



Awareness, Access, Advice, Advocacy, Assertion. Legal and social protection and empowerment of Afghan women and girls in Kabul and Mazar-e-Sharif.

The overall objective of the project is to contribute to improved legal and social protection of Afghan women and girls survivors of (Sexual) Gender Based Violence ((S)GBV) in Kabul and Mazar-e-Sharif. The direct beneficiaries include women and girls affected by (S)GBV, in conflict with the law and/or affected by family violence, as well as their children and families. During the course of the project, *Medica Afghanistan* supported more than five thousand women with their services including legal advice, legal awareness sessions, civil or criminal representation, support in ERAW¹ cases and/or mediation.

Project duration: 2014-12-01 to 2018-03-31

Funded by: German Ministry of Economic Cooperation and Development (BMZ) & medica mondiale e. V.

Evaluation period: 12.2017 to 03.2018

Type of evaluation: Final Evaluation

Project budget: 507,171 €

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¹ Afghan law for the Elimination of Violence against Women.

Executive Summary

KEY ELEMENTS OF THE PROJECT

Medica Afghanistan (MA) was launched in 2002 by *medica mondiale* and was registered in 2010 as a self contained national organisation, run by Afghan women for Afghan women. MA has its head office in Kabul and provincial offices in Balkh and Herat. Its key aim is to improve the quality of women's lives through direct psychosocial and legal services, while also raising awareness and building capacity in the fields of health, education and law, and advocating for local and national policies to eliminate violence against women and girls. MA was one of the first organisations to offer locally conducted training for female defence lawyers and provision of legal aid to women in detention.

The project "Awareness, Access, Advice, Advocacy, Assertion. Legal and social protection and empowerment of Afghan women and girls in Kabul and Mazar-e-Sharif" has a duration of approximately three years (01.12.2014-30.11.2017)² and a total budget of €507,171.00. Its overall goal is to contribute to improved legal and social protection of Afghan women and girls survivors of (S)GBV. At its forefront it has two objectives:

1. Afghan women and girls in Kabul and Mazar-e-Sharif have been strengthened through trauma and gender sensitive legal and social services.
2. Legal provisions preventing (S)GBV in families, and legal provisions furthering the rights of women and girl survivors of violence are used increasingly.

The project has ten outputs with the bulk of the activities comprising the provision of services including Legal Advice, Legal Awareness Raising, Family Mediation, Representation of civil and criminal cases as well as social work services and follow-up reports. The project also aimed to develop a quality assurance tool as well as advocate for reform of the family law and endeavour to increase and strengthen the implementation of the Elimination of Violence against Women (EVAW) Law.

The key stakeholders are the Courts, Police, Family Response Units, Attorney Departments, Prisons, Ministry of Women's Affairs, various NGOs and the shelters providing support to survivors of gender violence. Other stakeholders also include the numerous entities working on the reform of the Family Law and the implementation of the EVAW Law.

PURPOSE AND SCOPE OF THE EVALUATION

The terms of reference called for the project to be evaluated according to the OECD (Organisation for Economic Cooperation and Development) DAC criteria for evaluating development assistance and standards paying special attention to the STA – stress and trauma sensitive approach[®] from *medica mondiale* used.

The evaluation comprised of a two person female team with an international team leader and a regional consultant (Afghan national). Both consultants had experience in working on sensitive issues especially with regards to violence against women in Afghanistan.

The evaluation set out a number of questions under the five Development Assistance Criteria (Relevance, Effectiveness, Efficiency, Impact, and Sustainability) as well as a number of questions around other key issues including

- » an analysis of the stress and trauma sensitive approach outlining what has been successful and what has not, as well as what is the added value for MA and its beneficiaries,
- » an analysis of how MA's legal counselling differs from that of other organisations,
- » Mediation highlighting the challenges and chances for women and whether partiality for women is being realized,
- » an analysis of the internal referral system and what synergies are being used.

A number of different tools were used to collect the data; this included a mixed approach, whereby both qualitative and quantitative data were col-

² A no cost extension has been approved and the project's services will be extended until March 2018.



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lected. These included an exhaustive desk review, semi structured interviews with the beneficiaries and stakeholders as well as focus groups held with the direct beneficiaries and the delivery of three surveys directed at the beneficiaries, MA staff and other legal aid agencies respectively.

The evaluation was not without its challenges. The security environment weighed heavy over the evaluation as well as the difficulty to access key and accurate figures in order to ascertain the overall effectiveness of the results. This was a tedious task, but nevertheless, most of the information was shared and the evaluation could make a valued judgment on the overall progress of the project.

FINDINGS OF THE EVALUATION

The project assessed each of the five DAC criteria and that of added value and coherence according to the six item rating scale applied in the international development cooperation (for full details see annex III in the main report).

