



Women's Access to Justice in The Middle East

Challenges and Recommendations

Oxfam GB research report

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Table of Contents:

Executive Summary 5

Background on Women’s Rights in the Middle East and North Africa 6

Problem Identification..... 7

Research Objectives and Methodology 9

Report Sections..... 10

Findings..... 11

 Access to Relevant Institutions..... 11

 Affordability of Legal Procedures..... 15

 Control over the Process 18

 Control over Process Outside Legal Institutions..... 20

 Potential Advocacy Stakeholders 21

Analysis of Findings and Recommendations on Advocacy Program 28

 General Notes on Advocacy 37

Appendices 38

List of Tables

Table 1: Potential Advocacy Stakeholders in Lebanon	21
Table 2: Potential Advocacy Stakeholders in Jordan	22
Table 3: Potential Advocacy Stakeholders in Iraq	24
Table 4: Potential Advocacy Stakeholders in Yemen	25
Table 5: Policy Recommendations for Advocacy Program in Lebanon.....	28
Table 6: Policy Recommendations for Advocacy Program in Jordan.....	31
Table 7: Policy Recommendations for Advocacy Program in Iraq	33
Table 8: Policy Recommendations for Advocacy Program in Yemen	35

List of Acronyms

ARDD-LA	Arab Renaissance for Democracy and Development – Legal Aid
ASUDA	ASUDA for Combating Violence Against Women
CEDAW	United Nations Convention on Elimination of All Forms of Discrimination Against Women
JWF	Justice Without Frontiers
MoSA	Ministry of Social Affairs
NGO	Non-Governmental Organisation
Oxfam GB	Oxfam Great Britain
PSL	Personal Status Law
Sida	Swedish International Development Cooperation Agency
YWU	Yemeni Women Union

Executive Summary

The major objective of this report is to assess the impact of legal fees on women's access to justice (in terms of personal status and family matters) in four Arab countries: Lebanon (Mount Lebanon), Jordan (Zarqa), Iraq (Shamshamal in Kurdish Territory), and Yemen. The research then moves to providing policy recommendations for advocacy geared at enhancing women's access to justice in said countries.

For the purpose of this research, Access to Justice was defined along 4 variables, specifically:

Access: This pertains to women's knowledge of legal procedures of religious or civil courts and the assistance provided to vulnerable women as they approach such institutions.

Affordability: This pertains to whether poor and vulnerable women can afford legal procedures costs and whether any assistance is provided to them through state legal or administrative institutions or through civil society to financially assist them in covering their court and/or lawyer fees.

Control: This is related to actors controlling "women's access to justice", specifically judges and court officials who play critical roles in delaying or expediting legal cases and who could ensure that poor and vulnerable women receive "fair treatment" as they decide to follow legal procedure.

Extra-Institutional Control: This refers to social norms and traditions that hinder or encourage women's access to justice.

To examine the above-mentioned variables, qualitative research through focus group discussions and individual interviews were conducted in targeted regions during the month of May and June 2013. Focus group discussions were held with women who have had previous exposure to legal education or awareness campaigns and women who have been through legal process in court for personal status and family conflicts. Moreover, focus group discussions were conducted with women who have not been part of any legal procedure and who have not had been part of awareness raising campaigns.

Interviews with key informants were used to supplement findings from focus group discussions. In-depth interviews were conducted with women's rights activists, court officials, journalists, civil society actors and lawyers to cross validate information.

Main findings of field work conducted in targeted countries were as follows:

Poor and vulnerable women have weak "access" to justice as a result of absence of legal education and of needed administrative structures within religious courts to assist women as they initiate legal procedures. Aside from Lebanon, courts in Iraq – Kurdish Territory, Jordan and Yemen do not have any social worker or assistant to help women as they attend court.

Poor and vulnerable women cannot "afford" the legal process either due to high court registration costs or extremely high lawyer fees. With the exception of Yemen (where registration costs are waived), countries covered in the present research do not have a waiver on registration fees. The Maronite court of Lebanon discretionally provides partial waivers of registration fees based on assessment of women's financial status. As for free lawyers, no country subsidizes their costs for issues related to personal status or family laws. However, poor and vulnerable women in Jordan, Yemen, Lebanon and Iraq are starting to have access to legal system thanks to the free support provided by Oxfam GB partner organisations with funding from the Swedish Development Cooperation Agency.

Legal procedure is "controlled" by judges and clerks of courts. Significant delays in legal procedures do take place due to the lengthiness of the procedure itself. Delays have different reasons in different countries, but most cited reasons have to do with low number of judges, irregular attendance of judges and deliberate delay in issuing sentences as judges try to solve problems amicably or to convince litigants to drop the case. Delays in implementation of court sentences were also cited as "procedural deficiencies" that sometimes discourage women from following legal procedures.

Lastly, social pressure surfaced as one of the leading reasons prohibiting vulnerable women from accessing justice. In all focus group discussions, women argued that their community and extended family would not accept the idea of women solving their personal status and family conflicts through legal procedures. The impact of social pressure on women's access to justice is related to the degrees of

vulnerability and social conservatism in the community. Lebanon hence scored lowest on social pressure, as women participating in focus group discussions came from urban areas and lived in less conservative environments as compared to women in Shamshamal where male dominance is clearly encouraged and supported by a system of social values discouraging women from seeking justice through courts. The same could be said about Jordan and Yemen.

In view of the above, the report recommends that specific advocacy and awareness raising avenues be followed in order to enhance women's access to justice. Specifically, the report recommends:

- Advocating for change of current legislation on "legal procedures" in civil and/or religious courts in order to provide women with access to free lawyers and waive registration fees in some countries where such fees are considered "prohibitive" to vulnerable women;
- Advocating for improvement of administrative structures in religious/civil courts to allow for the establishment of an office for a social worker/assistant whose job would be to provide information and assistance to poor and vulnerable women, and other citizens;
- Advocating for better organization of judges in religious and/or civil courts, so that they can answer to the increasing demand;
- Awareness raising (as part of advocacy) to women in specific and communities in general focused on women's right to justice and ways to support and uphold this right;
- Enhanced networking among national NGOs to form credible lobbying networks at national levels and hence improve impact of advocacy activities;
- Building public-private partnerships on the subject of women's access to justice so as to improve impact at national level, as per country.

Background on Women's Rights in the Middle East and North Africa

In the male-dominated, patriarchal societies of the Middle East and North Africa region, deeply entrenched cultural norms and misinterpretation of religion justify the continuous gender inequalities that deny women their rights. Arab states and societies have failed to fulfil their commitment to reduce gender inequality, as stipulated in international conventions and treaties such as the Beijing Platform of Action.

Many of the Arab countries' constitutions enshrine equality among all citizens; however, constitutional provisions have not been translated into equality in private or public spheres. The gap between governments' constitutional commitments to equality and the reality of women's lives persists, particularly with regards to personal status laws (which govern all matters pertaining to family life, including marriage, the spousal relationship, divorce, and child custody). Across the region, personal status laws are widely seen as one of the primary sources of discrimination against women in legislation and practice. In Lebanon, for example, systematic bias is reflected in discriminatory provisions of the multiple personal status laws, which apply to citizens based on their religion. The penal codes in most Arab countries also treat women and men differently, particularly with regards to provisions related to honour crimes, rape, and adultery.

While the majority of the Arab countries (with the exceptions of Qatar, Somalia, and Sudan) are signatories of the Convention for the Elimination of all forms of Discrimination against Women, ratifying CEDAW has thus far not had a concrete impact on the status and situation of women in the region. The majority of countries which have ratified the convention have done so with reservations to Article 2 – which stipulates equality before the law and prohibits discrimination against women in national constitutions and legislation – and Article 16, which refers to eliminating discrimination within marital and family relations. Reservations to these crucial articles effectively hamper the ratifications' impact on gender equality. Lifting reservations to CEDAW, harmonising national legislation with its provisions on gender rights, and ensuring its implementation will significantly reduce the violation of women's rights in the Arab countries.

The Arab Human Development Report "Towards the Rise of Women in the Arab World" (2005) acknowledges that while many provisions of national legislation still discriminate against women in the Arab world, there has been notable progress toward gender equality under the law. Over the past five

years, legislative advances, particularly with regards to nationality law, have been made, following decades of lobbying by women's rights organisations and human rights activists with support from international organisations. For example, in Yemen, the nationality law has now been amended allowing Yemeni women to transfer citizenship to their children. In Jordan, following intensive lobbying by women's organisations for legal protection against gender-based violence, the government enacted the Family Protection Law in 2008 and established a specialised court in 2009 to handle cases involving "honour crimes". In Lebanon, a law against violence against women is being reviewed by the Parliament, while in Egypt achievements include the passing of the *khul'a* law, which permits women to divorce without a husband's consent, the establishment of a family court, and revisions to Egypt's nationality law.

Reforms have been perceived by civil society organisations as positive if incomplete. Governments still do not ensure adequate legislation to fully protect women's rights, and state structures such as the judiciary and police force fail to implement laws that do exist, threatening to negate the positive impact of these reforms. Poor women in particular tend to attach little importance to formal legal reforms because they see no opportunity ever to go to court and claim any rights or benefits to which they may be entitled.¹ Civil society organisations, moreover point out that ordinary women are not sufficiently consulted in legislative reform process. In Egypt, for example, activists report that those who were involved in the process of drafting and debating Personal Status Law No. 1 of 2000 and Law No. 10 (introducing new family courts) did not solicit the opinions of ordinary women in a meaningful and consistent way.² As a direct result, vulnerable women most in need of legal aid, poor illiterate women, women abandoned by their husbands, left without child alimony or physically abused, are unable to find the legal guidance to protect them. For women to get a divorce, to claim alimony, and to claim their rights to land requires a functioning and gender sensitive justice system. In the absence of access to justice, women are unable to exercise their rights and secure their rightful place as equal members of society.

Problem Identification

The specific problems to be addressed through the Women's Access to Justice in the MENA Region programme were identified through legislative reviews and through extensive consultation with key stakeholders in the Middle East. The problem analysis was also informed by Oxfam GB's longstanding experience in gender and legal protection, particularly in Yemen, where the organisation has been actively involved in a programme on ending violence against women, as well as the experience of Oxfam GB's partner organisations in Egypt, Iraq, Jordan, and Lebanon. Despite country-specific legislative context, disadvantaged women face common challenges in accessing justice, even when laws do acknowledge women's rights:

- **At the individual level: *Limited legal knowledge and awareness***

Poor women living in Egypt, Iraq, Jordan, Lebanon, and Yemen lack legal knowledge and awareness. In particular, women abandoned by their husbands, left without child alimony or physically and sexually abused, are not aware of legal measures that protect their rights and are unable to access services in case of rights violation. The fact that literacy is a prerequisite to initiating legal proceedings in many countries is particularly disadvantageous to uneducated females. According to Oxfam GB partners, illiterate women, and women who live in remote rural communities and in conflict zones are the most vulnerable groups since opportunities to access information on their legal rights are severely curtailed.

