

THE IAWJ



TWENTY
YEARS
OF
JUDGING
FOR
EQUALITY

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**The IAWJ: Twenty
Years of Judging
for Equality**

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PREFACE

It has been little more than one century in the long existence of humans on the planet that women have been permitted to serve their societies by acting as lawyers and judges. Even today, there are some places in the world where women are unable to become judges, and women judges seem universally to continue a struggle to attain equality and parity within their professions and societies. For instance, in countries where women judges outnumber men judges, judges often receive low pay for the job, and are otherwise marginalized by a lack of respect for the judiciary. In countries where there are equal numbers of women and men, women often receive less desirable case assignments, have to relocate away from family, or have fewer sought-after administrative duties. Or consider those countries where both pay and stature may be equal, but the number of women judges remains a small proportion of the total number. So, while the battles may be different in different countries or different parts of the world, there seem to be always battles for the women. We know that, even today, no country in the world is able to claim that it has been able to eliminate violence and pernicious discrimination against women in society.

And so the work of the International Association of Women Judges was begun, and continues. The efforts of that courageous and inspired group of 50 women judges from around the world, who came together 20 years ago, are chronicled in this volume, a first edition assemblage of narratives and photographs portraying the formation and accomplishments of the IAWJ in its first 20 years. In this volume, you will read about the many brave and motivated founders of the IAWJ who had the vision to come together to become the first international organization to address the problem of domestic violence. Since its inception, the IAWJ has grown to more than 4000 members in more than 90 countries around the globe, and has made great strides in empowering women throughout the world so that the day to day problems of women and children can be properly resolved through judicial systems. Through their work to advance the rights of women and eliminate discrimination, IAWJ members have put a human face on the law, and have resolved to wrap the wide arms of the law around those who need it most.

Producing this work has been a complex operation as it draws upon the reflections and written submissions of many contributors around the world. The IAWJ is very grateful to Judge Mary Ann Hedlund, who first presented the idea of compiling a record of IAWJ accomplishments as a tribute to the first 20 years of the existence of the IAWJ, as well as to the other members of the Editorial Committee, Arline Pacht, Susan Glazebrook and Jill Wainwright, who meticulously turned the numerous submissions into a comprehensive compendium. Many thanks go also to the individual contributors who so assiduously recorded their individual memories so that all of us can share them and savor them by reading this book.

In Peace, Judge Leslie M. Alden, IAWJ President (2008-2010)

FOREWORD

Introducing the Association

The editorial committee (Mary-Ann Hedlund, Susan Glazebrook, Arline Pacht and Jill Wainwright) are delighted to present this history of the International Association of Judges (IAWJ) on the occasion of its Jubilee (twenty glorious, exciting and successful years).



Mary-Ann Hedlund



Susan Glazebrook



Arline Pacht



Jill Wainwright

The International Association of Women Judges (IAWJ) is a non-profit, non-partisan organization of more than 4,000 members at all judicial levels in more than 90 nations. Since forming in 1991, the IAWJ has united women judges from diverse legal-judicial systems who share a commitment to equal justice and the rule of law.

The IAWJ believes that women judges are in a unique position to impact the rights of women through the judicial system and to protect and empower women throughout the world. We operate on the premise that, through the exercise of informed and united leadership, women judges can be catalysts for social transformation.

In dialogue with women judges from all levels and different types of courts, IAWJ members share their experiences and ideas for best practice in such areas as violence and discrimination against women, international child abduction and gender bias in the courts. Through pioneering judicial education programs and worldwide collaboration, the IAWJ is working to advance human rights, eliminate discrimination on the basis of gender and make courts accessible to all.

The objectives of the IAWJ include: “advancing women's rights to equal justice, promoting women's access to the courts, increasing the number of women judges at all levels, organizing and strengthening women judges associations, developing judicial leadership, conducting legal research on gender equality and human rights, exchanging information on issues of critical concern to women and uprooting gender bias from judicial systems.”

This history documents the achievements of the IAWJ including: encouraging application of human rights law to domestic courts; conducting judicial training on women's human rights throughout the world, research on gender and the law; sponsoring international conferences; promoting ratification of and monitoring compliance with international and regional human rights conventions; facilitating global communication on gender justice issues; fostering judicial exchange visits; protecting judicial independence; honoring significant contributors

to women's rights; and collaborating with other institutions on international justice and women's issues.

We thought it would be apt in this foreword to reflect a bit more on two questions: why we need women judges and why we need women judges' associations. Luckily, these questions were addressed at a recent biennial conference of the IAWJ by two eminent speakers and we set out extracts from their addresses below. The full text of these addresses is to be found on the IAWJ website: www.iawj.org, under the section "Human Rights Resources: Conference Papers, Sydney Conference".

Why do we need women judges?

At the IAWJ Sydney conference in 2006, the Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada gave an address on why we need women judges. The Chief Justice gave four reasons:

- to ensure that courts are representative of the societies they serve and, hence, preserve their legitimacy;
- to reflect our society's commitment to equality;
- to best use available human resources; and
- to bring new perspectives and rout cliched stereotypes.

Expanding on the first reason, the Chief Justice noted that the reality is that many people, particularly women, may have less than complete trust in a system composed exclusively or predominantly of middle-aged white men in pinstriped trousers. They will question whether such a court can reflect the various viewpoints and values of an increasingly pluralistic society.



She said that the second reason is symbolic. In a world where one of the primary functions of the judiciary is to promote equality and fairness, it would be anomalous if the very institution charged with that goal should itself exclude women from its ranks. Symbolically, having women on the bench signals to other women, and to groups that have been historically marginalized and confined, that they too can excel, and upon excelling, will be recognized and rewarded for their accomplishments.

The third reason for putting women on the bench is utilitarian. It is a sound use of human resources. Modern societies cannot afford to lose the intellectual power and energy of half the population. This proposition can be seen to have general application. And judging is no exception. Our societies are increasingly complex, our birth rates are low. We need the wisdom, not only of our wise men, but of our wise women. If this is true for the developed world, it is even more true for the developing world, where women judges, in the face of great difficulty, are working tirelessly to bring justice to their fellow citizens. Without such women, the quest for the rule of law would surely falter.

The fourth reason was, in the Chief Justice's view, the most important. We need women on our benches because we need the perspectives that women can bring to judging. We need to

have true views of women's experiences in our justice system, and we need to rout out the cliched stereotypes which have, for too long and too often, distorted judging.

She accepted that male and female judges are all trained jurists, and thus that when they apply the law and common sense, they are likely to come to the same conclusions irrespective of gender. She pointed out, however, that jurists are human beings and, as such, are informed and influenced by their backgrounds, communities, and experiences. For cultural, biological, social and historic reasons, women do have different experiences than men. In this respect, women judges can make a unique contribution to the deliberations of our courts. Women judges are capable of infusing the law with the unique reality of their life.

On a lighter note, the Chief Justice suggested a fifth reason for having women judges. She ventured to suggest that women on courts may mean happier courts. The Supreme Court of Canada has nine judges, four of them women. Since they have had women on that court, the Chief Justice said that they have: nicer pictures on the walls; better food in their dining room; a cake for every judge's birthday; yoga; and soon, she hoped, a piano. The Chief Justice posed the question of whether these things would have happened without women in their court and answered "Perhaps".

Why do we need associations of women judges?

Many of the same themes as those addressed above came through the keynote address of the Rt Hon Dame Sian Elias, Chief Justice of New Zealand at the same Sydney Conference when she was addressing the question of why women judges associations were needed.

She suggested that both peer and social deficit and the distinct perspective women bring to judging are important reasons for there being associations of women judges. As she noted, the participation of women on a basis of equality with men continues to challenge societal expectations. It is thus not surprising that women who exercise judicial authority continue to be "outsiders" who are watched more critically and who need constantly to justify their appointments and their work. Those challenges themselves justify a special interest group to provide the opportunity to pool experiences which will help us in our work.



The Chief Justice then turned to the question as to why being female, although not a sufficient qualification for being a judge, is an important additional qualification. In her view, there were at least three reasons, all arising from the circumstances of women in our societies.

First, she considered that the exclusion of women from the judiciary, as from other positions of authority in our legal systems, is a denial of the equality of men and women under international law and under the principle of equality which underlies the rule of law in our domestic jurisdictions. The need for diversity amongst those who exercise authority is based on fundamental principles of law.

Expanding on this, she pointed out that it is more than 25 years since the inception of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the principal international convention relating to discrimination against women. Most of the jurisdictions represented within IAWJ have committed to that international vision of the equal rights of women. She noted, however, that, although CEDAW requires states to take measures to modify legislation, customs, practices and social and cultural patterns that

discriminate against women, in the 20 years since most of our jurisdictions ratified it, there remains a gap between the ideals expressed and the reality of what means to be female. The reality of women's lives still lags behind the expectations of the Convention in important respects.

As she noted, in employment, education and in income in all societies, women come in well behind men. Further, no country is immune from the problems of domestic violence against women. As the CEDAW Committee has recognised, violence against women is "a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men". But under-reporting of such violence means that we see only the tip of the iceberg. There is increasing recognition that domestic violence is a main inhibitor to social development. But our laws and enforcement agencies have been slow to respond. What is clear is that there are cultural inhibitors to the achievement of equal protection of the law for women.

The second reason why being female is an important qualification for judicial appointment was seen to be that our judiciaries lack democratic legitimacy if they are comprised of white middle class men. The visibility of women judges is critical in breaking down stereotypes and is important for that reason alone. Democracy, on this view, values everyone equally and is respectful of human dignity. It also enhances public confidence in the judiciary.

The third reason for appointing women judges is that the experiences and perspectives of women are distinct and are essential for judging in modern conditions. The Chief Justice said that we may expect better judging from a representative judiciary. With more representative judiciary, she thought it much more likely that we will see (as we have seen) shifts in the attitudes of judges, which can be attributed to working contact with people of the other sex, of different sexual orientation or of different race or culture. Such contact she believes has already unsettled many of the assumptions that used to perpetuate inequality. It dispels ignorance. It encourages minorities to be viewed in their own lights.

She also considered that another reason we can be confident of benefits to our legal system from greater inclusiveness is because the life experiences of minority groups and women come with them. They are different. In particular, she thought that women and minority judges are more likely to realise how often claimed objectivity is marred by unconscious biases. Further, the experiences in life of male judges have not generally entailed the humiliations and set backs all women who are appointed to judicial office will have experienced.

She finished her address by outlining her view of the place of the IAWJ. She said that the challenge for the organisation is to keep forward momentum for all women. In her view, we need to support the women in our own communities and in our regions who suffer from discrimination because of their gender. And we need to remain sensitive to all forms of discrimination and injustice. Until the legal culture changes, there is a place for this association. The legal culture will not change until our society changes. An association of women judges should aspire to change our world.

Conclusion

It is the view of the Jubilee committee this Jubilee History is a testament to women judges, their national associations and chapters and the IAWJ. It is further proof (if any is needed) of why we need women judges and associations of women judges.

Without further ado, we move on to that history. We begin with the history of the international organisation, IAWJ, and our flagship educational programme: Jurisprudence for Equality (JEP). After that, we profile some of the significant women in the history of the IAWJ.

We then move on to the histories of some of the affiliated national associations and chapters. We are very grateful to the authors who took time out of their busy schedules to write those histories. We had hoped that we could include histories of all our affiliated associations and chapters but we quite understand that some were not able, through pressure from other commitments, to complete their histories in time.

Special thanks are due to Arline Pacht, Joan Winship and Anne Goldstein for their work on writing the IAWJ history and to Susan Glazebrook and her associate Dee Mitchell for their work in formatting the history for publication and thanks to Rebecca Clarke who designed the cover. Thanks also to the current President of IAWJ, Leslie Alden, for her unfailing support.

Co-chairs of the Jubilee Committee

Mary-Ann Hedlund (whose idea it was to compile this history)

Susan Glazebrook

THE FIRST FOURTEEN YEARS: THE IAWJ'S HISTORY

FROM 1988 TO 2002

By Arline Pacht

In the beginning

The story of the International Association of Women Judges (IAWJ) began in 1988, when the U.S. National Association of Women Judges (U.S. NAWJ) started to plan its tenth anniversary. To celebrate this special occasion, Judge Joan Klein, founder and first President of the U.S. NAWJ, suggested that the Association members invite women judges from abroad to the 1989 Annual Meeting to be held in Washington, D.C.

As one of her first acts, Judge Brenda Murray, President of the U.S. NAWJ and conference chairperson, formed the International Outreach Committee (the Outreach Committee) whose members were charged with identifying and inviting women judges around the globe to attend the meeting. The Outreach Committee, chaired by Arline Pacht, began its task by issuing letters to U.S. embassies in every nation and to every foreign embassy located in Washington D.C. requesting the names and addresses of women judges in their respective countries. The Vatican, one of the first to respond to this letter, advised the Outreach Committee that it had no women judges. Fortunately, the Outreach Committee met with greater success elsewhere. Names poured in, resulting in a computerized list of some 4,000 women judges from 102 nations worldwide. From this list, the Outreach Committee sent letters of invitation to ten of the most senior women judges in countries that had a relatively sizable number of women on the bench, making sure that every continent was represented.

The Outreach Committee then searched for funds to underwrite some of the expenses of the international judicial guests from the U.S. Information Agency, now merged into the U.S. Agency for International Development. This was at first declined but Judges Murray and Pacht enlisted the aid of U.S. Congresswoman Connie Morella who succeeded in having the committee revise its earlier ruling. Thus, in October, 1989, approximately 50 women judges from 42 nations assembled in Washington, D.C., together with almost 500 U.S. women judges, for a remarkably successful and joyous annual meeting that laid the groundwork for the creation of the IAWJ.

Throughout the four-day meeting, the international judges were woven into the fabric of virtually every educational program. This included judges from diverse nations sitting on an international tribunal that resolved a hypothetical issue involving a child custody issue. The meeting also had its lighter side: every evening, women judges from Argentina to Australia gathered in the hotel's hospitality suite raising their voices in song.



Two US NAWJ members with a group of women judges from various Central American countries gathering at the hospitality suite at the US NAWJ annual meeting in 1989 where plans for an IAWJ crystallized.

Both the U.S. NAWJ and IAWJ traditionally conclude their conferences with a festive dinner party. The international judges, in particular, were encouraged to wear their national dress at the U.S. NAWJ's gala banquet in 1989, a custom that has become an enduring IAWJ tradition. The esprit de corps that pervaded that historic meeting laid the foundation for a union of women judges who realized how much they had in common, notwithstanding their different cultures, languages and judicial systems.