Relevance

The project was found to be very relevant and addresses a much desired need. The holistic approach offered by *Medica Afghanistan* and the range of services/outputs offered under each component were held to complement each other and the majority of

the interlocutors agree that many of the services, such as legal awareness raising and psychosocial support go hand in hand with legal support. Nonetheless, the project itself refers very little to the application of the stress and trauma sensitive approach and no indicators are established within the log frame to measure its effectiveness and impact.

The evaluation finds that the provision of services coupled with lobbying and advocacy efforts as well as provision of psycho-social services is particularly important and MA's holistic approach towards and its consequential effects on the female survivor are appreciated and very much needed. A women centred approach that addresses the underlying trauma that this type of violence provokes as well as tackling gender discrimination at the political level enables the female survivor to feel that they are able to come forward in order to seek redress and enjoy long term respite from the violence they have suffered.

The report recognises the relevance of this project as **very good**, while being cognizant of the fact that the design of the project perhaps lacked activities, which examined the barriers that many women face to access justice. Acknowledging and addressing these barriers within the project would have the potential to improve effectiveness and would have sought to explore if the indicators and targets established were still too ambitious given the current afghan context.

Effectiveness

The project reached a high number of women through its provision of services and exceeded expectations with regards to the overall number of target beneficiaries. Over five thousand women were reached (as opposed to the original 3,270 envisaged in the project document).

Out of the ten outputs (Legal Aid, Legal Awareness, Family Mediation, Civil Cases, Criminal cases with women in conflict with the law, Criminal cases with women who press charges against perpetrators, Social work services, Quality Assurance System, Advocacy for the reform of the family law, Implementation of the EAW Law), six of them attained the specified targets. The effectiveness of each output depended on the context. In many of the cases where the targets were not necessarily achieved the indicators tended to be not relevant to that particular output and/or were not realistic or too ambitious.

On some levels the success of the indicator did not reflect the possible impact of the output and although just over half the given indicators were reached to the extent established in the log frame, the impact on the beneficiaries was important and has led to permanent changes in the women's lives.

Furthermore, notwithstanding that the results emanating from the outputs were very relevant, the achievement of the indicators was not tracked adequately and therefore a mitigation strategy could not be put in place in the cases where the indicators were way off track. To this end, the evaluation rated the effectiveness of the project **satisfactory**.

Among the more successful outputs was the provision of legal awareness and advice, surpassing the number of beneficiaries originally envisioned. The project was also hugely successful in civil cases and the advocacy of the penal and EAW law. Criminal representation cases committed by family members etc. were less successful and more often than not resulted in an acquittal for the perpetrators of domestic violence.

Notwithstanding, MA lawyers were very successful in ensuring that the EAW law was used. The women who were represented in criminal cases unfortunately in the main did not face the same

outcome, with only 14% of women being released at the first instance.

Efficiency

It is important to understand that the provision of legal services is not a project in usual terms and is instead part of a wider programme, under which a number of different and varied services are provided. In order to implement the project, the services of the lawyers are considered as essential, and therefore can be considered to be project/activity costs rather than overhead costs.

If we compare the costs to other MA projects, we can see that the overall yearly costs are more or less the same. This particular project only spans across two provinces, nonetheless the results of the project reach women beyond these two provinces. They travel from neighbouring provinces in order to access MA's services. Furthermore, outputs eight to ten span across the whole country and the organisational set up of MA, therefore the value for money is rated quite high.

While the overall cost effectiveness of the project is rated high, the efficiency of the project itself is considered **satisfactory**. This is mainly due to the fact that the turnover of staff and the extenuating circumstances of the country have meant that an adequate monitoring of results has not been implemented. This is compounded by the fact that an established and comprehensive monitoring and evaluation system was not built into the project and an efficient tracking system of results was not followed. This has meant that although a risk analysis was established in the log frame, no strategy was put in place to mitigate the risks of indicators not being accomplished. This was further compounded by the fact that the tracking system of indicators was not specific enough nor reliable with regards to the database which during the course of this evaluation has proven to be unreliable and not a true reflection of the overall statistics of the project.

Impact

The project has contributed substantially to the improvement of the legal and social protection of Afghan women/girl survivors of (S)GBV and has reached beyond its intended target of women and/or girls. While the outcome of a case and indeed

compliance with the established indicators of the project is one indication of success, the fact that over five thousand women have been able to learn about their legal rights as well as obtaining ability to access them is just as important.

The beneficiaries talk about the positive changes that the services have brought to their lives. Women who benefitted from the legal services were able to access legal recourse and in some of the cases were able to obtain justice for their plight. In the majority of civil cases, women were able to win their cases, obtain their divorce, receive compensation etc. The criminal cases are not so clear cut, and many of the women remained in jail and lost their cases at the level of the primary court. On many of these occasions, it is presumed that this was due to a lack of proper due process on part of the police or the principal investigator rather than the quality of the services provided.

