



AFGHANISTAN RECONSTRUCTION TRUST FUND (ARTF)

Gender Working Group Meeting

Tuesday, July 3, 2018

Summary of Discussions

An ARTF Gender Working Group (GWG) Meeting was held on July 3, 2018, and was attended by 8 donor country representatives¹, the Ministry of Finance (MOF), Ministry of Women's Affairs (MOWA), and the ARTF Administrator (the World Bank). The meeting was co-chaired by the World Bank and Canada.

Discussion

1. Update on the Government's Women's Anti-Harassment Policy.

The MOWA's Legal Advisor gave an update on the implementation of the Government of the Islamic Republic of Afghanistan's (GoIRA) women anti-harassment guideline. The briefing included an introduction to the previous guideline and what was achieved, the new law that has been put in place for workplace anti-harassment, and what has been achieved so far.

The guideline was prepared by MOWA in 2015 based on the Elimination of Violence Against Women (EVAW) Law, and approved by the Parliament in the same year. The MOWA led the establishment of the anti-harassment commission (comprised of MOWA, Ministry of Justice, and Ministry of Religious Affairs), conducting awareness raising workshops, collecting and analysing harassment complaints and referring them to the relevant legal authorities; and provision of quarterly reports to the EVAW Commission

Some achievements in implementation of the anti-harassment regulation are as follows: (i) the regulations/policies were shared with all government institutions; (ii) drafting the anti-harassment procedure which was subsequently approved by the EVAW Commission; (iii) establishment of anti-harassment commissions in 37 institutions and 4 provinces (Kunar, Paktia, Ghost, Paktika); (iv) monitoring of 16 government institutions that failed to establish the committee or report adequately on progress; (v) MOWA conducted public awareness campaigns on the anti-harassment regulations through the media, and 35 awareness raising programs for government employees in Kabul and provincial offices (including in the MoD and MoF); (vi) registration of harassment cases in several government institutions including MoLSAMD, MRRD and IDLG. Action has been taken in some of the cases that have been reported by female government employees.

The anti-harassment guideline laid the foundation for the development of the Law on the Prohibition of Harassment against Women and Children (LPHWC). The law was approved in October 2017 and has been in force since then. It is also included in the Penal Code. A High

¹ Australia, Canada, Denmark, EU, Finland, Italy, Sweden, UK, and US.



Commission on the Elimination of Harassment against Women and Children led by the MoLSAMD and including 12 government institutions was established. Representation at the Commission is at the Deputy Minister level. The MOWA is a member of the Commission and has the responsibility of monitoring implementation of the law, and consolidating the reports received from governmental institutions for the review of the commission. The MOWA has informed all government institutions of this new law and held public awareness raising programs such as TV spots and press conferences.

Challenges faced in implementation of the LPHWC include: (i) some Deputy Ministers don't fully understand the law hence resulting in insufficient buy-in to ensure actions are taken within government agencies to protect female employees; (ii) non-establishment of the women anti-harassment commissions/committees in some of the government institutions; (iii) weak coordination in some institutions on providing progress updates to the MOWA on implementation of the regulation/law; (iv) female staff who are victims of workplace harassment do not feel comfortable to report harassment, and lack confidence in the registration and case handling process; (v) interference of some parliamentarians and government officials in some cases; (vi) not all heads of government agency Gender Units are conversant with or trained in legal issues; (vii) Most of the Gender Units are understaffed at the central offices and at the provincial level there are no Gender Units at all; (viii) limited budget at the MOWA and other government agencies for awareness raising activities within their institutions and to support implementation of the provisions of the regulation/law.

The MOWA has some recommendations to resolve the challenges outlined including: (i) awareness raising of government chair persons on the establishment of women anti-harassment commissions/committees in their respective agencies; (ii) ensuring frequent reporting on the implementation of the LPHWC to the MOWA; (iii) increasing public awareness regarding the LPHWC, and ensuring reported harassment cases are acted on; (iv) capacity building of the heads of government agency Gender Units on legal issues; (v) development of a single work plan for all the Gender Units for the implementation of the LPHWC, and allocating a special budget for the LPHWC. The MOWA asked for support from the development partners in supporting capacity building of the various government Gender Units through MOWA and individual ministries on legal issues, and in establishing a single database for registration of harassment cases from all the government institutions that will be monitored and maintained by MOWA.

Discussion

- The MOWA clarified that the role of the High Commission is to review very sensitive cases that are referred by various government institution sub-committees, and to provide guidance to other agencies to ensure effective implementation of the provisions of the Law. The High Commission also plays a delegating role.
- Also noted that Gender Units of government agencies serve as the secretariat for the institution level women anti-harassment commissions/committees, and are responsible for receiving harassment allegations from staff and reporting to the High Commission. In cases where government agencies have not established the committees, then the MoLSAMD tries to follow up with senior management of those agencies to ensure this is done.



