.

45. Ibid.

46. Sarabi, Habiba. Interview.

47. Ibid.

48. Ibid.

The HPC is developing the national rosters through its “Mothers for Peace” program⁴⁹ which gathers information to help it identify women at the sub-national level who have experience in peace and security matters. According to the HPC’s website, the Mothers for Peace program aims “to work with families and encourage mothers to teach their children to remain in national unity and peace.”⁵⁰

The HPC has set criteria to help them in the selection women for the national roster.⁵¹ These criteria include: prior experience in peace, security or conflict resolution, a good reputation in their community, some degree of experience in dispute resolution preferably in addressing instances of violence against women at the household level or perhaps at the community as part of village and district councils, and some level of experience in raising awareness around women’s rights and issues. Dr. Sarabi mentioned to DROPS that the women selected for the roster did not have to have all of the listed criteria but rather should have some of those mentioned. She also highlighted that education level was not part of considerations for the selection process.

Once the roster has been completed, the HPC plans to engage these women in various peace and reconciliation related activities at different levels. According to Dr. Sarabi, these women can engage in various mediation and conflict resolution activities. Moreover, these women can also play a vital role in building connections and networks with insurgents visible in their specific communities in order to prepare the ground for peace talks.⁵²

The MoWA is also an implementing agency alongside the HPC in creating the rosters. However, during interviews, Spozhmai Wardak mentioned that the HPC was the primary agency working on the development of the roster while the MoWA can be “an active member in the process”⁵³ if they are consulted by the HPC. However, as per the NAP matrix, the MoWA was designated as an implementing agency to work alongside both the HPC and PPCs in carrying out this activity. Furthermore, the *2017 Status Report* stipulates that the MoWA has already created a roster of 66 women covering 34 provinces and that the women in the roster have participated in peace negotiations with armed groups both in Afghanistan and abroad. Yet, as reflected in Wardak’s comments, the MoWA has not yet played a role in the development of the HPC roster.

Objective 2

Conduct a review of laws, policies, and procedures:

Strengthening women’s active participation in national and provincial elections is the second objective under the participation pillar of NAP 1325. The findings of this study show that one law, one policy, and two procedures have been reviewed by implementing agencies namely the MoJ, the Independent Election Commission (IEC), the MoWA and various security institutions to ensure women’s active participation as candidates in national and provincial

49. Ibid.

50. High Peace Council. *Mothers’ Participation and Contribution Have Vital Role in Peace Process*. Accessed on October 10, 2018. <http://www.hpc.org.af/english/index.php/news/reports/222-mothers-participation-and-contribution-have-vital-role-in-peace-process>

51. High Peace Council. *Mothers’ Participation and Contribution Have Vital Role in Peace Process*.

52. Ibid.

53. Wardak, Spozhmai. Interview.

elections. According to the *2017 Status Report*, the IEC began a needs assessment of relevant laws, policies and procedures to find which ones might be inhibiting women's participation in parliamentary and provincial elections. So far they have assessed:⁵⁴

1. The Election Law
2. Recruitment Policy
3. Procedures of Registration of Voters
4. Procedures on the List of Candidates

Shah Wali Ataye from the MoJ explained that when the new Election Law (approved in 2016)⁵⁵ was in the drafting process, the implementing agencies did consider the issue of women's active participation in the elections. However, Ataye did not explain exactly how women's participation in the elections was addressed in the new Election Law. When asked if the MoWA and other implementing agencies were part of the review process, Ataye explained that the MoJ is not legally allowed to make amendments to laws without having received suggestions from the other agencies involved. Thus, the amendments made to the new Election Law were done through consultations with other implementing agencies. However, when the MoWA was asked if it made any suggestions to these laws, it said they were not consulted in the review process.⁵⁶ The MoWA also mentioned that this task falls outside their mandate and duties despite being designated as a key implementing agency in the NAP Actions matrix. DROPS findings show that the ministry does not identify itself as a stakeholder in this task, a fact that demonstrates a severe lack of coordination and awareness.

B: PROTECTION PILLAR

Under the protection pillar, NAP 1325 sets three objectives: (i) protecting women from all kinds of violence (domestic, sexual, etc.) and discrimination through the implementation, monitoring and amendment of existing laws and policies as well as through the development of new laws and policies, (ii) the protection of women through access to an effective, active and accountable justice system, and (iii) the availability of health and psychological support for survivors of sexual and domestic violence throughout Afghanistan. Under this pillar, the study has focused on five of the 11 specific actions, to assess achievements towards meeting these three objectives.

- (i) Under Objective 1, Protecting women from all kinds of violence (domestic, sexual, etc.) and discrimination through the implementation, monitoring and amendment of existing laws and policies and the development of new laws and policies, this study has assessed the following strategic objectives:
 - a. Strategic Objective (1): Protection of women through implementation and monitoring of EAW laws and the anti-human trafficking and abduction law.
 - Develop and implement a monitoring mechanism on implementation of EAW law and the anti-human trafficking and abduction law.
 - Strengthen the justice sector to effectively and efficiently address the EAW cases with special focus on prosecution office and courts.

54. *2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 19.

55. Ataye, Shah Wali. Interview.

56. Wardak, Spozhmai. Interview.

- (ii) Under Objective 2 Protecting women through access to effective, active and accountable justice system, this study has assessed the following strategic objectives:
- a. Strategic Objective (2): An inclusive mechanism for increasing women's awareness on legal issues and access to justice is in place with the active participation of women.
 - Establishment of legal clinics/offices within the scope of community centers.
 - Establishment of dispute resolution and emergency response committees with the active participation of women.
- (iii) Under Objective (3): Health and psychological support is available for survivors of sexual and domestic violence throughout Afghanistan.
- a. Strategic Objective 1: Health and psychological support for victims and survivors of violence through the BPHS are available.
 - Provision of health and psychological support for victims and survivors of violence through BPHS. The findings of this study show that the mechanism that needed to be established to monitor the implementation of the EAW law and the anti-human trafficking and abduction law has not yet been created. No legal clinics have been created so far by NAP 1325 and the ones that exist currently in the 34 Provinces across the country are per the MoJ's independent activities and were created prior to the development of the NAP Actions Matrix. Additionally, Dispute Resolution and Emergency Response Committees have also not yet been established. Under existing BPHS packages, implementing agencies have made a degree of contribution by ensuring that at least one psychological counselor is present in each unit of BPHS. This has so far been achieved in 21 Provinces.⁵⁷

Objective 1

Develop and implement a monitoring mechanism on implementation of EAW law, anti- human trafficking and abduction law and strengthen the justice sector to effectively and efficiently address the VAW cases with special focus on prosecution office and courts:

One of the strategic objectives to protect women from all kinds of violence was the development and implementation of a monitoring mechanism for the implementation of EAW Law and the Anti-Human Trafficking and Abduction Law. This study finds that this mechanism has not been created. Instead, DROPS was told that the EAW Commission itself currently functions as this monitoring mechanism. According to the MoWA, "the monitoring mechanism is the EAW Commission which comprises of 15 members who are deputies representing 15 government agencies."⁵⁸ To further strengthen the monitoring mechanism, according to the MoWA, the ministry has created provincial EAW Commissions in all 34

57. Akbary, Farzana. Director of Gender Department, Ministry of Public Health. Interviewed by DROPS, Kabul, Afghanistan, July 14, 2018.

58. Ibid.

provinces. The provincial commissions are led by the provincial governor in each province and the Secretariat of the Commission is led by the Directorate of the DoWA. The exact dates for the creation of these commissions were not provided by the interviewees but were stated to have been created under NAP 1325.⁵⁹

In addition to the above-mentioned commissions, the *2017 Status Report* also explains that as the courts are the only reference for the implementation of endorsed laws, the courts carry out the implementation of justice and decrease of violence and monitor this task through their own monitoring system and specific regulations.⁶⁰ The report also notes that the Case Management System of judicial institutions have the capacity to record and archive important information about VAW cases.⁶¹

These courts, however, are part of the everyday responsibility of judicial institutions and are independent of the NAP Actions Matrix. Therefore, it has become apparent that the mechanism as stipulated under the NAP Actions Matrix has not yet been created and instead the MoWA has been carrying out the monitoring the implementation of both EAW law and the anti-human trafficking and abduction law by holding meetings with EAW Commissions in only the following Provinces: Badakhshan, Takhar, Sar-e-pul, Jowzjan, Samangan, Baghlan, and Balk in the north as well as in the Ghor Province in the west.⁶²

The only mechanism available to monitor the implementation of the EAW Law has been created by the Attorney General Office (AGO). According to the *2017 Status Report*, the mechanism has four steps. In the first step, after the registration of reported EAW cases, the cases are handed over to a prosecutor who in turn submits it to the courts through primary prosecution offices.⁶³ In the second step, the cases are submitted to the court of appeal on violence cases through appeal to the prosecution offices. In the final step, the high prosecution offices oversee all other required steps and take legal action on the cases.⁶⁴

When asked about the number of EAW Law cases resolved under NAP 1325, both the MoJ and MoWA referred DROPS to the *2017 Status Report* according to which 980 cases have been resolved between 2015 and first half of 2016. The report provides no information on the number EAW cases resolved after the first half of 2016. The report also shows that 1726 cases have been registered between March and October 2017.⁶⁵ This clearly shows that the number of registered cases outnumbers the number of cases settled and therefore shows that more needs to be done in this regard.

Establishment of legal clinics/offices within the scope of community centers and establishment of dispute resolution and emergency response committees with active participation of women:

The second objective under the protection pillar was protecting women through access to an effective, active and accountable justice system. To achieve this, one of the tasks was to establish legal clinics as well as dispute resolution and emergency response committees in

59. Ibid.

60. *2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 21.

61. Ibid.

62. Ibid.

63. Ibid.

64. Ibid.

65. Ibid, page 22.

the scope of community centers.

With regards to legal clinics, the MoJ stated that the ministry has established legal clinics in all 34 provinces under its own activities and budget, denoting that the establishment of these clinics was not a part of the NAP Actions Matrix. These clinics provide free-of-charge legal services to women who cannot afford to pay for legal services in civil disputes and for women and children dealing with criminal cases.⁶⁶

As far as the establishment of dispute resolution and emergency response committees is concerned, both the MoJ and HPC were unaware of any developments under this task. The HPC told DROPS that it is not a stakeholder in this activity while in the NAP Actions Matrix it has been identified as a designated implementing agency.⁶⁷ However, the MoJ explained that it is open to cooperating with other institutions in establishing legal clinics and dispute resolution and emergency response committees if and when asked to do so.⁶⁸ But so far, according to the MoJ they have not received any such requests. Paradoxically, the *2017 Status Report* reflects that the MoJ has established Dispute Resolution Committees under NAP 1325 in provincial capitals with the aim of addressing disputes through reconciliation and mediation.⁶⁹ Most of these committees are under the AGO and they are established in 33 provinces.⁷⁰

Provision of health and psychological support for victims and survivors of violence through the BPHS:

One of the tasks under the protection pillar was to ensure that health and psychological support was made available to the survivors of sexual and domestic violence through the BPHS. Marghalary Khara, Director of Gender and Women Affairs at the MoWA, told DROPS that the BPHS falls under the mandate of the MoPH. The MoWA has contributed to these existing BPHS units by adding psychological counselors.⁷¹ According to Khara, the MoWA has provided a psychological counselor in each unit of the BPHS.

BPHS packages have been operating in the country since 2006.⁷² Thus, it is not part of the NAP Actions Matrix. However, the provision of health and psychological support in BPHS units in the form of psychological counselors for victims and survivors of violence has been identified as a task under the NAP Actions Matrix. This task is to be implemented by the following implementing agencies: the MoPH, MoWA, and Mol.

According to the MoWA, the BPHS program has expanded from 30 clinics in 2006 to over 2,000 clinics and hospitals in July 2018.⁷³ The MoWA states that it has contributed to improving BPHS units by ensuring that at least one psychological counselor is present in each unit. However, Farzana Akbary, Director of Gender Department at the MoPH, explained that the ministry provides psychological counselling to families and survivors of violence through its Family Support Centers and not the BPHS units. Akbary stated that, to date,

66. Ataye, Shah Wali. Interview.

67. Sarabi, Habiba. Interview.

68. Ataye, Shah Wali. Interview.

69. *2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 25.

70. Ibid.

71. Khara, Marghalary. Director of Gender and Women Affairs at the MoWA. Interviewed by DROPS, Kabul, Afghanistan, July 04, 2018.

72. Ibid.

73. Ibid.

the MoPH has Family Support Centers operating in 21 provinces.⁷⁴ These support centers, Akbary stated, do not include BPHS services. However, DROPS was told by the MoWA that they provided counselors to these units as its contribution under the NAP Actions Matrix. Akbary, meanwhile, told DROPS that the ministry has not been able to provide psychological support to the BPHS units under the NAP because a budget has not yet been allocated for its implementation.

Additionally, according to the *2017 Status Report*, 29 protection centers have been established as part of ongoing work to better implement the EAW law. The establishment of protection centers in the provinces was intended to enable women in more challenging areas to access this support.

C: PREVENTION PILLAR

Under the prevention pillar, NAP 1325 has set one objective which is the protection of women against all types of violence and discrimination through awareness raising and public outreach. This objective was to be achieved by creating a specific mechanism for family courts to oversee EAW cases and also by establishing procedures to hold responsible members of the judiciary to avoid discrimination against women in EAW cases. This study focuses on two of the five Specific Actions under this pillar which evaluate progress and achievements towards the mentioned objectives.

- (i) Under Objective 1, The protection of women from all types of violence and discrimination through awareness raising and public outreach, this study has assessed the following strategic objectives:
 - a. Strategic Objective (1): Elimination of the culture of impunity surrounding sexual violence against women.
 - Creating a specific mechanism for family courts to oversee EAW cases.
 - Establish procedures to hold responsible members of the judiciary to avoid discrimination in VAW cases.

Creating a specific mechanism for family courts to oversee the EAW cases:

The findings of this study show that the mechanism for oversight of EAW cases in family courts has not been created and the EAW Commissions, established prior to NAP 1325, are used as an oversight mechanism. According to Parween Khaliqi, Officer of Drafting Legal Documents at the MoWA, the MoWA has only been informed about the prioritization of EAW cases by the courts but is not aware of the creation of any specific mechanisms.⁷⁵ Furthermore, she stated that the development of such a mechanism was the responsibility of the courts and not the MoWA. Both the MoWA and MoI choose to not view themselves as implementing agencies under this task even though under the NAP Actions Matrix, both are designated as implementing agencies alongside the MoJ and other judicial institutions.

DROPS found that both the MoI and MoWA had instead created a national database in 2014, independent of the NAP that recorded EAW cases under one umbrella to avoid duplication.

74. Akbary, Farzana. Interview.

75. Khaliqi, Parween. Officer of Drafting Legal Documents at the MoWA. Interviewed by DROPS, Kabul, Afghanistan July 07, 2018.

Both ministries share EAW cases on a daily, weekly, and monthly basis and would monitor the progress of each case through the database and the management database located at the the AGO.⁷⁶ According to Reza Kateb, Director General of policy and Planning at the Mol, the database allows the Mol and MoWA “to gather information on how the government is dealing with the cases and the factors for violence.”⁷⁷ This database was created to avoid registration of one case with multiple agencies like the MoWA, Mol and the AIHRC. The MoWA also mentioned that it was involved in creating the database as a mechanism for courts to oversee EAW cases.⁷⁸ According to Khaliqi, the work on the database started in 2014 and was completed in 2017 with the support of UN Women in Afghanistan.⁷⁹ This reveals that this database is not part of the implementation of NAP 1325. This assessment is also supported by the fact that there is no mention of this database in the 2016 or 2017 Status Reports.

