

Ensuring Legal Unity: Legal Awareness Conference Takes Place in Badakhshan

Ms Nadia Shakeri, a defence lawyer in Badakhshan, said, 'The conference was very useful, and we had the chance to provide comments for amendments to the penal code as well as ask questions. The answers were provided by experts from the legislative department of the Ministry of Justice, the Attorney General Office and the Supreme Court.'

The participants received handouts of the penal code with the 54 amendments highlighted five days in advance, so they could read and prepare for the working groups at the conference. Judicial institutions requested these amendments in a previous conference in September.

At this conference, participants were divided into groups, each including members of the court, the prosecution office, CID officers and lawyers. Each group worked on articles of the penal code that were not clear or still need amendment. They worked to unify procedures to ensure common practice across all provinces, which will create a fair justice system in the country.

Mr Sebghatullah Wafayee, a prosecutor in Takhar, said, 'It was very helpful to hear judicial institutions bring up the challenges in implementing the penal code. It made for a fruitful discussion where problems were solved, and feedback was provided by all participants.'

The penal code is a document that contains criminal laws, the respective penalties for breaking these laws, and processes to ensure justice for criminal activities. In 2015, the state ordered the unification of the existing penal code, which until then was disconnected among different institutions. The penal code was unified and implemented in early 2018. Since then, it has been discussed and amendments have been proposed by judicial institutions.

The Supreme Court will hold similar conferences in the upcoming months in Kabul as well as in Mazar-e Sharif. Judges, prosecutors, provincial CIDs, the National Security Department and defence lawyers from respective provinces will take part. These conferences are highly important for judges and prosecutors as well as other stakeholders to discuss and agree on common practices for applying the penal code.

The programme Promotion of the Rule of Law in Afghanistan (RoL) is implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ). The programme aims at ensuring the rule of law, a well-functioning judicial system, and legal security in Afghanistan. To ensure legal security for all citizens, RoL has been supporting so-called Huquq bureaus, which have handled more than 80,000 civil cases since 2013. At the same time, to support higher legal education, RoL provided more than 31,500 books to law and sharia faculties, organised more than 190 courses on legal topics for students and lecturers, and awarded more than 60 students with scholarships. The programme also emphasises promoting women's rights and strengthening their access to justice as well as the job market.

Teaser text:

Over the last two days, around 100 people, including women, participated in the first of three conferences on the newly amended criminal code, or penal code. Around 40 judges, 20 prosecutors and 20 staff from the Criminal Investigation Departments (CIDs) of Takhar, Badakhshan and Kunduz as well as defence lawyers and legal aids from the Department of Justice participated. The main purpose of these conferences is to clarify and standardise procedures of case processing across the country when it comes to penal code amendments. This will provide common understanding and clarity for enforcement across provinces, increasing legal certainty for citizens. The Supreme Court is organising the conferences with the support of the Afghan-German Cooperation's Promotion of the Rule of Law programme.

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Gute Regierungsführung

Province:

Badakhshan

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