- Question was raised on how the MOWA encourages government staff to report harassment cases given the reluctance of most women to do so. MOWA is working with female government employees to ensure they understand that this is a law that is in place, and action will be taken on issues that are reported.
- Ministry of Finance noted that the MOWA and other agencies can request budget allocations before the start of the budget year and during the mid-year budget review.
- Question was asked how confidentiality is ensured for those women who report issues, and how will the same be ensured for the proposed database. The MOWA responded that they emphasise the importance of confidentiality during meetings and awareness raising sessions. The law also highlights the issue of confidentiality. The database is password protected and only one person will have access to it, similar to how MOWA is operating the existing databases.
- It was noted that the law provides the broad guiding framework for anti-harassment, and then each government institution must develop their own specific implementation plans and policies to eradicate harassment based on the Law. MOWA gave the example of the Ministry of Higher Education that developed an anti-harassment policy for the higher education institutions but within the framework of the law.
- Question was asked whether the First Lady's Office is part of the High Commission, and whether any complaints have been reported from the Ministry of Defence (MoD) and Ministry of Interior (MOI). MOWA informed the group that the First Lady's Office isn't a member of the High Commission, but they would follow up on this issue to see if it would be feasible to include the Office. It was also clarified that the MOWA sent a letter to the MOD and MOI to get information on harassment cases, and they were informed that there are no cases in these two ministries. MOWA suggested in such instances, there is a need for an intervention from higher level. Also, that individual government agency committees can refer complicated cases to the High Commission for further review, or individual staff can appeal to the Commission if they are not satisfied with how a case was handled at the government agency committee level. MOWA also highlighted that at the cabinet level the Gender Unit is also monitoring the law and serves as another reference when the issues cannot be resolved at the ministerial level.
- Agreed that the contact information for the MOWA representative will be shared with the GWG in case of any follow up questions.

2. Meeting Topics for August 2018-December 2018

- The GWG discussed the suggested list of topics for discussion until the end of 2018. The draft list is attached to these minutes. The list includes two suggestions from Sweden's headquarters on gender indicators of the Scorecard, and a possible discussion of the World Bank's gender strategy and its applicability to ARTF programs and the role of the GWG. The Bank asked the members for their comments on the proposed agenda for the next 5 months. The members were in general agreement that it may not be necessary to have a discussion this year on the Bank's gender strategy and the role of the GWG. The Bank agreed to schedule this session if needed in the coming months.



- The EU suggested to have an update on the gender aspects and gender responsive budgeting of the Fiscal Performance Improvement Support Project. Since there were already several topics for discussion, it was agreed that this could be included as a back-up topic in case the other proposed topics changed or could be discussed at the end of the year or early in 2019.
- The UK and US noted WEE NPP/WEE RDP as priority areas for discussion. It was suggested that perhaps the Jobs in Agriculture gender note and the WEE NPP topics could be combined into one session if possible.
- Sweden echoed the UK sentiments and expressed strong interest in the Gender and Jobs in Agriculture Note.
- It was agreed that the Bank would finalise the schedule of meetings and circulate to the group in the coming week.

3. Update on the June 25, 2018 ARTF Steering Committee Meeting

The World Bank gave an update to the GWG on the highlights of the ARTF Steering Committee (SC) meeting held on June 25, 2018. The SC endorsed the new 2018-2020 ARTF Partnership Framework and Financing Program (PFFP), as well as the 2017 External Review of the ARTF.

The SC endorsed a financing program of US\$2.48 billion for the next 3 years, which is fully aligned with the GoIRA's priorities. The funding is allocated to 4 windows as follows: 61% to the investment window supporting key human capital and service delivery programs - health, education, Citizens' Charter and agriculture; (ii) 36% to policy based budget support (recurrent cost window); and (iii) 3% to two new World Bank-executed windows to fund advisory and technical assistance, and enhanced monitoring and anti-corruption efforts.

The World Bank noted that the 2017 ARTF External Review was completed in December 2017 following a consultative process with the GoIRA, ARTF donors and the ARTF Administrator. The report makes several recommendations to further strengthen the ARTF.

This document outlines the actions the World Bank, GoIRA and donors have already started taking in response to the review recommendations, as well as those that require formal endorsement by the ARTF partners before implementation. The key recommendations of the review have been captured in the PFFP and have been discussed on many occasions over the last several months with the GoIRA and ARTF partners. These recommendations are further detailed in a series of 6 background notes that were shared and discussed during 5 SG meetings held in May 2018.

The PFFP, the World Bank management response to the external review recommendations as well as the minutes of the SC meeting are available on the ARTF website. It was agreed that any questions the members had on the PFFP could be discussed during future meetings.

- 4. Points to be raised at the July ARTF Strategy Group Meeting.** The GWG had no points to raise at the July ARTF Strategy Group meeting.



5. AOB

- Canada will discuss with the UK on the date to hand over the role of the GWG co-chair and inform the group accordingly at the next meeting.
- The next GWG meeting will be held on Tuesday August 7, 2018.



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Gender Working Group Meeting Schedule

Suggested Discussion Topics for August to December 2018²

1. Higher Education Development Project- gender aspects/achievement of the project (MoHEd and Bank team); World Bank Gender Strategy and application to the ARTF; role of the GWG.
2. Presentation on gender aspects of Cities Investment Project design (IDLG and Bank team)
3. Gender note on Jobs in Agriculture (World Bank and MAIL)
4. Briefings on WEE NPP/WEE RDP and CCAP
5. Discussion of: (i) gender results from the 2017 ARTF Scorecard; and (ii) gender disaggregated indicators (after the report is released).
6. Discussion of the gender aspects of the EZ-K (Regional Displacement) Project design

² The ARTF GWG meets on the first Tuesday of every month.