Currently, national government sponsored programmes on legal awareness are inexistent or insufficient to address the needs of women. The government of Egypt for example recognises that despite legal awareness initiatives run by the National Council for Women, including toolkits and audio-visual material explaining laws in simple, semi-colloquial question/answer format, rural women in particular are insufficiently aware of their legal rights.³ The UN Committee on the Elimination of Discrimination against

¹ On the Way to Improved Legal Reality, GTZ, 2008

² Recent Reforms in Personal Status Laws and Women's Empowerment "Family Courts in Egypt", The American University in Cairo Social Research Centre 2008

³ Egypt: Combined sixth and seventh periodic reports of States parties: Consideration of reports submitted by States parties under article 18 of the CEDAW, 2008

Women has also repeatedly recommended the governments of Lebanon and Jordan⁴ to enhance women's awareness of their rights through sustained legal literacy programme and legal assistance. In fragile and conflicting states such as Iraq, the government de-prioritises women's legal awareness projects. While national NGOs in the targeted countries strive to fill the void, their outreach remains limited. According to Oxfam GB partners, Egypt, with a population reaching nearly 80 million, only has ten NGOs that provide comprehensive legal services to women, and in Iraq, only five NGOs working on women's legal knowledge are operating in the Kurdish territory. Media in the targeted countries also do not play an active role in the dissemination of information to women on their legal rights. Improved legal literacy and education would enable disadvantaged women to know that it is possible to seek redress through the justice system, whom to demand it from, and how to start a formal justice process. Legal information and education strategy not only empowers women in demanding their rights, but also increases the accountability of police, lawyers and judges.

- **At the community level: Customary laws and social norms**

Even where the rights of women are formally granted in both the constitution and legal codes, these rights are not being fully implemented due to customary laws and social norms. Informal customary practices can override formal legal provisions so that state legislation is frequently ignored, undermining women's capacity to formally seek justice through formal means. Moreover, the spread of shame (*haram*) associated with the patriarchal dominance in the Arab region limit women's proactive role in seeking legal assistance when needed. Due to what is commonly considered appropriate or inappropriate behaviour for a "dutiful, decent and virtuous wife", recourse by a woman to the courts to demand her rights, or those of her children, is widely frowned upon and as a result many women refrain from pursuing their family rights through official legal processes. Male members in the family including the husband, father and brother play a role in restricting women to access justice. According to an assessment by ARDD-Legal Aid in Jordan, women are controlled by culture and tradition as well as by the tribal system that deter them from seeking justice and protection through formal legal systems.

- **At the institutional level:**

Gender bias in institutions

The negative attitudes of men who dominate police, judiciary and legal institutions hinder women's access to fair and timely justice. Reports from various jurisdictions in the Arab region indicate that legal and judiciary institutions often lack sensitivity and show indifference or open hostility to women's experiences and rights claims. Whether in Egypt, Jordan, Lebanon, or Yemen, almost every woman who has had dealings with a court because of family, sexual crimes, or personal status issues can tell you about patriarchal and discriminatory attitudes and practices of the almost exclusively male court officials and judges. The police can hinder access to justice by refusing to take such claims seriously by, for example, refusing to investigate or prosecute.⁵ This is especially the case for "honour crimes" where police officials do not investigate such crimes with the same vigour as they might do for other offenses. In Egypt for example, where victims of sexual crimes are received in "shift offices" in police station and are obliged to describe the incident in front of anyone in the area⁶ the lack of privacy deters many women from reporting crimes. In Lebanon, abused women can either seek justice from religious courts – these vary from one community to another and depend on the person's sect – or penal courts. In case of the latter, a victim can file an official complaint, but this is generally addressed to officers who are not trained for the task or who don't take spousal abuse claims seriously.

Unaffordable legal services

One of the greatest impediments to realisation of justice for women is the lack of economic resources: the cost of filing a lawsuit and the ongoing expenses of prolonged cases deter many from claiming their rights. Lawyers are often beyond the means of impoverished women, and without financial means for legal advice, representation and associated costs, women are unable to go to court and demand their

⁴ Lebanon: Concluding comments of the Committee on the Elimination of Discrimination against Women, 2008; Jordan: Concluding comments of the Committee on the Elimination of Discrimination against Women, 2007

⁵ 'Background Paper on Women's Access to Justice in the MENA Region', paper presented by Reem Bahdi for IDRC, Regional Consultation, December 9-11th, Cairo, Egypt

⁶ Egypt: Violence Against Women Study, USAID, 2009

rights. In Jordan, a 2010 assessment report by ARDD-Legal Aid confirms often-exorbitant legal fees hamper those that strive to claim their legal rights. “*Mona wanted to file a lawsuit to claim compensation for arbitrary divorce and demand her deferred dowry, she resorted to a lawyer for the lawsuit brought upon. However, due to her inability to pay for the cost for a lawyer, she has changed her mind in claiming her rights.*”⁷ In Iraq and Egypt, where filing a lawsuit at court is relatively cheap (averaging US\$50 and \$130 respectively), the high fees of lawyers (ranging from \$500 to \$1.500) combined with lengthy litigation period (averaging one to four years in maintenance cases and one to three years in case of divorce in Egypt) deter poor women from initiating legal proceedings. Most, if not all cases placed by women are related to personal status and family laws. In Lebanon, court fees for divorce can reach up to \$500 and lawyer’s fees for divorce up to \$5.000.

This difficulty is compounded by the fact that mechanisms such as support for legal costs, free legal aid, or financial schemes are virtually nonexistent in Arab countries. Even in countries which have progressive legal provisions such as Lebanon (Article 427 of the code of civil procedure stipulates that any citizen may apply for legal aid if he or she is unable to pay the costs and fees of the proceedings), women rarely claim these rights because of legal illiteracy or because the prevailing patriarchal social system discourages them from asserting their rights in opposition to men.⁸ Similarly in Yemen, Oxfam GB’s experience with imprisoned women suggests that despite the Penal Procedure Law No. 9, which stipulates that the state should assign lawyers to those individuals who cannot arrange legal defence by their own means, this rarely occurs. Lawyers’ syndicates taking up *pro bono* cases for poor women are also rare since most women’s cases deal with time-consuming family law cases. Where lawyers can be found, they are not always “gender-sensitive” and do not see or understand the discriminatory dimensions of a given law, according to Oxfam GB partners. National governments and civil society organisations therefore should improve women’s access to courts by providing free legal advice to prospective litigants and subsidising court expenses for vulnerable women.

Formulation and enforcement of gender-sensitive judiciary reform

National governments in the Middle East need to take specific measures to allow women’s non-discriminatory access to justice at all levels. In all targeted countries, legal framework and its implementation need to be significantly strengthened to effectively protect women’s rights. More specifically, national governments should lift specific reservations to CEDAW and ensure that an enabling environment exists at national and local levels with appropriate laws and judiciary policies. Judiciary policies and systems should also address women’s needs to access justice, through strengthening voice, participation and inclusion in policy and law-making processes. In addition to investing in specific measures such as legal literacy programmes, top-to-bottom reform is needed, including of the police and court, in order to make this a reality for women.

Research Objectives and Methodology

The current report aims at:

- Analyzing the current legal situation as pertaining to women’s access to justice in targeted countries (Lebanon, Yemen, Iraq and Jordan);
- Surveying the existing mechanisms for financial assistance offered to women in courts and bar associations if any;
- Exploring the causes of high costs and lengthiness of family-related cases;
- Mapping potential advocacy targets/stakeholders (power analysis);
- Presenting recommendations to guide the design of advocacy campaigns including potential resources.

To collect data on the above, several research methods were followed:

- Analyzing Oxfam GB partners’ stakeholder mapping reports conducted in Lebanon, Jordan, Iraq and Yemen;
- Reviewing personal laws in targeted countries;

⁷ Case study available at www.undp.org/legalempowerment/...Jordan/14_3_Access_to_Justice.pdf

⁸ Women’s Rights in the Middle East and North Africa 2010 - Lebanon, Freedom House, 3 March 2010,

- Conducting two focus group discussions per country. Focus group 1 included women who were targeted by Oxfam GB partners. Focus group 2 included women who were not direct beneficiaries of the intervention;
- Conducting interviews with a court official in each of the targeted countries;
- Conducting interviews with activists in women's access to justice and women's rights;
- Conducting interviews with lawyers specialized in personal status laws (Lebanon and Iraq);
- Conducting interviews with interested journalists (Iraq);

Interviews and focus group discussions focused on acquiring information on the following themes:

Access

- What are the relevant departments/sections charged with family related cases in each of the targeted countries?
- How do women in general and poor women in specific know about these departments?
- What are the court procedures and existing mechanisms dealing with women cases? Is there special mechanism for poor and vulnerable women?
- Assistance services (i.e. exemption from fees, appointment of a pro-bono lawyer, etc.): do they exist? Are they gender-sensitive?
- Who is responsible for the provision of guidance for women when they reach courts? Are they supported to file their case? Who helps them? How long does it take to fill the forms?
- After having a favourable judgment, how can women get their rights (alimony, etc.)? Do they need to go to civil courts to implement the judgement?

Affordability

- How much does each case cost? What is the cost breakdown?
- Are there obstacles to free/low costs services? If so, what are they?
- How do costs affect poor and vulnerable women and their willingness to go through the judicial process?
- Do courts and bar associations (or equivalent entities) have procedures for legal support? Is it active? If so, what makes it successful? If not, why? What can be done?

Control over the process

- What are the factors determining length of procedure? How can it be reduced?
- Who are the influential actors in this field? Who supports women's rights and access to justice? Who doesn't and why? How can we target them?
- What are the recommendations for improvement of women's access to justice?

Report Sections

The report is divided into five sections:

- 1- Executive Summary
- 2- Background – Situation of women's access to justice in the targeted areas/countries and procedural obstacles
- 3- Introduction/ Terms of Reference/ Methodology
- 4- Findings
 1. On women's access to relevant institutions
 2. On affordability of legal procedure
 3. On who gets to control the process within legal institutions
 4. On who gets to control the process outside legal institutions, within the community
 5. Potential advocacy targets
- 5- Analysis of Findings and Recommendations on Advocacy

Findings

Access to Relevant Institutions

Access to relevant administrative/judicial units is one of the most critical issues pertaining to women's access to justice in general. "Access" has to do with (1) whether women know how to access relevant departments/units, and what are existing mechanisms and procedures to start a judicial process, and (2) whether any specific help or assistance is provided to citizens, whether such assistance is gender-sensitive and whether there are effective mechanisms for women to follow up on court sentence/judgement implementation. The study has shown that there are serious institutional and cognitive factors that impede full access of women to justice when it comes to personal status issues.

Evidence collected from Lebanon, Iraq, Jordan and Yemen shows that major obstacles to Access are related to weak legal education among women as well as absence of effective awareness on rights, obligations, and legal procedures that could provide women with tools to better access to justice. The lack of awareness was further exacerbated by the absence of assistance within court administrations, the former of which could guide women through the legal process and protect them from abuses by court officials and judges.

Focus group discussions revealed that women are aware of the existence of legal procedures in all four countries. However, physical access to courts was discouraged by the lack of knowledge of the "how" component, i.e., how to go to court and how to get a law suit properly processed.

Although the four countries/regions surveyed have different educational attainment levels as well as different economic development status, all women interviewed in four countries demonstrated lack of basic knowledge of legal procedures. Moreover, while Maronite Court in Lebanon argued that a part time social assistant existed within court administration, all women interviewed in the four countries had never received any assistance by court administration throughout their "long" dealings with religious courts in their countries.

Lebanon:

In Lebanon, where Oxfam GB's project specifically focuses on Maronite women, the relevant institution that tackles personal status and family-related cases is the Maronite Religious Court, which is independent from state courts and has its own laws and regulations as stipulated by the Maronite Church. This is considered natural as religious courts of personal status are independent from state courts for all eighteen officially-registered Lebanese sects.