When asked about establishment of procedures to hold members of the judiciary responsible for avoiding discrimination in EAW cases, Khaliqi said that based on reports from representatives of the Supreme Court, the courts are now seen to give priority to EAW cases. Giving priority, however, neither entails nor ensures that discrimination in EAW cases will not take place.

Establish procedures to hold responsible members of the judiciary to avoid discrimination in VAW cases:

With regards to transparency and accountability of court decisions related to EAW cases, five regulations have been adopted by the Supreme Court to prevent discrimination and ensure accountability and transparency.

According to the *2017 Status Report*, the Supreme Court put in place a regulation for prevention of discrimination against women and accountability of the judiciary panel.⁸⁰ The report also says that five other regulations have also been adopted to hold members of the judiciary responsible in order to avoid discrimination against women.

According to the report, these regulations are as follows:

1. Regulation for monitoring on judicial and administrative affairs of the courts
2. Regulation of all activities of judges
3. Regulation of the assurance of the implementation of final decrees of the courts of the Islamic Republic of Afghanistan
4. Regulation on the procedures and activities of the Directorate of Audit of the Supreme Court
5. Regulation on the code of conducts of judges of the Islamic Republic of Afghanistan (this regulation oversees the judicial system of Afghanistan)⁸¹

However, none of these regulations focus solely on EAW cases as required by NAP 1325 and are thus general regulations.

76. Kateb, Reza. Interview.

77. Ibid.

78. Khaliqi, Parween. Interview.

79. Ibid.

80. *2017 Status Report on the Afghanistan’s National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 30.

81. *2017 Status Report on the Afghanistan’s National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 30.

D: RELIEF AND RECOVERY PILLAR

Under the relief and recovery pillar, NAP 1325 sets three major objectives: (i) increased economic security for vulnerable women, (ii) adequate financial resources are available for activities related to women in emergency, and (iii) implementation of IDPs policy provisions related to UNSCR 1325. This study focuses on three of the six Specific Actions under this pillar to evaluate progress and achievements towards the three mentioned objectives.

- (i) Under Objective 1— increased economic security for vulnerable women, this study has assessed the following strategic objectives:
 - a. Strategic Objective (1): Ensuring the recruitment of recent female university graduates (specially women in the rural areas) into the government institutions.
 - Launch a recruitment campaign targeting recent female university graduates (especially women in rural areas)
- (ii) Under Objective 2— adequate financial resources are available for activities related to women in emergency, this study has assessed the following strategic objectives:
 - a. Existing programs incorporate a gender perspective and specially respond to the needs of women
 - Conduct a mapping of all existing government programs with an analysis of the extent to which they include a gender perspective and specifically identify the needs of women
- (iii) Under Objective 3— implementation of IDPs policy provisions related to UNSCR 1325, this study has assessed the following strategic objective:
 - a. Improve the quality of service delivery to IDPs.
 - Implementation of IDPs Policy Provisions on UNSCR 1325.

The findings of this study show that the recruitment campaign targeting recent female university graduates has been conducted but to a limited extent while the mapping of all government programs through a gender perspective and the IDPs policy provisions on UNSCR 1325 have not yet been implemented.

Objective 1

Launch a recruitment campaign targeting recent female university graduates (especially women in rural areas):

One of the strategic objectives towards increased economic security for vulnerable women was to ensure the recruitment of recent female university graduates (especially women in rural areas) into government institutions. Zuhra Halimi, Director of Gender Department at the MoLSAMD told DROPS that cooperation in this regard has taken place between the ministry of IARCSC and the MoLSAMD.⁸² According to Halimi, the MoLSAMD advertises job opportunities for women that the IARCSC announces.

82. Halimi, Zuhra. Director of Gender Department at the MoLSAMD. Interviewed by DROPS, Kabul, Afghanistan, July 15, 2018.

The IARCSC announces jobs and vacancies on both its and the MoLSAMD's website.⁸³ The MoLSAMD also displays these opportunities for women by placing banners in women-crowded areas like universities. They also send a copy of the announcements to other online institutions such as the MoWA who shares the opportunities with women at the national and sub-national level who then share it with their individual networks.⁸⁴ Moreover, the MoLSAMD has close cooperation with the PROMOTE program which shares the job opportunities with PROMOTE graduates. Under the PROMOTE program, graduates and students are assisted by the MoLSAMD in completing the application process and getting into their job system.⁸⁵ According to Halimi, the PROMOTE program also helps new graduates attain internships so that they may gain work experience and become eligible for positions offered by the MoLSAMD and the IARCSC. These internships last for a period of one year at end of which the MoLSAMD issues certificates of completion to each female intern.⁸⁶

Halimi added that the Ministry and other relevant institutions need to diversify their methods of advertising jobs for female graduates and applicants. According to her, institutions need to consider other options in addition to social media for announcing jobs. "Although reading newspapers is not common in Afghanistan, we have to use newspapers for job announcements as well since newspapers are cheap and accessible to everyone." She noted that diversification of means for job advertisements is vital since women have less access to technology in rural Afghanistan. In the provinces, according to her, most of the families have access to radio. Therefore, radio can also be a good means of advertisement for those audiences. She also recommended the use of mobile SMS to announce jobs to women in rural areas.

Despite all the mentioned efforts by the MoLSAMD, this study concludes that the objective under the NAP Actions Matrix cannot be determined as met. The efforts thus far taken by the MoLSAMD do not show if the commitment has been implemented and achieved. First, the strategic objective under this pillar places a significant emphasis on reaching female graduates in "rural areas" which according to interviews has not been achieved. Secondly, there is no mention of any such campaigns having been conducted in the *2017 Status Report* which shows that the efforts mentioned by Halimi have only started in 2018 three years after the launch of the NAP Actions Matrix.

Objective 2

Conduct mapping of all existing government programs with an analysis of the extent to which they include a gender perspective and specifically identify the needs of women:

Another activity under the relief and recovery pillar was to conduct a mapping of all existing government programs with an analysis of the extent to which they included gender perspectives and specifically identified the needs of women, using the findings to develop programs to tackle problems identified in government programs.

83. Ibid.

84. Ibid.

85. Ibid.

86. Ibid.

Based on interviews and the 2017 Status Report, the mapping has not been done. According to the report, the main problem hindering the mapping is the lack of clarity and absence of leadership taken by the responsible implementing agencies as per the the NAP Actions Matrix.⁸⁷ Interviewees told DROPS that the mapping has not been conducted, asserting that it was hindered by the lack of a budget under the NAP. This holds true since the budget for NAP 1325 will only be included in the budget of all ministries in the Fiscal Year 1398 (2019). Salma Alokzay, Director of Coordination of National Priority Programs at the Ministry of Finance, told DROPS that the ministry plans to start working on the full implementation of the the NAP Actions Matrix in 2019 after getting approval of the budget from the National Assembly for NAP 1325 at the end of 2018.⁸⁸

Objective 3

Implementation of IDPs Policy Provisions on UNSCR 1325:

Implementation of IDPs policy provisions was another priority under the relief and recovery pillar. The NAP 1325, which tasks the Ministry of Refugees and Repatriation (MoRR), MoF, MoWA and all other government agencies to implement IDP policy provisions under UNSCR 1325, shows that the only agency to have implemented the IDPs policy provisions was MoRR. According to the report, the following 14 regulations pertaining to IDPs policy provisions were implemented by MoRR in seven of the 34 provinces, namely in Helmand, Kandahar, Baghlan, Herat, Nangarhar, Balkh and Kabul Provinces.⁸⁹

The 14 regulations included:

1. The IDP's special vulnerabilities
2. Identification and registration of IDPs
3. When will the displacement end
4. Disputes, military operations, general violence and human rights abuse
5. Documents
6. Human rights and privileges of displaced persons
7. The right to have adequate shelter and access to land
8. The right to subsistence
9. The right to access health care
10. Supporting families
11. The right to education
12. The right to property and compensation
13. The right to freedom of expression and access to information
14. The right of participation including the right for voting.

In addition to the MoRR, the MoPH has also made some effort in realizing this commitment. Farzana Akbary at the MoPH said that the ministry has created Family Protection Centers (FPCs) for IDPs as part of the NAP.⁹⁰ FPCs provide basic health services to IDPs but, as stated

87. 2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security), page 35.

88. Alokzay, Salma. Interview.

89. 2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security), page 36.

90. Akbary, Farzana. Interview.

by Akbary, are limited only to Kabul, Nangarhar and Baghlan Provinces⁹¹ since the MoPH does not have the budget at the moment to expand the program to other provinces.

Other implementing agencies, such as the MoLSAMD provided no clear information on the IDPs policy provisions for UNSCR 1325 or how those provisions were implemented by them under the NAP 1325 framework. Instead, the ministry hinted at the lack of an allocated budget as the major hindrance in the implementation of these provisions.⁹² The MoI also pointed to the budget deficiency as a key reason for the lack of implementation of this commitment.⁹³ According to Kateb, the government remains “broke” and the number of IDPs are steadily on the rise, making achievements in this respect that much more difficult to achieve.⁹⁴

The MoWA, on the other hand, expressed criticism about the IDPs policy provisions and said that it lacks clarity and specificity. Hossain Ali Moin, Director of Coordination for Economic Development at the MoWA, said that they have held several meetings with the MoRR and have shared their suggestions with the MoRR concerning the lack of clarity and specificity of IDPs policy provisions on UNSCR 1325.⁹⁵ Although he remained vague on the details of these suggestions, he did touch upon a few examples where he felt that women were not given adequate attention. He stated, that the needs of IDP women in health and education sectors need more focused attention in order to identify sustainable solutions. For instance, among IDPs, girls are deprived of receiving an education and one way to address this could be to identify and employ teachers from among the IDPs states. “Female teachers are also among the IDPs. They could be utilized to provide education for IDP girls and the government should take advantage of this potential,” explained Moin. With regards to addressing female IDPs’ health concerns, the MoWA has suggested launching mobile health and education services for IDPs similar to those currently provided to Kuchis (nomads). On the issue of IDP subsistence, Moin brought up the MoWA’s past suggestion to identify skilled women among the IDPs and employ them in areas where they can use their skills during the time they remain displaced. However, according to Moin, none of these suggestions have been incorporated into the IDPs policy.

This study finds that many of the regulations pertaining to the IDPs policy provisions mentioned above remain vague in terminology. For instance, regulations (3) When will displacement end, (5) Documents, (8) The Right to Subsistence and (10) Supporting Families, are unclear, unconcise and ambiguous at best. Moreover, it remains unclear as to what exactly the MoRR has implemented under each regulation as reported in the *2017 Status Report*. Thus, one wonders how these activities can be linked to quality service delivery to displaced persons, particularly women.

EXISTING CHALLENGES IN IMPLEMENTATION OF NAP 1325

There have been several challenges that have held back the implementation of NAP 1325 in its first phase. The challenges this study has identified are: budget gaps, lack of coordination

91. Ibid.

92. Halimi, Zuhra. Interview.

93. Kateb, Reza. Interview.

94. Ibid.

95. Moin, Hossain Ali. Director of Coordination for Economic Development at the MoWA. Interviewed by DROPS, Kabul, Afghanistan, July 04, 2018.

between implementing agencies, incapacity of implementing agencies, and insecurity. These challenges were highlighted during the interviews and the 2017 Status Report. Budget gaps and insecurity were mentioned by all interviewees and the 2017 Status Report while lack of coordination between and incapacity of implementing agencies were not mentioned by all interviewees but can be deduced from their overall answers during the interviews.

A: BUDGET GAPS

The budget for the implementation of NAP 1325 is not allocated or even approved yet by the Afghan government. The reason for this is that the Afghan government has no budget for the action plan. It is instead dependent on the donor community. The donor community, too, has not committed to providing the budget for the action plan. “NAP 1325 is planned very well,” said Zuhra Halimi of the MoLSAMD, “but three years on, there is no budget for its implementation.”⁹⁶ As a result, all activities under the NAP 1325 that required a budget for implementation have remained short of being implemented.

Budget deficiency not only halted implementation of activities under NAP 1325 that required financial resources, it also made the whole plan fall behind its initial schedule. According to Ms. Osman of MoFA, the Steering Committee “basically meets four times a year, but the reason the committee has not met during the 2017 was that they were waiting for the financial to be finalized first.”⁹⁷

This was unanimously pointed at in all the interviews and endorsed by the 2017 Status Report:⁹⁸

In 2016, the costing and the budget were not finalized. In 2017, we have made progress by finalizing the costing as well as the budget. The next step in financing requires the establishment of a financing plan and financing mechanisms, and the development of clear instructions for how funds should be allocated, disbursed and tracked.

The report shows that much remains to be done with regards to the financing of NAP 1325. This delay is further complicated by other challenges like lack of commitment by the government and donor community in this regard. Salma Alokozay of MoF complained about lack of commitment in the government and donor community in funding NAP 1325.⁹⁹ She also highlighted that the MoF has not received budget requests from the ministries as of 24 July, 2018 in spite of having made several requests. There are two reasons for the delay: one is the fact that the ministries will send budget requests to MoF towards the end of the Fiscal Year to be considered in the budget for the next Fiscal Year. Another reason could be lack of commitment at the ministries and implementing agencies— since they do not prioritize implementing NAP 1325, they procrastinate on replying to the MoF’s budget requests.

Ms. Alokozay added:

We are expecting the budget requests for implementation of NAP 1325 by the ministries during the budget hearing of 1398. We will be having meetings with the

96. Halimi, Zuhra. Interview.

97. Osman, Abeda. Interview.

98. 2017 Status Report on the Afghanistan’s National Action Plan on UNSCR 1325 (Women, Peace and Security), page 9.

99. Alokozay, Salma. Interview.

ministries to make sure implementation of NAP 1325 is part of their annual plan and the budget for implementation of NAP 1325 is included in their plan. They have to absolutely start their work on implementation of NAP 1325 in 1398.

Spozhmai Wardak from the MoWA also insisted that budget deficiency has been the greatest challenge for the implementation of NAP 1325. “Otherwise,” she firmly said, “we would have implemented all our plans under NAP 1325 in the center and provinces.”

Farzana Akbary of the MoPH also agreed that budget deficiency has been a major obstacle. She also pointed out that the reason as to why the budget for NAP 1325 is not allocated yet is the fact that the action plan is dependent on the budget provided by donor community and the Afghan government has not succeeded in convincing donors to provide the amount. As there has been no budget allocated for NAP 1325, she pointed out that “the MoPH has not been able to provide health care services in prisons due to lack of budget.”¹⁰⁰

B: COORDINATION BETWEEN IMPLEMENTING AGENCIES

Lack of coordination among the implementing agencies has been another challenge ahead of NAP 1325 implementation. One significant example of lack of coordination was highlighted by Salma Alokozay of the MoF. According to her, the MoF was not a member of the Steering Committee.¹⁰¹ She insisted that the MoF needs to be a member of the committee “to observe closely the work of the committee, cooperate in case of need, and prepare the resource needed for implementation of NAP 1325.”

