

Helping Najla Gain Access to Justice

After many days and weeks of uncertainty and doubt, she finally finds the courage to approach the Huquq Office in her husband's judicial zone.

His Huquq Office accepts the case. Najla is happy and thinks her trouble is almost over. Little does she know, her husband's Huquq Office is also unclear of who's responsibility it is.

Eventually, his Huquq Office brings the case to court.

But the court rejects it. They claim they have no authority to investigate the case.

More time passes. Najla is frustrated that the process is taking so long.

The court finally transfers the case to the Huquq Office in Najla's jurisdiction. This is where the case should have been handled from the start.

This well-known ping-pong of responsibility takes time and energy. Most critically, it hinders access to justice. There are many similar examples because there is no clarity on how such cases should be handled. The law on this is complex and difficult to apply.

But it does not need to be this complicated.

If Najla or the Huquq Office had access to clear information on how to apply the law in this case, her claim could have been made faster and easier for everyone involved.

The Ministry of Justice (MoJ) and the Afghan-German Cooperation's [Programme on Promoting the Rule of Law](#) have provided a solution. They have published a commentary to clarify and ease the procedure of obtaining civil and commercial rights.



MoJ collected information from Huquqs around the country on their issues and needs. Based on this information, three experts were chosen to develop and finalise the commentary under the direction of a senior advisor from MoJ.

On Monday 8th February, 1,800 copies of the commentary were handed over to MoJ. The Ministry will distribute it to the northern Provinces first.

The commentary will clarify the law for Huquq Officers and law enforcement officers at MoJ. It will improve their service and the quality of justice, and will ensure cases like Najla's are handled efficiently in future.

Teaser text:

Najla wants to legally request her separation from her husband. She lives in a different area and jurisdiction to him. There is a Huquq Office in her jurisdiction and one in her husband's. She is unsure of where to make her claim.

Priority area:

Good Governance

Province:

Nationwide

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