Most women interviewed in focus groups knew about the existence of such a court. In Lebanon, since personal status laws are within the jurisdiction of religious courts, as opposed to civil courts, women in general know where to go in case of family disputes. For those who don't know, the area's priest is the primary destination. As women (or men) approach the priest of their village (mandatory before attempting to go to court), the priest would first try to solve whatever conflict amicably. In case amicable reconciliation fails, he provides the grievant with needed paperwork for litigation.

The grievant then goes to court to register the lawsuit at the clerk office. The latter registers the lawsuit and presents it to the judge. In case the grievant has the ability to appoint a lawyer, a power of attorney (*tawkeel*) should also be registered at the clerk's office. Both registrations are accompanied by payment of court fees, clearly specified in writing in the case of the Maronite Court. The clerk then submits all paperwork to the judge who later appoints a date for the first court hearing, where supporting documents and proofs are required.

According to the clerk at the Maronite Court, a “social assistant” comes to Court twice a week to try to provide support to poor and vulnerable people⁹. However, none of the women who participated in focus group discussions had seen such an assistant.

While it does not take much time to get paperwork appropriately filled (depending on the number of daily-registered cases, as they all have to be registered at the clerk’s office), there is no support whatsoever to poor or vulnerable women. There exists no specific office that informs women of the Court’s administrative/legal procedures. In case a woman cannot afford to appoint a lawyer, chances are she will lose the lawsuit due to her ignorance of legal procedures and inability to provide valid evidence to the Court.

While the court clerk stated that he has a list of names of pro-bono lawyers who are ready to assist poor and vulnerable people, no legal stipulation exists at the levels of the Maronite Court, the Lebanese Government, or the Beirut Bar Association to appoint a lawyer for poor and/or vulnerable persons in cases related to personal status, knowing that such provisions exist for criminal lawsuits where the law stipulates the provision of a pro-bono lawyer should any of the parties not have the means to appoint their own lawyer. Women participants in focus group discussion mentioned that none of them had been provided with a pro-bono lawyer by Court. Two of focus group participants in Beirut said they are receiving assistance from Oxfam GB partner, Justice Without Frontiers, with one of them stating that this assistance has enabled her to win the case.

The average time that a standard lawsuit takes in court, as explained by the Court clerk is one year. The first appeal could take some 6 months to come to conclusion. The second appeal could take some 3 additional months¹⁰. Women of focus group have however argued that a lawsuit could take anywhere between 11 months to 3 years¹¹. Reasons for delay are specified in section “Control of Judicial Process”.

As a court decision is out, the winning party would have to take the sentence to “implementation department” at the civil court for implementation. This stage might however face delays because of the losing party’s “disappearance”, court employees then fail to inform them of the sentence. This “disappearance act” is sometimes used as a delaying tactic.

Access-wise, the most important observation in the Lebanese Maronite Court is women's ignorance of the legal process, a natural result of their inability to appoint a lawyer to assist them. The social assistant's office should be occupied with a full time staffer whose scope of work should be enhanced to include instructing women of their rights and legal/administrative procedures. Moreover, such an office could help women through directing them to pro-bono lawyers and NGOs that provide such assistance.

Jordan:

In Jordan, Oxfam GB targets women in Zarqa region. The department responsible for handling family issues is the Religious Islamic Court, the latter of which functions according to Islamic Sharia. As mentioned in interview with judge/judicial inspector¹², women do have direct access to the judge, as the Court policy is favourable to women.

Women do know about courts from their relatives and neighbours. It is however the knowledge about women’s rights and court’s rules and regulations that presents the real challenge.¹³

As women go to court, they need to register their lawsuit with the clerk. Then the application goes to the judge for validation; registration fees are paid and paperwork submitted to the judge who appoints a hearing to look into the case. There are no special mechanisms to provide assistance to vulnerable segments of population, especially women. Additionally, there are no social assistants, nor special offices to address the social side of family problems or to inform vulnerable women of court procedures. It is for

⁹ Interview with Maronite Court Clerk, father Boutros Attallah, Monday 11.05.2013 at 12:15 pm

¹⁰ Ibid

¹¹ Focus Group Discussion, Justice without Frontiers, 15.05.2013 at 10:00 am

¹² Interview with Sheikh Omar Maasoum, Judicial Inspector, Zarqa religious Court, 23.05.2013 at 09:00 am

¹³ Focus Group discussion with women beneficiaries of Oxfam GB partners, 23.05.2013 at 10:30 am

this reason that women fall sometimes into procedural tricks of Court staff, basically aiming at blackmailing them.

While the interviewed judicial inspector stated that women are treated with high respect at Court offices and that judges are biased to women, there exists no written policy or procedure that provides any special assistance to vulnerable women. Gender sensitivity, while possibly existing among court judges, following King Abdullah's directions, is lacking at the level of court staff who take advantage of women's weak knowledge of court procedures. Some court staff members actually do take advantage of specific information they acquire to try to establish relations with women outside courthouse, with the promise of providing them with special assistance. Bribery is indeed used at the level of court staff to expedite paperwork¹⁴.

A woman could fill in her own application for a lawsuit (should she know the legal language), ask someone to do it for her, or resort to a lawyer to complete this task. In Jordan, some NGOs provide pro-bono to support women. Such NGOs do have presence in court (at least in Zarqa religious court), and judges and Court clerks are acquainted with them. While such lawyers are called "pro-bono lawyers", it is important to note that they are actually paid by NGOs. Furthermore, there is no Bar Association for lawyers in religious courts, and hence no access to specific assistance by such a body to poor and vulnerable women.

Mr. Abdallah Al-Hroub, an active lawyer at religious court of Zarqa, argued that an average case could stay in court for one year, and the ruling could be appealed only once. Once the ruling is out, implementation takes place through the Court's "Implementation Department". Implementation may be delayed by several factors, some of which pertain to the lack of desire of Jordanian citizens to accompany court representatives when informing second parties of the ruling (a legal stipulation dictates that court representatives should be accompanied by a witness when doing so); other delays are related to difficulties in finding right addresses of parties. Such factors would further push implementation for 3 or 4 additional months, basically due to legal tricks played by losing parties. Appeal by the losing party constitutes another reason for delay¹⁵. Court indeed gives the losing party one month to appeal before the beginning of the implementation process. To note, there are no legal stipulations that put a deadline for implementation.

The losing party could appeal, and then the sentence is issued without any chance for the two parties to discuss or defend: appeal sentences are final¹⁶.

The absence of any office or person to assist women as they start litigation significantly delays the application process and puts women under the mercy of Court staff who would not hesitate to take advantage of them, including asking for bribes. Breaches of confidentiality allow court staff to contact applying women after working hours to promise them specific facilities in court process in exchange for payments (bribes) or other services. Lastly, delays in implementation put women under severe stress as some of them fall under financial distress while waiting for their husbands to pay alimony.

Iraq:

In Iraq, Oxfam GB focuses on supporting women in Shamshamal region, an area known for its economic vulnerability and weak presence of state institutions.

Personal status disputes in Iraq are solved in Personal Status court according to the Sharia law. Women know about the court already and they have a good idea on how to access it¹⁷. The major challenge in Shamshamal however is for women to attempt to go to court, given the heavy tribal and patriarchal

¹⁴ Interview with Me. Abdallah Al-Hroub, attorney at religious court in Zarqa, 23.05.2013 at 2:30 pm

¹⁵ Ibid

¹⁶ Ibid

¹⁷ Focus Group with women, Shamshamal, 19.05.2013 at 12:30 pm

society that mostly considers going to court as an act of treason and source of shame for the family, tribe and community.

For a woman to file a lawsuit, she has to fill in the needed paperwork (she may be assisted by someone who knows how to, or by a lawyer), and then submit it to the judge. The latter then sends it to the court clerk who registers the lawsuit, provides it with a serial number, collects registration fees (i.e. Though the registration fees for women are very low compared to men's fees) and informs litigants of the hearing through police or an appointed court official.

There are no special procedures or mechanisms for vulnerable groups of population, including women. Women thus don't receive any special assistance. There does exist however a social researcher who meets with the two parties and tries to broker an amicable solution before the lawsuit reaches court. In case of no agreement, the social researcher produces a report on the case, and submits it to the judge.

Some women's rights organizations, including Oxfam GB partner in Iraq – Kurdish territory (ASUDA for Combating Violence Against Women), provide vulnerable women with lawyers free of charge, but the number of such organizations and the scarcity of financial resources render it hard to satisfy all requests for financial assistance. Consequently, less than 10% of women do have access to such pro-bono lawyers.¹⁸ Some 95% of women who come to court to file lawsuits against their husbands do not have the needed financial resources to pay for registration and lawyers' fees. Even if they manage to collect enough money to file a lawsuit (pay registration fees), they are however not able to pay lawyers' fees (please refer Affordability section). This leads to significant delays in the judicial process (as proper paperwork needs to be collected by women themselves; and they need to gather adequate witnesses). This also leads to significant drop-out rate, as they fail to provide needed documents. Ultimately, this would lead to high rates of losses in lawsuits filed by women due to their inability to satisfy courts legal requirements.

Exemption from registration fees is non-existent; and Iraqi lawyers do not currently provide pro-bono services.¹⁹ Additionally, the Iraqi Bar Association neither has the authority nor the resources to compel lawyers to provide pro-bono services to vulnerable groups. Lawyers in Shamshamal do however provide free legal consultation, sometimes on the phone. It is important to mention that while some pro-bono lawyers, paid by NGOs, provide support to women, a list of such lawyers does not exist at clerk's office.

Gender sensitivity is mostly non-existent in Shamshamal court. The clerk sometimes delays the process for women to discourage them from filing lawsuits.²⁰ Lawsuits might take up to two years before a final sentence is out; implementation is then very effective. To note that the Appeal Court is in the area of Kalar and the Court of Cassation in Erbil.

Breaching confidentiality of information pertaining to ongoing lawsuit puts a considerable number of women under the mercy of court officials and specifically court police who contact women to provide them special services. In both cases, the ignorance of Shamshamal women of their rights as well as the legal procedure in court increases the chances of abuse by court officials and staff.

The absence of a social assistant to help women go through the legal process was highlighted in Shamshamal. Moreover, breaching confidentiality of information pertaining to ongoing lawsuits puts a considerable number of women under the mercy of court officials and specifically court police who contact women to provide them special services. In both cases, the ignorance of Shamshamal women of their rights as well as the legal procedure in court increases the chances of abuse by court officials and staff.

¹⁸ Interview with Mr. Fakhreddine Abdul Rahman Webs, Senior Judicial Assistant at Shamshamal Court, 20.05.2013 at 10:00 am

¹⁹ Meeting with Lawyers at Shamshamal court, 21.05.2013 at 11:00 am

²⁰ Focus Group with women in Shamshamal, 19.05.2013 at 12:30 pm

Yemen

Personal status cases in Yemen fall under regular civil courts that are arranged in a hierarchy of 3 levels: Trial Court, Court of Appeal and Supreme Court. Personal status cases fall within a special section of Court of First Instance, thus depriving it of its own independent resources.

Personal status cases follow the same path/procedure as civil court cases: paperwork for a lawsuit would first be produced, fees are then paid, and the case receives a serial number, it is afterwards registered at court clerk and sent to judge, who appoints a court session. The announcement of the first session is to be published in the official gazette. In case the defendant does not show up, a second announcement goes to newspapers. In case of no-show, judicial police (or court staff) would deliver the invitation to court (this attempt might take place for more than one time, pending availability of defendant). Such procedure requires substantive expenditures to be incurred by women (announcements could very well exceed three in number), and hence poses a severe financial burden on them.