Throughout the interviews, several other pieces of evidence were found that revealed lack of coordination among implementing agencies. When asked about the establishment of legal clinics, for instance, the MoJ said that it falls outside their mandate¹⁰² while in NAP 1325 the ministry is designated as one of the main implementing agencies. When asked about the creation of a specific mechanism to help family courts oversee EAW cases, the MoJ said that it will proceed as needed only if the ministry receives a draft from the MoI.¹⁰³ In NAP 1325, however, the MoJ is a main implementing agency in creating this mechanism. In a third instance, when the MoJ was asked about the development of procedures to hold members of the judiciary accountable to avoid discrimination in EAW cases, the ministry said that they cannot take the initiative as it falls outside their mandate.¹⁰⁴ In this case, too, the MoJ is among the main implementing agencies as per NAP 1325. When asked the same question, the MoWA also said that they are not aware of any specific procedures in this regard.¹⁰⁵

We observed similar cases during the interview with the HPC. When asked about establishing a national roster of potential women negotiators from all 34 provinces, the HPC said that they have started their work on the roster but acknowledged that they do not know whether the MoWA has worked on it or not.¹⁰⁶ While the HPC and MoWA are the main implementing agencies in this activity as per NAP 1325, there seems to be no cooperation between them.

100. Akbary, Farzana. Interview.

101. Alokozay, Salma. Interview.

102. Ataye, Shah Wali. Interview.

103. Ibid.

104. Ibid.

105. Khaliqi, Parween. Interview.

106. Sarabi, Habiba. Interview.

The HPC is also one of the main implementing agencies in establishing legal clinics in community centers but the HPC said that the Council cannot be part of the program as it falls outside of their mandate.¹⁰⁷ It gave the same answer when asked about establishing the Dispute Resolution and Emergency Response Committees.

Lack of cooperation among implementing agencies also revealed itself during our interview with the MoWA. For instance, when asked about review of relevant laws, policies, and procedures to ensure that they led to an increase in women's nomination for elections and to ensure that their security is in place, the MoWA said that it falls in the mandate of the MoJ. Thus, the MoWA has no information on its progress. The MoWA, nonetheless, is one of the main implementing agencies according to the action plan.

Lack of cooperation among implementing agencies is also evidenced in the 2017 Status Report. For instance, according to the report, the MoWA has reported that "a roster of 66 women from 34 provinces is in place and these women have participated in peace negotiations with the armed opposition groups both in Afghanistan and abroad."¹⁰⁸ During the interview, however, the MoWA said that the HPC is working on the roster while the HPC said that the roster is not ready yet. More explicitly, the report acknowledges that, for instance, the mapping of all government programs to ensure they include gender perspective and respond to the needs of women is not done yet because "it is not clear which of the implementing agencies listed in the NAP 1325 is to take lead."¹⁰⁹

C: INCAPACITY OF IMPLEMENTING AGENCIES

Another challenge in the implementation of NAP 1325 that we identified during interviews was lack of capacity in implementing agencies. The content of NAP 1325 and UNSCR 1325 were new to many of the implementing agencies and they needed training in many areas to be able to implement them. Such trainings, however, need a budget and thus have not been implemented yet.

Abeda Osman of MoFA said that lack of capacity remains a huge hurdle for NAP 1325 implementation. "Most of what we have done have been carried out in Kabul or provincial centers," she explained, "but we need to reach out to districts, villages and communities. For this, we need more capacity building and awareness raising." She further illustrated this with an example from the MoD:

Take MoD for instance. We need at least 34 focal points in 34 provinces to reach out to the provinces and districts. This means that we need to train these many focal points. Same will be the case for other ministries like the MoD.

When asked about women's participation in leadership positions in the security sector, she again emphasized that lack of capacity plays a crucial role in holding the sector back from meeting the objectives. She insisted that the government has been working hard over the past five years to include more women in the security sector but women's presence at the decision-making level is still hampered by lack of capacity. "We do not have enough female

107. Ibid.

108. 2017 Status Report on the Afghanistan's National Action Plan on UNSCR 1325 (Women, Peace and Security), page 17.

109. Ibid, page 35.

generals because the women who have been recruited by the MoD lacked education.”¹¹⁰

The same issue was raised in the civil service sector. Salma Alokozay of MoF said that women’s capacity is low and this has been the biggest challenge for the government.¹¹¹ In her words, “Despite the plans and political will to increase women’s participation in the civil sector and in the decision-making level, there is not enough capacity to implement them in the capital and provinces.”

Zuhra Halimi also highlighted lack of capacity as a major challenge in the implementation process. According to her, most of the women who are applying for vacancies in the civil sector do not meet the requirements including educational credentials and enough work experience to compete in the process.¹¹² Therefore, she noted, even with measures like the “plus 5” points for female candidates in place, it remains hard for the government to meet the objective.

D: INSECURITY

Insecurity has also hampered NAP 1325 implementation. The 2017 Status Report acknowledges that insecurity has been a pressing challenge: “Security remains extremely challenging and when compounded with already existing difficulties of implementation of NAP 1325 programming in provinces as well as in Kabul, the overall success of implementation of NAP 1325 is negatively impacted.”¹¹³

Most of the interviewees placed insecurity as the second most pressing challenge with regards to NAP 1325 implementation. Ms. Wardak of the MoWA noted that insecure provinces are inaccessible to those trying to implement NAP 1325 (and other programs).¹¹⁴ Ms. Alokozay of the MoF also noted that insecurity has been a major challenge in some provinces. She also highlighted that insecurity has been particularly challenging for programs like Role of Women in the Peace Process, Role of Women in Elections, Role of Women in Economy, and any issue related to women’s security as lack of security limits women’s mobility, their activities and their participation in those areas. Ms. Nadia Faizi, Director of Protection Centers at the MoWA also referred to security as a major challenge in the implementation of NAP 1325. When asked about safe shelters, she said that there are no such shelters in 14 of the provinces and the main reason why they have not been established, despite the need, is insecurity.¹¹⁵

GAPS IN THE DESIGN AND IMPLEMENTATION PLAN OF NAP 1325

The study identified several gaps that have caused long delays in the full implementation of NAP 1325. In this study, “gaps” refers to issues that the designers of NAP 1325 failed to consider and resulting in a more difficult implementation phase.

110. Osman, Abeda. Interview.

111. Alokozay, Salma. Interview.

112. Halimi, Zuhra. Interview.

113. *2017 Status Report on the Afghanistan’s National Action Plan on UNSCR 1325 (Women, Peace and Security)*, page 9.

114. Wardak, Spozhmai. Interview.

115. Faizi, Nadia. Director of Protection Centers at the MoWA. Interviewed by DROPS, Kabul, Afghanistan, July 7, 2018.

Unrealistic budgeting and underestimating the difficulty of finding donors for the activities designed in the action plan were gaps that were mentioned by a majority of the interviewees. There were also a few other gaps that were mentioned by some of the interviewees but are of vital importance because they help explain how implementation of the first phase of NAP 1325 was affected by them.

A: FLAWED BUDGET DESIGN

The biggest gap that we identified in the design phase of NAP 1325 was the unrealistic budgeting of the action plan. The initial budget and costing were prepared by the MoF during 2017 in light of the budget proposals by the concerned ministries.¹¹⁶ The initial budget was over 80 million US dollars, an amount Ms. Salma Alokozay of the MoF described as “too big that neither the Afghan government could afford to pay for nor were the international donors ready to make new commitments at the time.”¹¹⁷ According to Ms. Abeda Osman from the MoFA, the exact amount of the initial budget was actually 83 million US dollars.¹¹⁸

As a result, together with other ministries, MoF started working on re-budgeting in March 2018. This time, the budgeting and cost calculations were done by a team including the MoWA, MoF, MoFA, UN Women, and a representative of Nordic Plus all led by Abeda Osman of MoFA.¹¹⁹ The team found several parallel activities that consumed huge amounts of the budget and they settled those overlaps.¹²⁰ With a rigorous and intensive review and the removal of several parallel activities, the team brought the budget down to 47.3 million US dollars.¹²¹ This gap caused a delay of almost four years in the full implementation of NAP 1325. According to Salma Alokozay, full implementation of NAP 1325 will begin in the fiscal year 1398 (2019) since the budget will only be approved by the parliament as part of the budget for fiscal year 1398.¹²²

B: Contradicting Expectations from NAP 1325

As with many other programs and plans, NAP 1325 was dependent on donor support. The Afghan government was confident that the donor communities will support NAP 1325 and provide the required budget for its implementation. That support, however, did not materialize. As Zuhra Halimi from the MoLSAMD succinctly said, “Usually big plans are created and designed in the hope for donor support. We are dependent on donor’s financial support in each and every step of implementation of such programs.”¹²³ With that being the case, the respective government agencies failed to predict donor support objectively when designing and developing NAP 1325.

Salma Alokozay of the MoF highlighted lack of commitment in the government and donor community in funding NAP 1325.¹²⁴ She added that donors had made their commitment

116. Alokozay, Salma. Interview.

117. Ibid.

118. Osman, Abeda. Interview.

119. Ibid.

120. Ibid.

121. Ibid.

122. Alokozay, Salma. Interview.

123. Halimi, Zuhra. Interview

124. Alokozay, Salma. Interview.

for Afghanistan in the Brussels Conference on Afghanistan in 2016 and were not ready to commit more financial aid to Afghanistan to meet the demand of NAP 1325.¹²⁵ Since such a big issue was not given enough thought in the first place, it hindered the implementation of NAP 1325 during its first phase as the Afghan government continued to campaign for its implementation budget rather than implementing the action plan.

C: Limited Reflection of Ground Realities and Public Consultation in the Design of NAP 1325

Ground realities have not been considered and people have not been consulted in designing NAP 1325. This gap, however, was mentioned less frequently during the interviews but clearly explains many of the challenges faced during the implementation of NAP 1325, particularly at the provincial level (see section two).

Nadia Faizi of the MoWA said that public opinion regarding safe homes and shelters are not positive, limiting women's ability to refer to these centers.¹²⁶ In designing NAP 1325, however, this reality was not taken into account and, as a result, there are no activities defined under the NAP directed at raising awareness about these shelters and countering negative perceptions.

Salma Alokozay also pointed out another gap that had not been considered while developing and designing NAP 1325. According to Ms. Alokozay, "There are many capable women who are not interested in working with the government."¹²⁷ She pointed to low payment as the prime reason for their disinterest. She also noted that responsibilities in some of the government sectors, like the security sector, can be challenging for women which is another reason for their lack of interest. This reality was not taken into consideration while designing NAP 1325.

125. Ibid.

126. Faizi, Nadia. Interview.

127. Alokozay, Salma. Interview.

SECTION TWO: FINDINGS FROM THE PROVINCES

In this part of the study, DROPS provides field insights and analysis concerning six themes which emerged during the study: (1) provincial level consultations during the implementation of the NAP Actions Matrix, (2) status of women's participation in decision-making at the provincial level, (3) access to justice and prevention of violence, (4) quality of services to IDP women, (5) coordination between implementing agencies at the provincial level, and (6) challenges in the implementation of the NAP Actions Matrix at the provincial level.

The scope of this section of the study was informed by key-informant interviews conducted with DoWA and PPC members in Herat, Kandahar, Nangarhar, Laghman, and Takhar provinces. It was also informed by focus group discussions held with civil society organizations in each of the above provinces.

PROVINCIAL LEVEL CONSULTATIONS DURING THE IMPLEMENTATION OF NAP 1325

In this section, DROPS evaluates the degree of consultation (a) between the MoWA and DoWAs in the process of assessing and reviewing laws, policies and strategies for strengthening women's participation, (b) degree of consultation between the MoWA, the IARCSC, and the MoLSAMD in the sharing of job opportunities for women at the provincial level, (c) degree of consultation between the PPCs and their national arm, the HPC, during the adoption of a policy to ensure women's participation in peace, reconciliation and reintegration, (d) degree of consultation between the PPCs and DoWAs in establishing a national roster of potential women negotiators from all 34 provinces, and (e) degree of consultation between implementing agencies and the civil society organizations in achieving the objectives under the NAP.

Review of Laws, Policies and Strategies

The MoWA has reviewed 22 laws, policies and strategies that had the goal of strengthening women's participation in the civil sector. According to our findings, there has been some degree of consultation between the MoWA and DoWAs during the review process. The interviewees from DoWAs in Laghman, Kandahar and Nangarhar told DROPS that they were consulted in this process while Herat said they were not consulted and Takhar was not even aware of such processes. Our findings show that Laghman and Kandahar have been consulted the most compared to the other three provinces.

DROPS findings reveal that consultation has been broad in Laghman Province. Nasima

Shafiq, Director of the DoWA and Shogufa, Director of Legal Affairs in the DoWA, told DROPS that they were consulted for nine of the 16 policies and strategies that the MoWA mentioned assessing. The nine included: Penal Code, Public-Private Partnership Policy of the Ministry of Finance, Gender Policy of the MoRRD, Policy on Decreasing Illiteracy Rate, Strategic Plan of MoE, Policy on Increasing participation in Civil Service, the National Policy on Minerals, the National Policy on Protection of Consumers, and the Policy on People with Disabilities.^{128 129}

Similarly, the DoWA in Kandahar stated that they were consulted on two of the three laws and 3 of the 16 policies and strategies. According to Roqia Achakzai, Director of the DoWA, her office participated in consultative workshops looking at the Anti-Harassment Law on Women and Children, the Law of Reconciliation Jirgas for Civil Disputes, the Policy on Decreasing Illiteracy Rate, the Policy on Sustainable Development, and Gender Policy of the MoE.¹³⁰

In Nangarhar Province, the DoWA was consulted on only one law and one policy. Fatana Azizi, Director of Supportive Services at the DoWA told DROPS that the directorate was consulted on the Anti-Harassment Law on Women and Children and the Policy and Strategy of NDS.¹³¹

In Herat and Takhar provinces, the DoWA has not been consulted at all according to interviewees. Somaya Tahery, Director of Legal Affairs at the DoWA in Herat told DROPS that her directorate has not been consulted in reviewing any laws, policies and strategies.¹³² In Takhar, Gawharshad Bawar, Director of the DoWA told DROPS said was not aware of any consultations.¹³³

These consultations have taken place using different methods. According to official procedures, “When developing policies or strategies concerning gender and women, all administrations are required to ensure the DoWA is represented in the process” explained Shafiq.¹³⁴ This has, to a degree, been achieved through communication via phone calls, official emails, official letters or official meetings to consult on the matter. She said that the DoWA in Laghman regularly shares monthly reports with the MoWA in which they highlight existing challenges and problems they face which “could be used to inform the [review] process of laws, policies and strategies.”¹³⁵ Moreover, communication through phone calls and official letters is another method that has ensured the DoWA’s cooperation with respective administrations, especially in the review of laws and policies.¹³⁶ At times, the physical presence of DoWA representatives in the process of drafting and developing policies and strategies has also taken place during the consultation process.¹³⁷ Roqia Achakzai mentioned

128. Shafiq, Nasima. Director of the DoWA in Laghman Province. Interviewed by DROPS, Laghman, Afghanistan, September 11, 2018.

129. Shogufa. Director of Legal Affairs of the DoWA in Laghman Province. Interviewed by DROPS, Laghman, September 11, 2018.