At the meeting's final session, the participants, U.S. and international judges alike, were asked if they wanted to continue the movement that had started in Washington. The answer was a resounding YES! Before departing, the international women judges pledged that they would share their experiences at the U.S. NAWJ's anniversary meeting with their colleagues and determine whether there was support for forming an international association. From these modest beginnings, this small core of 50 women judges from abroad has evolved into an organization with over 4000 members in more than 90 nations.

Drafting a constitution

Because the U.S. NAWJ was well-established, it was agreed that the Outreach Committee would continue to function and assume responsibility for drafting a constitution to provide a framework for the new organization. Some thorny issues had to be resolved in drafting this constitution. Should the U.S. NAWJ be expanded to include new members from abroad, or should an independent, new, organization be created? If a new organization was formed, how should it be structured? And, most importantly, what should be the major purpose or mission of the organization? The answers to these questions and the principles laid down in that first constitution continue to guide and govern the IAWJ today.

The overarching principle was this: the IAWJ would unite women judges from diverse legal systems, languages and cultures to collectively apply their energies, intelligence, and power to achieving equal justice and the rule of law. To attain these ends, the founding members understood that their Association had to be democratic and inclusive. Consequently, the founders agreed that: the IAWJ would be a separate, independent organization; membership could be obtained either individually or by inclusion in a national association; officers would

hold their posts for only two years so that no one person would have a permanent perch; no two officers could be from the same continent; and dues would be as modest as possible so that no one need be discouraged from joining. Most importantly, by combining the unique talents and experience of women judges worldwide, the organization would transform the law to advance the rights of, and empower, all women in society. Specifically, the IAWJ would work to promote human rights, eliminate gender discrimination and make legal-judicial systems accessible to all.

The IAWJ was established by 1991. It took two years to draft an organic document, gather comments and seek approval. When founding members from ten nations - Argentina, Australia, Brazil, Canada, Iceland, Italy, Kenya, Nigeria, Uganda and the United States - ratified the By Laws in 1991, the IAWJ came into being. During the few years that were required to craft the IAWJ's first constitution, women judges from various jurisdictions who had attended the 1989 U.S. NAWJ meeting also began the painstaking work of developing national associations.

The inaugural meeting: San Diego, California, USA

Following the ratification process, the IAWJ held its inaugural meeting in San Diego, California, in conjunction with the Annual Meeting of the U.S. NAWJ. With significant financial support, no less than 80 IAWJ members were present representing 42 nations. The first election took place in San Diego with Judge Pacht elected as the IAWJ's first President. Chilean Judge Nancy de la Fuente became President-elect, Justice Aloma Mukhtar from Nigeria was elected Vice President and Justice Gudrun Erlensdottir became the Association's Secretary-Treasurer.



The inaugural meeting: San Diego, California

The IAWJ members were asked to consider a resolution at the San Diego meeting that proved to have a far reaching effect on the association's future activities; that was, whether to adopt domestic violence as the IAWJ's priority issue that would guide the activities and programs of all members globally. Although individual members and national associations were free to choose how they would breathe life into this issue, it meant that everyone would be bound together in working toward a common goal: the abolition of domestic violence. Bear in mind that in most nations in 1992, domestic violence was anything but a household word; rather, it was almost universally regarded as a private family matter, a plague whose name could be spoken only in whispers. For example, a Supreme Court Justice from Mongolia who attended that historic meeting asked what was meant by domestic violence as those words were unfamiliar to her. When the term was explained, she said in complete recognition, "Oh, that!" Although domestic violence still rages around the globe, IAWJ

members can take pride in knowing that their Association was the first international judicial body to bring domestic violence into public discourse and address the problem head on.



Participants attending the 1992 IAWJ Conference in San Diego.

Next steps

In the two years following the inaugural meeting, incipient national associations and individual members began to approach the issue of domestic violence from various perspectives. The first step taken in a number of countries was to engage in a process of self-education for members and their colleagues in order to gain an understanding of the dynamics of domestic abuse. The Ugandan Association of Women Judges was among the first to tackle this evil by holding what proved to be the first African Regional Conference in Kampala in 1996.

1994: Conference in Rome, Italy

Fast forward to May, 1994 where the Italian Women Judges Association (ADMI) led by Justice Gabriela Luccioli, sponsored the IAWJ's second biennial International Conference at the National Police Academy in Rome. The conference began with a televised message from Justice Ruth Bader Ginsburg and Justice Sandra Day O'Connor, congratulating the IAWJ on having brought women judges together from around the world with the single-minded purpose of working together to improve the legal conditions that thwarted women's freedom and equality. Judge Patricia Wald, the first woman chief judge of the U.S. Court of Appeals for the District of Columbia, gave a stirring key note address in which she graphically described the devastating and often deadly effect that domestic violence visits upon countless numbers of women and their children in every country throughout the world.

The focus of the entire educational program was on domestic violence from a comparative international perspective. The IAWJ is deservedly proud that it was one of the first, if not the first, international body to bring domestic violence into public discourse.

The ADMI spared no pains in showing off their beautiful city. Perhaps the most enchanting site was the setting of the closing banquet – the roof garden of a splendid museum overlooking the Eternal City.



Members of the Associazione Donne Magistratos Italiane (ADMI) at the gala banquet on the roof garden of the museum overlooking much of Rome, held at the conclusion of the 1994 Conference in Rome. Justice Gabriella Luccioli (third from left in blue) was the first woman on Italy's Supreme Court and was a founding member of the IAWJ and ADMI.

Towards a jurisprudence of equality

It was in 1994 that the IAWJ began to design what has become its pioneering, premiere training program: “Towards A Jurisprudence of Equality” (now known as JEP). Briefly stated, this is a judicial education program designed to train judges to apply the human rights principles found in international conventions and national constitutions to cases arising in their domestic courts involving all forms of discrimination and violence against women. The IAWJ was and continues to be convinced that the judiciary has a significant role to play in protecting women’s human rights. Yet, research revealed that judges rarely cited human rights conventions in ways that could benefit women. Although many countries had ratified these conventions, it was clear that the most judges failed to apply them principally because they were unfamiliar with the human rights principles embedded in them, or unaware that they could be applied in their domestic courts. JEP was designed to overcome this gap.

To ensure that the concept of a judicial training program would become a reality, the IAWJ took two critical steps. First, the IAWJ faced the formidable task of searching for funds to underwrite the costs of preparing training materials and then implementing a judicial education program. However, in order to obtain grants, the IAWJ understood that it would be necessary to create a tax-exempt organization. Thus, in 1993, the International Women Judges Foundation (IWJF) was incorporated and accorded tax-exempt status. As stated in its Bylaws, the IWJF’s essential purpose was to assist IAWJ members and others in the legal-judicial community meet the IAWJ’s objectives, through fund raising and various other means that would support education conferences, judicial exchanges, training programs and research that would contribute to the understanding and resolution of critical legal issues facing women,

At the same time, the IWJF began searching for and soon found an expert in women’s international human rights law. Anne T. Goldstein, then teaching at Georgetown University

Law School, became the IAWJ's Human Rights Education Director and assumed responsibility for preparing the original substantive training materials that became the template for all future trainings.

The JEP process, as designed by Judge Pacht, may be outlined as follows. The program began with an intensive two week workshop, typically for ten judges: a two person team from each of five participating countries. Ms. Goldstein conducted the workshop in a highly interactive manner to familiarize the trainers with the principles of human rights conventions, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the way that these principles can be used in decision-making in their own courts. The trainers were also trained to become interactive trainers in their own right so that when they returned to their respective jurisdictions, they could lead abbreviated three day seminars for their colleagues, employing participatory methods such as small group discussions and role-playing. The reasoning underlying this approach was twofold. First, the IAWJ has learned that judges learn best from their fellow judges. Secondly, educational theorists are unanimous that adults learn best through actively participating in their own education.

Because the training was highly interactive, the trainers sat around a U-shaped conference table thereby encouraging everyone to participate in the discussions. This setting was quite different from the typical classroom in which students sit in rows facing a lectern or head table listening to one professor droning on. During some exercises, the participants worked in groups of four; at other times, they worked as two person teams.

The IAWJ did not discriminate on the basis of gender in its training of the trainers. In fact, a number of men, who often, but not invariably, were gender-sensitive from the outset, volunteered to attend the workshops and become trainers.

Proof of the JEP's value can easily be found on the IAWJ's website (www.iawj.org), which provides a human rights link to summaries of a small portion of the many cases JEP-trained judges have issued over the years. Summaries of these cases and others can also be found in some issues of *Counterbalance International*, the IAWJ's newsletter published annually in English and Spanish, which is also available on the IAWJ's website.

JEP in South America

With significant financial support from the Inter-American Development Bank (IADB), the JEP program began in four South American countries in 1998 and concluded in 2001. During this period close to 500 judges and prosecutors received JEP training. Even after IAWJ sponsorship of the JEP project in Argentina ended, the Argentine Association of Women Judges obtained government support to continue the program for several more years.

As the JEP drew to a close, the IADB asked the IAWJ to prepare a manual giving an overview of the structure, and also outlining the best practices and lessons learned from the JEP project in South America. The Bank published this pamphlet in Spanish and distributed it to all its client states in Latin America.

JEP in Africa

In 1998, while the JEP was being presented in South America, the IAWJ arranged a planning meeting in Nairobi to introduce the program to women judges in Eastern Africa (specifically, Kenya, Tanzania and Uganda), to determine if they would be interested in implementing the project in their respective countries. Lawyers from Ghana and Kenya who had graduated from a gender and the law program at Georgetown University Law School held a parallel planning meeting. The IAWJ is extremely grateful to USAID which funded the planning program in Kenya. UNIFEM also awarded a generous grant of \$100,000 with smaller grants from a number of other foundations.



Second JEP Train the Trainers Workshop in Entebbe,
Uganda

The East African nations included in the planning meeting were selected for specific reasons: first, for the most part, they were geographically contiguous; spoke the same language, and functioned under the same legal/judicial systems. This simply made the task easier and less expensive for everyone involved.

Spreading the word

One of the great assets of the JEP is that the curriculum provides a template that can be adapted for use in other jurisdictions. Thus, while JEP was drawing to a close in South America, the IAWJ worked with its partners in Kenya, Tanzania, Uganda and Zimbabwe to prepare a JEP tailored to their judicial systems. Thereafter, when the JEP in Eastern Africa came to a close, the JEP moved on to new territory in Southern Africa in March 2004 – including South Africa, Zambia, Botswana and Zimbabwe where difficulties prevented the program from being completed the first time around.

In addition, a two year JEP training program began in Central America by 2002. Modified versions of JEP training have also been conducted in the Dominican Republic, Nigeria, the Philippines, Romania and Taiwan. There is no doubt that this training is making a difference.



Participants at the 2nd Africa Regional Conference at Holiday Inn, Nairobi
6 - 8 August 2001

1996: Third Biennial Conference in Manila, The Philippines

Leaving the JEP Workshops, the IAWJ moved half-way around the globe to reach Manila for the IAWJ's 1996 Conference. The Philippine Women Judges Association broadened the scope of the IAWJ's priority issue by devoting the entire conference not only to domestic violence, but to all forms of violence against women, including such topical matters as sex-trafficking, migrant labor and child marriage. IAWJ's President at that time was Filipina Judge Pacita Canizares Nye. Regrettably, no-one knew that she had only a few more months to live after the conference.

One of the highpoints of the Manila Conference was the presentation to an International Tribunal of a case involving an international adoption – in particular, whether a divorced Filipina mother then living in the U.S. or the father who returned to the Philippines would be awarded custody of their young son. The case was well presented, well argued and well-decided.



The 3rd Biennial Conference - Philippines

The Filipina women judges left no stone unturned in making sure that their sisters from abroad had ample opportunity to explore Manila and its environs. The conference participants even had a chance to visit the Marcos' palace, and although the participants saw the hatched door the floor through which President Ferdinand and Mrs. Marcos escaped, they did not see Imelda Marcos' shoe collection.

1998: Fourth Biennial Conference, Ontario, Canada

The IAWJ's Fourth International Conference was held in Ottawa, Canada in the Spring of 1998, under the leadership of then IAWJ President, Judge Susan Devine, and the support of the Canadian Women Judges Chapter.

Following a stirring keynote address by UN Deputy Director of UNICEF, Stephen Lewis, on the plight of children in many parts of the world, the IAWJ again decided to expand its priority issue to include not only all forms of violence against women, but against children as well with particular attention to the Convention on the Rights of the Child. .



African women judges gathered with the Chief Justice of the Canadian Supreme Court at a reception held at the court during the Ottawa, Canada Conference

For the first time, the IAWJ honored a judge with an award recognizing her contributions to human rights. The first honoree, Justice Bertha Wilson, was appropriately the first woman on Canada's Supreme Court who fearlessly conducted a study of gender bias in the Canadian judiciary and who also authored a report exposing the conditions under which much of the country's indigenous population lived.

1999: IAWJ granted NGO status at UN

The IWJF, as the IAWJ's tax exempt alter ego, began 2009 with a new status: Special Consultant to the Economic and Social Council of the United Nations (ECOSOC), a major UN Division that embraces the Commission on the Status of Women (CSW). With this coveted status, the IWJF was entitled to attend ECOSOC meetings, circulate written statements and address ECOSOC members and its subsidiaries. The IWJF's primary interest as a special consultant lay in the work of the Commission on the Status of Women, an important ECOSOC subsidiary. By virtue of its special status, the IWJF, as the IAWJ's alter ego, would be able to play a more active role at CEDAW Expert Committee meetings, and other meetings concerned with gender issues.

2000: Conference in Buenos Aires, Argentina

After San Diego, Rome, Manila and Ottawa, the IAWJ moved on to Buenos Aires, Argentina for its fifth International Conference. We continued with the priority theme of violence against women and children, but this time the focus was specifically on the problems of

particularly vulnerable women – the poor, the uneducated, the physically challenged, the single mother and the woman with HIV.

Justice Carmen Argibay was IAWJ President at the time of the conference and a key figure in overseeing the JEP program in South America. In fact, Carmen leaped from one achievement to another. She served on a special NGO Tribunal that tried Emperor Hirohito and a number of Japanese generals for their barbaric treatment of the so-called “comfort women”. Carmen was then elected to an interim position on the International War Crimes Tribunal for the former Yugoslavia, and left that position to become one of the first two women to be nominated by the President and elected by the Senate to Argentina’s Supreme Court. In 2005, Carmen was one of three recipients of the distinguished Gruber Prize for her contributions to justice and shared that prize with the IAWJ with a magnificent donation. She maintains that none of these steps in her amazing career would have happened had it not been for the IAWJ.