Women, whether vulnerable or not, are aware of their right to access courts. However, their knowledge of judicial process and their rights is very limited and does not exceed general notions.²¹ Despite that fact, courts do not provide any administrative or legal assistance to women as they apply to courts, thus rendering women susceptible to being taken advantage of as they interact with court staff. A legal protection programme is also implemented by Oxfam GB partner (Yemeni Women Union) with provision of free legal support.

Yemeni women also suffer from absence of any procedure or office to assist them as they file lawsuits. There is no social assistant to would guide women through the process. The fact that personal status issues are litigated within civil courts with minimal resources contributes to lengthening the judicial process due limited number of specialized judges.

In Yemen, the absence of any procedure or office to assist women as they file lawsuits is a major obstacle to their access to court. In addition to that, the limited number of specialized judges and resources further increases the duration of the process, putting an additional strain on women.

Affordability of Legal Procedures

Affordability has to do with women's ability to cover court registration fees, lawyer fees, and other foreseen and unforeseen expenses such as publication and implementation fees. In some of the targeted areas (Shamshamal, Yemen, Lebanon), local NGOs are starting to cover lawyers' fees, in addition to Oxfam GB partners. The reality in all targeted countries is that most vulnerable women do not have enough money to even cover transportation costs to courts. Added to other costs of registration and lawyers, overall expenses become too prohibitive for women to even think of following the legal path to get their rights (Lebanon, Yemen – publication fees). It is important to note that fees keep increasing during the lifetime of the lawsuit which pushes many women to drop the case before its conclusion due to insufficient financial resources.

None of the countries/regions surveyed has any legal stipulation that pro-bono lawyers should be provided to vulnerable women for personal status cases. In all countries/regions surveyed, there is no comprehensive list that provides all costs to be incurred by individuals during court proceedings and sessions. This makes it impossible for women to forecast the total amount of money needed to proceed through a lawsuit. This also leads to women dropping their case during judicial process as they cannot afford additional fees and payments that arise during court proceedings.

Lebanon:

²¹ Majed Al-Medhaji, Access of Women to Justice, June 2013

In the Maronite Religious Court, court registration fees could range from LBP 250,000 (USD 166) for determination of inheritance rights to LBP 1,000,000 (USD 666) for the annulment of marriage²². When there are several reasons to terminate marriage and several repercussions on siblings, the cost could go as high as USD 7,000, as the registration fee increases per additional reason to annul the marriage and additional requirements by the judge to prove a case.²³ The examination of one of the parties by a psychologist for example would cost USD 1,000. This renders annulment of marriage limited to the circle of rich people among Lebanese Maronites.

It should be noted that in most cases of separation, two lawsuits would be going in parallel: one in religious court (to annul marriage for example) and one in civil court to determine how exactly to divide assets among the separated couples (house, cars, other assets). This increases financial burden for litigants, especially poor women who might not, in most cases, have independent financial resources to tap into to cover these fees.

Lawyers' fees could range between USD 2,000 for simple cases to USD 5,000 for lawsuits that involve annulment of marriage.

The religious court does provide some waivers sometimes for registration fees covering some 10% to 50% based on "**court's discretion**", the latter of which is based on a letter from the community priest confirming the financial status of applicant and/or a recommendation by the social assistant. Evidence of monthly salary could also be requested as a requirement in case the applicant for waiver was employed.

The list of registration fees and other fees related to documents to be produced by court is provided at the clerk's office. Any request to lower such fees will have to be brought up to Maronite Patriarch office in Lebanon, which is the highest religious authority within Maronite community.

Aside from Religious Court waivers, no other official party provides any assistance as pertaining to Registration fees. The Lebanese Bar Association provides some USD 100-200 in support of registration fees only when it comes to civil or criminal cases. However, it does not do the same for religious courts.

As for lawyers' fees, the clerk does keep the names of several lawyers who do provide pro-bono services. However, as the number of such lawyers is limited, and as the number of lawsuits is increasing at exponential rate, the majority of women do not have access to free services by lawyers.²⁴ None of the participants in focus group discussion of JWF beneficiaries had had any access to a free lawyer, except for JWF's lawyers.

All participants in focus group discussions stated that their inability to pay lawyers' fees has negatively affected the progress of their cases and has subjected them to manipulation and carelessness on behalf of court staff and even judges. Only one participant in focus group discussions stated that she has reached a successful conclusion to her case, and that was due to pro-bono assistance by JWF.

The lack of legal texts that stipulate the provision of lawyers to litigants who are not financially capable of paying fees forces women to spend numerous years in religious courts with no concrete solutions to their cases. The scarcity of NGOs that provide such legal assistance, in addition to poor information dissemination about the services provided by them, requires immediate action. High court fees and subjective criteria for partial waiver of court registration fees are other impediments. In Lebanon, lack of financial resources is thus considered the number one obstacle hindering women's access to judicial process.

To note, all costs mentioned in above text do not include the cost of bribes paid to expedite process or facilitate ruling. Such bribery was mentioned by interviewees, and it flourishes through intimate relations between specific lawyers and judges, the latter of whom do recommend their lawyer friends to women as

²² List of Court fees provided by the clerk

²³ Interview with Attorney Salim Madi, 29.05.2013, at 3:00 pm

²⁴ Focus Group with Lebanese Women Beneficiaries of JWF, 15.05.2013 at 10:00 am

an “advice” if the former want to win their case. Such bribes do impose additional burdens for women applicants.

Jordan:

Registration fee of a lawsuit in Zarqa’s religious court ranges between JOD 25 and 30 (USD 35 – 42), which is not high for a middle-class woman who works and earns a monthly salary, but is still prohibitive for a financially vulnerable woman who does not have a job and does not enjoy the support of her family. Fees for implementation of court decision range between JOD 20 – 25 (USD 28 – 35). No court waiver or even payment facilities exist for registration or implementation fees. In addition, one needs also to pay publication fees ranging between JOD 13 and 15 (USD 18 – 21)²⁵.

As for lawyers’ fees, they range from JOD 75 to 600 (USD 105 – 840), depending on the case. Some Jordanian NGOs provide awareness-raising services and free lawyers for poor and vulnerable women, but they naturally cannot cover the expenses of all women in need.

Court registration fees as well as implementation and publication fees, added to lawyers’ fees are prohibitive for poor and vulnerable women. Participants in focus group discussions explained that most of them do not have enough cash to take a taxi to court premises. Court fees thus do constitute a serious obstacle for accessing court.

As for potential support from Jordanian Bar Association, the major challenge is that there is no Bar Association for lawyers in religious courts. Indeed several lawyers and judges in Zarqa’s religious court are not law graduates, but Sharia specialists, graduates of religious schools. They are thus not members of Bar Association, which does not interfere in the functioning of religious courts.

Court fees as well as scarcity of pro-bono lawyers do prohibit poor women from accessing courts. As in Lebanon, there are no legal stipulations that provide waivers to poor women for court registration fees. Moreover, the absence of a Bar Association for Sharia lawyers makes it impossible to provide free legal support for poor and vulnerable population groups. Lower-middle class and poor women consequently have limited access to courts.

Bribes do exist in Jordan, mainly at court staff level, constituting additional expenses for women who are usually unaware of court proceedings and have not had previous encounters with public administration, making them easily-manipulated by court staff.

Iraq:

In Shamshamal, court registration fee is IQD 250 for women (USD 0.20)²⁶. In case there is an amount of money disputed (alimony for example), legal fees constitute 2% of the total disputed amount²⁷. In addition, court charges “informing fees” to inform the defendant of the court session’s date and time. There is no waiver of court registration fees, as they are negligible in Shamshamal.

Lawyers would charge some USD 270 – 500 per case.²⁸ The Bar Association is perceived as a weak organization, and it does not provide financial support to poor men or women; lawyers do not waive their fees. Lawyers in Shamshamal however stated that they provide some free legal consultations to poor and vulnerable, knowing that the average consultation cost is IQD 25,000 in Kirkuk (USD 21).

Women in focus group discussion held in Shamshamal argued that the total cost of a lawsuit might rise up to USD 1,000 – 1,500 in total (including all court fees as well as lawyer’s fees), an amount that cannot be paid by average women. It is for this reason that a woman’s family would advice her not to go to court

²⁵ Interview with Judicial Inspector, Judge Omar Maasoum , in Zarqa Religious Court, 23.05.2013 at 11:30

²⁶ Interview with Iraq lawyers in Shamshamal, 21.05.2013 at 11:00 am

²⁷ Interview with Judicial Assistant, Mr. Attallah Fakhreddine, 21.05.2013 at 10:00

²⁸ Ibid 26

and wait for the husband to initiate the judicial process. This way, the husband ends up paying all expenses²⁹.

Some NGOs, such as ASUDA, are offering professional lawyer services to poor and vulnerable women. Naturally, ASUDA cannot meet all needs for free lawyers, as most Shamshamal women live in destitute poverty and cannot afford to cover lawyers' fees.

While court registration fees are minimal in Shamshamal, lawyers' fees could go as high as USD 500. As the total cost per court case could go up to USD 1,500, Shamshamal women are not capable of accessing courts, at least without special assistance that would cover lawyers' costs.

Yemen:

The Yemeni government has waived registration fees as a way to assist poor and vulnerable women to access courts. However, what is most unique about Yemen is what could be labelled as "hidden costs" and "lawsuit costs" that constitute a significant financial burden on Yemeni women.

The cost for registering a lawsuit in Yemen is YER 250 (USD 1.1); for drafting the lawsuit it is around YER 1,000 (USD 4.6), and for publishing the announcement in the official gazette to invite the defendant to court it is YER 24,000 (USD 112). This fee could be paid 3 times in case the defendant did not show up the first time³⁰.

The law provides for a waiver of registration fees. However, most women do not request such waiver as the amount to be paid as a registration fee is negligible. It is however the cost of publishing an announcement in the newspaper that is considered high.

There are other "unofficial" expenses to be paid by women such as cost of informing the defendant of court session through court police (YER 2,000 – USD 9.4), cost of implementation of court sentence (YER 10,000 – USD 46.7), and bringing in a witness (YER 5,000 – USD 23.5)³¹.

As for lawyer's fees, it averages at YER 200,000 (USD 935) for a personal status case. There are however some NGOs that cover such fees such as Yemeni Women Union that does so with support from Oxfam GB. Aside from NGO assistance that naturally cannot meet all needs, the Yemeni government and Bar Association do not provide for any assistance in paying lawyers' fees.

High lawyers' fees, additional court expenses that keep increasing as the lawsuit drags in court, and bribes women have to pay so that cases progress at a reasonable pace in court discourage women from following the judicial track in handling their personal status or family disputes. Needless to say that poor women do not have the money needed to keep paying for unofficial and evolving court expenses that increase with every requirement to get an additional certificate or inform the defendant or publish a sentence.

Yemeni women face "additional" and "unofficial" expenses, in addition to affordable registration expenses, when they follow the judicial track to resolve their personal status and family cases. Such costs push many women away from court and resort to other avenues to resolve their family problems.

Control over the Process

This section provides answers on factors determining length of administrative/judicial procedures within courts and how the time to go through judicial procedure can be reduced. Actors influential in determining length of procedure and in assisting women within courts are highlighted.