130. Achakzai, Roqia. Director of the DoWA in Kandahar Province. Interviewed by DROPS, Kandahar, Afghanistan, September 10, 2018.

131. Azizi, Fatana. Director of Supportive Programs of the DoWA in Nangarhar Province. Interviewed by DROPS, Nangarhar, Afghanistan, September 10, 2018.

132. Tahery, Somaya. Director of Legal Affairs at the DoWA in Herat Province. Interviewed by DROPS, Herat, Afghanistan, September 11, 2018.

133. Bawar, Gawharshad. Director of the DoWA in Takhar Province. Interviewed by DROPS, Takhar, Afghanistan, September 11, 2018.

134. Shafiq, Nasima. Interview.

135. Ibid.

136. Shafiq, Nasima. Interview.

137. Shogufa. Interview.

a more grassroots level approach.¹³⁸ She said that “the DoWA in Kandahar held meetings with women [to discuss the respective laws, policies and strategies] and collected their views for consideration in the review process.”

Sharing Job Opportunities for Women

The findings of this study show that, in sharing job opportunities for women, the level of consultation between the IARCSC, MoWA and DoWAs at the provincial has been effective. Our interviewees from four of the five provinces said that the MoWA and the IARCSC shared job opportunities for women with DoWA. Only Roqia Achakzai from the DoWA in Kandahar said that the MoWA has not shared such opportunities for women with her office.¹³⁹

The process of ensuring access to these opportunities was explained by Ziagul Iqbal Malekzai, Director of Development Programs at the DoWA in Nangarhar. She explained, “We [the DoWA] have a list of women who are in search of job opportunities. We call them when there are job opportunities. These job opportunities are also shared online. They fill the forms and complete their documents. We call them again for the test. And we observe the process of the test.”¹⁴⁰

Various means of communication have been used to share job opportunities with women. This study finds that at the subnational level these opportunities have been shared through emails, radio stations, social media and on the MoWA and the IARCSC’s websites. Fatanza Aziz, Director of Supportive Services at the DoWA in Nangarhar Province stated that “DoWAs have the CVs of women who come to the DoWA seeking job opportunities. They are registered by us and then contacted when job opportunities become available.”¹⁴¹ Nasima Shafiq, Director of DoWA in Laghman Province added that they announce job opportunities through radio stations in the province.¹⁴² In Takhar and Herat Provinces, the interviewees said that in addition to the above-mentioned means of sharing job opportunities with women, they also use social media for outreach. Gawharshad Bawar from Takhar said, “We have a Facebook page under the name of DoWA and we share job opportunities with women through this page.”¹⁴³ Shuhaila Sabri, Director of Communications and Capacity-building at DoWA in Herat Province stated that DoWA had an extensive network of women with bachelor degrees to whom they share opportunities with.¹⁴⁴ And Somaya Tahery, Director of Legal Affairs at DoWA from Herat Province explained “We use social media such as Facebook, Viber and Telegram to share job opportunities with women.”¹⁴⁵ Interviewees felt quite positive about the effectiveness of these various mediums in broadcasting job opportunities with women at the subnational level.

Furthermore, DoWA have extended their support for women beyond merely sharing job

138. Achakzai, Roqia. Interview.

139. Achakzai, Roqia. Interview.

140. Malekzai, Ziagul Iqbal. Director of Development Programs at the DoWA in Nangarhar Province. Interviewed by DROPS, Nangarhar, Afghanistan, September 10, 2018.

141. Aziz, Fatanza. Director of Supportive Services in the DoWA in Nangarhar Province. Interviewed by DROPS, Nangarhar, Afghanistan, September 12, 2018.

142. Shafiq, Nasima. Interview.

143. Bawar, Gawharshad. Interview.

144. Sabri, Suhaila. Director of Communications and Capacity Building at the DoWA in Herat Province. Interviewed by DROPS, Herat, Afghanistan, September 14, 2018.

145. Tahery, Somaya. Interview.

opportunities with them. Through its members at the IARCSC, DoWAs have observed the recruitment process to make sure the process is transparent. According to Gawharshad Bawar, Director of DoWA and Nasima Ahmadi, Director of Public Awareness in Takhar Province, DoWA is a permanent member of the IARCSC and, as such, they have members in the IARCSC commission. Ms. Bawar stated, “the DoWAs function as observers in the recruitment of public servants.”¹⁴⁶ Ahmadi also agreed, “We [the DoWA] work closely with the MoLSAMD. They share job opportunities with us and they cooperate with the DoWA in providing job opportunities for women. The DoWA has the membership of the recruitment committee of the IARCSC.”¹⁴⁷

Adopting a policy to ensure women’s participation in peace, reconciliation and reintegration

The HPC was required to carry out broad consultations with PPCs in the process of developing a policy to ensure women’s participation in peace, reconciliation and reintegration processes. This study shows that consultations between the HPC and the PPCs during the development of the HPC’s five-year strategy was only carried out in three of the five provinces that we have assessed. During the interviews, members of PPCs in Laghman, Nangarhar and Kandahar said they were consulted while in Takhar and Herat interviewees said they were not consulted.

Mawlawi Abdul Ahad Atid, Deputy Head of the PPC in Laghman Province, said that the heads of PPCs as well as Directors and Deputy Directors of DoWAs representing all provinces had participated in a national consultation meeting in Kabul during the drafting of the HPC’s five-year strategy.¹⁴⁸ Furthermore, he added that following the national consultation in Kabul, other consultative meetings were held in Nangarhar in addition to several other meetings with CSOs, youth and women in the province. Hayatullah Zia, Secretary of the PPC in Nangarhar Province, explained that “the strategy was discussed among different groups in different provinces after its first draft was prepared.”¹⁴⁹ He further added that the PPC in Nangarhar held two consultative meetings with the public and another such meeting with CSOs to discuss the strategy and share their input with the HPC. Abdul Qudus Bais, member of the PPC in Kandahar told DROPS that the Deputy Head of the HPC visited Kandahar Province in 2017 and “held meetings with PPC members and women in Kandahar [city] on the development of the strategy.”¹⁵⁰

Alternatively, Sayed Mahmood Hashimi, Secretary of the PPC in Takhar Province and Fatima Tokhi, member of the PPC in Herat Province, stated that they were not consulted in this process, a finding that indicates that such consultations have not taken place in all provinces. Hashimi said, “We have not been involved in the development of the strategy directly but I can confidently tell you that we were involved indirectly.”¹⁵¹ He explained the indirect

146. Bawar, Gawharshad. Interview.

147. Ahmadi, Nasima. Director of Public Awareness at the DoWA in Takhar Province. Interviewed by DROPS, Takhar, Afghanistan September 11, 2018.

148. Atid, Abdul Ahad. Deputy Head of the PPC in Laghman Province. Interviewed by DROPS, Laghman, Afghanistan, September 12, 2018.

149. Ibid.

150. Bais, Abdul Qudus. Member of the PPC in Kandahar Province. Interviewed by DROPS, Kandahar Afghanistan, September 10, 2018.

151. Hashimi, Sayed Mahmood. Secretary of the PPC in Takhar Province. Interviewed by DROPS, Takhar, Afghanistan. September 11, 2018.

involvement as “being in contact with the HPC through phones and participating in other conference.” Tokhi from Herat Province, acknowledging that she had only been a member of the PPC in the last five months, said that she had not been aware of any such consultations over the mentioned period of time.¹⁵² She added, “The HPC does not value views of women in the PPC.” She went on: “Women have more of a symbolic role in the conferences [on the peace and reconciliation] abroad.”

Setting Criteria for Selecting Women Negotiators

During interviews with the HPC in Kabul, DROPS was informed that the HPC had set three criteria that could assist them and the PPC in identifying and selecting women negotiators at the sub-national level. These criteria included prior experience in peace and security areas, a good reputation, involvement in activities related to raising awareness on women’s rights, and some degree of experience in dispute resolution at the community level. In deciding and finalizing these criteria, the PPC members interviewed from Kandahar, Nangarhar and Laghman Provinces said that they had been consulted and were in agreement over the identified criteria. The interviewees from PPCs in Herat and Takhar Provinces said that they were not consulted.

All PPC members interviewed from Kandahar, Nangarhar and Laghman said that they were consulted. They agreed that the criteria are the right ones but unanimously insisted that “a good reputation at the community level” was the most important of all the criteria. Mawlawi Abdul Ahad Atid, Deputy Head of PPC in Laghman Province argued, “If they do not have a good reputation, people will view their activities negatively...Good reputation sends out a good message and paves the way for cooperation.”¹⁵³

PPC members from Herat and Takhar were not consulted and they were unaware of such criteria. When DROPS shared with them the list of identified criteria, both felt that additional criteria should be added to the list to make the selection process more effective. Sayed Mahmood Hashimi, member of PPC in Takhar Province stated that in developing a “national team of negotiators, selectees should be supportive of the peace process, should be neutral [not from the government or the Taliban], should commit to national values and should have a good understanding of Islamic studies.”¹⁵⁴ Furthermore, in contrast to Dr. Sarabi’s assertion that education should not be a requirement, Fatima Tokhi, member of the PPC from Herat Province, felt that negotiators should have at least a bachelor’s degree and a good understanding of the community’s culture and traditions.¹⁵⁵

Findings of this study also show that PPC members have other propositional criteria that they wish to be added to the finalized list. For instance, Shogufa, Director of Legal Affairs at the DoWA in Laghman Province, insisted that women negotiators should be selected in such a way that ensures representation of remote areas.¹⁵⁶ Echoing Tokhi, Director of the DoWA in Takhar Province, Gawharshad Bawar, added that professional experience and

152. Tokhi, Fatima. Member of the PPC in Herat Province. Interviewed by DROPS, Herat, Afghanistan, September 10, 2018.

153. Atid, Abdul Ahad. Interview.

154. Hashimi, Sayed Mahmood. Interview.

155. Tokhi, Fatima. Interview.

156. Shogufa, interview.

education should be a part of the criteria.¹⁵⁷ Somaya Tahery and Suhaila Akbari from DoWA in Herat also insisted on education and professional experiences as key criteria that should be considered.¹⁵⁸ Nasima Ahmadi, Director of Public Awareness at the DoWA in Takhar, maintained that neutrality, trustworthiness and honesty should be added to the list of criteria as well.¹⁵⁹ Women's age was another criteria that was suggested by the DoWA officials in Herat and Kandahar Provinces. Both insisted that young women with little or no experience should not be selected as negotiators.

DoWA officials from all five Provinces explained that their offices could prove effective help to the HPC and PPC members in the selection of women negotiators. They offered constructive suggestions to strengthen engagement between the three bodies in this process. They highlighted the DoWA's access to and knowledge of competent women at provincial and district levels and their mobility, as residents of these provinces, to remote areas where the PPC and HPC cannot travel to. Fatana Azizi, from the DoWA in Nangarhar, said, "We know a larger network of women and we know women who are influential among people, trusted by people and have the capability to work in the peace process."¹⁶⁰ Shogufa from the DoWA in Laghman explained, "PPCs cannot go to remote areas but the DoWA has community councils of 20 to 30 women in those remote areas and they can introduce competent women negotiators from those councils."¹⁶¹ Nasima Shafiq from the DoWA in Laghman supported this point stating, "The DoWA and its staff can introduce such women who are competent and capable."¹⁶² The views above were also raised by members of the DoWA from Herat.

Civil Society Perspective

A total of 30 Civil Society Organizations (CSOs) participated in FGDs held in each of the five Provinces during the field research for this study. One of the primary questions they were asked concerned their awareness of NAP 1325 and the implementation of its first phase (2015-2018). The reactions from the CSOs were mixed; some expressed a good understanding of the NAP while others displayed a minimal understanding of it. In Takhar and Kandahar, some CSOs pointed to workshops on NAP 1325 which they had participated in and which they felt proved beneficial in increasing their knowledge on the issue.¹⁶³ Nonetheless, all CSO members who participated in the FGDs for this study expressed positive attitudes towards the NAP and highlighted the need for its urgent implementation. However, their views about its implementation were mixed.

CSOs underscored the significance of NAP 1325 and all insisted on the urgent need for its implementation and the importance to ensuring women's voices and participation were represented in all sectors. Nozada Wazir, a social activist from Nangarhar told DROPS, "It is necessary for women to play their role in the society and serve their people and NAP 1325 is

157. Bawar, Gawharshad. Interview.

158. Tahery, Somaya. Interview.

159. Ahmadi, Nasima. Interview.

160. Shafiq, Nasima. Interview.

161. Shogufa, interview.

162. Shafiq, Nasima. Interview.

163. Mozghan. Member of the AWRSA Organization in Takhar Province. Participated in FGD conducted for this study, Takhar, Afghanistan, September 10, 2018; Jaheed, Esmatullah. Member of Shahid Khan Mohammad Association in Kandahar Province. Participated in FGD conducted for this study, Kandahar, Afghanistan, September 11, 2018.

important because it emphasizes on protection and participation of women.”¹⁶⁴ Pakiza Faizi, another social activist from Nangarhar highlighted, “This [NAP 1325] was definitely important since women were not given opportunities in most of the sectors, women’s safety and other needs were not taken into account. This is why this action plan is very important.”¹⁶⁵

While most of the CSOs expressed positive attitudes towards the NAP and its potential to promote, protect and empower women in all sectors of Afghan society, others criticized implementing agencies for their inability and at times lack of will in implementing the NAP Actions Matrix. Some also pointed to the general lack of awareness on NAP 1325 among key government bodies and the population as a whole, a situation which they felt should be rectified in the immediate future in order to enable the implementation of the NAP during its second phase.

The majority of the FGD participants in Herat Province, for example, criticized the implementation of the action plan and claimed that its implementation had not been effective. Malaka Rasouli, Deputy Director of Children Association in Herat Province, highlighted several challenges that she believed has hampered the implementation process of the NAP. She argued, “One of the challenges was lack of awareness about NAP 1325 and on how to implement it. Another challenge was weak performance of the implementing agencies. A third challenge was the lack of commitment on part of the implementing agencies.”¹⁶⁶ Rasouli explained that the status reports prepared by implementing agencies do not reflect the lack of achievements on the ground. She asserts “the implementation of NAP 1325 has not been even being 20 percent successful because they only wanted to implement it in cities but not in rural areas,” suggesting that focus on rural areas has not been prioritized by the NAP so far in Herat. This sentiment was shared by Mariam Jami al-Ahmadi, Director of Social Association for Empowered Women in Herat Province. She explained that “I think there was so much procrastination in its implementation. Ministries did not feel responsible to prepare the implementation plan on time. The level of awareness on NAP 1325 is very low among the government agencies and among the public.”¹⁶⁷

STATUS OF WOMEN’S PARTICIPATION IN DECISION-MAKING

In this section, DROPS evaluates the status of women’s participation in decision-making at the provincial level by gathering perspectives from DoWAs, PPCs, and CSOs on (a) the status of women’s participation in the civil service and security sectors, (b) the status of women’s participation in peace and reconciliation process at the sub-national level, and (c) the status of women’s participation in elections.

164. Wazir, Nozada. Social activist in Nangarhar Province. Participated in FGD conducted for this study, Nangarhar, Afghanistan, September 10, 2018.

165. Faizi, Pakiza. Social activist in Nangarhar Province. Participated in FGD Conducted for this study, Nangarhar, Afghanistan, September 11, 2018.