Justice Navanethem Pillay, or Navi as she is widely known, was recognized as IAWJ’s second human rights honoree for the year 2000. A South African, Navi spent much of her early legal career defending members of the ANC. Subsequently, she was elected to the International Tribunal for War Crimes in Rwanda, becoming the Chief Judge in 1998. In this position, she presided over and wrote the judgment in a landmark case which held (for the first time in any court) that systematic, widespread rape constitutes genocide, crimes against humanity and war crimes. She then became one of seven outstanding women to be elected to the new International Criminal Court and is now the UN Commissioner of Human Rights.

The IAWJ takes great pride in having been deeply involved in supporting a number of women for election to international tribunals. In particular, the IAWJ, with another NGO co-sponsored a workshop in Budapest Hungary for eight hand-picked women judges – all members of the IAWJ who were likely candidates for the International Criminal Court. Two of the eight, Navi Pillay and Latvian Justice Anita Usaka, were elected. Another seminar participant, Carmen Argibay, served as a member of the International Criminal Tribunal for the Former Yugoslavia while Ugandan Justice Solomy Bossa was elected to an ad litem term on the International War Crimes Tribunal for Rwanda.

2002: Conference in Dublin, Ireland

Women judges from 24 nations gathered in Dublin, Ireland to celebrate the IAWJ’s tenth anniversary at its Biennial Conference in May 2002. Justice Mella Carroll, then the IAWJ President, also served as the conference chairperson. The IAWJ lost a dear friend, a great leader, a highly respected jurist and a creative feminist with Mella Carroll’s untimely death.

Guided by the theme of “Creative Justice” the Chief Justice of Canada’s Supreme Court, the Hon. Beverley McLachlin, and the Chief Justice of Ireland opened the substantive program by explaining and comparing how human rights were applied to domestic cases in their respective countries. Mary Robinson, the first woman president of Ireland and then the UN Human Rights Commissioner, delivered an impassioned address about judges’ obligation to apply human rights principles in their domestic jurisdictions. Keynote speaker, Dr. Angela Ward, distinguished professor of law at the University of Essex, pointed to a number of ways in which national judges can be influential in enforcing human rights.



Joan D. Winship joins Hon. Mary Robinson and Justice Mella Carrol at lunch

During the conference's business meeting, the membership was called upon to consider a proposal that would go far in restructuring and reorganizing the IAWJ-IWJF. Recognizing that the IAWJ and IWJF were, to a great extent, performing overlapping functions, the Executive Council took legal steps to merge the two organizations, with the IAWJ to be the survivor. At the same time, amended by-laws were proposed that would enhance the IAWJ's streamlined structure. The by-laws restructured the Board of Directors, replacing a system in which the director of each national association automatically became a member of the Board of Directors with a Board composed of two elected members who would represent each of the IAWJ's five regions; that is, Central and South America, Africa, Asia and South Pacific, North America and Europe and the Middle East.



Glorious headdresses abound at Dublin conference

In addition, a Board of Managerial Trustees, successor to the Advisory Board, was established to advise the Executive Director and, among other functions, assist with fundraising. When the members at the Dublin meeting approved the Bylaws, the IAWJ entered a new era in its existence. At its helm, the IAWJ would welcome a new, superbly qualified Executive Director, Joan Winship, to succeed Arline Pacht.

During the course of the 2002 business meeting the membership overwhelmingly approved a resolution honoring Justice Claire L'Heureux-Dubé in recognition of her contributions to women's human rights, as she was about to retire from the Canadian Supreme Court.

Judge Pacht also was honored at the meeting when, on behalf of the IAWJ membership, Justice Carroll presented her with the organization's Human Rights Award in recognition of her service as founding president and then Executive Director from 1991 to her retirement as of July 1, 2002.

Judge Pacht admits that the Dublin Conference was one of both pleasure and pain: pain, because she was stepping down after serving as the IAWJ's Executive Director for the past eight years; pleasure because she had the privilege of delivering her final report to the

membership as Executive Director and reporting to the membership about one of the most eventful, successful and exciting years in the IAWJ's history.

In her report, she reviewed the IAWJ's major achievements during its ten year history and proudly announced that, as of 2002, the IAWJ had grown from an organization of some 800 members to one with over 4,000 members in 80 countries.



Continuing a tradition, Justice Leticia Mukasa-Kikonyogo, President of the IAWJ and chair of the planning committee for the next biennial Conference to be held in 2004 in Entebbe, Uganda receives the flag from Justice Mella Carrol, then outgoing IAWJ President at the final session during the 2002 Conference in Dublin, Ireland.

Conclusion

We finish this part of the history with Judge Arline Pacht's wishes for the future of the IAWJ:

I close by revealing my wish list to you: I wish that this Conference will be followed by many more; that the number of national Associations in this and other regions will swell; and that the number of members in each association will increase tenfold until an International Women Judges Association is no longer needed to protect women's rights. Until that time, I wish that the number of IAWJ members who can attend the international conferences will multiply, that the educational programs offered at the international, regional and national levels will continue to be of the highest caliber and inspire women judges to engage in concrete actions that enhance the lives of all people, but particularly those of women and children. Finally, I wish that some day, each of us will be able to say that our actions and judgments have contributed to a world where a equal justice prevails for this is the glue of lasting stability.

THE HISTORY OF THE IAWJ FROM 2002 TO THE PRESENT

By

**JOAN D. WINSHIP
EXECUTIVE DIRECTOR**

The International Association of Women Judges' first decade was one of conception during the first meeting of the fifty international women judges in 1989 in Washington, DC when they were brought together by the US National Association of Women Judges (NAWJ) to celebrate the NAWJ's first decade. Birth took place officially in 1992 in San Diego, California as described in the earlier chapter on the IAWJ's history. The growing pains as well as the enthusiasm and excitement took off under the creative leadership and loving devotion of Hon. Arline Pacht, the IAWJ's founding mother.



Joan D. Winship

During the first decade, the IAWJ's membership grew, national associations were formed and the IAWJ's flagship program, the Jurisprudence of Equality Program, was conceived and launched. The IAWJ was off! With great accomplishment and pride, the IAWJ's founding mother announced her retirement as executive director and was honored by the organization at its 6th Biennial Conference in Dublin, Ireland, with the IAWJ's Human Rights Award.

With Arline's retirement in 2002, the IAWJ also was ready to take its own next steps – moving beyond the growing pains of the learning and experimenting teen years and into true professional development as an established international organization with increased visibility, more members and evolving and expanding programs. Among the biggest challenges was whether or not the IAWJ could financially exist on its own when it needed to support staff and programming if it were to become a fully established organization.

As we review the IAWJ's second decade, rather than look at it chronologically, I want to review the growth and development in a structural and programmatic way. I believe this will provide a better overall view of the many dimensions of this wonderful organization called the IAWJ.

IAWJ Governance

In anticipation of Judge Pacht's retirement and thus the loss of her volunteer commitment to running the organization, it was obvious that the IAWJ needed a more streamlined structure that would provide more efficient and direct governance and oversight. As someone with experience in international non-governmental organizations, foundations and strategic planning, I was brought on as a consultant working together with volunteer expert in non-profit governance, Agatha Aurbach, to design a new structure of the IAWJ. With pro-bono services of a Washington-based law firm, Hogan and Hartson, new Bylaws were written and adopted in 2002 by the IAWJ's Board of Directors. With a grant from the Ford Foundation, the IAWJ was able to cover the costs of staff and basic services. By 2003, the necessary legal licensure and approvals were received for the IAWJ to be established as a non-profit organization based in Washington, DC, USA, with a Board of Directors made up of 5 officers and 10 regional directors (2 from each of 5 geographically regions – North America, Latin America and the Caribbean, Europe and the Middle East, Africa, and Asia and the Pacific.)

Key among the changes was the creation of the Board of Managerial Trustees (BMT). Although the International Board of Directors is the overall governing and policy-making board of the IAWJ, the BMT is charged with providing oversight of the finances, administration, and resource development. When the IAWJ sought to hire me to follow Arline Pacht as executive director, I strongly felt it important to have such a board that would provide oversight of the entire administration of the IAWJ, review and guard its finances, and help in resource development. The BMT has proved an invaluable resource for me as executive director for the last eight years. The BMT is made up of men and women – judges, lawyers, experts in non-profit management, those with international organizational experience. It is necessary that they not all be judges so I can turn to them to review contracts, seek personnel policy ideas, connect me with possible funders and contributors, insurance and real estate people when we have needed new offices. They contribute of themselves, their time and expertise, and their own financial contributions. They have sponsored events like receptions and a 'Lunches with Judges' program supported by BMT member, Don Green, to bring together lawyers who might support the IAWJ, and they have provided pro bono legal advice from lawyers in their firms. I value each person who serves on the BMT.

The new International Board of Directors has also committed itself more to a more active role in making and overseeing the policies of the IAWJ. Since 2002, the international board has met annually at each members own individual expense of time and travel. The Board meets biennially at each of the international biennial conferences. Since 2003, it has met also on the off-years (2003, Florence, Italy; 2005, 2007, London, UK; 2009, Washington, DC). At its 2009 meeting in Washington, for the first time the Board of Directors met jointly with the members of the IAWJ Board of Managerial Trustees. This was highly successful as it provided an excellent opportunity for members of both Boards to truly understand the functions of each board and for individuals committed to the work and leadership of the IAWJ to meet face-to-face.

Without a doubt, the IAWJ as an organization has truly been blessed through the years with a committed, expert leadership on its Boards.



IAWJ International Board and Officers in 2005.



International Board of Directors 2009 meeting in Washington, DC.

IAWJ Administration

In 2002 the IAWJ had two paid staff persons. Diana Ngbokoto served as Jurisprudence of Equality Program Coordinator, and Thuan Do was office manager. The IAWJ had periodic student and law interns, and Anne Goldstein, IAWJ Human Rights Education Director, was on contract whenever she conducted a training. IAWJ's offices were very small and could not accommodate more persons, even if the IAWJ could have afforded to pay them.

2003 brought new opportunities to the administration of the IAWJ through the contribution of a wonderful suite of pro bono offices, computers, furniture and IT support by Piper Rudnick (later DLA Piper) Law Firm. Robert Wald, BMT member, helped me find and negotiate the use of these offices. This new office space allowed the IAWJ to present a professional appearance to outsiders, space for more staff and interns, conference room space for meetings, and increased capabilities for expanding work. It also allowed the executive director to have an office to be daily. Anne Goldstein could also now have a base at the IAWJ now as well. This made a tremendous difference for all of us as we worked together to move the IAWJ forward.

Creative staffing has helped expand our professional capacity. In 2004-2005, Elizabeth Brundige, a top post-graduate of Yale Law School received a Robert L. Bernstein Fellowship for one year to work with the IAWJ. While with us, Liz focused on Africa and expanding our possible programming by incorporating HIV/AIDS as a component of the JEP program. As we developed this new focus, we were able to get our first grant for *JEP in a Time of HIV/AIDS* through the Stephen Lewis Foundation of Canada, and this allowed us to extend Liz's time with the IAWJ for an additional three months, before she left to take a clerkship at the Constitutional Court of South Africa. Later in 2006, with a grant from the World Bank, the IAWJ was able to hire Adryan Wallace, as Program Officer for Africa for one year - again to work to help our African members expand their work on JEP and HIV/AIDS. In 2008, the IAWJ had another staff member through an LL. M. fellowship from the University of Notre Dame, Josephine Ndagire of Uganda, who worked with us for six months.

In 2005, the IAWJ's work on violence against women and domestic violence came very close to home when we lost our dear and talented staff member, Diana Ngbokoto, when one evening after an IAWJ event, she was killed in the middle of the night by her husband. This was a tragedy for all of us and we miss her still. It also reinforced how very important our work is in every corner of the world; no matter how much we know and understand about this kind of violence, it may strike anywhere.

By 2007, Thuan Do went part-time as she began a graduate program in international development. By the time she graduated and finished her work at the IAWJ, she had worked at the IAWJ for seven years. Two of our excellent interns were so good that we ended up hiring them upon their graduation from university: Alison DeCamp, who worked with the IAWJ from 2005-2009; and Kelly Memphis, who began her work with the IAWJ in 2009.



As of December 2009, the IAWJ very talented and committed staff is as follows (left to right): Winta Menghis, Program Officer for Africa, Kristin St. John, Office Manager, Joan D. Winship, Executive Director, Anne T. Goldstein, Human Rights Education Director, Mary Ann Carter, Intern and Kelly Memphis, Program Assistant

Over time, the vastly changing increased technologies and capabilities allowed the IAWJ staff to expand its reach and quick communications with members. Incoming grants led us to need the outside services of a contract bookkeeper and accounting services; increased staff meant the need to add benefits to just basic staff salaries. These all demanded increased administrative efficiencies and capacities.

Yet, overhead and basic costs of running an organization remained and continue to remain a challenge. Donors want to fund programs, usually not general support. Continuing to watch for opportunities to maximize our resources, the IAWJ moved offices in 2007 for five months when DLA Piper made different offices available to us. From 2007-2009, the IAWJ was based at Georgetown University Law Center, in smaller but creative office space where we could also benefit from IT, programming and other support of Georgetown Law School. Our time there was over in 2009 and with the increased grants that were awarded in 2008-09, the IAWJ moved to new offices in August 2009 with a five-year lease. Now, we truly have space and location where we can function and present ourselves as a professional and experienced organization.

IAWJ Membership

Arline Pacht reported that in 2002 the IAWJ had approximately 4,000 members in 80 countries. By 2010, the IAWJ has grown to members in more than 90 countries as well as members who serve on the International Criminal Court, the International Tribunal for the Former Yugoslavia, the International Tribunal for Rwanda, the War Crimes Chamber for Bosnia-Herzegovina, the Special Court for Sierra Leone, and others. Individuals now come

from such divergent countries as Albania, Bhutan, Egypt, Jordan, Indonesia, Mexico, Papua New Guinea, Rwanda, and Syria. Over the recent years, the IAWJ attempted to clean our rolls to be able to identify our most active membership and to be as accurate as possible. Our major sources of information remain with our international liaisons for each of our associations as the liaisons continue to be our direct contacts with associations throughout the world where many members still do not have reliable access to email, the Internet or computers.



Zambia Association members show off their beautiful outfits made with their specially designed ZAWJ cloth.

New associations have formed in the following:

- 2003 Afghanistan
- 2004 United Kingdom
- Zambia
- South Africa
- 2005 Republic of Korea
- New Zealand
- 2006 Philippines (reorganized and relaunched)
- 2008 Mongolia
- 2009 Hungary
- Bosnia-Herzegovina
- Sao Paulo, Brazil
- 2010 Malawi
- Ghana
- Egypt (to be launched)

International Association of Women Judges
 advancing human rights and equal justice for all

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Welcome

Sydney 2005
 An Independent Judiciary
 Papers Now Available

The International Association of Women Judges (IAWJ) is a non-profit, non-partisan organization of more than 4,000 members at all judicial levels in 87 nations. Since forming in 1951, the IAWJ has united women judges from diverse legal judicial systems who share a commitment to equal justice and the rule of law.