²⁹ Focus Group with Shamshamal women, beneficiaries of ASUDA services, 19.05.2013 at 12:30 pm.

³⁰ Majed Al-Madhaji, Obstacles to Women's access to Justice in Yemen, June 2013.

³¹ Al-Madhaji, *ibid*

In all four countries/regions, the major reason for the delay in judicial process pertains to insufficient number of judges. In some cases, the irregular appearance of judges in court house (Lebanon) leads to further delays. The attempt of judges to give married couples enough time to peacefully resolve their disputes was also cited in Jordan, Lebanon and Iraq as a major reason for delay of judicial proceedings.

Lebanon:

The first point of contact of most women at Maronite Court in Lebanon is the Clerk's office that is responsible for registering the lawsuit and sending it to the judge. Sometimes, citizens wait at clerk's door for hours to register their lawsuit given high demand.

All lawyers and citizens will have to go in person to the judge's office in case of specific requests, including expediting court session. Sometimes, lawyers end up waiting for hours just to get a chance to meet with the judge for two minutes to hand him papers pertaining to lawsuit.³² Delays take place because of:

- low number of judges;
- judges do not show in the court room on daily basis; and
- court house is closed for 2.5 months per year for judicial vacation + around 30 days a year for official holidays + all weekends.

All this leaves judges with effective 8 months of work a year. Court sessions are sometimes assigned four months after the registration date. This causes women requesting alimony for example to wait for a long time (a year or even two) before they receive a sentence. During that time, they would have no other source of income.

Jordan:

Women in Zarqa Religious Court will have to register their lawsuits at the clerk's office; they are then validated by the judge. The period of time between payment of fees and assignment of a hearing sometimes depends on women's ability to bribe their way through.

Zarqa Religious Court suffers from:

- low number of judges;
- some judges never studied law, only Sharia;
- some lawyers never studied law, only Sharia; and
- delay in implementation as it requires witnesses and possibly repetitive visits to inform second party of court's decision.

Iraq:

While no notes were provided on the work of court clerk in Shamshamal, it was stated that the number of judges was so low given the load of cases, especially that Shamshamal courts are handling *Anfal* cases where thousands of women lost their husbands (and other male relatives) during attacks waged by Saddam.

Court officials referred to weakness or even lack of separation of judicial branch from executive branch; speaking of an "independent judiciary" is consequently considered wishful thinking. Such intervention affects proceedings of lawsuits, where women could be the victims of partisan politics traditionally falling under male dominance in Iraq - Kurdish Territory.

Yemen:

The most recognized problem in Yemen is the absence of personal status or family related specialized courts. Hence, personal status cases are deliberated in civil courts, with only two judges looking into

³² Interview with Attorney Salim Madi, 29.05.2013 at 3:00pm

personal status law, thus creating a bottleneck and increasing the time needed for issuing final sentences.

Another procedural impediment in the way of quick processing of lawsuits is the obligatory publishing of court session convening in official gazette. The procedure significantly delays the initiation of trials and hence the total time it takes to issue sentences.

General Observations:

Some themes pertaining to control of the judicial process were found common across most/all countries where the research has taken place:

- a- Judges do purposefully delay court proceedings so as to encourage both parties to reconcile. Such delay was expressed by women participants in focus group discussions as well as the court clerks. Some women were actually discouraged by such delays, and they ended up withdrawing their lawsuit, as they could not afford the delay in court;
- b- Court staff, judicial police, and national police do play a negative role in implementation of judicial sentences. In Jordan specifically, the delay in implementation was highlighted, as the court provides the defendant with a one-month period to appeal, and as it is a requirement to have eye witnesses to court staff informing second parties of court ruling. "Unseen fees" sometimes go to court staff to expedite the process, as is the case in Yemen and Jordan;
- c- In three countries (except for Jordan), there is no official law for judicial procedures that covers personal status cases. While a similar law exists for civil and criminal laws and clearly designs procedures to be followed in all court-related business, the absence of such a law for PSL significantly delays hearings and sessions. No deadlines exist in most cases for specific judicial procedures;
- d- Patriarchal culture and "gender insensitivity" is dominant in all examined courts. There is no female judge or clerk within the four countries investigated (for family and personal status courts). Gender sensitivity is totally absent. Although all male officials interviewed stated that there was no bias or discrimination whatsoever in court administrations or court rooms, the very absence of females from key positions in such institutions renders them, de facto, non-sensitive to female issues and or perspectives. The delay in issuing sentences on alimonies is one example of lack of sensitivity to the hardships facing women as they seek justice from courts.

Control over Process Outside Legal Institutions

In Yemen, Jordan, Iraq and Lebanon (to a lesser degree), it was evident during focus group discussions that the most significant impediment forbidding women's access to justice was community/society and family pressure. In all focus group discussions, women described suing their husbands at courts as a "shameful act" denied and resisted by community and extended family, although discussions showed a general trend to increasingly perceive such act as normal.

In Jordan, Iraq and Yemen, tribal traditions are deeply rooted, and it is preferred that such personal status and family disputes are resolved within the community itself through traditional power structures, naturally dominated by men. While such "perception" was not strongly expressed in Lebanon (due to the mostly urban residence of Maronite communities in Lebanon and weakness of tribal structures among Lebanese Maronites), perception of shame is persistent among other tribal formations.

In Shamshamal, a woman participant who has been divorced by her husband with no financial compensation whatsoever refused to go to court even if legal assistance was provided. Traditions are the major obstacle paralleled only by fear of male retribution. In Shamshamal, many marriages take place without being registered in court; men use this as an argument for divorce taking place without having to go to court. In Shamshamal and Zarqa specifically, the culture of shame is infused by a culture of fear of retribution, a culture that has not been clearly resisted by religious leaders.

Vulnerable women in all four countries feel powerless facing their husbands, parents, community and even court officials. The tribal traditions of Jordan, Yemen and Iraq play a prohibitive role for women's access to justice through state institutions. As a result, a very small percentage of women, mostly with advanced educational level, social stature and money, end up following the legal track to resolve personal status or family disputes. Judicial institutions hence end up reinforcing traditional power structures within the community, rather than providing a way out for vulnerable individuals, and specifically women suffering because of these social norms.

Potential Advocacy Stakeholders

The following section provides a mapping of active players in each country that could be targeted for advocacy actions. Stakeholders are organized according to their "influence" and "importance" when it comes to their potential role in advocating for women's access to justice. Moreover, the section includes a power analysis that provides a reading on the degree of power and interest of different stakeholders and how to make use of their energy and interest in any upcoming advocacy project. Such power analysis is a synthesis of a more detailed power analysis conducted by Oxfam GB partners. Advocacy stakeholders were grouped into four groups (according to where they fall on an importance/influence continuum) to facilitate analysis.

Group A includes key players of high importance and high influence. Advocacy efforts should primarily focus on this group. Group members should be involved in governance and decision making of upcoming advocacy project. They should be engaged and regularly consulted.

Group B includes players of high importance and low influence whose needs are to be met and who should be engaged and consulted according to their interests in project. The aim is to move players in Group B into Group A, hence turning them into project champions.

Group C includes groups of low importance, yet high influence. Upcoming advocacy projects should show consideration to such groups and make use of their interests through involving them in low risk areas and keeping them informed and consulted on interest area. They would be potential supporters and good-will ambassadors for project.

Group D includes groups who are low on importance and influence. They should be informed about project progress through general communications – newsletters, websites and mail shots. The hope is to move group D players into Group C, to get them to influence the change process³³.

Lebanon:

Table 1: Potential Advocacy Stakeholders in Lebanon

Influential Actors		High Importance	Low Importance
	High Influence	A <ul style="list-style-type: none"> - Lebanese Media - Lebanese Parliament - Ministry of Justice - Ministry of Social Affairs - Bar Association - Maronite Church and Clergymen 	C <ul style="list-style-type: none"> - LECORVAW - YWCA - Catholic-Maronite - Tribal and family leaders - Lebanese Women Council - Human Rights Association
	Low Influence	B <ul style="list-style-type: none"> - Universities 	D <ul style="list-style-type: none"> - Donors and INGOs

The Lebanese Ministry of Justice and Ministry of Social Affairs are in general interested and willing to participate in reforms that could enhance any citizen's access to justice, MoSA being specifically interested in women's access to justice.

³³ Details about the potential roles that Stakeholders can play in upcoming advocacy activities could be found in stakeholder mappings conducted under "Women's Access to Justice in the MENA Region" in Lebanon, Jordan and Iraq.

The Lebanese Parliament has a Committee on Women, headed by a female, and is very receptive of law proposals or amendments that would not defy current authority of religious institutions.

The Bar Association of Beirut already provides support to poor and vulnerable people in civil and criminal law suits. The law could be amended to include/cover religious courts.

Civil society organizations are very influential in framing public opinion especially when it comes to human and women’s rights. Civil society organizations do have wide access to TV stations and radios, the latter of which are offering “selective” free advertisement spots for NGOs who could not afford to pay for their ads.

University faculties and students could be staunch advocates to women’s access to justice and could produce needed studies and material to be disseminated to media outlets.

Last, religious figures, especially Maronites, could be targeted in advocacy activities. The Maronite Patriarch has appointed two clergy men to run religious courts. Amendments to current way of running religious courts could be suggested to influential clergy.

Lebanon-based organizations could be divided into four groups according to power and interest in advocating for change for women’s access to justice:

- **High power, interested organizations:** These are organizations that should be fully engaged and fully satisfied with the advocacy effort. Examples of such organizations are: Ministry of Social Affairs, Ministry of Justice and Lebanese Parliament;
- **High power, less interested organizations:** These are organizations that should be satisfied, but not much engaged as they could be bored by the message. These include religious catholic organization and family or tribal leaders;
- **Low power, interested organizations:** These are organizations that should be adequately informed and kept in the loop regarding project activities, to ensure that no major “issues” rise. Examples of such organizations (that can be very helpful in project design and implementation) are community-based organizations and universities;
- **Low power, less interested organizations:** These are organizations that should be kept attentive to project, without being flooded with excessive communication. Such organizations could include women groups/organisations that are not much aware of their rights.