166. Rasouli, Malaka. Deputy Director of the Children Association in Herat Province. Participated in FGD conducted for this study, Nangarhar, Afghanistan, September 09, 2018.

167. Jami al-Ahmadi, Mariam. Director of the Social Association for Empowered Women in Herat Province. Participated in FGD conducted for this study, Herat, Afghanistan, September 10, 2018.

Civil Service and Security Sector

During Kabul interviews, it was revealed that the initial target of 10 percent set for increasing women's participation in the civil sector was changed by all government ministries and the IARCSC to two percent per year for the sake of making it more achievable.¹⁶⁸ This means that, cumulatively, the target for increasing women's participation in the civil sector will reach eight percent by the end of the first phase of NAP implementation in 2018. This falls two percent short of the target initially set by the NAP.

During provincial interviews, DROPS asked DoWAs, PPCs and CSOs how they viewed the status of women's participation in government institutions in their provinces. This was both to understand whether the two percent increase in women's participation had been met at the provincial level and to gauge the extent to which this increase may have led to women's meaningful participation at the decision-making levels. The findings of this study show that the two percent target increase per year towards women's participation in the civil sector has not been met at the provincial level. This view was unanimously shared by all the DoWA officials interviewed from all five provinces. However, this does not mean that there have been no achievements in this regard.

Findings gathered at the provincial level show that the implementation of NAP 1325 has led to a slight increase in women's participation in the civil sector, particularly in areas like the education and health sectors. This is particularly true for Herat, where Suhaila Sabri, Director of Communications and Capacity-Building at the DoWA, explained that according to, "reports by the Governor's office, women's presence is around 40 percent at the provincial level. That includes education and higher education sectors."¹⁶⁹ She also emphasized that efforts are underway to increase women's participation in other sectors in the province as well.

Gawharshad Bawar, Director of the DoWA in Takhar Province, echoed Sabri's assertion. Bawar explained that women in the civil service sector tend to occupy leadership positions in the health and education sectors. He said, "We do not have women in leadership positions in the civil service sector except for the health and education sectors—that includes institutions of higher education...we have female teachers, female doctors, and female medical experts who work in high positions in these sectors."¹⁷⁰ Fatana Azizi, Director of Supportive Services in the DoWA in Nangarhar Province, stated that women's participation in her Province had increased in both the health sector and within the DoWA.¹⁷¹ She stated that the number of women in the public health sector had increased due to the 60 midwives who graduate each year and join the sector. She also mentioned that within the DoWA itself, according to her, the number of female employees exceeded the two percent target. But, she cautioned, women's participation has not exceeded the two percent in other sectors. Roqia Achakzai, Director of the DoWA in Kandahar Province, also stressed that there had been an increase in women's participation in the education sector, public health sector, the MoLSAMD and in the police.¹⁷²

Nonetheless, the findings of this study conclude that women's meaningful participation in

168. Wardak, Spozhmai. Interview.

169. Sabri, Suhaila. Interview.

170. Bawar, Gawharshad. Interview.

171. Azizi, Fatana. Interview.

172. Achakzai, Roqia. Interview.

decision-making remains quite low at the provincial level. Bawar emphasized that an increase in women's participation in the civil service sector in Kabul does not translate to an increase at the provincial level. She explained, "There are more women in the leadership positions in the capital but women mostly work in lower positions in the provinces."¹⁷³ Achakzai notes that in Kandahar there might be instances where women are placed in decision-making levels but on an ad hoc basis and as such is not reflective of the actual status of women employed in the civil service sector. She noted, "Women are not given the chance to participate in the decision-making. Maybe there are single instances in which they participate in the decision-making, but there is no particular attention to the issue."¹⁷⁴

Civil Society Perspectives:

The FGDs with CSOs in all five provinces showed that from a civil society perspective there was either no improvement or a slight improvement in women's participation at decision-making levels at the sub-national level. It was also repeated by many CSOs in Herat, Takhar and Kandahar Provinces that the few women exercising roles in decision-making levels are symbolic and do not have a substantive role in actual decision-making.

Mozhgan, a civil society activist in Takhar, underlined that "women's participation is both low and symbolic in the province."¹⁷⁵ In Kandahar, similar views were shared. Ahmad Kamal Khorram, member of the Association of Tribal Elders said, "In my view, first there are no women in the government and if there are women, they are not influential in the decision-making levels."¹⁷⁶ Ershad Sahib, Acting Director of the Samoon Association, also emphasized this, "I think women play no particular role in the decision-making in Kandahar Province."¹⁷⁷ In Herat, Aziza Karimi, former Director of the DoWA and current Director of Zar Dozi Organization, explained how women get treated differently from their male counterparts in the civil service sector.¹⁷⁸ She stated that women are expected to prove their capability in a position. They face a lot of harassment and are often forced to "buy gifts" for superiors in order to retain their jobs. Mariam Jami al-Ahmadi, stated that these challenges are part of the many factors that make women reluctant to join the civil service sector.¹⁷⁹

In both Nangarhar and Laghman Provinces, CSOs said that women's participation in decision-making has improved slightly. Tesel Niazi, a social activist in Nangarhar Province told DROPS, "We have many limitations [for women] as our society is an Islamic society. The common mindset in this society does not allow women to work together with men, yet in Nangarhar Province, the Director of the DoWA is a woman and there are female school principals and women in the health sector in leadership positions. We also have women in provincial councils. The deputy governor is also a woman."¹⁸⁰ Confirming the mentioned positions

173. Bawar, Gawharshad. Interview.

174. Achakzai, Roqia. Interview.

175. Mozhgan. FGD participant.

176. Khorram, Ahmad Kamal. Member of the Association of Tribal Elders. Participated in FGD conducted for this study, Afghanistan, September 11, 2018.

177. Ershad Sahib. Acting director of the Samoon Association in Kandahar Province. Participated in FGD conducted for this study, Kandahar, Afghanistan, September 11, 2018.

178. Karimi, Aziza. Former Director of the DoWA and current Director of the Zar Dozi Organization in Herat Province. Participated in FGD, Herat, Afghanistan, September 09, 2018.

179. Mariam Jami al-Ahmadi. Director of the Social Association for Empowered Women in Herat Province. Participated in FGD, Herat, Afghanistan, September 09, 2018.

180. Niazi, Tesel. Social activist in Nangarhar Province. Participated in FGD conducted for this study, Nangarhar, Afghanistan, September 11, 2018.

occupied by women in Nangarhar Province, Assadullah Khaliz, another participant, added: "In addition, the head of [the provincial office of] Independent Human Rights Commission is also a woman. There are several non-government organizations [in Nangarhar] that are led by women."¹⁸¹

Women's participation in the security sector, however, was highlighted as low by CSOs in all five Provinces. In Nangarhar, Kandahar and Laghman, CSOs stated there were no women in the leadership positions in the provincial police forces. But some of the participants mentioned women's presence in the police stations without clarifying whether those women are in the leadership position or not. Alternatively, in Takhar and Herat, CSOs spoke of at least one woman employed in a leadership position within the provincial police force.

According to Tesel Niazi from Nangarhar, "Every police station should have four women in its composition."¹⁸² Mr. Niazi, however, did not mention whether all police stations in Nangarhar Province have four women in their composition and other participants in FGDs did not answer this question either. FGD participants in Kandahar Province unanimously said that there are no women at the decision-making level in the security sector in their province. Participants in Laghman Province shared the same view. Two of the participants in Takhar Province said that there is only one woman in a leadership position in the security sector. Samim Hussaini said, "I know of Zainab Mobariz who worked in the gender department. Currently, she is replaced with Ms. Zaiban. There is no one [else] in the decision-making position in the security sector in Takhar."¹⁸³

The interviewees mentioned insecurity, discrimination against women and lack of interest in working in the civil and security sectors as hindering factors. Ziagul Eqbal Malekzai, Head of Development Programs at the DoWA in Nangarhar Province, said that the target quota has not been achieved in the province largely due to insecurity.¹⁸⁴ Somaya Tahery, Director of Legal Affairs at the DoWA in Herat, highlighted women's lack of interest and discrimination as hindering factors.¹⁸⁵ She said, "Women are not interested in working outside home or in joining the civil and security sectors. It is not accepted by the society and discriminations exist in the organizations and this prevents women from participating in the society."

Acknowledging that women's participation in the security sector is low in Herat Province, FGD participants in Herat highlighted the reasons that hinder women's participation in security sector in the province. Aziza Karimi, Director of Zar Dozi Association, said, "There are no facilities for women in the security sector. There are no kindergartens for their children and no health facilities for themselves."¹⁸⁶ Malaka Rasouli, Deputy Director of the Children Association, added: "Women were very interested in joining the security sector in the beginning but they face negative perceptions, lack of trust, lack of authority and discrimination in promotion. They were promised promotions and professional trainings but none have been delivered. Women have been abused when asking for their rights and

181. Khaliz, Assadullah. Social activist in Nangarhar Province. Participated in FGD conducted for this study, Nangarhar, Afghanistan, September 10, 2018.

182. Tesel Niazi, *Ibid*.

183. Samin Hussaini, social activist in Takhar Province. Participated in FGD, Takhar, Afghanistan, September 10, 2018.

184. Malekzai, Ziagul Eqbal. Head of Development Programs at the DoWA in Nangarhar Province. Interviewed by DROPS, Nangarhar, Afghanistan, September 10, 2018.

185. Tahery, Somaya. Interview.

186. Karimi, Aziza. FGD participant.

this is concerning.”¹⁸⁷ Discrimination in promotions was also mentioned as a hindrance by Aziza Karimi. She shared an example: “A woman named Sima has been working in the same position for 11 years. We have advocated for her [to get promotion] but we have achieved nothing.”¹⁸⁸ Sousan Behboodzada, Director of the Mothers Association added:

*The situation of women in the security sector is very complicated. There is a public perception that honorable women do not join the security sector. Women in this sector complain about ethical problems. These women are discriminated against. Some women are forced to go to frontlines and on patrols.*¹⁸⁹

Peace and Reconciliation Process

Interviewees at the PPCs were happy with the increase in women’s participation at the provincial level. According to the HPC, at the time of this study there were three women members in all 33 provinces of the country and four members in Herat Province. The findings of this study show that in two of the five provinces studied, women’s participation in the PPCs is greater than the number that the HPC had given in the interview and those two provinces include Kandahar and Takhar Provinces. In three of the five Provinces that we assessed, there are four women members in the PPCs which makes them close to 13% of their committees. In the two other provinces, there were three female members, making them around 11% of their committees’ composition.

The findings of this study also reveal that the women in PPCs have been involved in activities related to peace and reconciliation. Their activities and engagement were mentioned by the interviewees in all five provinces. For instance, Fatima Tokhi, member of the PPC in Herat Province told us that PPC women took advantage of the August ceasefire with the Taliban and contacted ten families of the insurgents, went to meet them, and to listen to their demands. The women of those families in particular had high demands: pardons for their sons, education opportunities for their children, and job opportunities.¹⁹⁰

In other Provinces, female members of the PPCs have held awareness raising programs, workshops, conferences, roundtable discussions, seminars and consultation meetings with the public. Abdul Qudus Bais, member of the PPC in Kandahar Province said: “The PPC in Kandahar has held meetings at the district level to explain our programs regarding the peace process to women and get our messages across to them.”¹⁹¹ Hayatullah Zia, member of the PPC in Nangarhar Province also spoke of such programs in Nangarhar. In his words, “We have held different programs such as workshops, seminars, roundtable discussions and meetings. The PPC female members had a very active role in these programs and in public awareness raising in districts.”¹⁹²

PPC members who were interviewed had a mixed attitude towards the five-year strategy developed by the HPC. Hayatullah Zia said, “Compared to the past, participation of women is

187. Rasouli, Malaka. FGD participant.

188. Karimi, Aziza. FGD participant.

189. Behboodzada, Sousan. Director of the Mothers Association in Herat Province. Participated in FGD, Herat, Afghanistan, September 09, 2018.

190. Tokhi, Fatima. Interview.

191. Bais, Abdul Qudus. Interview.

192. Zia, Hayatullah. Member of the PPC in Nangarhar Province. Interviewed by DROPS, Nangarhar, Afghanistan, September 10, 2018.

a priority in this strategy, and the number of women in the PPCs has increased.”¹⁹³ Mawlawi Abdul Ahad Atid, member of the PPC in Laghman Province, maintained worries about the implementation of the strategy.¹⁹⁴ In his words, “As far as the strategy is concerned, participation of women is perfect, but its implementation is hampered by financial limitations.” Sayed Mahmood Hashimi, member of the PPC in Takhar Province was not sure whether the strategy would be effective. He said, “Direct negotiations have not started with the opposition groups yet and the strategy has not been implemented so we cannot evaluate its effectiveness.”¹⁹⁵

According to the HPC, the strategy focuses on women’s participation in negotiations, promotion of local peace initiatives, capacity building and institutionalization of peace, implementation of peace agreements, and building a national consensus on peace. As to women’s participation in all of these phases and activities, interviewees from PPCs had mixed views. Abdul Qudus Bais agreed that women are involved in all of these activities both at the national and provincial levels.¹⁹⁶ Hayatullah Zia from Nangarhar, however, said that women are involved in some but not all of these activities at the provincial level. He said that with regards to negotiations, women are not involved at the provincial level. Even the PPC members do not have very active role. He also asserted that the leadership and secretariat are responsible for the technical work on the negotiations. In his words, the HPC has only contacted the PPCs for contacts. He said, “We have not done any negotiations with any opposition groups yet. With regards to promoting local peace initiatives, yes, women are involved at the provincial level. In capacity building activities, women are involved. As far as implementation of peace agreements is concerned, PPCs are the representative of HPC in the Provinces and their job is to observe the implementation of peace agreements. Concerning building national consensus on peace, women have active participation in the local level for building consensus on peace.”¹⁹⁷

The participants in the FDGs, however, were critical of the current state of women’s participation in the peace process, arguing that their roles remain symbolic and their participation low. In Takhar Province, the participants in the FDGs argued that the PPC does not play an active role and that the number of women in the committee is insufficient. Participants in Herat Province also shared this view. Malaka Rasouli, one of the participants, shared her criticism of the Herat PPC in more serious words:

*In Herat which has four million people, we only have four women on the PPC. That shows the HPC’s disinterest in women’s participation in the process. The PPC does not believe in women’s role [in the peace process]. We have advocated for this for a long time. I was an honorary member of the PPC. But when I realized that it was inactive and that it did not listen to our suggestions and voices, I stopped attending its meetings.*¹⁹⁸

Another frequent reason that was raised by FGD participants was that women’s participation in the PPCs remains low and largely symbolic. Mozhgan, a civil society activist in Takhar

193. Ibid.

194. Atid, Abdul Ahad. Interview.

195. Hashimi, Sayed Mahmood. Interview.

196. Bais, Abdul Qudus. Interview.

197. Zia, Hayatullah. Interview.

198. Rasouli, Malaka. FGD participant.

Province, said that the number of women in the PPC is low. He'd like to see more of them since "women can play a very important role in the peace process. They can prevent their children from joining the opposition groups."¹⁹⁹ Participants in Kandahar, Nangarhar and Laghman Provinces also stressed that women's participation in the peace process is low. Mozghan from Takhar Province insisted that women's role in the peace process remains symbolic. Zainuddin Zahid, another civil society activist in Takhar Province, pointed to the incapacity of the women involved and criticized the inaction by the government to address this problem.²⁰⁰ Rahmanullah Rahmani, a civil society activist in Laghman Province, also pointed out that women's participation and role in the peace process is symbolic.²⁰¹ The same sentiment was shared by the majority of the FGD participants in Herat Province.