Women and girl survivors are normally, as a result of the violence inflicted upon them, suffering from trauma like symptoms. Given MA's training in the sensitive trauma approach, with the support of MA, women are able to receive counselling in order to become stronger, which inevitably also improves their access to their rights. It allows them to enjoy healthy relationships and as a result they are better able play an active part in the society around them and make a contribution not only within their family, but at the community level as well.

Furthermore, as well as impacting at an individual level, throughout the course of the project, MA has been able to lobby for improved laws which are more gender sensitive and have exceeded a number of expectations with regards to their involvement in promoting the EAW law and the ensuing debate on whether to incorporate it into the penal code as well as promoting the cause of ensuring that virginity tests are not carried out arbitrarily as has been the usual practice for many years. To this end, their impact goes beyond the reach of the direct beneficiaries of the project, and has the potential to impact on the lives of every woman in Afghanistan who is affected by (S)GBV. The Impact of the project is rated as **very good**.

Sustainability

Overall, the results are deemed to be sustainable at all three levels by the majority of the interlocutors, albeit to varying degrees. The overall rating is **good**. To this end, it is derived that at the individual level, sustainability is the highest whereby individual beneficiaries are not only able to gain access to their legal rights, but are able to take emotional refuge from their problems as well as accessing their right to legal recourse. While all of the cases are not successful in their legal outcome, MA's women centred approach allows women and/or girls to gain legal awareness of their rights and to gain access to psycho-social services should it be deemed necessary.



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When examining whether the results are sustainable at the political level, one should be cognisant of the fluid nature of politics and political decisions in Afghanistan. To this end, while important inroads have been achieved at the political level, which will inevitably lead to possible changes in policy and laws, implementation is still weak and MA has a role to play to ensure that the progress is monitored and overseen.

MA has embarked on a number of other activities involving other more sensitive aspects of violence against women, such as the gynaecological exams which are carried out illegally on victims of gender based violence and those accused of zina (so called morale crime referring to adultery or other “unlawful” sexual intercourse). The undertaking of advocating against such a taboo subject is a clear and positive example of how their work has the potential to penetrate at every level and effect women in the community and rural areas, without affecting their reputation and only strengthening it as an important advocator of women’s rights.

“Medica“ added value

Almost all interlocutors agreed that the use of a stress and trauma sensitive approach is important for women/girl survivors of (S)GBV, although it is not common practice amongst the other legal aid providers to furnish such a service. The approach is mainstreamed across all the services that are provided by MA to prevent the women and girl survivors

from re-traumatisation as well as promoting self confidence and protecting women’s well-being by providing an emotional refuge whereby they are able to offload their burden at the same time as gaining legal awareness and access to their legal rights.

It should also be noted that the promotion of self care amongst MA staff should be further encouraged as the tenuous security situation as well as the emotional toll of representing women affected by (S)GBV plays a heavy toll on the staff. Morale albeit high, sometimes fluctuates due to the nature of the job. Therefore it is essential that the staff is able to access methods to ensure their emotional and physical safety.

The work carried out by MA staff is important, and it is equally important to feel valued in their work as well as acquiring new and more nuanced skills. To this end, innovative methods such as mentoring, on the job coaching as well as rewards for exceptional work should be considered. It is also noted that other medica offices can offer important best practices and know how on how STA is adapted in other contexts and therefore exchange visits should be encouraged in order to bring back best practices and adapt them to the Afghan context.

With regards to mediation, MA is one of the few organisations to carry out follow up to their client’s case subsequent to mediation. While mediation is sometimes frowned upon by other organisations, and is discouraged, MA acknowledges that this is sometimes

the only recourse open to women. Given their women centered approach as well as adopting the STA approach, MA mediation sessions contribute to the empowerment of women and is contrary to other experiences of mediation carried out by other entities which often demeanours the women and does not fight for a favourable solution for the woman.

To this end, “*Medica*” added value plays an important role in the success of the project. Its approach is unique and promotes services which go well beyond the usual “practice” and allows women to be empowered not only in their decision making processes, but also how to lead their lives after being exposed to such trauma. The assessment is rated as **very good**.

Coherence

Interlocutors agree that *Medica*’s approach to survivors of (S)GBV is unique and very much needed. While many of the other legal aid organisations recognise the value and importance of a stress and trauma sensitive approach, very few are able to apply this approach as they do not have the resources or the training to do so. Furthermore, despite believing such an approach to be important, the majority of those consulted did not believe that empathy was an important attribute when dealing with female survivors of (S)GBV.

While there are fundamental differences between the approach of MA compared to other legal services, some of the organisations consulted expressed their desire to work in collaboration with MA. As was reiterated above, many of the organisations do recognise the importance and appropriateness of the STA, albeit that they do not necessarily understand the approach in its entirety and the possible consequences on the female survivor when such an approach is not implemented.