Jordan:

Table 2: Potential Advocacy Stakeholders in Jordan

Influential Actors		High Importance	Low Importance
	High Influence	<p>A</p> <p><u>Governmental Institutions:</u> Ministry of Justice, Ministry of Social Development, Higher Council of Judiciary, Department of Chief Justice, Family Protection Department, Bar Association, Governor Zarqa</p> <p><u>Semi-Government Institutions:</u> Jordanian National Commission for Women, National Council for Human Rights, National Council for Family Affairs</p> <p><u>Donors and INGOs:</u> UNRWA, UNHCR, Women European Union, Open Society Foundation, Embassy of Netherlands, Embassy of France, USAID, Oxfam</p> <p><u>Networks:</u> Shams Network</p> <p><u>Media:</u> Radio Stations, TV Stations, Community Radios</p> <p><u>Zarqa Community-Based Organizations:</u> Beit al-Kul organization, MedicalAid, Al-Aman Association, Osman Bin Affan Association, Family Awareness and</p>	<p>C</p> <p><u>Governmental Institutions:</u> Prime Ministry, Parliament, Bureau of Opinion and Legislation, Department of Statistics</p> <p><u>Media:</u> Social Media networks and groups traditional media</p>

		Counselling Centre	
	Low Influence	<p>B</p> <p><u>Government Institutions:</u> Ombudsman's office</p> <p><u>Semi-Government Institutions:</u> Jordanian Hashemite Fund for Development, Jordan River Foundation, King Hussein Foundation, Queen Zein Al-Sharaf Institute for Development</p> <p><u>Human Rights Organizations:</u> Arab Organization for Human Rights, Jordan Society for Human Rights, Law Group for Human Rights (Mizan), Tamkeen for Legal Aid and Human Rights, Women's Programs Centres</p> <p><u>Women's rights Organizations:</u> Jordanian Women Union, International Institute for Women Solidarity, Centre for Women's Programs (Al-Azraq Camp)</p> <p><u>Donors and INGOs:</u> UN Women, Foundation for the Future, Freedom House, British Embassy</p> <p><u>Universities:</u> Law Departments, Women Studies Departments</p>	<p>D</p> <p><u>Government Institutions:</u> Ministry of Foreign Affairs</p> <p><u>Human Rights Organizations:</u> Charter Centre for Development and Human Rights</p> <p><u>Women's rights Organizations:</u> Women Association for Social Development, Khawla Bent Al-Azor Association for Women Empowerment, National Women Forum, Forum of Women's Rights Association</p> <p><u>Donors and INGOs:</u> Mercy Corps, CARE Organization, International Medical Corps, Australian Embassy, Canadian International Development Agency, Swedish International Development Cooperation Agency</p>

As a general perception, government institutions are highly interested in legal and judicial reform. Yet they need many efforts to adopt human rights international standards and intensive coordination to get engaged with NGO projects.

Semi-government organizations are more open to cooperation with NGOs and are more adaptive to international standards and guidelines. Their national strategies come to better protect women and empower them. They seek to achieve geographical distribution so as to cover most of the kingdom's governorates. They lack the financial means to achieve their strategic objectives. Their coverage is usually wider than that of NGOs and they target larger population.

Human rights organizations are highly interested in projects related to access to justice, and they are active in starting projects and cooperating with government organizations. To note, some of these projects are not sustainable and mainly located in Amman.

Women's rights organizations, on the other hand, are more spread in the kingdom and have a wide scope of work. Projects are limited in time and follow up on impact is minimal. These organisations frequently ask for legal assistance in spreading awareness and are in need of volunteers who can provide legal consultations to women.

Zarqa community-based organizations are willing to cooperate with advocacy projects and consider such projects as an opportunity to convey women's voice to relevant stakeholders. They also view their organizations as the platform to reach out to vulnerable women. They are in need of awareness and training on legal aspects pertaining to women's access to justice, as well as financial support and technical expertise.

Religious sheikhs and clerics have a great influence on Zarqa society, as residents often seek their advice, and religion is applied in resolving family disputes. Heads of families and tribal leaders are at the top of the power hierarchy but lack gender sensitivity when resolving family and personal status issues.

Zarqa-based organizations could be divided into four groups according to power and interest in advocating for change for women's access to justice:

- **High power, interested organizations:** These are organizations that should be fully engaged and satisfied in the process of advocating for change. Examples are Ministry of Social Development, Ministry of Justice and the Chief Justice Department;

- **High power, less interested organizations:** These organizations should be kept satisfied, but not so much engaged that they become bored with the message. Examples of such organizations are Parliament, religious sheikhs and clerics, tribal sheikhs and leaders and the Higher Council of Judiciary;
- **Low power, interested organizations:** These organizations should be kept informed so as to ensure that no major issues are arising. They can be very helpful in project design and implementation. Examples of such organizations are community-based organizations in Zarqa, and women groups that are advocating a change of present laws;
- **Low power, less interested organizations:** These are organizations whose attention should be drawn, yet they should not be bored with excessive organization. Examples of such organizations are women groups/organisations that are not aware of their rights.

Iraq:

Table 3: Potential Advocacy Stakeholders in Iraq

Influential Actors		High Importance	Low Importance
	High Influence	<p>A</p> <p><u>Governmental Institutions:</u> Presidency of Kurdistan Region, Ministry of Justice, Ministry of Labour and Social Affairs, General Directorate for Combating Violence Against Women, Parliamentary Committees (Legal Committee, Human Rights Committee, Committee on Civil Society)</p> <p><u>Civil Society and Women Advocacy Groups:</u> Union of Kurdistan Women UWK</p>	<p>C</p> <p><u>Public and Private Universities:</u> Law, Politics and Sociology Departments at Suleimaniyyah, Salheddine and Duhouk Universities, Human Development University and Kurdistan University</p> <p><u>Public and Private Research Centres:</u> Cultural Centre, Academic Centre for Cooperation and Conflict Resolution, Cultural and Social Centre, Centre for Democracy, Duhouk Research Centre, Centre for Training and Development, Centre for Gender and Violence Study, Centre for Social and Criminal Studies, Association of Psychology and Sociology Researchers, Development Centre for Research and Training</p>
	Low Influence	<p>B</p> <p><u>Government Institutions:</u> Parliament, Higher Council for Women, Ministry of Planning, Ministry of Religious Affairs, Ministry of Higher Education and Scientific Research</p> <p><u>Women and Civil Organizations:</u> Union of Kurdistan Women, Islamic Union for Kurdistan Sisters, Women Development Association, Islamic Relations Association for Kurdistan Sisters, Association of Leftist Kurdistan Women, Organization of Conservative Women</p> <p><u>Human Rights and Development Associations:</u> Civil Development Association, Women Development and Legal Advice centre, Legal Aid for Women, Kurdish Institute for Elections, Centre for Human Rights Development and Democracy</p>	<p>D</p> <p><u>Local and International Partners and Supporters:</u> USAID, NDI, IRI, Norwegian Aid, Committee for Coordination of Popular Assistance to Iraq, UNRWA, Kurdish Project for Human Rights</p> <p><u>Human Rights Groups:</u> Legal Network for Kurdistan Women.</p>

Government institutions in Iraq - Kurdish Territory give priority to conducting legal changes and tackling deficiencies that might exist in legal texts. Moreover, they are interested in tackling deficiencies in the administrative systems and procedures within courts. Government institutions intend to achieve good levels of efficiency and improved administrative performance and quality of work.

Civil society organizations, on the other hand, focus on the necessity of provision of equal chances for civic work for all organizations within the Kurdish community, while working on improving social and legal awareness; aiming to lead to a change in mentalities and current views of vulnerable groups and hence

the culture of local community. Civil society organizations focus also on the necessity of securing sustainable funding to implement civil society agendas and programs.

Women advocacy organizations stress the necessity of raising women and men’s legal and social awareness to bring about a change in mentality of both sexes and of community culture that is biased towards men. This should be accompanied with continuous advocacy on behalf of all vulnerable groups, in addition to producing research and studies on the impact of laws after their implementation so as to measure its answering the demands of marginalized sections of the population, specifically women. Women’s rights advocacy organizations stress the significance of gender mainstreaming at the levels of government and societal organizations and into policies and strategies of all these organizations. Last, women’s rights NGOs focus on the need to put pressure on public officials and authorities through the formation of pressure groups to achieve gender equality.

Human rights organizations work on enhancing awareness levels and spreading legal education among population; they also advocate for implementation of enacted law at level of institutions such as courts and police in a bid to end violence against women and achieve justice to all citizens. Human rights organizations aim at providing capacity building to judges and investigation officials on one hand and to legal activists on the other hand. Moreover, they work on building networks among organizations specialized in law enforcement and human rights.

Organizations based in Iraq – Kurdish Territory could be divided into four groups according to power and interest in advocating for change for women’s access to justice:

- **High power, interested organizations:** These are organizations that should be fully engaged and satisfied in the process of advocating for change. Examples are Ministry of Justice, Committee on Women’s rights, Legal Parliamentary Committee and Union of Women of Kurdistan;
- **High power less interested organizations:** These organizations should be kept satisfied, but not so much engaged that they become bored with the message. Examples of such organizations are Parliament, Ministry of Interior, and Ministry of Labour and Social Affairs ;
- **Low power, interested organizations:** These organizations should be kept informed so as to ensure that no major issues are arising. They can be very helpful in project design and implementation. Examples of such organizations are organizations that are active in building the capacities of women, human rights organizations, democracy promotion organizations and research centres of public and private universities;
- **Low power, less interested organizations:** These are organizations whose attention should be drawn, yet they should not be bored with excessive organization. Examples of such organizations are women groups/organisations that are not aware of their rights.

Yemen:

Table 4: Potential Advocacy Stakeholders in Yemen

Influential Actors	High Importance		Low Importance
	High Influence	A Yemeni Parliament Ministry of Justice Ministry of Legal Affairs Ministry of Human Rights Higher Judicial Council Bar Association TV stations (public and private) Local Radio Stations Donor Organizations (Oxfam GB, Dutch Embassy, European Union, British Agency for International Cooperation, German Agency for International Development)	C National Council for women Higher Council for Women Local Authorities Religious Figures
Low Influence	B Higher Council for Childhood and Motherhood	D Public Universities (centres for women studies; Law schools);	

		Ministry of Endowment Tribal Leaders Ministry of Social Affairs	CSOs
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The Yemeni Parliament is the ultimate law-making authority in Yemen. There are three major parliamentary committees that are pertinent to the subject of this study. The Constitutional Committee is responsible for any constitutional or legal amendments. Any subject pertaining to women and their rights is usually referred to the Committee on Islamic Sharia whose members are conservative religious figures. The Committee on Human Rights could play a supporting role in case law proposals need to pass through Parliament.

The Ministry of Justice practices significant influence on the workings of courts, and it could play a significant role in advancing women's access to justice. The Ministry provides legal support to juveniles in court where pro-bono lawyers are provided to youth through internationally-funded programs. Similar support could be provided to poor women, Ministry of Justice could establish funds to support vulnerable women through revenues of individual courts.

The Ministry of Legal Affairs is the governmental agency responsible for provision of law proposals and amendments, and it is in general supportive of women.

The Higher Judicial Council has a wide array of prerogatives, and it practices such authority in its relationship with courts; it can play a significant role in supporting women's access to justice.

Bar Association has branches in all districts of Yemen and it could provide free support services to poor and vulnerable women.

Yemeni local governments (*Muhafazas* and local councils of *Mudiriyahs*) could also enhance women's access to justice through awareness-raising campaigns and through earmarking specific resources to support poor and vulnerable women.

The National Committee on Women, the Higher Council for Women, and the Higher Council for Motherhood and Childhood could play a major role in designing public policies pertaining to women, and they could play a role in advocating for policies that would enhance women's access to justice.

Religious figures could also play a major role in raising awareness on women's access to justice, as they have considerable influence on society and could have a major impact in case they become partners.

The Ministry of Endowment could also play significant role in raising awareness through *sheikhs* and *imams* of mosques that are spread out across Yemen. The same role could be played by tribal leaders who, despite their conservative attitudes, could play the role of raising awareness of tribe members.

University centres on women studies and law schools could also play a role in producing studies and evaluating conditions of women. They could participate in awareness raising activities in collaboration with CSOs the latter of which could play significant roles in advocacy activities, despite their limited numbers and weak institutional capacities.