In addition to participation in peace related activities and processes, NAP 1325 also tasked the HPC and PPCs with the creation of a national roster of women negotiators. The interviewees were positive that the roster will lead to enhancing women's participation in the processes. Mawlawi Abdul Ahad Atid, member of the PPC in Laghman Province, underscored the role of this roster in ensuring that women's voices are heard in the process.²⁰² He said, "Now, women are worried that their concerns and interests will not be taken into account in a peace process. One important contribution of the roster will be that this concern will be addressed." He also highlighted that women express the belief that the Taliban will return and that they will revive lashings and beatings and be forced to wear the burqa. Therefore, said he claims, if there is a group of women involved in the process, women will think that they also own the process. The majority of participants in Herat, Kandahar, Takhar and Nangarhar shared his views.

Participation in Elections

The findings of this study show that participants in FGDs in Takhar, Kandahar and Nangarhar provinces were optimistic about women's participation in elections. Mozghan, an FGD participant in Takhar Province, said that women's participation in elections (both as candidates and as voters) has been higher in Takhar compared to other provinces.²⁰³ She added, "We have three women in the provincial council, two women in the Parliament, and 11 candidates who are running for the upcoming parliamentary elections." Najiba Frough, another participant from Takhar, added that 43% of women in the province have registered to vote in the upcoming parliamentary elections.²⁰⁴ Ahmad Kamal Khorram, a participant in Kandahar, said that there are two women in the provincial council, two women in the parliament, one woman in the senate and 11 candidates running for the 2018 parliamentary elections in Kandahar.²⁰⁵ Pakiza Faizi, a social activist from Nangarhar, said:

We have women representatives at the national and provincial levels. We have many women representatives in the provincial council, too. Women take part in the elections and use their vote very effectively. Compared to past, their participation has

199. Mozghan. FGD participant.

200. Zahid, Zainuddin. Civil society activist in Takhar Province. Participated in FGD, Takhar, Afghanistan, September 10, 2018.

201. Rahmani, Rahmatullah. Civil society activist in Laghman Province. Participated in FGD, Laghman, Afghanistan, September 11, 2018.

202. Atid, Abdul Ahad. Interview.

203. Mozghan. FGD participant.

204. Frough, Najiba. Civil society activist in Takhar Province, Participated in FGD, Takhar, Afghanistan, September 10, 2018.

205. Khorram, Ahmad Kama. FGD participant.

*increased in the elections campaigns, too. Although there are many challenges, they stand for their rights and struggle for it. Fortunately, we have women candidates for the councils from the districts as well.*²⁰⁶

Nonetheless, participants in FGDs highlighted challenges that make future prospects for women's participation in elections look grim. Corruption and fraud in the elections was one of the challenges that participants highlighted. Malaka Rashouli, a participant in Herat Province, shared an egregious example: "In the past, some of the well-educated and experienced women could not win the elections because of fraud in the [Independent Elections] Commission. I was a witness to when a candidate was asked for bribe if she wanted to win in the election. Such circumstances limit participation of educated women in elections."²⁰⁷

Two of the participants in Takhar Province criticized the Mol for failing to issue National Identification Cards for eligible women in several villages to facilitate their registration as voters. Zainuddin Zahid said, "I know of many villages where mobile teams [from the Mol] stayed for a week but they did not have any forms to issue IDs for residents. Langar, Saadat, Kishan, Kamangar, Dasht-e-Barshal, Gorgan and Rastaq are examples of such villages in Takhar Province."²⁰⁸ Samin Hussaini, another participant from the province, added that "the mobile teams tasked to issue national ID cards have not gone to some of the villages."²⁰⁹

ACCESS TO JUSTICE AND PREVENTION OF VIOLENCE AGAINST WOMEN

Access to justice is a critical component of NAP 1325. In an attempt to assess how access to women has improved during the implementation of the first phase of NAP 1325 at the provincial level, this study attempted to find out whether the ERAW Commissions have been effective, whether the protection of women and prevention of violence against women has improved, and whether women's disputes against the insurgency are addressed and resolved.

Effectiveness of ERAW Commissions in the implementation of NAP 1325

The findings of this study show that women's access to justice is not the same in all of the five provinces. Women's access to justice, according to participants of FGDs in the Herat, Nangarhar and Laghman Provinces is good but mostly limited to the provincial centers and not readily available in more rural areas. According to FGD participants in the Kandahar and Takhar Provinces, women's access to justice is limited even in the provincial centers.

Malalai Alawi, deputy at the city council in Herat Province, said that women's access to justice is relatively good in Herat. According to her, they have access to lawyers both as a complainant and as a defendant. In her words, the government provides them with lawyers if they cannot afford to hire one. She added, "We are optimistic about the function of the judiciary system

206. Faizi, Pakiza. FGD participant.

207. Rasouli, Malaka. FGD participant.

208. Zahid, Zainuddin. FGD participant.

209. Hussaini, Samin. Civil society activist in Takhar Province. Participated in FGD, Takhar, Afghanistan, September 10, 2018.

since we have many good women lawyers, attorneys and judges. People, however, do not refer to government lawyers very much and hire lawyers at their personal expense."²¹⁰ Other participants in Herat Province were not as optimistic. Aziza Karimi said, "I am involved in [processing] the cases of [female] victims [of violence]. We received complaints from poor women who are discriminated against in the provincial Attorney General's office and courts. People have no choice but to sell their property and hire private lawyers. Sometimes they have but no choice but to sell their beloved ones to hire a lawyer."²¹¹ Mariam Jami al-Ahmadi, another participant in the province also agreed with the high costs of lawyers and added that people cannot trust the lawyers. According to her, this is especially true with people from villages that are not familiar with the lawyers and have to pay a high price for them. In some cases, she said, "We have witnessed lawyers betraying their clients because they were paid higher sums by opponents. We have good lawyers but we cannot trust them because they are not monitored. They should be monitored."²¹²

Participants in Nangarhar Province agreed that women's access to justice has improved but they also highlighted some challenges that women are still facing in the province. Assadullah Khaliz said that some of the organizations follow up with the cases in court. The biggest challenge, as he highlighted, is people don't know the address they should refer their cases to. According to him, there is no counseling office to guide people and help them with their problems. He continued: "When women take their cases in to the court, they think that their case is solved 80 percent. Women do not have legal marriage documents and they do not have a National ID card. If there are women employees in the National ID card office, this would not be a problem. In addition, it is a problem that women do not know about their rights. They do not know that women have right to demand their *mahr* based on the law, sharia and traditions. They have the right to accommodation, alimony, and ownership."²¹³

Participants in Laghman also agreed that women's access to justice has improved but underscored that their access to justice in districts and remote areas is still limited. Jaweed Masroor, a civil society activist, said, "It is true that we have everything in place here in the provincial center but Laghman is not limited to these few streets. Laghman has a population of 1,300,000 people, half of which are women. Women in the Dawlat Shah, Badbasht and Alinigar districts do not have access to justice. In the provincial center they have access but in districts they don't. The judges cannot go to districts. How can the suspect who has been oppressed refer to courts?"²¹⁴

Mohammad Hussain Sajjad, another civil society activist agreed with that assessment. He said that in the provincial center there are defendants, attorneys, and courts and thus women can easily and freely take their cases to these institutions. In districts, however, their access is limited and they do not have those institutions. Moreover, he added, their families do not allow them to take their cases to formal institutions. According to Sajjan, women also cannot take their cases to the provincial center because they do not know anyone there while in the

210. Alawi, Malalai. Deputy of city council in Herat Province. Participated in FGD, Herat, Afghanistan, September 09, 2018.

211. Karimi, Aziza. FGD participant.

212. Jami al-Ahmadi, Mariam. FGD participant.

213. Khaliz, Assadullah. Social activist in Nangarhar Province. Participated in FGD, Nangarhar, Afghanistan, September 10, 2018.

214. Masroor, Jaweed. Civil society activist in Laghman Province. Participated in FGD, Laghman, Afghanistan. September 11, 2018.

districts the respective institutions are closed due to security threats (with their employees finding refuge in the provincial centers). Sajjad further added, “In our community, dowry is too high, women do not receive inheritance, and there are many such problems that fuel feuds. If the judiciary was active in the districts, these problems would certainly decrease but currently it is increasing day by day.”²¹⁵

FGD Participants in Kandahar and Takhar Provinces said that women’s access to justice in these two provinces is low even in the provincial center. Esmatullah Jaheed, a social activist in Kandahar, said, “In this regard, I must say that women are deprived of it. There is only one attorney general office in the whole Kandahar.”²¹⁶ All other participants in FGD in Kandahar Province agreed with him.

Participants in Takhar Province also shared with us that women’s access to justice remains low. Najiba Frough shared an illuminating example:

*Women’s access to social justice is very low. I know a woman who was left by her husband and her husband went to Iran. He got married in Iran. Now he is back, forcing his wife to sell her house and give him the money. Otherwise, he has threatened that he would take her children away from her. She has referred to the court but no one helps with her case. Corruption is one of the reasons that women cannot access to justice.*²¹⁷

Samin Hussaini, another participant from the Province, also agreed that women’s access to formal justice institutions is low in Takhar Province. She added that women do not have access to justice because they are violated mostly by the elders of the family and the family can prevent women from referring to judiciary institutions. If a woman stands for her rights, Hussaini underscored, she would be accused of many things. Also, she continued, women do not know how to refer to judiciary institutions. They even do not know that they have the right to a lawyer. She concluded: “There are many challenges for women to raise their voice and stand for their rights in Takhar Province.”²¹⁸

The Role of EAW Commissions

The findings of this study show that EAW Commissions are active in all of the five provinces assessed. It should be clarified, however, that the commission was established in 2011 and 2012 and as such they are not part of the NAP 1325. According to Fatana Azizi, Director of Supporting Services at the DoWA in Nangarhar Province, in all provinces the commission is led by a senior advisor who observes and assesses its activities. The governor, police command, DoWA, Directorate of Justice (DoJ), and Directorate of Health Services (DoHS) are members of the commission. It holds regular monthly meetings and provides reports to the DoWA.²¹⁹ The commission has 18 sub-units²²⁰ while the secretariat of the commission is run by the DoWA.²²¹

215. Sajjad, Mohammad Hussain. Civil society activist in Laghman Province. Participated in FGD, Laghman, Afghanistan, September 11, 2018.

216. Jaheed, Esmatullah. FGD participant.

217. Frough, Najiba. FGD participant.

218. Hussaini, Samin. FGD participant.

219. Azizi, Fatana. Interview.

220. Shafiq, Nasima. Interview.

221. Sabri, Suhaila. Interview.

The interviewees unanimously agreed that the commission has been effective. The commission “solves very complicated cases”²²² and “follows up on the cases that are referred to other agencies.”²²³ The activities of these commissions were different across the assessed Provinces. For instance, according to Roqia Achakzai, Director of the DoWA in Kandahar Province, the commission has established an anti-harassment commission that addresses cases of harassment against women in public places and workspaces while the Directorate of Justice established an anti-human trafficking and anti-abduction commission.²²⁴ She added that the DoWA closely cooperates with both commissions.

Nasima Ahmadi, Director of Public Awareness at the DoWA in Takhar Province, gave another example of how the DoWA cooperates with the commission: “If a child is abducted, the police command shares the case with the DoWA and they work on the case in coordination with each other.”²²⁵ Interviewees from Nangarhar and Laghman Provinces also shared the same views. Somaya Tahery, Director of Legal Affairs at the DoWA in Herat Province said that the commission is effective: “Because the directors of all offices are present at its meetings, they immediately make a decision on the cases and task the concerned organizations to act upon their decision.”²²⁶ Suhaila Sabri, another interviewee from the DoWA in Herat added, “The EAW commission is one of the most important achievements of the DoWA at the provincial level and it has been very effective. Many cases have been solved by this commission. Many women got National ID cards with the help of this commission and many cases of women in the shelters are being solved by this commission.”²²⁷

Discrimination Against Women by the Judiciary in EAW Cases

The interviewees in Nangarhar, Kandahar and Herat Provinces agreed that there is discrimination against women in VAW cases by members of the judiciary. Fatana Azizi, Director of Supportive Services at the DoWA in Nangarhar Province, is explicit on this point.²²⁸ She noted, “Some of the members of the judiciary are not discriminatory and act according to the law while others behave discriminatorily on the basis of language, gender and ethnicity.”

Suhaila Sabri, from the DoWA in Herat also confirmed the point, adding, “There is corruption and discrimination and it affects women more [than men]. We have a patriarchal society and gender-based discrimination does exist. This [patriarchy] can be one of the reasons but personal perceptions have a role, too.”²²⁹ Somaya Taher, another interviewee from the DoWA in Herat Province confirmed the existence of gender-based discrimination in VAW cases but had a more positive outlook: “Gender-based discrimination used to take place more commonly in the past but it has decreased in recent years.”²³⁰ Interviewees in Kandahar, Laghman and Takhar Provinces agreed.

When asked whether there is a mechanism in place to address such cases of discrimination, we found out that there is currently none. Somaya Tahery explained that holding the

222. Azizi, Fatana. Interview.

223. Ahmadi, Nasima. Interview.

224. Achakzai, Roqia. Interview.

225. Ahmadi, Nasima. Interview.

226. Tahery, Somaya. Interview.

227. Sabri, Suhaila. Interview.

228. Azizi, Fatana. Interview.

229. Sabri, Suhaila. Interview.

230. Tahery, Somaya. Interview.

judiciary accountable is difficult for the DoWA as it is an independent organ.²³¹ In her words, “Unfortunately, we cannot hold them to account as they are independent organizations. But if a case is referred to the DoWA or the Attorney General’s provincial office, we take measures via the EAW Commission and, as the judiciary institutions are part of the commission, we can hold them accountable to some degree.” Roqia Achakzai, Director of the DoWA in Kandahar Province elaborated that, in absence of such a mechanism, both the DoWA and the governor’s office address such cases.²³²

Culture of Impunity and Behavior of Security Personnel

The majority of the FGD participants in all of the five provinces said that the culture of impunity with regards to sexual and domestic violence against women remains high. Interviewees in Laghman, Kandahar and Takhar provinces said that the phenomenon remains rampant, while interviewees from Herat and Nangarhar provinces reported that although it remains widespread, there have been some improvements in this regard.

Rahmatullah Rahmani, a civil society activist in Laghman Province said, “If a family wants to impose any decision on girls, they can do it any time and no one can hold them accountable for it. For instance, if a family decides for their girls not to go to school, no one can ask them anything about it. Only a few women can go to the DoWA and raise their voice.”²³³

All of the participants in Takhar and Kandahar Provinces agreed that a culture of impunity around sexual and domestic violence against women is strong in their provinces. Participants in Kandahar and Takhar also complained about the behavior of security personnel towards women survivors of violence. Esmatullah Jaheed, a civil society activist in Kandahar Province said, “In my view, when a woman refers to security agencies, they will create more problems instead of helping her out.”²³⁴ All other participants from Kandahar agreed. Mozghan from Takhar also shared the view. She said, “They do not treat these women the same as other clients. They have a negative perception towards these women and treat them like criminals.”²³⁵ All other participants from the Takhar Province agreed with Mozghan.