Founded in 1993 as the educational arm of the IAWJ, the International Women Judges Foundation (IWJF) developed and financed educational and public service programs that addressed legal and judicial problems affecting women and children. During 2002 the two organizations merged, and by the beginning of 2003 they began to operate under the single name of the International Association of Women Judges.

Through pioneering judicial education programs and worldwide collaboration, the IAWJ is working to advance human rights, eliminate discrimination on the basis of gender and make courts accessible to all.

IAWJ • 1200 19th Street, NW • Suite 200 • Washington DC 20036 • USA
 Phone: 202-688-7701 • Fax: 202-688-7710 • Email: office@iawj.org
[contact the webmaster](#)

Creative and technical services provided by ASAA Multimedia

In 2003, the IAWJ launched a new website in order to present our story to the world, to communicate more easily with our members, and to provide a vehicle for news, resources, and calendars for our members. We are delighted that increasingly members are using the website on a regular basis, and many members are receiving the IAWJ's membership newsletter, *CounterBalance International* via the web instead of hard copy.

In early 2010, the IAWJ now has even newer software that allows us to directly and quickly reach all our members whose email addresses we have on file. Members are hearing more from the IAWJ with the goal of making sure they feel part of IAWJ programming, have input into services for members, and can readily communicate with each other and IAWJ leadership and staff.



The launch of the Hungarian Association of Women Judges in 2009.

Increasingly, IAWJ members themselves are taking advantage of the IAWJ network. Members from Iceland visit those in Jordan, those in North Cyprus visit those in India, and those in the Taiwan Chapter visit those in Mongolia. The UK Association of Women Judges (UKAWJ) has conducted several exchanges with the women judges in Egypt through funding from the British Council.

Members are also recognizing the leadership of the IAWJ in new and different ways. For example, in 2008, the Brazilian Association/ANM and the Judiciary of Mato Grosso State, Brazil, awarded the “Judicial Medal of Merit of José de Mesquita” to three IAWJ leaders: Hon. Arline Pacht, Founder, Hon. Leslie Alden, President, and Joan D. Winship, Executive Director for their contributions to the judiciary and to justice for all.



IAWJ leaders receive awards from the Brazilian Association/ANM and the Judiciary of Mato Grosso in 2008.

International Conferences

The IAWJ's biennial international conferences remain the mainstay of IAWJ networking activities for many IAWJ members. Each one reflects the culture and organization of the host association, each one is unique, yet each one allows old friendships to renew and new friendships to form – all amidst very substantive discussions on topics that members of the judiciary, and women judges in particular, face every day. In 2005 the IAWJ Board of Directors established a policy that would require associations to submit proposals to host the conferences three years out. Guidelines were drafted and proposals requested; site selection now follows this procedure.

The following are short summaries of the IAWJ's biennial conferences since the 2002 conference in Dublin.

2004 Entebbe, Uganda



Hosted by the NAWJ-Uganda and IAWJ president, Hon. Leticia Mukasa Kikonyoga, Deputy Chief Justice of Uganda, the theme of the 7th Biennial Conference was 'Equal Access to Justice'. The first biennial held in Africa saw approximately 100 international members and 30 members from Uganda. Highlights

included speeches by the President of Uganda Museveni, the Chief Justice Benjamin Odoki, and the Keynote speech by Gertrude Mongella of Tanzania, former chair of the 1995 Beijing World Conference on Women's NGO Forum and then the new President of the Pan Africa Parliament; traditional African hospitality, music and dancers; and receptions hosted by the Canadian High Commission, the Ugandan Ministry of Justice, the Mayor of Entebbe, and the Chief Justice. Substantive panels looked at the issue of equal access from a variety of perspectives by international members. It should be noted that the Canadian Chapter had the largest contingent of members with 25 participants.



Global Networking: IAWJ members enjoying an outdoor reception hosted by the Mayor of Entebbe.

2006 Sydney, Australia

More than 350 judges and 50 accompanying persons from 43 countries participated in the IAWJ's 8th Biennial International Conference hosted by the Australian Association and convened by Hon. Jane Mathews, President of the IAWJ. The theme was "An Independent Judiciary: Culture, Religion, Gender, Politics". Memorable speeches were presented by the chief justices of Canada, New Zealand and New South Wales, as well as many IAWJ

members. Following the conference, the first time most of these presentations were made available on the IAWJ website at: www.iawj.org and may be found today. The conference raised many interesting discussion about the independence of the judiciary in areas of conflict, where religion and culture affect the judiciary, the appointment and removal of judges, and other such topics. Participants were able to partake of such special events as a reception hosted by the Premier of New South Wales, the Courts Reception at the Sydney Opera House, the Gala dinner at the Sydney Town Hall complete with lively participant dancing as well as an opera performance, and a lovely afternoon harbor cruise. The coordination of the AAWJ coordinating committee with the IAWJ headquarters worked beautifully. A record \$85,000 was raised for the IAWJ through the conference and Hon. Coral Shaw of New Zealand introduced a new campaign, “A Dollar a Day for the IAWJ” designed to raise financial support for the IAWJ from members.



IAWJ 2006 8th Biennial International Conference in Sydney, Australia.

2008 Panama City, Panama

The conference in Panama was the largest yet, with 366 IAWJ participants and 70 other guests. The theme, “*Equality for all: Access, Discrimination, Violence, Corruption*” allowed for IAWJ members to discuss many varied topics building on past international conferences. Special receptions were hosted by the Supreme Court, the Canadian Chapter and the Embassy of Canada in the old part of Panama City, and by the Panama Canal Authority as participants stood beside the Canal and watched large ships transit from the Pacific to the Atlantic Oceans. The members’ Silent Auction brought in a record 300 items earning \$9,300 and the conference generated over \$96,000 for the IAWJ. That the international conferences now help support the ongoing work of the organization is an excellent step forward for the IAWJ.



IAWJ 2008 9th Biennial International Conference in Panama City, Panama.

2010 Seoul, South Korea

As this history is being written, plans for the IAWJ's 10th Biennial International Conference are being finalized in Seoul, South Korea. The theme of the conference, "*Judicial Challenges in a Changing World*" will allow participants to focus on such very current issues as security and terrorism, technology, environment and the courts, human trafficking, and economic issues that are facing women and the courts in these times of world economic crisis. Based on current registrations, it is estimated that there will be at least 350 participants coming from around the world and for many this will be their first experience in Asia.

We are excited about the substance of the program, with two excellent keynote speakers being UN High Commissioner for Human Rights, Navanethem Pillay [former IAWJ member, for member of the ICC and ICTR, IAWJ 2000 Human Rights Awardee, and former judge from South Africa], and the current president of the International Criminal Court, President Judge Sang-Hyun Song. Additionally, IAWJ member from Brazil and current UN Human Rights Council Special Rapporteur on the Independence of Judges and Lawyers, Hon. Gabriela Knaul de Albuquerque e Silva will be speaking on a panel with incoming IAWJ president-elect, Lady Justice Brenda Hale of the UK Supreme Court, about terrorism and security issues with IAWJ current president, Hon. Leslie Alden moderating. Along with IAWJ headquarters, the Korean Association of Women Judges has been busy planning for the conference and has garnered support from the Korean judiciary and others not only for the conference, but to help support and bring a number of women judges from Asia to the conference who would have been unable to come otherwise. It promises to be an excellent conference.



Fashion Parade at the Gala Dinner, Seoul, Korea – 2010 Conference

2012 London, UK

It should be noted that the 11th IAWJ Biennial International Conference will be held in London, UK, and plans by the UKAWJ are already underway.

Membership Regional Meetings

The IAWJ has been encouraging its regions to hold annual meetings in the off/odd year between the biennial conferences. The Africa region has been the most consistent region to host such meetings with the following being held: 2005, Nigeria; 2007, South Africa; 2009, Tanzania. In Asia, South Korea hosted a meeting in 2007, and the Philippines in 2009. In 2004, as the Hon. Miriam Naveira was being sworn in as Chief Justice of Puerto Rico, she invited IAWJ members from the region to attend and also hosted a one day regional meeting

for Latin American and the Caribbean. The UKAWJ has invited IAWJ members from Europe as guests for their annual meetings though the region has not yet organized a regularized regional meeting. In the North America region, the NAWJ (US) and the Canadian Chapter of the IAWJ invite each others' members to attend their own annual meetings. Thus, there is networking although they have not had a specific shared regional meeting thus far.



Africa Regional 2007 Meeting in South Africa.

Other Membership Events

Increasingly members are inviting IAWJ leadership and other IAWJ members to their own national events. For instance, in 2004 when the Taiwan Chapter celebrated its 10th anniversary in Taipei, they invited Hon. Jane Mathews, IAWJ current president, Hon. Arline Pacht, IAWJ founder, and Joan Winship, IAWJ executive director to participate and be keynote speakers. Similarly in 2006, the South Korea Association invited 5 IAWJ executive council members to participate and attend a two-day membership meeting. In the years that the IAWJ Board of Directors met in London, their meetings were timed so that they could also participate in the UKAWJ's annual meeting at that time held in Birmingham. The Canadian Chapter has invited IAWJ members and leaders from across the globe to several of their annual meetings or symposia.

The Jurisprudence of Equality Program, IAWJ's Flagship Program

Both Arline Pacht and Anne Goldstein have written about the Jurisprudence of Equality Program for this Jubilee history. What needs to be said in this section is to share the widespread and growing recognition that JEP has been receiving over the past number of years. The UN Trust Fund to Eliminate Violence Against Women (UNTF), administered by UNIFEM (the UN Development Fund for Women) has honored the IAWJ, JEP and our judges three times at the United Nations since 2004. Twice they have asked the IAWJ to identify judges who can speak on behalf of JEP at the UN. JEP leaders in Tanzania – Hon. Nathalia Kimaro and Hon. Engera Kileo spoke at the UN; and the UNTF featured the IAWJ as its first story and grantee in the Justice section of their 10th Anniversary book.

Additionally, the Yale Law School Lowenstein Human Rights Clinic has accepted the IAWJ's proposals for clinic projects focusing on research that will expand JEP by assigning a team of law students and a faculty member to collaborate with the IAWJ on specific projects, including Yale University funding this clinic team to travel to the IAWJ country to conduct research. These teams have worked with IAWJ partner associations and the IAWJ on

projects in 2005, Zambia; 2007, Bangladesh; 2008, Zambia; and 2009, Tanzania. It has been a pleasure the past two years to have Elizabeth Brundige, our former Yale fellow, partner again with the IAWJ in her capacity as co-director of the Yale Human Rights Clinic.

The focus of JEP has also expanded to include components on HIV/AIDS, property rights and inheritance. Our JEP-trained national associations in Kenya and Uganda have individually received new funding for additional trainings through Irish Aid or UNIFEM with the IAWJ acting as technical advisors to them for these new programs.

In 2005 the World Bank and the IAWJ collaborated on a distance learning dialogue project using new technologies with judges in Uganda and Tanzania and staff of the WB and IAWJ at their headquarters in Washington. This led to new opportunities with the WB to help our African members seek funding to expand the HIV/AIDS component of JEP.

As a result of an IAWJ panel presentation at the annual UN Commission on the Status of Women meeting in 2006, the IAWJ and the TAWJA has collaborated with the community-based group called the Society for Women and AIDS in Africa – Tanzania, for a new program called ‘*Jurisprudence on the Ground (JOG)*’. Here through a substantial two-year grant received by the IAWJ from the UN Democracy Fund in 2008, the Tanzanian judges and community workers identified the information women in local communities need to know about how to access the courts. Judges have trained community workers, and they in turn are using new brochures designed and written by both groups as the basis for conducting innovative programs in small towns and villages around Tanzania. This has been an exciting collaboration and an exciting program that has been featured on the UNDEF website at: www.un.org/democracymfund.



TAWJA and SWAA-T's *Jurisprudence on the Ground (JOG)* in Tanzania.

Our newest JEP program is a three-year UNIFEM-funded program in Zambia called “*Justice, Jurisprudence, Access and Accountability in Zambia (JJA AZ)*” where in addition to 3 T’s and JEP trainings, the IAWJ and the Zambia Association of Women Judges wants to assess the impact of these trainings on women’s access to the courts.

From 2002 on, the IAWJ also introduced JEP in Central America for what is called the ‘*Cross-Border Program*’. Though funding has been limited, four countries in this region have tried to explore JEP and issues that cut across the national boundaries like human

trafficking, labor migration, street gangs, corruption, and always violence against women. Our hope is to be able to implement more JEP as new funding opportunities arise in the region.



Cross-Border Program participants with IAWJ staff in 2007.

The IAWJ has had many requests to introduce and conduct JEP in various countries. Key among our requirements is IAWJ members on the ground to partner with as JEP must become *their* program adapted to *their* laws, judicial systems and issues if JEP is to become instrumental in their judicial education programs. An excellent example of the true sustainability and impact of JEP is where through the Tanzania Association of Women Judges' efforts and the gained legitimacy of JEP in Tanzania, have led to JEP being institutionalized as an official component into the third year magistrate's training in their national training institute.

The IAWJ's limitations to expand JEP continue to be funding and the ability of our limited staff to respond to the different requests. But with the partnerships of IAWJ's committed members, efforts will continue. IAWJ members can be justly proud of JEP and the wide impact and respect it has gained in the international world.

Other Significant IAWJ Programs

Judicial Education Program for Afghan Women Judges

The IAWJ began to work with Afghan women judges in 2003 following the fall of the Taliban and the reestablishment of women judges to the courts. IAWJ member from the state of Vermont in the USA, Hon. Patricia Whalen, and IAWJ executive director, Joan Winship, began to envision a program bringing Afghan women judges to the US for a judicial, educational, and cultural program. By 2004, the IAWJ had secured funding through the U.S. Department of State, and Judge Whalen had developed some funds and mostly a core group of dedicated volunteers in Vermont, to be able to conduct the first 3-week program for Afghan women judges. This program has been conducted now five times (2004, 2006, 2007, 2008, 2009) through additional funds from the State Department to the IAWJ and the Vermont group has organized itself into the Rural Women Leadership Program of Vermont. To date 18 women judges from Afghanistan have participated despite many challenges.