Yemeni organizations could be divided into four groups according to power and interest in advocating for change for women's access to justice:

- **High power, interested organizations:** These are organizations that should be fully engaged and satisfied in the process of advocating for change. Examples are Parliament, Ministry of Justice, Ministry of Legal Affairs, Higher Judicial Council, Bar Association, Local Media and international donor institutions;

- **High power, less interested organizations:** These organizations should be kept satisfied, but not so much engaged that they become bored with the message. Examples of such organizations are local authorities and religious figures;
- **Low power, interested organizations:** These organizations should be kept informed so as to ensure that no major issues are arising. They can be very helpful in project design and implementation. Examples of such organizations are universities, Ministry of Endowment, and tribal leaders.
- **Low power, less interested organizations:** These are organizations whose attention should be drawn, yet they should not be bored with excessive organization. Examples of such organizations are legal organizations and Ministry of Social Affairs.

Analysis of Findings and Recommendations on Advocacy Program

Given the results of section 4 of the report on “Access”, “Affordability”, “Institutional Control”, “Extra-Institutional Control”, Section 5 outlines the major recommendations for a national advocacy program per individual country, including highlighting organizations that should “ENGAGE IN” such advocacy effort (under the leadership of Oxfam GB partner), and the organizations/entities/social groups that should be “TARGETED” by that effort.

Lebanon:

Table 5: Policy Recommendations for Advocacy Program in Lebanon

Major Challenges	Policy Recommendation/Action	Targeted Organization	Advocacy Organization	Role of Advocacy Organization
Access				
Absence of administrative/legal assistance	Provision of a 5 day/ 6 hour social assistant at court premises	Maronite Church	LECORVAW, YWCA, Catholic/Maronite Association, Lebanese Women Council	Advocating for a fulltime social assistant at Maronite Court Premises
Ignorance of women about their right to access justice	Awareness campaigns targeting women using local media outlets	Lebanese TV and Radio Stations + Advertisement Agencies	LECORVAW, YWCA, Catholic/Maronite Association, Lebanese Women Council	Designing and implementing campaign on enhancing women’s access to justice
Affordability				
High court registration fees	Slash fees for poor and vulnerable Women	Maronite Church	LECORVAW, YWCA, Catholic/Maronite Association, Lebanese Women Council	Advocating for complete abolition of fees for poor and vulnerable women
High lawyers’ fees	Provision of pro-bono lawyers through amendment of Judicial Procedures Act to include pro-bono lawyers for poor and vulnerable persons in religious courts	Lebanese Parliament	Bar Association, LECORVAW, YWCA, Catholic/Maronite Association, Lebanese Women Council	Advocating to amend the law so as to include provision of pro-bono lawyer for free in certain cases related to family affairs and PSL
No clear criteria for waiver of registration fees	Set clear and objective criteria for waiver of registration fees and provide them in written	Maronite Church	LECORVAW, YWCA, Catholic/Maronite Association, Lebanese Women Council	Advocating for setting clearly written and objective waiver criteria
Scarcity of financial assistance	Provision of financial assistance to poor and vulnerable women by NGOs and INGOs	Local and INGOs	LECORVAW, YWCA, Catholic/Maronite Association, Lebanese Women Council	Advocating for the provision of financial assistance to poor and vulnerable women to cover registration and/or lawyer fees
Control Over Process				

Delays in sentences	Increase number of judges	Maronite Church	LECORVAW, YWCA, Catholic/Maronite Association, Lebanese Women Council	Advocating for increased number of judges and permanent presence of judges in religious courts
Absence of law on judicial procedures	- Amendment of Law of Civil Judicial Procedures, <i>OR</i> - New law proposal on judicial procedures in Maronite Church, <i>OR</i> - A Ministerial Decree on Judicial Procedures in Maronite Court	Lebanese Parliament, Lebanese Council of Ministers, Maronite Church	LECORVAW, YWCA, Catholic/Maronite Association, Lebanese Women Council	Advocating for amendment of current judicial procedures law or for the issuing of decree or law stipulating judicial procedures in Lebanese Maronite Court
Long time for implementation/enforcement of sentences	Speedy implementation of religious court sentences	Ministry of Interior	LECORVAW, YWCA, Catholic/Maronite Association, Lebanese Women Council	Advocating for speedy implementation of religious court sentences
Extra-Institutional Controls over Process				
Social pressure and traditions to solve disputes out of Court House	Public awareness campaigns on importance of women's access to justice	Lebanese Public Opinion/ Media Institutions	LECORVAW, YWCA, Catholic/Maronite Association, Lebanese Women Council	Advocating/Raising awareness on implementation of law in solving family or personal status disputes

Table 5 provides policy recommendations for improvement of women's access to justice in Lebanon. Below are the major recommendations and targeted institutions/actors:

- 1- Advocate for amendment of "Law on Judicial Procedures in Criminal/Civilian Cases" to allow for provision of pro-bono lawyers for personal status and family cases in religious courts.
Advocacy Target: Lebanese Parliament;
- 2- Advocate for a "Law on judicial Procedures in Maronite Religious Courts" that would indicate procedures to be followed in litigation within Maronite Court of Lebanon and that would clearly indicate rights and obligations of litigating parties as well as Court Administration.
Advocacy Target: Maronite Church;
- 3- Advocate for increase of number of judges' permanent presence in religious court for 5 days a week.
Advocacy Target: Maronite Church;
- 4- Advocate for presence of a fulltime social assistant within court premises from 8:00 to 2:00 pm on daily basis.
Advocacy Target: Maronite Church;
- 5- Advocate for complete abolition of all registration and other court related fees for poor and vulnerable women, based on objective assessment of financial situation.
Advocacy Target: Maronite Church;
- 6- Advocate for speedy implementation of Maronite church rulings.
Advocacy Target: Ministry of Interior and Ministry of Justice;
- 7- Advocate for provision of financial assistance to poor and vulnerable women to cover registration and/or lawyer fees.
Advocacy Target: International NGOs and national NGOs;
- 8- Awareness-raising campaigns for women on their rights and access to judicial process.
Awareness-raising Target: Women through media outlets;

- 9- Awareness-raising for all Lebanese (males and females) on right of women to access judicial process.
Awareness-raising Target: Lebanese Communities through media outlets.

Jordan:

Table 6: Policy Recommendations for Advocacy Program in Jordan

Major Challenges	Policy Recommendation/Action	Targeted Organization	Advocacy Organization	Role of Advocacy Organization
Access				
Absence of administrative/legal assistance	Provision of a 5 day/ 6 hour legal assistant at court premises	Islamic Religious Court in Zarqa (and rest of Jordan) and Ministry of Justice	Women Association for Social Development, Khawla Bent Al-Azor Association for women empowerment, National Women Forum, Forum of Women's Rights Association, Arab Organization for Human Rights, Jordan Society for Human Rights, Law Group for Human Rights (Mizan), Tamkeen for Legal Aid and Human Rights, Women's Programs Centre, Jordanian Women's Union, International Institute for Women Solidarity, Centre for Women Programs/ Zarqa Camp (herein referred to CSOs and semi-public organizations).	Advocate for the appointment of a fulltime social assistant at court house to provide legal and administrative assistance to poor and vulnerable groups as they approach court
Ignorance of women of their rights to access justice	Awareness campaigns targeting women using local media outlets (kinds and scope of campaigns are to be decided by local partners given feasibility and budget)	Media Outlets	CSOs and semi-public organizations	Raising women's awareness on women's rights and enhancing women's access to judicial system
Affordability				
Relatively high court registration fees for poor and vulnerable women	Slash fees for poor and vulnerable women	Religious Court/ Ministry of Justice	CSOs and semi-public organizations	Advocating for slash of fees for vulnerable women, according to internal regulations to be issued within religious courts in Jordan
High lawyers' Fees	Provision of pro-bono lawyers through amendment of Judicial Procedures Act to include pro-bono lawyers for poor and vulnerable persons in religious courts	Jordanian Council of Ministers; Jordanian Parliament	CSOs and semi-public organizations	Advocating for the amendment of text of judicial procedure in religious courts to provide pro-bono lawyers to poor and vulnerable women
Control Over Process				

Delays in sentences	Increase number of judges	Religious Court/ Ministry of Justice	CSOs and semi-public organizations	Advocating for the increased number of Judges in courts to expedite judicial process
Long time for implementation/enforcement of sentences	Expedite implementation of sentences through amending law on judicial procedures, putting a deadline on implementation	Cabinet, Parliament	CSOs and semi-public organizations	Advocating for the amendment of law on judicial procedures
Extra-Institutional Controls over Process				
Social pressure and traditions to solve disputes out of Court House	Public awareness campaigns on importance of access to justice	Media outlets targeting Jordanian population (In addition to other awareness raising campaigns to be decided by partners)	CSOs and semi-public organizations	Raising awareness on importance of legal scripts and right of women to access judicial process.

Table 6 provides policy recommendations for improvement of women's access to justice in Jordan. Below are the major recommendations and targeted institutions/actors:

- 1- Advocate for increased number of judges in religious court.
Advocacy Target: Religious Court and Ministry of Justice;
- 2- Advocate for provision of fulltime social assistant at court premises.
Advocacy Target: Religious Court and Ministry of Justice;
- 3- Abolish registration fees and all other court fees for poor and vulnerable women based on an objective assessment of their financial situation.
Advocacy Target: Religious Court and Ministry of Justice;
- 4- Amendment of text of judicial procedure at Religious Court to provide for pro-bono lawyers for poor and vulnerable women and to decrease implementation time of court rulings.
Advocacy Target: Religious Court and Ministry of Justice;
- 5- Raise awareness of women of their rights to access judicial process.
Awareness-raising Target: Women through media outlets;
- 6- Raise awareness of population on rights of women to access judicial process.
Awareness-raising Target: Jordanian communities through media outlets

Iraq:

Table 7: Policy Recommendations for Advocacy Program in Iraq

Major Challenges	Policy Recommendation/Action	Targeted Organization	Advocacy Organization	Role of Advocacy Organization
Access				
Absence of administrative/legal assistance	Provision of a 5 day/ 6 hour legal assistant at court premises	Kurdish Ministry of Justice	Union of Kurdistan Women, Islamic Union for Kurdistan Sisters, Women Development Association, Islamic Relations Association for Kurdistan Sisters, Association of Leftist Kurdistan Women, Organization of Conservative Women, Civil Development Association, Women Development and Legal Advice Centre, Legal Aid for Women, Kurdish Institute for Elections, Centre for Human Rights Development and Democracy (herein referred to as CSOs)	Advocating for the establishment of social assistant office in court to guide poor and vulnerable groups, especially women
Ignorance of women about their right to access justice	Awareness campaigns targeting women through use of local media outlets	Media outlets	CSOs	Designing and implementing awareness campaigns on enhancing women's access to justice
Affordability				
High lawyers' fees	Provision of pro-bono lawyers for vulnerable groups in religious courts through amendment of Judicial Procedures Act	Kurdish Cabinet, Parliament	CSOs	Advocating to amend the law so as to include appointment of lawyers free of charge in certain PSL cases
Control Over Process				
Delays in sentences	Increase number of judges	Kurdish Ministry of Justice	CSOs	Advocating for increased number of judges and permanent presence of judges in religious courts
Absence of law on Judicial Procedures	- Amendment of civil judicial procedures law, <i>OR</i> - Proposal of new law on judicial procedures	Kurdish Cabinet, Parliament	CSOs	Advocating for amendment of current judicial procedures law or for the issuing of decree or law streamlining judicial

				procedures in Kurdish courts
Extra-Institutional Controls Over Process				
Social Pressure and Traditions to solve disputes out of Court House	Public Awareness Campaigns on Importance of Access to justice	All Kurdish Population to be targeted through media campaigns and informational material	CSOs	Advocating/Raising Awareness on implementation of law in solving family or personal status disputes

Table 7 provides policy recommendations for improvement of women's access to justice in Iraq – Kurdish Territory. Below are the major recommendations and targeted institutions/actors:

- 1- Advocate for increased number of judges in religious courts.
Advocacy Target: Kurdish Ministry of Justice;
- 2- Advocate for provision of fulltime social assistant at court premises.
Advocacy Target: Kurdish Ministry of Justice;
- 3- Amendment of judicial procedures law for Religious Court to provide for pro-bono lawyers for poor and vulnerable women and to decrease implementation time of court rulings.
Advocacy Target: Kurdish Parliament, Kurdish Cabinet;
- 4- Raise awareness of women of their rights to access judicial process.
Awareness-raising Target: Women through media outlets;
- 5- Raise awareness of population on rights of women to access judicial process.
Awareness-raising Target: Kurdish communities through media outlets.