In Herat Province, however, a minority of the participants said that there have been some improvements in recent years. Malaka Rasouli said that the main reason for this achievement is the presence of women in Herat Attorney General’s Office:

*I think the presence of women in the Herat Attorney General’s Office has brought attention women’s cases. We have more attorneys than in the last 15 years—we have more than 20 attorneys now. Most of the cases in Herat city are being addressed but it is not the same in the remote districts. They mostly refer to the traditional system where women are not heard very much due to the culture and traditions.*²³⁶

Malaka Rasouli was happy with the improvement in the behavior of Herat security personnel towards women survivors of violence and said that it has improved significantly over the past five years. In her words, “It has been because of the cooperation between women rights

231. Ibid.

232. Achakzai, Roqia. Interview.

233. Rahmani, Rahmatullah. FGD participant.

234. Jaheed, Esmatullah. FGD participant.

235. Mozghan. FGD participant.

236. Rasouli, Malaka. FGD participant.

activists and the police. The activists, who are mostly women, work together with the police on cases of violence against women."²³⁷ Aziza Mahaki, another participant in Herat Province also agreed. She said that she had witnessed several cases where police took immediate action in the case of discrimination against women. In her words, "One woman was beaten in a bazaar and when we complained to the police they took immediate action. The security force acts more responsibly, more professionally, and is more careful than in the past. I think it is thanks to advocacy carried out by women activists, human rights organizations and other CSOs that police act responsibly toward VAW cases."²³⁸ Tesel Niazi, a civil society activist in Nangarhar Province also agreed with the improvement in behavior of security personnel with women survivors of violence. He said, "The situation has improved compared to the past. We did not have female police officers in the past but now we do and women can easily access them and share their problems with them."²³⁹

Prevention and Protection of Women Against Violence

A nation-wide campaign by the MoWA to stop violence against women and provide health and psychological support to victims and survivors of violence were among the commitments made under NAP 1325. This sub-section attempts to shed light on how much these commitments have been met at the provincial level.

All interviewees from DoWAs in the five provinces said that the nation-wide campaign has been conducted at the provincial level. The duration of the campaign, however, varied between 10 (Takhar) to 16 days (Nangarhar).

According to Ziagul Eqbal Malekzai, Director of Development Programs at the DoWA in Nangarhar Province, the campaign focused on raising awareness on VAW and included workshops, conferences, and public awareness activities.²⁴⁰ There are PSAs on VAW broadcasted through radio and TV stations as well.²⁴¹ According to Nasima Ahmadi, Director of Public Awareness at the DoWA in Takhar Province, the campaign did raise public resistance in the past as it was dealing with a socially sensitive issue but now the people are cooperative.²⁴²

Interviewees from the DoWAs in Nangarhar, Laghman, Takhar and Herat Provinces told us that the DoWA has no particular budget for the campaign. In absence of an allocated budget, DoWAs seek support from other organizations or take their own initiatives. According to Nasima Shafiq, Director of the DoWA in Laghman Province, "The DoWA does not have any particular budget for the campaign, but we take some advertisement materials with us, go and sit with community councils, religious madrassas, government offices and all Non-Governmental Organizations (NGOs) who are working for women."²⁴³

With regards to the BPHS package, no interviewees from DoWAs in Herat, Takhar and Kandahar Provinces explicitly confirmed whether it is available to victims and survivors of

237. Ibid.

238. Mahaki, Aziza. Civil society activist in Herat Province. Participated in FGD, Herat, Afghanistan, September 09, 2018.

239. Niazi, Tesel. FGD participant..

240. Malekzai, Ziagul Iqbal. Interview.

241. Ahmadi, Nasima. Interview.

242. Ibid.

243. Shafiq, Nasima. Interview.

violence. The interviewees said, however, that some health services are provided for the victims of violence without naming BPHS. Interviewees in Kandahar and Laghman Provinces explicitly said that the BPHS package has not been implemented in their province.

Nonetheless, interviewees in the Herat, Nangarhar and Laghman Provinces said that female victims of violence in those provinces receive psychological counseling. Somaya Tahery, Director of Legal Affairs in Herat Province, elaborated on the role of these counselors: they first identify if the act is an instance of violence or not; then they give them information on their rights and the services that they can access. They also help them with their psychological health. In her words, “We also have a legal counselor who provides legal counseling to victims. She gives information about the services that we can provide and how they can solve their problems.”²⁴⁴

The majority of the interviewees said that the psychological counselling has been effective but it needs to become more accessible. According to Somaya Tahery, “The counseling has been very effective but one unit [that provides such counselling] is not enough for Herat Province. It would be good if the service is provided at the district level as well, particularly in the districts where VAW is high.”²⁴⁵ Shogufa, Director of Legal Affairs at the DoWA in Laghman Province, shared the same view and added, “There is just the directorate of public health [that offers psychological counseling]. There are no other doctors or NGOs that offer such counseling.”²⁴⁶

Negative Views about Women Shelters

Except for one, all of the interviewees from DoWAs in the five provinces said that there is a negative view of women’s shelters among Afghan people. Oly Gawharshad Bawar, Director of the DoWA in Takhar Province, disagreed. She said:

*There is no negative perception towards women shelters—the perception is positive. We have lately witnessed that the elders take victims and survivors of violence who do not have a guardian to these shelters and ask us to help her access justice. The other day, a woman was brought to us by her brother and, a few days ago, another homeless woman was taken to a shelter by elders who asked us to help her get her rights.*²⁴⁷

The positive view shared by Ms. Bawar was an isolated case, however, as it was rejected by another interviewee from the DoWA in Takhar and all interviewees from DoWAs in the four other Provinces. Nasima Ahmadi, Director of Public Awareness at the DoWA in Takhar, sustained that there is a negative perception among people towards women shelters. She even added, “There is negative perception among people towards women shelters and even towards the DoWA. I was a DoWA employee when I was still a university student and my teachers had a negative view about the DoWA. I could not declare that I was a DoWA employee, but when they learned about it they reacted to it very negatively.”²⁴⁸ Roqia Achakzai, Director of the DoWA in Kandahar Province, put it this way: “When people have negative views of women’s shelters in Kabul, it is definitely so in Kandahar. That is why we do not have any

244. Tahery, Somaya. Interview.

245. Tahery, Somaya. Interview.

246. Shogufa. Interview.

247. Bawar, Gawharshad. Interview.

248. Ahmadi, Nasima. Interview.

shelters at all in this province.”²⁴⁹

The interviewees mostly mentioned that the reason for this negative view among people is lack of awareness about how it works. Shogufa, Director of Legal Affairs at the DoWA in Laghman Province said, “As I have heard from some women, they say that women who had committed bad things are now taking refuge in these shelters where there is no one from their family to watch her and probably she is doing all those bad things there as well. This is how these shelters have a negative reputation among people.”²⁵⁰

There has been some awareness raising programs aimed at changing this negative view in Laghman Province. Shogufa said, “We have started our public awareness campaigns to counter this perception. We take people to these shelters and provide the opportunity for the public to monitor these shelters.”²⁵¹ Other interviewees also agreed that awareness-raising programs is the key to tackling this problem but none of them mention any such programs underway in their province.

Addressing Women’s Insurgency-related Disputes

Establishing legal clinics and Dispute Resolution and Emergency Response Committees within the scope of community centers to address women’s insurgency-related disputes were among the commitments under NAP 1325. The HPC, as the main implementing agency, told us during the interview in Kabul that the task falls outside the mandates of the council. The interviewees from the PPCs were divided on whether the task is in alignment with the mandate of the HPC and PPCs. Although an interviewee from the PPC in Laghman Province agreed with the HPC, those from Herat, Kandahar and Nangarhar Provinces insisted that it falls within the mandate of the HPC and PPCs.

All the interviewees from PPCs agreed that legal clinics can help provide justice to women who have fallen victim of insurgent-related crimes and atrocities. Fatima Tokhi, member of the PPC in Herat Province, said: “These clinics will be one hundred percent effective.”²⁵²

Excepting the interviewee from the PPC in Laghman Province, all other interviewees from PPCs agreed that the HPC and PPCs would be very effective at creating the necessary legal clinics given their experience in the peace process. Hayatullah Zia, member of the PPC in Nangarhar Province said, “The HPC has a program called Social Peace and if we look at the legal clinics from this perspective, we realize that the clinics can be very helpful for conflict resolution.”²⁵³

The interviewees from the PPC in Takhar, however, had not heard of legal clinics.

All the interviewees from PPCs agreed that women have legal disputes against members of the insurgency in the provinces. For instance, Abdul Qudus Bais, member of the PPC in Kandahar, said that women in Kandahar have legal disputes against members of the insurgency, “but they cannot raise their voices against the insurgents.”²⁵⁴ Hayatullah Zia,

249. Achakzai, Roqia. Interview.

250. Shogufa. Interview.

251. Ibid.

252. Tokhi, Fatima. Interview.

253. Zia, Hayatullah. Interview.

254. Bais, Abdul Qudus. Interview.

member of the PPC in Nangarhar Province, agreed saying: “Women are members of this society as men are and they have legal conflicts with opposition groups. In many areas, their home has been plundered and their animal farm has been destroyed. War is a general problem that affects everyone, men and women. Sometimes it happens that one party has joined the government and has picked up arms and the other party has joined the opposition armed groups. They have no mercy for the families of each other.”²⁵⁵

The interviewees had positive views about Dispute Resolution and Emergency Response Committees as well. For example, one of the interviewees from Nangarhar shared an illuminating example:

*I share with you an example about which we had a meeting. A family from Laghman has relatives who live in Nangarhar. They had a dispute years ago during which one person was killed and they still have conflicts. The male members of the conflict resolution committee contacted the families to convince them to accept a settlement. The male members of the families agreed to reconcile but the female members did not. The women members of the conflict resolution committee took the lead and convinced the female members of the family too. We are going to have a Jirga tomorrow to announce peace between them.*²⁵⁶

QUALITY OF SERVICES TO IDP WOMEN

To evaluate services for IDP women, this study looked into two main issues: (a) if the services address the basic needs of these women and (b) if these services are sufficient in meeting their needs. The findings of this study show that the services do not address all the basic needs of IDP women and, thus, they are not sufficient.

Needs of IDP Women

IDP women need basic services both during their temporary settlement in IDP camps and during their resettlement. At the provincial level, these needs were identified by interviewees from DoWAs as food, shelter, clean water, health services and access to education for their children. Somaya Tahery, Director of Legal Affairs at the DoWA in Herat Province, gave this list of needs in particular:

IDP women have their special needs and these needs are considerable. Their most important needs are food, clothes, and hygiene products. In additions, they need access to education so their children can continue their education. In some cases, they need National ID cards to solve their legal and educational problems. They also need health care services.²⁵⁷

Job opportunities and security were other needs that were mentioned by interviewees. Rozia Achakzai, Director of the DoWA in Kandahar, referred to job opportunities as an important need of IDP women.²⁵⁸ In her words, “Their first most important need is shelter and their second important need is job opportunities which should be provided to them.” Gawharshad

255. Zia, Hayatullah. Interview

256. Ibid.

257. Tahery, Somaya. Interview.

258. Achakzai, Roqia. Interview.

Bawar, Director of the DoWA in Takhar Province insisted that “they need security so that they are not displaced again.”²⁵⁹

Evaluation of Services Provided to IDP Women

The findings of this study show that the services for IDP women are not sufficient. All interviewees from DoWAs in the five provinces said that the services are not sufficient and cater only to IDP women’s needs to a limited extent. IDP women “lose so much when they are displaced,” said Shogufa, Director of Legal Affairs at the DoWA in Laghman Province. She shared an illuminating example: “A displaced woman came to us a few days ago and told me that she had lost AFN 150,000 when she had been displaced. The MoRR cannot provide this much in compensation.”²⁶⁰

Ziagul Eqbal Malekzai, Director of Development Programs at the DoWA in Nangarhar Province said, “They are provided with aid but it is not possible to provide them with sufficient aid. Their problems are addressed only to some extent because their number is great. The government cannot make shelters for them because the situation is such that [the government cannot afford it].”²⁶¹ In the words of Somaya Tahery, Director of Legal Affairs at the DoWA in Herat Province, the government, especially the Directorate of Refugees and Repatriation (DoRR), can solve some of the challenges faced by IDPs like financial challenges with the help of national and international organizations. The issue of water has been solved to some extent in some areas. But other problems such as National ID cards and lack of access to education have not been addressed yet.²⁶²

In addition to the services and aid that the government is currently providing for IDP women, interviewees from DoWAs suggested additional services. Suhaila Sabri, Director of Communication and Capacity-Building at the DoWA in Herat Province, highlighted the role of organizations like the United Nations and suggested that such organizations should take over the management of services while government agencies assume the role of observers in the process.²⁶³ The Director of the DoWA in Kandahar suggested that the government should build a township for IDPs and settle them there.²⁶⁴

Ensuring security was another suggestion brought up by the interviewees from Nangarhar and Laghman Provinces. Shogufa, Director of Legal Affairs at the DoWA in Laghman Province insisted, “If security is ensured, everything will be better.”²⁶⁵ Ziagul Eqbal Malekzai from Nangarhar Province also emphasized that security should be given priority.²⁶⁶

COORDINATION BETWEEN IMPLEMENTING AGENCIES

Our findings in Kabul showed that implementing agencies lacked sufficient coordination at the central level in the implementation of NAP 1325. To give a clearer picture of coordination

259. Bawar, Gawharshad. Interview.

260. Shogufa. Interview.

261. Malekzai, Ziagul Iqbal. Interview.

262. Tahery, Somaya. Interview.

263. Sabri, Suhaila. Interview.

264. Achakzai, Roqia. Interview.

265. Shogufa. Interview.

266. Malekzai, Ziagul Iqbal. Interview.

between implementing agencies, the study attempted to assess the level of coordination at the provincial level by (a) assessing coordination between DoWAs and PPCs in selecting women negotiators, (b) assessing coordination between DoWAs and EAW Commissions, and (c) assessing coordination between the MoLSAMD and DoWAs in sharing job opportunities.