Additionally, the IAWJ was able to partner with the Afghan Women Judges Association, founded by Marzia Basel, on a ten-week after school program for high school girls and their teachers on their rights under the new Afghan constitution. Hundreds of girls, and then even high school boys participated. The IAWJ also partnered to convene the first annual conference of the AWJA, with Judge Whalen and Joan Winship in attendance in Kabul. A legal aid project was another partnership between the IAWJ and AWJA. Together the IAWJ and AWJA have faced serious challenges for continuing such programming since October 2007 when the Supreme Court of Afghanistan issued an edict signed by President Karzai that banned judges from belonging to the AWJA, IAWJ and other such organizations that are not under the direct control of the Supreme Court. To date, this edict still stands and has made it extremely complicated for the women judges to work on such programs. The IAWJ continues to partner as best we can and persevere with them as we continue to implement our Judicial Education Program for Afghan Women.



Afghan Women Judges Association's High School Program for girls and their teachers.

2009 – present: “Ending the Abuse of Power through Sexual Exploitation: Naming, Shaming and Ending Sextortion”

The end of 2008, the IAWJ was awarded its largest grant ever (€1,000,000) by the Government of the Netherlands MDG3 Fund to implement a program that focuses on what we are calling ‘*sextortion*’. The problem is the abuse of authority to extract sex from unwilling women and girls. Depending on the context, this abuse of authority could be prosecuted criminally as rape, corruption, or trafficking. It could be charged civilly or criminally (depending on the national law) as sexual harassment or discrimination. Instead, it is hardly prosecuted at all. The three-year project is being implemented by the IAWJ and its partner associations in Bosnia-Herzegovina, the Philippines and Tanzania. It brings together judges, prosecutors, academics and various experts to address this problem through country reports and the development of a toolkit that can be used throughout the world to mainstream sextortion into anti-corruption, antiviolence and anti-trafficking campaigns.



The launch of the MDG3-funded *Ending the Abuse of Power through Sexual Exploitation Naming, Shaming and Ending Sextortion* in March 2009 in The Hague, the Netherlands.

Program Collaborations with International Organizations

Over the past eight years, the IAWJ has increased its collaborations with other international organizations. In fact, the IAWJ has increasingly been sought out by others who bring programming ideas to the IAWJ and seek IAWJ expertise and participation. This has benefited our members greatly as the IAWJ has then been able to identify and include members as invitees, speakers and coordinators in such programs. Collaborations have ranged from such organizations as the International Bar Association, the Commonwealth Magistrate and Judges Association, the American Society of International Law, and the American Jewish Congress. IAWJ staff and members have been invited to be experts on diverse topics and meetings. For example, Anne Goldstein represented the IAWJ at such meetings as: (2005) CEDAW by the UN Division on the Advancement of Women at a meeting in Utrecht, Netherlands; (2006) Uganda CARE; and (2007) UN Food and Agriculture Organization/FAO in Rome on Gender, Property Rights, and Livelihoods in an Era of AIDS. In 2008, UNIFEM invited IAWJ executive director, Joan Winship, to serve on their Expert Advisory Group, for UNIFEM's upcoming biennial Progress of the World's Women Report that will focus in 2010-11 on the theme: *access to justice*.



IAWJ presents at the 2009 UN Commission on the Status of Women meeting.

Two fairly recent international collaborations are examples of the high regard that different organizations hold of the IAWJ.

2008 Partners for Gender Justice Conference, Accra, Ghana

The IAWJ is a partner with two UN agencies and other NGOs to emphasize the important of gender justice; these agencies include: UN Development Program (UNDP), UNIFEM, International Legal Assistance Consortium (ILAC), IAWJ, Femmes Africa Solidarite, and Brandeis Center for Justice, Ethics and Public Life. In 2008, with funding from UNDP and UNIFEM, they brought together male and female jurists from around Africa to look at the issues of gender justice and the role of the judiciary. Through the IAWJ, it was decided to hold the conference in Ghana with IAWJ member, Chief Justice Georgina Wood, hosting. It was this conference that spurred Chief Justice Wood to encourage the formation of the Ghana Chapter of the IAWJ launched in 2010, as well as her leadership in setting up domestic violence courts in Ghana among other initiatives. Partners for Gender Justice leadership met at IAWJ offices in September 2009 for a planning meeting.



The Partners for Gender Justice Conference in Ghana in 2008.

2009 Consultation of High Level Jurists on the Judiciary and HIV/AIDS, Johannesburg, South Africa

In December 2009, the IAWJ was one of four sponsors of a high level consultation on HIV/AIDS and the role of the judiciary funded by UNAIDS and UNDP. The other partner was the International Commission of Jurists. The IAWJ played a key role in organizing the sessions for the consultation called: *HIV and The Law in the 21st Century*, submitting a background paper written by Anne Goldstein, and identifying women judges around Africa to participate. Papers and presentations have been published by UNAIDS, recommendations by the judges were made, and efforts to follow up are being made by the partner organizations.

2009 Global Forum for Gender and Justice

In 2008, the IAWJ was also approached by the Avon Foundation to organize a multi-day conference titled: *2009 Global Forum for Gender and Justice*. This forum held in March 2009 brought together women judges from around the world and in the USA with lawyers and government officials to explore ways to eradicate violence against women and improve women's lack of access to justice. This was an excellent opportunity for IAWJ members to be identified and share their expertise in a program in Washington, DC, on issues that have been a focal point for IAWJ through the organization's history. It was also an excellent

opportunity for international members of the IAWJ to visit the IAWJ in its home city, to meet some members of the BMT and IAWJ staff.

Similarly, the IAWJ partnered with the American Jewish Congress Women's Division in June 2009 to plan the program and identify our expert judges to participate in a 3 day program in Washington that focused on "*Gender and Justice: An International Inquiry*". Approximately 30 IAWJ members came from around the world to participate and share their expertise.



2009 Global Forum for Gender and Justice held by Avon and the IAWJ in Washington, DC.

Special Events

The IAWJ has been encouraging all IAWJ members to inform us if they are ever coming to Washington and can visit us in the offices. IAWJ staff love to meet IAWJ members in person and when there is planning time, we often will invite the IAWJ BMT members and others for a special event to meet, greet, and learn from our international members. On occasion, we have had the opportunity to host larger special events as we did with panels in 2003 at both the World Bank and at a local venue with members from Afghanistan, Kenya, Guatemala, Tanzania, and Uruguay. There have been receptions in honor of the Afghan women judges, Hon. Navanethem Pillay when she was on the ICC, members of the Constitutional Court of South Africa, members from such diverse places as South Africa, our Taiwan chapter, Korea, Brazil, Panama, UK and many more.



Judge Pi Hu Hsu of the Taiwan Chapter visits IAWJ offices in 2008.

Likewise, as IAWJ members and staff travel through different parts of the world, they are often greeted and hosted by local IAWJ members, as I have been in such countries as Japan and Italy. We welcome each of these opportunities that demonstrate one of the key goals of the IAWJ – to provide worldwide networking opportunities for IAWJ members.

A special event was held at the Argentine Embassy in 2007 to honor former IAWJ president, Hon. Carmen Argibay, now of the Supreme Court of Argentina, upon the occasion of her award of the prestigious Gruber Foundation Award for Human Rights. It should be noted with special thanks and acknowledgement that Hon. Argibay shared part of her monetary award as a gift to the IAWJ in the largest single contribution ever to the IAWJ, USD\$50,000. In 2009, she similarly shared part of her award with her own Argentine Association of Women Judges, AMN. What a wonderful model she is to us all and how humble we are that she thinks so highly of the IAWJ and our work that she would contribute in this way!



In India Judge Gita Mittal hosts IAWJ members from Europe, US, Canada, and Nepal.

It should also be noted that many individuals give of their time and talents to the IAWJ every year. Even some IAWJ associations, including Canada, Australia, and the Taiwan Chapter, have specifically helped the IAWJ financially through association gifts over the past years when the IAWJ finances were tenuous. It is important for non-profit and non-governmental organizations to be able to demonstrate this kind of support and commitment of its members and friends. To each individual and group we are very grateful.

Personal Reflections on the Future of the IAWJ

As executive director of the IAWJ over the last eight years, I consider it a real privilege to know and work with this amazing network of women judges. Our members are leaders in their fields, they are experts in law and the judiciary, they are caring individuals who care about the human rights of everyone and have particularly made pursuing equal rights and equal justice for women a priority.

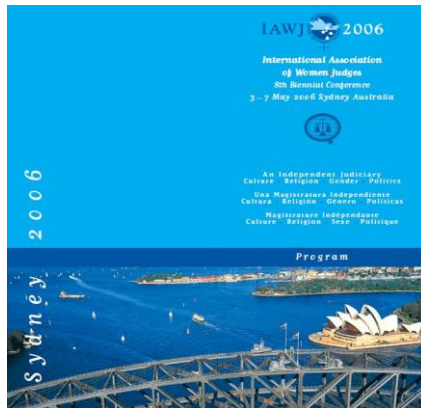
In addition to this wonderful contribution of a Jubilee history of the IAWJ, we look forward to implementing an oral history of IAWJ members, and particularly IAWJ founders. IAWJ members have been pioneers on the bench and they have handed down groundbreaking decisions that advance the cause of human rights and enlarge access to justice for those who have been voiceless. This oral history of pioneering women will be another means by which we sustain the institutional memory of the IAWJ, that will challenge and energize current judges, and that will inspire the aspiring young women, lawyers and jurists of the future.

Even as I write this historical review, the IAWJ is preparing new proposals for new programs for members and IAWJ associations, writing reports on existing programs, and planning ways to advance the IAWJ as an organization, to serve our members, to encourage the appointment of women judges, and to seek new members. I am proud of the many accomplishments of the IAWJ during the last decade, the IAWJ's growth, increased visibility and professionalism, its growing financial security, its talented staff, and its firm place in the international community as a creative, yet practical organization that provides men and women judges the tools they need to advance equal justice for all. The IAWJ is in a unique, strong, and growing position to continue to advance and empower women both *in* the court and women's access *to* the courts. It is an exciting privilege to be among the leaders and members of this organization and to watch its ever growing potential and the impact it is having in the world.

Joan D. Winship
Executive Director
April, 2010

CONFERENCE PROGRAMS

We now set out the conference programmes for the last three conferences to show the breadth of the topics discussed and the depth of talent and experience in the organisation.



International Association of Women Judges

8th Biennial Conference

Sydney, Australia – 3-7 May 2006

An Independent Judiciary: Culture, Religion, Gender, Politics

Welcome and Conference Opening

Governor of New South Wales, Her Excellency Professor Marie Bashir AC

Keynote Address

Changing Our World,

The Honourable Dame Sian Elias, Chief Justice of New Zealand

Session 1: Judging in Countries in Conflict or Transition

Judging in Countries in Conflict or Transition

Chair: Judge Navi Pillay, International Criminal Court, South Africa

Panel: Judge Marzia Basel, Afghan Women Judges Association, Afghanistan
Judge Shiranee Tilakawardane, Supreme Court, Sri Lanka
Judge Carolyn Temin, Court of Common Pleas, USA together with
Justice Amira Rizvic, Cantonal Court, Bosnia and Herzegovina
Judge Jacinta Da Costa, Court of Appeals, East Timor

Session 2: Challenging Corruption

Challenging Corruption

Chair: Judge Nazmun Ara Sultana, Supreme Court, Bangladesh

Panel: Chief Judge Ann-Christine Zachrisson, Svea Court of Appeal, Sweden
Judge Khalida Rachid Khan, International Criminal Tribunal for Rwanda, Pakistan
Judge Germana Moraes, National Council of Judges, Brazil
Professor Mieke Komar, Supreme Court, Indonesia

Session 3: Appointment and Removal of Judges

Appointment and Removal of Judges: Independence and Diversity,

Chair: Justice Pi-Hu Hsu, Constitutional Court, Taiwan Chapter

Principal

Speaker: The Right Honourable Baroness Hale of Richmond, House of Lords, UK

Panel: **The Appointment and Removal of Judges Under the Common Law System - Tanzania,**
Justice Eusabia Munuo, Justice of Appeal, Tanzania
International Association of Women Judge's Conference Appointment and Removal of Judges: Elective Systems
Justice Bea Ann Smith, Third Court of Appeals, USA
Appointment and Removal of Judges - Italy
Judge Emma Rosati, Audit Court, Italy

Session 4: Why We Need Women Judges

Why We Need Women Judges

Chair: Justice Graciela Dixon, President of the Supreme Court of Panama

Principal

Speaker: The Right Honourable Beverley McLachlin, Chief Justice of Canada

Commentator: The Honourable Marilyn Warren, Chief Justice of Victoria, Australia

Session 5: The Challenges of a Society With Cultural and Lingual Diversity

Chair: Judge Mary Davis, USA/France

Panel: **Gender, Culture and the Law: Challenges of a Diverse Society: A South African Perspective,**
Judge Lucy Mailula, High Court, South Africa
Justice Catherine Davani, Supreme and National Court, Papua New Guinea
Cultural and Lingual Diversity - An Indian Perspective,
Justice Prabha Sridevan, Madras High Court, India

Session 6: Indigenous Peoples and the Law

Chair: Justice Rose Ukeje, Federal High Court, Nigeria

Panel: **Problem-Solving Courts, Domestic Violence and the Yukon Domestic Violence Treatment Option Court: A Brief Working Overview,**
Judge Nancy Flatters, Provincial Court of Alberta, Canada
A New Direction: Report of the Review Team Established to Study the Tsuu T'ina Nation Proposal for a First Nation Court,
Judge Marsha Erb, Court of Queen's Bench of Alberta, Canada
Professor Larissa Behrendt, University of Technology, Sydney, Australia

Session 7: Religion, Tradition and Judging

Chair: Justice Susan Glazebrook, Court of Appeal, New Zealand

Panel: **Judging Cultural or Religious Tradition and Diversity in Northern Ireland,**
Magistrate Bernie Kelly, Northern Ireland Judiciary, Northern Ireland, UK
Judicial Independence in the United States: Genesis, Tradition, and Current Challenges,
Judge Cynthia Baldwin, Supreme Court of Pennsylvania, USA

Tradition and Judging: Interpreting the Tradition pursuant to the Constitutional Value of Gender Equality,

Judge Young-Hye Kim, Seoul Southern District Court, South Korea

The Effect of Religious Beliefs on the Independence of the Judiciary and on Gender Equality in Jordan

Judge Ihssan Barakat, Court of Appeal, Jordan

Session 8: International Tribunals

Chair: Judge Anita Usacka, International Criminal Court, Latvia

Panel: Judge Navi Pillay, International Criminal Court, South Africa
Judge Khalida Khan, International Criminal Tribunal for Rwanda, Pakistan
Judge Ines Weinberg de Roca, International Criminal Tribunal for Rwanda, Argentina