Yemen:

Table 8: Policy Recommendations for Advocacy Program in Yemen

Major Challenges	Policy Recommendation/Action	Targeted Organization	Advocacy Organization	Role of Advocacy Organization
Access				
Absence of administrative/legal assistance	Provision of a 5 day/ 6 hour legal assistant at court premises	Ministry of Justice, Parliament	National Council for Women, Higher Council for Women, Higher Council for Motherhood and Childhood	Advocating for amending organizational structures of courts to include the provision of assistance to the public
Ignorance of women about their rights to access justice	Awareness campaigns targeting women using local media outlets	Yemeni citizens in general and women in specific	National Council for Women, Higher Council for Women, Higher Council for Motherhood and Childhood	Designing and implementing campaign on enhancing women's access to Justice
Affordability				
High court "informal" fees	Standardization, rationalization, and decrease of informal fees paid by women, and provision of financial Assistance to vulnerable women	Ministry of Justice, Higher Judicial Council, Parliament	National Council for Women, Higher Council for Women, Higher Council for Motherhood and Childhood	Advocating for amending organizational structures of courts to include the establishment of a fund to support vulnerable women
High lawyers' fees	Provision of pro-bono lawyers for vulnerable groups in religious courts through amendment of Judicial Procedures Act	Ministry of Justice, Parliament, Bar Association	National Council for Women, Higher Council for Women, Higher Council for Motherhood and Childhood	Advocating to amend the law so as to include appointment of lawyers free of charge in certain PSL cases
Control Over Process				
Low number of judges of personal status cases in Yemeni courts	Increase number of judges and/or establishment of specialized courts in personal status affairs	Ministry of Justice, Higher Judicial Council, Parliament	National Council for Women, Higher Council for Women, Higher Council for Motherhood and Childhood	Advocating for increased number of judges and permanent presence of judges in religious courts
Extra-Institutional Controls Over Process				
Customs and social pressure push for solving problems without resort to court	Public awareness campaigns on importance of access to justice	All Yemeni citizens, tribal leaders, local authorities	National Council for Women, Higher Council for Women, Higher Council for Motherhood and Childhood	Advocating and raising awareness on implementation of law in solving family or personal status disputes

Table 8 provides policy recommendations for improvement of women's access to justice in Yemen. Below are the major recommendations and targeted institutions/actors:

- 1- Advocate for increase of number of judges of personal status / family cases, or the establishment of special courts for personal status cases.
Advocacy target: Ministry of Justice, Higher Judicial Council;
- 2- Advocate for provision of free legal assistance to poor and vulnerable women (within court structures).
Advocacy target: Ministry of Justice, Higher Judicial Council, Parliament;
- 3- Advocate for the establishment of "guidance and orientation services" offices for the public within courts.
Advocacy target: Ministry of Justice, Higher Judicial Council;
- 4- Advocate for the standardization, rationalization and decrease of informal court fees, to allow poor and vulnerable women to afford costs.
Advocacy target: Ministry of Justice, Higher Judicial Council, Parliament;
- 5- Advocate for the inclusion of procedural texts related to personal status cases that currently are part of civil law to the text of personal status law; OR design of additional text that is specific to personal status cases, to be added to the law on judicial procedures so as to guarantee the reduction of procedures that currently contribute to delays in court process and sentence issuance.
Advocacy target: Ministry of Legal Affairs, Parliament, Ministry of Justice, Higher Judicial Council;
- 6- Raise awareness of women on their rights, so that they would have increased access to justice.
Awareness-raising target: Women, through major media outlets;
- 7- Raise community awareness on women's rights so as to create an enabling environment for women's access to justice.
Awareness-raising target: Community through major media outlets, local authorities, and tribal leaders.

General Notes on Advocacy

Networking:

In all four countries, it has been realized that stakeholders listed in power analysis could make better use of networking efforts to create synergies at the functional and geographic levels. It is for this reason that in the four countries, Oxfam GB partners lack the leverage needed to practice effective advocacy targeting decision-makers such as religious institutions, Ministry of Justice, Cabinet, and Parliament. It is advised that any upcoming advocacy project at the national level includes a networking component that would eventually lead to providing civil society organizations with leverage, especially pertaining to law amendments and draft laws to be submitted to government and religious institutions. The current model of supporting one or two partners per country would lead to increased awareness and partial advancement in terms of access and affordability. If national advocacy however is the objective, winning coalitions have to be built, and these should include both public and private sectors with CSOs. Examples of potential partners from public sector are Ministry of Justice, Ministry of Social Affairs and Office of Prime Minister.

Public-Private-CSO Partnership:

Another observation of the study is that there isn't any form of public-private partnership in advocating for change, leaving advocacy to exclusively be a CSO-led activity, without partners from public (such as Ministry of Justice) or private sectors. Creating such partnerships through the engagement of private sector institutions in design and implementation of advocacy and awareness-raising activities would take advocacy out of its current narrow focus (with selected NGOs) to a more national scale, and thus achieve an improved impact. Identifying key partners from the private sector and getting them on board for a national advocacy agenda is recommended for the future.

Amending Stakeholder Influence and Power:

The study revealed that many NGOs and other semi-governmental actors are weak on influence, yet strong on importance. It is recommended that capacity-building activities for CSOs and semi-governmental institutions be carried out as part of building winning coalitions for change within each of the four countries. Capacity building would lead to moving organizations from category B (low influence) to category A (high influence), and hence improve the impact and power of the coalition as a whole. Training of trainers on advocacy within partner NGOs and newly formed coalitions is essential for long term sustainability of advocacy efforts.

On Advocacy and Raising Awareness:

It is advised that the shape, content, and participants in advocacy and awareness-raising campaigns be coordinated with Oxfam GB local partners.

It is hence recommended that Oxfam GB partners be provided with TOT training on advocacy, awareness-raising and network building techniques. Awareness-raising activities could involve non-traditional methods such as working with ministries of education to provide TOT for school teachers on how to provide regular lectures on women's rights and access to justice in school classes. Awareness-raising could also target women at universities (before they get engaged) on women's rights and access to justice.

It is recommended that Oxfam GB partners in targeted locations produce a matrix that would detail suggested interventions pertaining to awareness-raising and advocacy, different organizations to be involved (NGOs, CSOs, Universities, public actors, private actors), and the specific role that each organization is to play (planning, implementing, informing, consulting, etc...). The study has clearly shown that individual organizations are not capable of generating generic change within their communities due to limited resources and weak networking.

Appendices

Appendix 1 Participants in Focus Group Discussions and Interviews

Focus Group Discussions:

Jordan:

Women Beneficiaries (23.05.2013):

- 1- Nahida Tahhan
- 2- Angham Abou Saniyyah
- 3- Hanan Asfour
- 4- Sohad Mohami
- 5- Rosana Ayyass
- 6- Taghrid Al-Jamaan
- 7- Feryal Khawli
- 8- Maryam Al-Mashatbeh
- 9- Najlaa Ahmad
- 10- Alyaa Jouwayhed
- 11- Maryam Al-Amoush

Women Non-Beneficiaries (23.05.2013):

- 1- Hajar Mahmoud
- 2- Lobna Ali Daoud
- 3- Anwar Ibrahim Ahmad
- 4- Angham Amer
- 5- Ahlam Hamzeh
- 6- Ahlam Ahmad
- 7- Farah Awwad
- 8- Lina Syaj

Iraq:

Women Beneficiaries (20.05.2013):

- 1- Azima Rasheed
- 2- Nahiya Kader
- 3- Thabat Hamad
- 4- Malak Ahmad Ali
- 5- Kolala Sabah

Women Non-Beneficiaries (22.05.2013):

- 1- Kolala Osman
- 2- Jnour Latif Mir Aziz
- 3- Badaia Hassan Hussein
- 4- Shamsa Mohammad Hassan
- 5- Shamsa Mohammad Abbas
- 6- Sazcar Abdel Wahed
- 7- Raziya Jassem Mohammad
- 8- Mahida Sattar Mohammad
- 9- Nahida Sattar Mohammad

ASUDA Project Staff (22.05.2013):

- 1- Hajar Ahmad Rahman
- 2- Bayan Jibar
- 3- Nisreen Mohammad

- 4- Sheelan Mohammad
- 5- Shobo Omar
- 6- Sarwa Karim
- 7- Shleir Hamzeh
- 8- Nariman Othman

Civil Society Organizations and activists (21.05.2013):

- 1- Haiman Ali Rasoul: Director of Office (fighting violence against women)
- 2- Hazaz Othman: Editor of "Gromo" Newspaper
- 3- Sou Mustafa: Deputy Chair, Director, Civil Society Initiative
- 4- Razkar Jabbar: Journalist
- 5- Nizam Nazim: Activist

Lawyers (21.05.2013):

- 1- Hiouwa Rafiq
- 2- Samko Sattar
- 3- Hoker Haroun Hama Rashid
- 4- Habib Mohammad Ameen Jak.

Lebanon

Women Beneficiaries (15.05.2013):

- 1- Marry Haddad
- 2- Antoinette Zakaria
- 3- Ikram
- 4- Marry Khashab
- 5- Lorette El-Hani

Yemen

Women Beneficiaries; (06.2013):

- 1- Samira Maadani
- 2- Sawsan Ahmad Ali Jarallah
- 3- Iman Saleh Abdel Alim El-Sharaabi

Interviews:

Jordan

- 1- Sheikh Omar Maasoum, Judicial Inspector/ Judge; 23.05.2013
- 2- Abdallah Al-Horoub, Attorney at Law; 23.05.2013
- 3- Hanadi Riyadh and Mahmoud Abdel-Kalee, ARDD-LA staff; 23.05.2013
- 4- Dania Al-Hjouj, Legal Council-Network to Fight Aggression Against Women; 23.05.2013

Iraq

- 1- Hajar Ahmad Rahman, Project Coordinator. ASUDA ; 20.05.2013
- 2- Attallah Fakhreddine, Senior Judicial Aid (Clerk); 21.05.2013

Lebanon

- 1- Father Boutros Attallah, Clerk of Maronite Court; 11.05.2013
- 2- Salim Madi, Attorney at Law; 29.05.2013

Yemen

- 1- Samah Bashir Assakaf, Non Beneficiary
- 2- Rawda Abdul Rahman Shafer Al-Eriki, Personal Status Judge, Sanaa
- 3- Najlaa Mohammad Abdullah Al-Lisani, Lawyer and Activist
- 4- Huda Abdul Karim Al-Insi, Lawyer.