Degree of Cooperation and Communication

Overall, the degree of coordination was reported by the interviewees to be good. For example, Roqia Achakzai, Director of the DoWA in Kandahar Province said, "We have good coordination and cooperation with relevant offices and agencies. There are some problems at the district level due to insecurity."²⁶⁷ This was also confirmed by Gawharshad Bawar, Director of the DoWA in Takhar Province, who said, "We are in good coordination with all concerned organizations and there is no problem. Only insecurity has become a challenge for us lately."²⁶⁸

The findings of this study also show that the level of coordination between DoWAs and EAW Commissions has been good. According to the interviewees, as the secretariat of the EAW Commissions, DoWAs prepare the agenda for every meeting, convenes the meetings, and follow-up with concerned organizations on the implementation of assignments they are tasked. In the words of Nasima Ahmadi, Director of Public Awareness at the DoWA in Takhar Province, "Meetings of the EAW Commission are held based on the agenda prepared by the DoWA. The DoWA invites the Commission members for meetings and collects monthly reports from them."²⁶⁹

In sharing job opportunities with women, the level of coordination between the IARCSC, MoLSAMD and DoWAs has been good. Somaya Tahery, Director of Legal Affairs at the DoWA in Herat, elaborated, "Not only the MoLSAMD but other organizations as well ask the DoWA to share job opportunities with women. The PROMOTE project recruits all its interns with the help of the DoWA and Directorate of Justice (DoJ)."²⁷⁰ Gawharshad Bawar, Director of the DoWA in Takhar Province, explained that "the DoWA is a permanent member of the IARCSC and we have our official member on the commission. The DoWA is an observer in the recruitment of civil servants."²⁷¹ Nasima Ahmadi, Director of Public Awareness at the DoWA in Takhar, added:

We closely work with the Directorate of Labor, Social Affairs, Martyrs and Disabled (DoLSAMD). They share job opportunities with us and in the surveys. DoLSAMD cooperates with the DoWA in providing job opportunities for women. DoWA has membership to the recruitment committee of the IARCSC and, when a position is announced, we share that with women job seekers.²⁷²

However, the findings of this study show that the level of coordination between DoWAs and PPCs has been low in selecting women negotiators for the national roster. Awareness among the interviewees from DoWAs regarding PPC negotiator selection was low. Ziagul Eqbal

267. Achakzai, Roqia. Interview.

268. Bawar, Gawharshad. Interview.

269. Ahmadi, Nasima. Interview.

270. Tahery, Somaya. Interview.

271. Bawar, Gawharshad. Interview.

272. Ahmadi, Nasima. Interview.

Malekzai, an interviewee from the DoWA in Nangahar Province, was the only interviewee who said they were consulted.²⁷³ She said, “When Anisa Omrani was the director [of the DoWA], we were asked by the MoWA to prepare a list of potential women peace negotiators. We created a list of 20 to 30 women and sent it to the central office.” Moreover, interviewees from the DoWA proposed other criteria to be added to those set by the HPC for selection of women negotiators (see sub-section two of findings from Provinces), indicating that they have not been consulted in the process. Director of the DoWA in Kandahar, for instance, had no information about the criteria incorporated in the strategy by the HPC.

CHALLENGES IN THE IMPLEMENTATION OF NAP 1325

To give an overall picture of the challenges in the implementation of NAP 1325 at the provincial level, this study assesses the external and internal challenges faced by DoWAs and PPCs at the provincial and districts level. The challenges that have been identified in this study are presented below in two categories: internal challenges and external challenges.

A: Directorate of Women Affairs

Internal challenges

Interviewees listed several challenges that are categorized as “internal” in this study, meaning that these challenges were pertaining to the implementing agencies. Budget deficiency was a trending one that was mentioned as a hindering factor by majority of the interviewees. Ziagul Eqbal Malekzai from the DoWA in Nangarhar Province said, “The DoWA always tries to provide services to women but we face budget deficiency.”²⁷⁴ This was also confirmed by the interviewee from the DoWA in Laghman, Herat and Kandahar Provinces. Suhaila Sabri from the DoWA in Herat Province said, “We cannot conduct all of the required activities due to the budget deficiency and it creates a big challenge for us. We have not been able to create a website for the DoWA due to this problem.”²⁷⁵

There were a number of other challenges mentioned by the interviewees that are directly linked to lack of budget. One such challenge was lack of facilities at DoWA offices. Nasima Shafiq from the DoWA in Laghman Province said, “We lack utilities like computers and an internet connection to prepare our reports.”²⁷⁶ Another was lack of transportation services for employees of DoWAs to travel to districts for their activities. This was mentioned specifically by interviewees in Takhar and Laghman Provinces. A third problem related to budget deficiency was lack of a sufficient number of employees at DoWAs. Fatana Azizi from the DoWA in Nangarhar Province said, “If a director leaves her office for some field work, her office would remain closed [until her return] and clients have to wait for her return since we do not have enough employees at the DoWA.”²⁷⁷ Somaya Tahery from Herat Province also said, “One of the challenges we face is the small size of the DoWA and its limited number of employees. Herat is a big province with a big population while the DoWA is a very small

273. Malekzai, Ziagul Iqbal. Interview.

274. Malekzai, Ziagul Iqbal. Interview.

275. Sabri, Suhaila. Interview.

276. Shafiq, Nasima. Interview.

277. Azizi, Fatana. Interview.

organization and it is not sufficient for such a big province."²⁷⁸

Another internal challenge was the reshuffling of employees at the decision-making level. This was mentioned by Suhaila Sabri from the DoWA in Herat Province. She said, "There are some internal challenges due to changes in positions. We have not had a director at the DoWA for the past 14 months and without a director, the administration does not function well."²⁷⁹

External challenges

The findings of this study show that insecurity was a main external challenge for implementing agencies at the provincial level. Somaya Tahery, Director of Legal Affairs at the DoWA in Herat Province, said that insecurity has hampered their activities under NAP 1325. She said, "The biggest challenge is insecurity. We had to do a lot of activities in districts but we cannot go to districts to implement our plans. We face the challenge of insecurity even within the city."²⁸⁰ She provided an illuminating example of how insecurity has hindered their activities in the implementation of NAP 1325. In her words, "We have planned awareness campaigns at the districts level. But we cannot travel to the districts to conduct these activities. For instance, the Gulran, Kashk Robat Sangi, Kash Kohna and Kohsan districts are inaccessible for us due to insecurity. We do not have accurate information [about women] in these districts."

Insecurity was also mentioned as a major challenge by interviewees in Laghman, Takhar, Nangarhar and Kandahar Provinces. Shogufa from the DoWA in Laghman Province said, "We cannot conduct our awareness-raising programs for IDPs due to insecurity." Nasima Ahmadi from the DoWA in Takhar Province mentioned that the implementation of the relief and recovery pillar of NAP 1325 has particularly been affected by insecurity.²⁸¹

Suhaila Sabri also mentioned that society remains conservative and unaccepting of women in government offices and in decision-making.²⁸² According to her, social conservatism makes it very difficult for women to get permission to work at the government offices.

B: Provincial Peace Committees

Internal challenges

During this study, two main internal problems facing PPCs were identified. It is important to mention, however, that each of these challenges were mentioned by members of PPCs in one of the provinces. Thus, it is important to make clear that they were not trending. One such challenge was budget deficiency. This was raised by Mawlawi Abdul Ahad Atid, member of the PPC in Laghman Province. He said, "PPCs do not have enough resources and funds at their disposal for going to the homes of insurgents, holding workshops, and awareness raising programs."²⁸³

Another internal challenge was the opaque selection process of PPC members. This was

278. Tahery, Somaya. Interview.

279. Sabri, Suhaila. Interview.

280. Ibid.

281. Ahmadi, Nasima. Interview.

282. Sabri, Suhaila. Interview.

283. Atid, Abdul Ahad. Interview.

mentioned by Fatima Tokhi from the PPC in Herat Province.²⁸⁴ She said, “Selection of members [of PPCs] is not done with much clarity. While we have some educated women, many uneducated women have also been selected as members.”²⁸⁵

External challenges

Insecurity was a trending external problem reported by all of the interviewees from the PPCs in the five provinces. Fatima Tokhi, member of the PPC in Herat Province said, “Insecurity is our biggest challenge. Our team was once attacked in one of the provinces. It makes it more difficult for women to work.”²⁸⁶ Mawlawi Abdul Ahad Atid, member of the PPC in Laghman Province shared a grim example of how insecurity hindered implementation of NAP 1325. He said, “The Director of the DoWA in Laghman Province was assassinated and, subsequently, the acting director of the DoWA was also assassinated.”²⁸⁷

A second external challenge that was mentioned by an interviewee from the PPC in Nangarhar Province was negative perception towards women, particularly at the district level. Hayatullah Zia, member of the PPC in Nangarhar Province, said, “People in districts and remote areas cannot accept that women can be representatives [to negotiate in the peace process].”²⁸⁸

CONCLUSION

Almost at the end of its first phase (2015-2018), NAP 1325 has not been fully implemented. The required budget for its implementation is not finalized and approved yet. Thus, full implementation will start in Fiscal Year 1398 (2019) upon approval of its budget. Over the past three years, however, some achievements have been made under those objectives that required no particular implementation budget. However, no objective is fully implemented. It is noteworthy to mention that of the achievements made without a NAP 1325 budget, most fall under the participation pillar. The other three pillars show less progress.

The status of women’s participation remains low in the civil service sector, security sector, peace and reconciliation, and elections. The only sub-sectors where women’s participation is relatively good at the provincial level are health and education. With regards to women’s participation in the civil service sector, some of the legal hindrances have been addressed as a total of 22 laws and policies have been reviewed by the MoWA and Moj. As to women’s participation in the peace and reconciliation process, some achievements have been made as well. Concerning women’s participation in the security sector and national and provincial elections, however, not much has been achieved. Achievements under the prevention, protection, relief and recovery pillars are generally low.

Findings of this study also show that women’s access to justice is still at a low level and it falls further in districts and villages. While ERAW Commissions have been effective in monitoring VAW cases at the provincial level, women’s insurgency-related disputes are not addressed. Findings of this study show, however, that women do have such disputes against members of the insurgency at the provincial level.

284. Tokhi, Fatima. Interview.

285. Ibid.

286. Ibid.

287. Atid, Abdul Ahad. Interview.

288. Zia, Hayatullah. Interview.

According to our findings, IDP women in the provinces need food, shelter, health services, education opportunities for their children, and security to resettle. These needs, however, are only satisfied to a limited extent by the government and NGOs. The services provided are not sufficient. The needs and losses of IDPs are way too high and their numbers continue to grow.

In addition to budget deficiency, the implementation process of NAP 1325 has also been hindered by at least three other challenges. Insecurity has been one major challenge. It has made some of the provinces inaccessible to implementing agencies and has made implementation of some of the programs difficult. Lack of coordination between the main implementing agencies has been another major hindrance. This was evidenced in several instances during the interviews and further endorsed by the *2017 Status Report*. Lack of capacity in the main implementing agencies has been a fourth major problem. Since the budget for implementation of NAP 1325 has not been available for the implementing agencies, they have not been able to conduct trainings to overcome this problem.

The challenges identified at the provincial level almost entirely mirror those this study found in Kabul. Budget deficiency was mentioned to have hindered NAP 1325 implementation at the provincial level by almost all of the interviewees who mentioned that, due to lack of budget, they cannot travel to districts and employ enough employees to conduct activities under NAP 1325. Insecurity was also a trending challenge that restricted the mobility of government officials and limited their access to districts and remote areas. Conservatism in society was also highlighted by a minority of the interviewees as a challenge faced by implementing agencies at the provincial level.

There were also gaps in the design of NAP 1325 that has made its full implementation too difficult, if not impossible. The budgeting and cost estimation of the action plan was too unrealistic. With many parallel programs and activities removed, the new budget for the plan shows a 40 percent decrease in cost. Donors' financial commitment and support was also over-estimated. A few other issues were also identified, including lack of social support for some of the activities and lack of interest among women to join the government.

The findings of this study show that consultation between implementing agencies existed to a relatively large extent at the provincial level in reviewing laws and policies for strengthening women's participation in the civil service sector. DoWAs and PPCs, however, were not consulted in setting the criteria for selecting women to be included in the national roster of potential women negotiators. Furthermore, job opportunities were shared with women at the provincial level through DoWAs in coordination with the DoLSAMDs, IARCSC and MoWA. Generally, unlike the findings from Kabul, findings from provinces show that coordination between implementing agencies is good.

RECOMMENDATIONS

1. **All implementing agencies should utilize e-learning methods such as CDs to teach their staff at the central and provincial levels on the NAP 1325 Action Matrix, its Objectives, its Strategic Objectives, its Specific Actions and its Indicators in detail.** These CDs can be distributed to all staff of the NAP 1325 implementing agencies involved in the implementation process of NAP 1325. Clear and detailed instructions and explanations should be provided to help local implementers understand the actions to be implemented and to build their capacity to be able to clearly and accurately report on the achievements made and challenges faced during the implementation.²⁸⁹
2. **Consultative meetings should be held to ensure participation of local government bodies in the assessment as well as development of laws, policies and strategies to make sure that the laws, policies and strategies reflect real needs of women.** This was also suggested by some of the provincial DoWA officials during interviews for this study. For instance, Suhaila Sabri, Director of Communications and Capacity Building at DoWA in Herat Province, recommended that consultative meetings should be held at provincial levels [with DoWA and women] prior to the development of laws, policies and strategies to ensure their effectiveness.²⁹⁰
3. **Budgeting of NAP 1325 activities should be done in a participatory manner in which all implementing agencies at the central, provincial and district levels should have input.** Implementing agencies should develop detailed budget plans for the implementation of NAP 1325 activities in close consultation with their offices at the provincial and district level to ensure that budgets are realistically allocated and that budget no longer remains an obstacle in the implementation of NAP 1325 at all levels.
4. **NAP 1325 Implementing agencies should make coordination groups at the central and provincial levels to improve coordination and cooperation during the implementation of NAP 1325.** Consisting of members from each implementing agency, these coordination groups should have regular meetings and provide regular updates on all activities its members are conducting with regards to the implementation of NAP 1325.
5. **Capacity-building for the implementation of NAP 1325 should be incorporated in the activities of the next phase of the action plan.** Implementing agencies should identify areas where they need training and capacity building programs for their staff at the central, provincial and districts levels and develop trainings in order to address the existing capacity gaps.
6. **Public consultation meetings should be held at district and provincial levels in the process of designing and developing activities for the next phase of NAP 1325.** Such consultation meetings should ensure the participation of women, Ulema, and CSOs at the provincial as well as district levels to make sure that the ground realities and real needs of women are reflected in the activities of the second phase of NAP 1325. The lessons learned from these consultations should trickle into activities defined for the second phase of NAP 1325.

289. This recommendation is inspired by the findings shared by the Pakistan Women Forum during the Virtual Conference held on October 8. The Pakistani forum shared that using CDs for teaching and awareness raising has been effective with regards to women, peace and security.

290. Sabri, Suhaila. Interview.

7. **Awareness-raising programs should be implemented at provincial and district levels to counter negative perceptions of women shelters and women's participation in the peace and reconciliation processes.** Such programs should focus on the vitality of the role that women shelters play in saving women from violence. These awareness-raising programs can be conducted with the help and cooperation of Ulema, community elders, and CSOs.
8. **Depict the effective role of women in the security sector as well as the negotiation and reconciliation processes through short documentary movies and videos to highlight and promote the idea that women's participation in these sectors is essential, effective and constructive.** Such materials should underscore the constructive role that only women can and do play in the security as well as the negotiation and reconciliation processes, and highlight some of their success stories.
9. **Implementing agencies should seek ways to build local partnerships with CSOs, Ulema and community councils to garner support and cooperation in implementing NAP 1325 at the provincial and district level.** In doing so, women-led organizations and councils should be given particular attention to ensure that the work those organizations are doing at the local level supports the implementation of NAP 1325 activities.
10. **Sectors for women's participation should be diversified when designing the second phase of NAP 1325.** Agriculture and animal husbandry should be added as potential sectors for women's participation while other potential sectors should also be sought. This is essential in ensuring that the sectors identified for women's participation in the second phase of NAP 1325 are reflective of women's interests at the national as well as the subnational level.

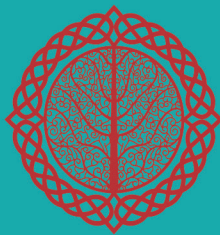
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