Session 9: Maintaining Judicial Independence

Chair: Justice Carmen Argibay, Supreme Court, Argentina

Panel: Judge Vanessa Ruiz, District of Columbia Court of Appeals, USA
Justice Nazhat Shameem, High Court, Fiji

Rapporteur's Report

Professor Rosalind Croucher, Macquarie University, Australia



International Association of Women Judges

9th Biennial International Conference

Panama City, Panama - March 25-28, 2008

Justice for All: Access, Discrimination, Violence and Corruption

Welcome, Opening Ceremony

Hon. Graciela Dixon, President of the IAWJ and Former Chief Justice of the Supreme Court of Panama

Hon. Nelly Cedeno de Paredes, Panama, President of AMAJUP, Bienvenida

Keynote Speaker

Dra. Aura Emerita Guerra de Villálaz, Supreme Court of Panama, First President of AMAJUP, Desigualdad, Inequidad y Corrupción, Su persistencia en el Siglo XXI

Panel A: The Hague Family Conventions: Providing Access Internationally for the Protection of Children

- Chair: Hon. Jan Doogue, New Zealand, Chair of Drafting Committee for the International Family Maintenance Convention, "The Hague Conference on Private International Law"
- Panel: Hon. Henrietta Wolayo, Uganda, Deputy Registrar High Court, "Challenges in International Legal Protection of Children: A Perspective from Uganda"
- Ignacio Goicoechea, Legal Liaison Officer for Latin America, "The Hague Permanent Secretariat, Building an International Child Protection System"
- Jenny Degeling, The Hague Permanent Secretariat, "The Hague Conference on Private International Law"

Panel B: The HIV Pandemic and the Courts: Recognizing the Challenges and Impact of HIV/AIDS on Women's Property rights, Inheritance, and All Forms of Violence

- Chair: Anne Goldstein, IAWJ Human Rights Education Director
- Panel: Hon. Stella Arach-Amoka, Uganda, New Steps for JEP in a time of HIV/AIDS
- Representatives of JEP from Kenya, Tanzania, Uganda

Panel C: Access to Justice for Women Members of Indigenous, Rural and Religious Communities

- Chair: Hon. Jane Mathews, Australia
- Panel: Hon. Patricia Hennessy, Canada, "The Canadian Process for Resolving Claims for Physical and Sexual Abuse of Aboriginal People in Residential Schools"
- Hon. Fatma Senol, North Cyprus, "Turkish Cypriot Women; Women Who Refuse To Live Their Lives As Shadows"
- Hon. Gita Mittal, High Court, Delhi, India, "Indigenous and Rural Communities: An Indian Scenario"

Panel D: Economic Discrimination and Remedies in the Courts

- Chair: Hon. Leslie Alden, USA
- Panel: Hon. Graziana Campanato, Italy, "Italian Law and Issues of Married Women and their Sons"
- Hon. Christina Camina, Argentina, "Employment, Discrimination and Gender Inequality"
- Hon. You-sook Min, South Korea, "Military Service and Sex Discrimination"
- Hon. Sheila Greckol, Canada, "Law as it Affects Women's Economic Interests in Canada"

Panel E: Links between Discrimination and Violence against Women: New Trends in Jurisprudence

- Chair: Hon. Elena Highton de Nolasco, Argentina
- Panel: Hon. Shelma Lombardi de Kato, Brazil, "Introducing the New Domestic Violence Act in Brazil"
- Hon. Joyce Aluoch, Kenya, "Kenya's new Sexual Offenses Legislation and the Role of Judges"
- Hon. Marianne de Rooij, Netherlands, "Recent Legal Measures to Combat Violence Against Women in Europe"
- Rosa Celorio, Inter-American Commission on Human Rights ("IACHR") of the Organization of American States, "Discrimination and Violence against Women in the Inter-American System of Human Rights: Legal Developments"

Panel F: Access to Justice: Judges and the Public

- Chair: Hon. M. Lucy Mailula, South Africa
- Panel: Hon. Brenda Murray, USA, "Access to Justice: What Some Judge Are Doing and What All Judges Should Be Doing for Female Offenders"

Hon. Claire Houngan Ayemonna, Benin, "Outreach in Benin: A Twinning Project between Canada and Benin"
Hon. Shiranee Tilakawardane, Sri Lanka, "Should Judges Be Catalysts for Change: The Example of Sri Lanka?"
Hon. Selma Herrera Kivers, Panama, "The Impact of the Jurisprudence of Equality Program on Women in Panama"

Panel G: Trafficking: Addressing the International Fight Against Exploitation

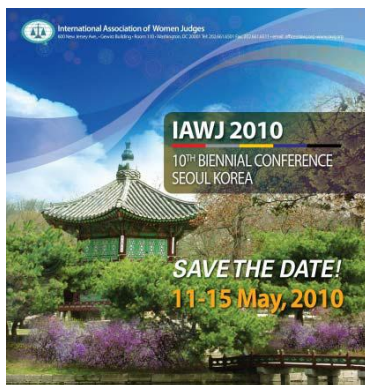
Chair: Hon. Daniela Tomova, Bulgaria
Panel: Hon. Susana Medina, Argentina, "Trafficking: Addressing the International Fight Against Exploitation: The Shadow of the world"
Hon. Barbara Mobley, USA, "The Face of Trafficking...are we looking?"
Hon. Patricia Goliath, South Africa, "Human Trafficking: Africa Regional Perspective"

Panel H: Mediation in and through the Courts

Chair: Judge Aidelena Pereira Véliz, Panama
Panel: Hon. Gladys Alvarez, Argentina, "Mediation as a Policy of Supreme Courts in Latin America Spanish"
Hon. Eusebia Munuo, Tanzania, "The Customary Law Aspects of Mediation In Tanzania"
Hon. Carolyn Parr, USA, "Mediation in the U.S.: Multiple Doors to Justice"

Panel I: Fighting Corruption in the Courts: Stories from the Trenches

Chair: Lady Brenda Hale, UK
Panel: Hon. Mary Ang'awa, Kenya
Hon. Esmerelda Arosemena de Trotino, Panama, "Luchando Contra La Corrupcion en las Cortes"
Anne T. Goldstein, IAWJ



International Association of Women Judges

10th Biennial International Conference

Seoul, Korea - May 11-15, 2010

Judicial Challenges in a Changing World

Opening Ceremony and Opening Session

Opening Address

KAWJ President, Hon. Kyeong-ran Cho
IAWJ President, Hon. Leslie Alden

Welcome Address

Chief Justice Lee Yong-hoon

Congratulatory Address

Prime Minister Un-chan Chung

First Keynote

Judge Sang-Hyun Song (President, International Criminal Court, The Hague)
“The Development of International Criminal Justice”

Second Keynote

Hon. Navanethem Pillay (UN High Commissioner for Human Rights, Geneva)

Introduction of IAWJ 2010 Officers and Board of Directors

Hon. Leslie Alden, President, IAWJ

Roll Call of Membership

Joan D. Winship, IAWJ Executive Director

Plenary Session 1:

Terrorism and Global Security: Threats to the Independence of the Judiciary in a Changing World

Hon. Gabriela Carina Knaul de Albuquerque e Silva (Brazil), UN Human Rights Council, Special Rapporteur on the Independence of Judges and Lawyers
Lady Brenda M. Hale, UK Supreme Court
Moderator: Hon Leslie Alden, USA

Plenary Session 2:

Challenges of Technology, Environment and the Courts

New Technology Opportunity for IAWJ Members (LexisNexis)

Hon. Doo-rye Kang, Korea
Hon. Myrna Lim-Verano, Philippines
Ms Sasirat Praneejitt, Thailand
Hon. Norah Jean-Francois, Haiti
Moderator: Hon. Mary Murphy Schroeder, USA

Plenary Session 3:

Not Your Grandmother’s Courtroom: Building Careers in a Changing World

Hon. Jane Mathews, Australia
Hon. Ellen Gracie Northfleet, Brazil
Hon. Seung-eun Yun, Korea
Recorder Christine Bispham, UK
Moderator: Hon. Shiranee Tilakawardene, Sri Lanka

Session 4:

New Issues in Sexual/Reproductive Rights and Bioethics

Hon. Graziana Campanato, Italy
Hon. Carol Cohen, Canada
Hon. Gita Mittal, India
Moderator: Hon. Joyce Aluoch, Kenya, ICC

Session 5:

Economic and Work Challenges facing Women and the Courts

Hon. Min-jung Park, Korea
Hon. Regina Coeli, Brazil
Hon. Carolyn Parr, USA
Hon. Prabha Sridevan, India
Moderator: Hon. Florence Arrey, Cameroon

Session 6:

Challenges of an Aging World Population and Women's Human Rights

Maria Luz Melon, First Secretary, Mission of Argentina to the United Nations
Hon. Susan Sexton, USA
Hon. Stella Arach-Amoka, Uganda
Moderator: Hon. Margaret Beazley, Australia

Session 7:

Judicial Responses to the Scourge of Human Trafficking

Hon. Susan Glazebrook, New Zealand
Hon. Wei-Ya Wu, Taiwan Chapter
Hon. Fernanda Cervetti, Italy
Moderator: Hon. Arline Pacht, USA

Session 8:

Protecting the Vulnerable: Immigrants, Children and Indigenous Populations

Hon. Sun-hee Lee, Korea
Hon. Meng-Shan Tsai, Taiwan Chapter
Hon. Germana de Oliveira Moraes, Brazil
Moderator: Hon. Elena Highton de Nolasco, Argentina

Session 9:

Ending the Abuse of Power through Sexual Exploitation: Naming, Shaming and Ending Sextortion

Hon. Ameilia C. Manalastas, Philippines
Hon. Eusebia Munuo, Tanzania
Hon. Adisa Zahiragic, Bosnia and Herzegovina
Moderator: Anne T. Goldstein, IAWJ Human Rights Education Director

International Opportunities Workshop

Judges registered who will share:

Hon. Joyce Aluoch (Kenya, ICC)
Hon. Florence Arrey (Cameroon, ICTR)
Hon. Gabriela de Silva (Special Rapporteur, UNHRC)
Hon. Carolyn Temin (USA, International Judge, BiH)
Hon. Mary McGowan Davis (USA – Trainer, consultant multiple countries)
Moderator: Joan Winship, IAWJ Executive Director

Closing Session

Rapporteur's report and wrap up: Professor Hyun-ah Yang (Seoul National University)
Celebration of Women Judges and Challenges for the Future, New IAWJ President, Lady Brenda Hale

**THE JURISPRUDENCE OF EQUALITY PROGRAM
AN INTELLECTUAL HISTORY**

**By
Anne Tierney Goldstein
IAWJ Human Rights Education Director**

When the Jubilee Committee asked me to write the chapter on the history of the Jurisprudence of Equality Program (“JEP”), I confess that I accepted the assignment without a lot of enthusiasm, and even with a measure of trepidation. It was not that I questioned the importance of writing the chapter, or the idea that I should be the one to write it. In fact, were anyone else to write this history, they would probably have to write a simple chronological story of when and where we have held trainings – a litany that, in narrative form, would be so boring that not even my mother could read it.

Rather, the history of JEP that seemed worth writing was an intellectual history. I wanted to explain the strategic and substantive decisions that shaped the program, and I wanted to share some of the kinds of stories that lead those of us involved to believe so strongly in JEP's power.

But an intellectual history of JEP would also be, to a large extent, a history of my own professional life. Perhaps that was why I dreaded writing it. It is not that I had led that life in an unexamined way – but rather that to a large extent, I have not had to lay the decision-making process bare.

Another part of my reluctance was that I doubted – and continue to doubt -- my capacity for objectivity in describing the program. Of the 28 years since I finished law school, I have spent sixteen developing and implementing JEP. If I have accomplished anything significant professionally, it is through the work I am describing in these pages – so I am hardly a disinterested historian.



JEP Training the Trainers in Johannesburg 2004

And yet – I do want to smooth the way for those who will direct the IAWJ's human rights education programs in the future. When I started this work, I had no idea I would still be

doing it 16 years later, still less that (as seems pretty clear now), the program would continue after I was no longer doing it. Now that the IAWJ in general and JEP in particular are on a far more secure institutional footing than they were when we began, it seems increasingly important to me to force myself, however reluctantly, to write about these decisions.

In particular, I feel the need to explain how the history of JEP is itself a story of the intersection of gender and career development – not only my own (which would hardly be of general interest) – but also of the trainers and task forces who implement JEP in-country. In looking back, I have come to see that JEP's substance and its structure have been interlaced from the beginning, in complex and ever-deepening ways.



Anne Goldstein, IAWJ Human Rights Education Director, leads a discussion during the launching ceremony of new JEP program in Uganda.

The response to JEP – not only from our members and national chapters, but also from our funders and the donor community – has been overwhelmingly enthusiastic. This very enthusiasm has, oddly, been an argument against putting in publishable form a history that explains the design and strategy behind JEP.

Our board and staff have been concerned that other groups would take our work product and get funding to do their own judicial training programs, without regard to our intellectual property rights. This is an ongoing debate in the international human rights community generally. When do you share information, and when do you hold it close? On the one hand, NGOs compete for funding against other NGOs – and it's a competitive process. On the other, all human rights NGOs share an interest in the widest possible dissemination of their ideas. One woman's theft of intellectual property is another woman's replication of best practices.

What has freed me to write this piece, ultimately, is the recognition that no one can replicate JEP, unless they start by creating a competing international association of women judges – which they are unlikely to be able to do. Structure and substance have become inseparable, because that only a women judges association would have developed JEP.

The entire project was designed against a backdrop of women judges telling us that they had either hesitated to join or decided not to join IAWJ, because they were concerned that being associated with a “women's organization” could negatively affect either their relations with colleagues on the bench, the perception of their impartiality, and/or their potential for career advancement. One doesn't need to know much about glass ceiling issues to recognize that running programs on women's rights is not necessarily a ticket to career advancement. To the contrary, for many it has proven a one-way ticket to the pink collar ghetto.

Therefore, in designing a judicial training program for a women judges association, at every juncture I have tried to design training programs that would not put at greater risk the careers of the judges who would be implementing them, or add to their concerns about the perception or reality of impartiality. Thus, for example, I decided early on that it was important the JEP be concerned not only with the rights of women and girls, but also with the rights of men and boys. It was important that neither IAWJ nor JEP would discriminate on the basis of sex; we welcome male judges as members, as trainees, and as trainers.

JEP has sought – and received – support from Supreme Court Chief Justices, Ministries of Justice, and national judicial training institutes. In other words, we have sought the widest possible buy-in at the national level.



Attendees at JEP seminars

This need for buy-in could have operated as a constraint. It could have led us to water down what we were doing to make it palatable – but also meaningless. Instead, it has served us as a discipline. It has forced us to find common ground where it would have been easy to despair of finding it. In JEP seminar rooms, we have engaged deeply, not in the clash of ideas, but in their interplay and their exchange.