In conclusion, MA’s approach is unique and therefore their work is not duplicated amongst other similar organisations. At present there is little collaboration with other organisations however there are a lot of synergies which should be explored. There are a number of organisations who would ideally like to collaborate with MA in order to expand not only their geographic reach but also to provide holistic services which many organisations are currently not equipped to do. The overall assessment is **good**.

Conclusions

The evaluation concludes that the project is very pertinent and its adoption of a holistic approach is unique and successful. MA’s combination of provision of legal services, and its gained expertise from this provision of services, puts it in an ideal position to advocate for gender sensitive policies and laws on violence against women.

While the project’s outputs and respective activities are well designed and pertinent, the stress trauma sensitive approach is not referred to in the projects outputs. This is essential to ensure the pertinence of the outputs as well as to guarantee *Medica*’s added value of its unique expertise in providing services to women by women and ensuring a trauma sensitive approach to promote the well being of the survivors.

In order to ensure the desired outcomes and adequate tracking thereof, a revision of the indicators should be undertaken. These should include a mix of qualitative and quantitative indicators, which are SMART. It is important to take the context of Afghanistan into account, as well as baseline figures in order to ensure that indicators are realistic, not too ambitious and are attributable to the overall desired outcome.

The effectiveness and the efficiency of the project is satisfactory, nonetheless, due to the design of the log frame, the inclusion of non relevant indicators, as well as a weak monitoring and evaluation system, some of the results of the outputs are not completely realised. The focus on the results with their subsequent indicators takes away the importance of the provision of these services, and does not promote the complementarity between the different outputs as well as the positive impact of each of the individual outputs even if the desired indicator was not met.

The sustainability of the project from an individual level is considered good although it is acknowledged that the projects services will be needed for a long time. The overall impact of the project is rated as very high, as it provides unique services that have had life changing impacts on the beneficiaries. The project has also impacted on a number of laws in relation to (S)GBV, but should however not remain complacent as the implementation of said laws remains weak.

Recommendations

- 1.** The stress and trauma sensitive approach needs to be mainstreamed across all activities. Relevant indicators should be included in the log frame to reflect this.
- 2.** When designing the log frame, baseline indicators should be taken into account. Indicators should be SMART, attributable to the desired result and should consist of both qualitative and quantitative indicators.
- 3.** The monitoring and evaluation framework needs to be improved. This should include more results based management, periodic and effective tracking of progress and quality control of services using both the QAS as well as other innovative methods to ensure quality, as well as the implementation of a risk mitigation strategy in order to adapt to changes or the non attainment of targets.
- 4.** The database is a good and important source of information, however it has fundamental shortcomings. The database needs to be revised and should be used as a key tool to track project's progress as well as identifying trends that need to be analysed. Training of key staff into how the database works and the entry of information should be conducted.
- 5.** In order to facilitate future evaluations as well as ensuring adequate Monitoring and Evaluation (M&E), a number of different surveys/questionnaires should be designed for the different outputs in order to gauge impact of the services. These should be recorded in a database, and should be used to track progress of results of services as well as to ensure that changes are made when necessary.
- 6.** While training is important, other methods of on-the-job learning should be adopted. This should include coaching, supervisory oversight, exchange visits to other Medica offices and attendance of conferences in the area of expertise.
- 7.** In order to maintain moral, recognition of exceptional work should be encouraged and periodic transparent appraisals should be conducted to encourage staff to maintain high levels of standard as well as a show of appreciation of work. Appraisals should also serve as a learning tool for staff to be able to identify their strengths and weaknesses.
- 8.** Pursuant to recommendation seven, MA should examine how to further prevent the loss of institutional memory and knowledge and ensure organisational structures are in place as well as leadership and identification of roles.
- 9.** The importance of self care, especially in the afghan conflict context as well as the working context should not be underestimated, and therefore periodic sessions should be held with all staff to ensure the implementation of self care and assessment.
- 10.** Given MA's experience in the field and its current reputation, MA should engage more in advocacy issues and use their expertise to publish papers, articles and conduct studies in order to further enhance women's rights in relation to preventing and protecting women and girls from different forms of violence.
- 11.** MA should engage in conducting more trainings with key organisations (especially key legal aid organisations) and should try and mainstream the use of STA in projects and entities who deal with women/girl survivors of (S)GBV.
- 12.** MA should consider copy right of their materials in order to avoid plagiarism. Failing this, MA should consider official launches of key materials to ensure that other users do not copy the material and showcase it as their own.
- 13.** MA should collaborate with other similar organisations who work on (S)GBV. Collaboration can take many guises, such as training other entities on the STA, provide expertise or ensure a wider geographic outreach.



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