But I am getting ahead of the story. Let me start at the beginning, which for me came with a phone call from Judge Arline Pacht in January of 1994. Arline introduced herself and told me that she had been given my name as someone knowledgeable about the international human rights of women. (I was at the time co-teaching a seminar on that topic at Georgetown University Law School, as well as an undergraduate course on women's rights under U.S. law.) She wanted to take me to dinner to meet some other members of a group I had never heard of called the International Association of Women Judges. At the dinner, they would discuss with me a new project IAWJ was launching and they were staffing – a training program on the domestic application of international human rights conventions to domestic court cases involving discrimination or violence against women.

At the time Arline called, my daughters Sarah had just turned two and Molly was a month old. I was, for all intents and purposes, a full-time, stay-at-home mother. The two courses I taught and the ABA committee I served on were my attempt to prove to myself that I still had a career and an adult life. Certainly, I was not teaching for the money; I made less than \$5000 a year, and for the hours I was putting in could probably have done better financially slinging hamburgers at McDonald's.

I met Arline and Judge Brenda Murray at a restaurant in DC's Chinatown, one I'd been to in the past with Chinese asylum clients after the massacre in Tiananmen Square. I remember the pleasure of fitting into my favorite red and black suit, which had been in the back of my closet for nine months with all my other winter non-maternity clothes.

The question that most struck me from the interview – because it was the question for which I was least prepared – was, “How do you think training judges would be different from teaching law students?” I hadn't the slightest idea. I think I stammered something about power. Or perhaps respect.

Apparently, it was enough, since at the end of dinner, Arline offered me the job. Sort of. Technically, it was more of a “job.” As near as I can remember, what she actually said was, “I exaggerated when I told you I wanted to discuss a judicial training project for the IAWJ. There really is no project, because there is no money to run one. But if I ever find some money to run one, I would like to hire you to direct it. Are you interested?”

I paused for a second, considering. “Sure,” I said, since I was committing myself to exactly nothing. We said goodnight and I got on the Metro, figuring I would never again hear from the International Association of Women Judges.

But of course, I did hear. Arline called back in April. She'd gotten together a small amount of money, sufficient to fly me to Rome for the IAWJ's biennial conference the following month. She would like me to run a one-day program for judges from all over the world on the application of international human rights conventions in domestic courts to cases involving violence or discrimination against women. Was I still interested?

Sarah was not quite two and a half, Molly was five months old. I had no child care, other than the law student who worked for me two afternoons a week so I could teach. I didn't even have a passport – it had lapsed a year or so earlier, and with two small children, where was I going? I was up to my eyeballs in diapers and play groups and the minutiae of applying to pre-school for Sarah.

Of course I said yes. What else could I say?

My mother-in-law had recently retired, and arrived like the cavalry from Wisconsin to watch the girls. I expedited my passport, and left for Rome.

In retrospect, JEP's story was deeply gendered from this beginning, and carried some social class and nationality baggage as well. And without meaning to be defensive – there was probably no other way to do it.

I don't think Arline and I even had e-mail addresses in 1994. The technology that renders geography almost irrelevant today hadn't yet arrived, and if JEP was to happen at all, it would have to be run by someone based in Washington DC., which meant probably an American.

Initially, at least, it also would have to be done with funding that would be insecure at best – which meant by someone who had an independent source of income, such as a supportive spouse with a traditional job. As a new mother trying to balance work and family, and more in need of part-time flexible hours and meaningful work than I was of a means to pay the bills, for Arline's needs I was perfect – and also, a disaster.

I was a disaster because, if you are an American judge seeking to develop a culturally sensitive, broad-based and locally-owned training program for judges on five continents, your first choice to run it would hardly be a privileged, upper-middle class, white, American, part-time academic with main-stream center-left American political views. If, on the other hand,

you were running a small start-up women's NGO out of your basement (as Arline then was) on funding that is the moral equivalent of bake sales, you are not likely to have a lot of options. So I was off to Rome.

Between Arline's phone call in April and the start of the Rome conference in May, I spent a good deal of time pondering two related questions. The first was substance: my mandate was anything in the world related to discrimination or violence against women. What specific topics should be in the curriculum? The second was the question I had stumbled over at the interview dinner the previous winter: what were the needs of judges as learners, as distinct from the needs of law students?

My initial impulse, unsurprisingly, was that the substantive issues could, to some extent, follow my law school course curriculum, which was already about international law, discrimination and violence against women. The problem, however, was that as an American common law-trained lawyer, I had largely based my syllabus on analysis of case decisions by international and regional tribunals. This approach would not serve well the roughly half our members who came from civil law traditions, for whom decisions are not supposed to have precedential value, and for whom the idea of judicial law making or judicial activism conjures memories of the Inquisition and the Star Chamber.

A second problem with a case-based curriculum – even for judges from common law jurisdictions – was that in the early 1990s, the women's rights jurisprudence of the international and regional tribunals reflected the priorities of the advocates who had litigated them. Most of the cases involved discrimination rather than violence – and could fairly be characterized as disproportionately reflecting the concerns of relatively privileged women. Advocates were only beginning to mainstream gender-based violence issues.

The third problem, already hinted at, was that I was acutely conscious that whatever my qualifications for the job, being American was not a plus. On the one hand, I was (as I think most human rights advocates are) generally sceptical of cultural relativism-based arguments. On the other hand, I wanted to do my best to avoid either the appearance or reality of mistaking my own values for universal ones.

The best strategy for addressing the substantive questions also seemed to be the most promising strategy for addressing questions about the learning needs and cultural values of judges. I decided to ask the judges directly what they thought should be in the core curriculum.

I decided to focus on three core, internationally guaranteed rights: the right to freedom from violence; the right to equality; and the right to an effective remedy for the violation of the first two rights. I chose these rights, because they are largely uncontroverted, at least in the abstract. I structured the day as a workshop for judges who wanted a role in shaping the project, and asked participants to come prepared to discuss the problems that they thought women faced in their respective courts in seeking to access one or more of these three core rights. What would they like to see in the curriculum? What problems did they already face as judges which they hoped international law could help them to solve?

Those of you who were at the Rome conference, or who have ever had the privilege of attending an IAWJ biennial conference, will know about the dazzling breadth of experience represented at these gatherings. The city of Rome (which I had never previously visited)

provided a particularly spectacular backdrop for the conference, and we were treated to lovely receptions at assorted museums and embassies, where national dresses of every color and style were on display.

My workshop was set for the final day of the conference. The judges who signed up to attend came from countries as disparate as Argentina and Albania, Nigeria and Japan. After three days of meeting judges from such widely disparate legal systems, I anticipated that the workshop participants would bring to the table a correspondingly wide range of substantive issues and concerns.

A few participants mentioned traditional non-discrimination concerns, such as women's inability to pass citizenship on to their husbands or children. One of the judges was herself involved as a plaintiff in a test case challenge to her own country's discriminatory nationality law.

From almost every country, though, there was one issue that came up again and again. Judges who raised it came from common law and civil law countries, from former colonies and from former colonial powers. They all spoke of it in almost the identical words. "My legal system puts rape victims on trial."

Over and over, like a musical refrain, with slightly different harmonies and undertones, but always the same melody – "My legal system puts rape victims on trial."

And the question was – Why? Why would this same pattern emerge, not only in countries related by colonial history, but also in countries that had developed in isolation from each other? Why would legal systems converge on this one particular issue, rather than some other?

As the judges talked, swirls of images from the city outside the meeting room came slipping under the door and through the windows. We had seen a painting a night or two before, at the reception at the Capitoline Museum. The painting depicted the story of Lucretia, the legendary Roman matron who chose suicide over living with the stain of having been raped. I thought of the words that Shakespeare gave her in his ballad, "The Rape of Lucrece," her last plea to go on living. . .

What is the quality of mine offence,
Being constrain'd with dreadful circumstance?
May my pure mind with the foul act dispense,
My low-declined honour to advance?
May any terms acquit me from this chance?
The poison'd fountain clears itself again;
And why not I from this compelled stain?

And then her final, desperate resolution to die:

No, no, 'quoth she, 'no dame, hereafter living,
By my excuse shall claim excuse's giving.

Lucretia got her wish – or rather, the wish that Shakespeare put in her mouth. Unnumbered legions of "dames hereafter living" have been measured against Lucretia's example-- and

found wanting. After all, if rape is a fate worse than death, then why are you still alive to testify?

More than two millennia after the myth-encrusted events leading to the founding of Rome (of which Lucretia's story forms an integral part), New York's highest court explained that rape complainants must be grilled about their prior sexual conduct and their manner of dressing, because: "Will you not more readily infer assent in the practiced Messalina, in loose attire, than in the reserved and virtuous Lucretia?" (New York Court of Appeals, *People v. Abbott* (1838) (as quoted in Susan Estrich, *Real Rape*, (1987), at page 47 note 72).

On the streets outside the art galleries, we had seen billboards for Magnum Ice Cream that seemed to be everywhere that week: a tightly cropped photo of a woman's face, her lips twisted in an expression that was open to interpretation. If you looked only at the right half of the billboard, she could be in pain or in fear - or quivering on the edge of ecstasy. From the left side of the billboard came the context. An unseen hand – the ice cream eater's? Someone else's? – wielded a projectile-shaped ice cream bar towards her half-opened lips. And she *wanted* that ice cream. Wanted it in the *worst way*.

We had heard the street buskers, who in Europe always seem to be singing Simon and Garfunkel, like refugees in a forgotten wrinkle of the space-time continuum. A snatch of their song:

For the line is thinly drawn 'tween joy and sorrow,
So my fantasy
Becomes reality,
And I must be what I must be and face tomorrow.

George Orwell is supposed to have said that "to see what is in front of one's nose requires a constant struggle." Sitting in that meeting room, listening to the judges talk of rape and thinking of the ice cream bar named after a revolver cartridge (who would name an ice cream bar after a revolver cartridge?), the one that the silent screaming woman deep down lusted after, I had the image of things falling into place. Gears locked against each other in my mind, and I saw, more clearly than ever before, how they fit together and *pulled*, dragging Lucretia down, with so many other women after her, down into the vortex.

Since that time, every one of the JEP seminars, whether explicitly or implicitly, has focused on the why and how in which legal systems blame women for the violence that is perpetrated against them. For me, that has become the central issue, the *alpha* around which all the *omegas* turn.

I started by listening to the consensus of judges. I then learned a great deal from a judicial training expert whom Arline brought into the project in 1996 – Dra. Sylvana Stanga from Argentina. She taught me how to leverage the expertise of judges and the pre-existing knowledge in a seminar room – a neat feat, and one that always makes me think of martial arts. It is a humbling exercise for a trainer – you need to accept – *truly* accept, not just going through the motions – that every group of judges will have more knowledge than you do. Once you let go of your need to be the "expert" talking to initiates, and accept your role as a facilitator of a colloquium of judicial experts, you can draw on the expertise in the room to create a greater expertise – one that synthesizes what you have to offer with what the judges already know. They are already experts on the local instruments in which the melody of

gender-based-violence victim-blaming is played; you can help them compose a new melody that breaks free of ancient conventions and bursts into riffs of jazz. (There you go, Arline – the real answer to your long-ago question).

Notice that this is almost the precise opposite of “social context” judicial training – an alternative model of judicial training that starts by asking judges to recognize the biases that they bring to the bench. JEP starts by asking judges not to acknowledge their weaknesses – but to draw on their strengths.

Many of our members and trainers have experience with social context training – and love it. The reason that I have steered away from the social context approach, however, is a strategic one. As I noted at the outset, I wanted JEP to have the widest possible buy-in, and to not put our trainers in situations of unnecessary risk of marginalizing their own careers. JEP asks judges to use the skills that they have honed over a lifetime – those of dispassionate, coolly rational intellectual analysis, if you will – and apply those skills to problems they may not have previously explored in any kind of systematic way.

This appeal to intellect and rationality – a conservative strategy, targeted at the more conservative end of the spectrum of people in the room – can sometimes yield surprising results. These results may not look that different from the goals of social context training – once you believe in the indivisibility of human rights, you will recognize that there are many routes to the same end.

I am proud to say that JEP has brought together judges of many religions, political philosophies, and legal systems. We live US President Barack Obama's maxim that “We can disagree without being disagreeable.” IAWJ and JEP have brought together judges in civil unions with judges who believe that homosexual conduct should be criminalized. We have brought together judges who believe in the right to abortion with judges who believe that birth control or even using condoms to prevent the spread of HIV are sins. One of our trainers shared with the group that he “tries hard” not to beat his wife – and at the same program another confided in me, “I didn't know my husband was cheating on me until I tested positive for HIV when I was pregnant,” and asked, “How can I protect the litigants who come before me, when I could not protect myself?”

JEP creates spaces in which people can speak honestly about what concerns them as judges and what concerns them as human beings. I believe that in the creation of these spaces where we can honestly engage lies the best hope for our courts and for our world.

The Jurisprudence of Equality Program has been introduced and/or 3 T's (Train-The-Trainers) conducted and full program implemented in the following places with specific grants:

1997-2000	Argentina, Brazil, Chile, Ecuador, Uruguay
2002-2004	Kenya, Tanzania, Uganda, Zimbabwe
2004-2005, 2007	Costa Rica, El Salvador, Guatemala, Panama
2004-2005	Botswana, South Africa, Zambia, Zimbabwe
2005	Taiwan Chapter
2006, 2009	Zambia
2006	Jordan
2008	Uganda, Tanzania
2009	Zambia, Kenya, Zambia

JEP has also been introduced in short programs to judges in the Dominican Republic, Romania, Russia, and Afghanistan.

Now seems the time for the sharing of stories. Here are some highlights of the past 16 years of JEP – moments of triumph, and moments of grace. I wish you could have been there. . .

Jordan, November 2006:

A room full of mostly male judges, at the National Judicial Training College. IAWJ does not have a chapter in Jordan, but has individual members. IAWJ came in to do a JEP training after Joan Winship, IAWJ's executive director, spent 3 weeks in Jordan in May 2006 laying the groundwork for getting permission to introduce JEP and bring together the women judges of Jordan for the first time. This led to the three-day JEP program in November 2006, which was made possible through a USAID Rule of Law sub-contract. I was working with a team of Jordanian judicial trainers, consisting of 4 judges and a prosecutor. Three of the judges were women, including Judge Issan Barakat, the highest ranking woman judge in Jordan and an IAWJ member. The prosecutor on our team had asked if he could make a presentation to the judges about "honor killings". He was having difficulty, he said, getting judges to impose anything more than a token sentence on men who killed sisters, daughters or other family members believed to have transgressed their families' honor by entering into unapproved relations with men. He was making an impassioned plea to the judges about a case in which the autopsy showed the victim had been a virgin ("So she *hadn't* violated the family honor . . ., but the judge *still* wouldn't impose a significant sentence. . .") I was sitting next to the prosecutor, thinking that his argument wasn't one I would have made, but looking at him respectfully, because I believe in local ownership.

Suddenly, one of the judges angrily interrupted. Looking straight at me and speaking rapid fire Arabic, he spluttered and practically screamed. Through the translators, I understood him to be saying that it was inappropriate for anyone but a Muslim male to speak about this issue, because only a Muslim male could understand what it meant to violate the family's honor.

This was completely unfair, of course, though to point out the unfairness would have been a losing strategy. The prosecutor who was leading the session was himself a Muslim male. I hadn't said a word on the subject, nor had Judge Barakat or any other woman. Not only that, but I had deliberately left honor killings out of the written curriculum, on the advice of the Jordanian women judges that the IAWJ would lose credibility if it focused on honor killings. The judges' advice – which I respected and honored – was that many Westerners were coming to Jordan and lecturing about honor killings, but that the problem of honor killings was primarily a problem of the rural uneducated poor. They urged me to not lump judges with these uneducated people who perpetrated and condoned honor killings; the problem, they said, was elsewhere. They wanted instead to focus on issues of property rights and the ability to pass on nationality to one's children; and since I believe in local ownership (and since, in any event, all of these issues are interrelated anyway, so in terms of substance, it almost doesn't matter where you start, since you'll end at the same place), I was happy to oblige. I had added the honor killing session only a few days before, because the prosecutor had asked permission to address the judges on this issue, about which he felt strongly.

The tension in the room was palpable, and everyone was looking at me. Rather than challenging the judge head-on, I cast down my eyes, in my best attempt to look demure. I spoke softly. It was true, I acknowledged, that I was not a Muslim male (mild laughter.) And

it was true that I could not speak Arabic, which meant I could not read the Holy Qu'ran in the original, but only in translation, which I knew, was not the same as the true Qu'ran. So I asked the judges to forgive any misunderstanding on my part, and to correct my ignorance, if I made any errors, but with the deepest respect, it did seem to me that the Prophet Muhammed, may peace be upon Him, had spoken directly to the issue of what a Muslim man was supposed to feel when he feared a woman might have brought dishonor to her family. In Surat 24, Section 4, when one of the Prophet's wives was accused – untruthfully, as God later revealed – of an act of dishonor, the Prophet said that to accuse a woman of bringing dishonor to her family was a very serious matter. So serious was such an allegation, said the Prophet, that any man who accused a woman of an act of unchastity but brought not four Muslim male witnesses *to the act of penetration* was himself evil – so much so that he should be scourged with the lash eighty times, and his testimony never more accepted in a court of law.

In other words, the Prophet had sought to put an end to honor killings. Honor killings were not a part of Islam, but pre-dated it.

Everyone in the room had brought a Qur'an. They took out their Qur'ans and read. After the rustling of pages, the room burst into talk – not screaming, just talk. It was too much for the translators – too many speakers, too much energy in the room. They let everyone talk, then said to me: “They have all agreed. This is highly relevant.” I turned to the prosecutor. He finished his plea.

Takeaway message: It is a mistake to treat sacred texts as though they are invariably in opposition to women's human rights. As Radhika Coomaraswamy, the first UN Special Rapporteur on Violence Against Women said in her very first report, “It is universally accepted that the spirit of all the world's religions is dedicated to equality, including equality between the sexes. Though interpretations may vary, there is no question that all the world's religions are committed to the pursuit of equality and human rights. However, certain man-made practices performed in the name of religion not only denigrate individual religions but violate internationally accepted norms of human rights, including women's rights.

Recent religious movements, often termed "fundamentalist", have sought to clothe these discriminatory practices with religious sanctity. In most societies there is an ongoing dialogue between women interested in women's rights and those who are close to religious traditions. It is the concern of the international community that this dialogue results in the elimination of man-made practices which violate human rights and the spirit of equality contained in the world's religions. This question should be high on the list of priorities. Religious considerations should never be used to justify the use of violence against women: (<http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/75ccfd797b0712d08025670b005c9a7d?Opendocument>), (last visited April 19, 2010)

Women are disproportionately the one's who carry religious traditions to the next generation – if a religion's sacred texts have nothing to offer to women, the religion will not endure and flourish for centuries. Trainers on women's human rights need to know at least enough about the sacred texts to engage people where they live – or they will only be able to lead superficial discussions.

In this case, I had the benefit of the Afghan women judges' writings on the Prophets' attempt to end honor killings, in addition to the research assistance at the time of Fatema Merchant,

an Arabic-speaking member of the American University Muslim Law Students' Association. I also had done some independent research and participated in programs offered by the Muslim Law Students.

Northern Uganda, 2008:

I was observing a training near Idi Amin's hometown of Gulu, in what has until recently been a “no go” zone due to the conflict in Northern Uganda. Retired Judge Mary Maitum and Registrar David Batema were training a group of about 2/3 male magistrates, mostly older gentlemen, and 1/3 female, mostly younger women. David was running a session on property rights and HIV; we had just heard a moving presentation from a woman living with AIDS; she was now sitting next to me. Some of the male magistrates were having a very difficult time with the subject. Although no one made it explicit, it became pretty clear that at least some of the men were having difficulty because in their own marriages, they had not modeled a property rights vision truly consonant with international law. Finally, one of them exploded: “But sometimes you have to take money from Wife 3 to pay for the school fees for the children of Wife 2!”

Next to me, the woman living positively let out a deep sigh. The young women in the back row looked to me to say something – one rolled her eyes at me, as if to ask, “Do you see what we are up against?” I returned her look, noncommittally. Inwardly, I was deeply grateful that it was David, and not me, who was running the session. I didn't know what David would say, but I have known him long enough to know he would not disappoint – and he didn't.

“That is why I am trying to tell you that polygamy is bad,” he replied evenly. “Besides, what business does a man have in taking so many wives if he cannot provide for them? Have you ever heard an elephant say to a rhinoceros, 'Will you carry my ivory for me?’” Then – and more gently – “Look, I know. I do not plant the seed today thinking tomorrow I will harvest the maize. But is this justice, to take from the wife and leave her not able to provide for her own children?”

The seminar moved on.



Participants at the HIV/AIDS training held in Kampala, including Chief Justice Benjamin Okoki and former IAWJ President and Deputy Chief Justice Letitia Kikonyogo (center).

Takeaway message: Local ownership, local ownership, local ownership.

Only someone from the same culture could have responded so effectively. Over the years, David Batema has told me about his life as the son of a polygamous father – the senior member of his own generation, supposedly the kind of person who reaps the benefits of polygamy – but who bears the responsibility for an extended family of dependent nieces and nephews. He understands this issue in a way no outsider to the system ever could, and he created a space in which the magistrates felt free to speak from the heart.

El Salvador, 2003:

I was observing a seminar for magistrates up in the mountains near the border with Honduras. This was rebel terrain during the war. Two senior trainers from El Salvador and a visiting judge from neighboring Guatemala led the seminar.



Judges and magistrates in El Salvador attend JEP Seminar.

The trainers showed a film about domestic violence, produced in San Salvador. It was called “Ramon y Marta” [“Raymond and Martha”]. In the film, Ramon goes out drinking with friends, and comes home late. We see Marta caring for the children, getting them dinner, putting them to bed. Ramon comes home and beats Marta. She cowers and cringes and takes it. The next day, we see her doing the mending and the laundry, bruised and chastened. She confides in her neighbor over the fence while hanging out the wash, and we see her trying to prepare for the next onslaught, trying to shield the children, etc., etc.

The movie is entirely ordinary in its depiction of the scenario – except that the actor playing Ramon is a woman, and the actor playing Marta is a man. It is incredibly disconcerting. I had been working on domestic violence issues for more than a decade – but I was tempted to yell at “Marta,” “Fight like a man!”

Two men were having a hard time with the movie, muttering darkly to each other. After a few minutes, they stormed angrily out of the room, saying something that I could not catch in Spanish (it turned out to be a derogatory term with which I was not familiar, loosely translated as “You are trying to turn us into [homosexuals]!”)

One of the two men was from the small town where we were holding the seminar. The next day, he was assigned to take me and the other out-of-towners to see the local sights on our

day off. He took us to the lovely waterfall, and then to the Museum of the Resistance (from the war.) I was looking at the Wall of Martyrs, reading about a young man who had worked for the Human Rights Commission until he was gunned down one day in front of his four small children. My guide came up beside me and asked quietly, “Did you know that was Myrna's husband?” Myrna was Justice Myrna Perla, then President of the Salvador chapter of the IAWJ, and a member of the Supreme Court. And no, she had never told me.

After the museum, I asked him to take us to El Mozote. I had never heard of El Mozote until I read about it in my guidebook on the plane to San Salvador a few days earlier. On November 12, 1981, most of a village had been slaughtered by Salvadoran troops fresh from their training in the U.S. One woman had made it into the surrounding woods and escaped to tell the story – but hundreds of people had been lost.

We went to El Mozote. It was clearly a holy place, with its quiet fog and muffled greenery. The village was still mostly deserted, though I was told people were beginning to reclaim it. A boy about 10, hanging out by the church, appointed himself our guide. He showed us the memorial – a silhouette of a family, with father, mother and two children holding hands. Reading the plaque, I learned that Justice Perla had chaired the truth commission.

The magistrate and I walked together in silence for awhile – I was thinking that all of this had been done with the help of my tax dollars, and I had never even known. Finally he broke the silence and told me that his sister was a prosecutor, and had been involved in the investigation when the story first came out. She had been there when they examined the bodies in one of these little houses – a man and a woman, obviously killed as they tried together to shield their baby, who was also murdered. We walked on for a long time. Finally, I told him as best I could with my schoolgirl Spanish, what I was thinking – how sorry I was, that I had not known, and that I had not bothered to learn. Then we looked at each other, and I said, “Creo que en verdad, todos los derechos humanos son ligados, son indivisibles.” (I truly believe that all human rights are connected, are indivisible.)

I thanked him for taking us. As we left, I bought a little replica of the memorial statute, with the caption, “El Mozote, Nunca Mas.” It is beside me now as I write.

Post script: The last day of the seminar, the magistrate came over and thanked me for coming. Looking into my eyes, he told me he would try to apply what he had learned. About a year later, I ran into one of the trainers. I asked if she had heard anything from him. She told me that as a matter of fact she had – that he had become “our best friend” on matters of domestic violence, issuing restraining orders and providing effective remedies.

Takeaway message: Don't write off magistrates and judges who express skepticism or even open hostility to what you are trying to do. They would not be so engaged if they weren't thinking.

San Salvador, 2004:

A group of judges and magistrates from the Costa Rica, El Salvador, Panama, Mexico and the United States are at a consultation for a project called “Cross-Borders” We have met to discuss training curricula for judges and magistrates from Central America, Mexico and the United States that deal with cross-border issues in the region –human trafficking, issues

related to the dislocation of labor migration, children being abandoned by parents along the route North, etc.

Angela Torres, a magistrate from El Salvador (and one of the trainers involved in the previous story) shared a story. Sometimes, she said, the problems in her court seem too big for the law to cope with. We had been talking about children lost in the system when their parents migrated. Some years earlier she had had a case, she told us, where an orphanage had brought to court a three year-old girl with vastly complex special needs, both physical and mental. The orphanage did not have the skills or the resources to help this child, and was seeking Angela's permission to relinquish her. Angela looked around the room at the other judges for help. What would become of this child, if even the orphanage wanted to abandon her? What authority did the courts have to see that the child got the resources she needed in a country as poor as El Salvador? Was the Economic, Social and Cultural Convention of any use here? And finally, she asked in a tone of agony, "What is a judge supposed to do?"

She stopped. We looked at her, lost. No one had anything to offer her. Finally, someone (it may have been me) asked, "What did you do?"

She looked back at us, coming out of her reverie. "Why I took her home, of course. She is my daughter now. And, Gracias a Dios, she is doing much better. She comes with me to church in her wheel chair. My other children – they have left, for school and careers in other countries. This child, she will never leave me. We are so happy together."

I think it fair to say that we all looked at Angela with awe. It is not a pragmatic plan – not something we could ever say judges are required to do. But every once in awhile, in life one meets an Angela - Gracias a Dios.

Post-script: Angela came to a follow-up consultation in Washington DC a year later. It was early April, and the cherry blossoms were in bloom – the most beautiful time of our year. We were happy to re-convene. We were well into the seminar when Angela broke down. Just that week, her daughter, whose health had again deteriorated, had passed away. In one of their last conversations, she had made her mother promise that if she lived, Angela would go to Washington and bring her home a new computer – and if she died, that Angela would go to Washington, all the same.

And now one final story. Like the last one, it concerns the limits of law and the limitlessness of the human spirit.

Washington DC 2009:

For the past five years, IAWJ has been privileged to host a group of Afghan women judges who come for a 3-4 week judicial education program through a partnership with the IAWJ and the Rural Women's Leadership Institute in Vermont, a state in the US Northeast. During their program in Washington, it is my job to give them a one-day "mini-JEP" program on international law. In talking to the most recent group, it became clear that they were already intimately familiar with the applicable international human rights conventions. Since the Afghan government had decreed some while earlier that judges could no longer join the IAWJ, I asked the judges if there were anything that I could do for them.

Through our interpreter, one of them gave me the following request, which I have in the past six months been able to honor in meetings with judges from Mexico, South Africa, Tanzania, the United States and Zambia, and with this Jubilee Book now, with all of you. This judge said to me, “You travel the world, going to places we will never go, and meeting judges whom we will never meet. When you meet them, please tell them about the women judges of Afghanistan. Please tell them that we have many challenges. When we leave our homes in the morning, we do not know if we will return home safely to them at the end of the day. Yet every day we do leave our homes and we go to work. And we do so, because we are deeply committed to helping the people of Afghanistan resolve their disputes.”

For obvious reasons, I will not share this woman's name. But I ask you, please, if you have read this far, to include her, and all of her colleagues, in your thoughts or prayers.

PRESIDENTS' BIOGRAPHIES

Hon. Arline Pacht - United States - (1992 - 1994)

Judge Pacht began her judicial career in 1979 when she was appointed an administrative law judge (ALJ) for the U.S. Department of Labor. Prior to her judicial appointment, she was a public defender in the District of Columbia and a trial attorney in the U.S. Department of Health, Education and Welfare. In 1980 she transferred to the National Labor Relations Board (NLRB), sitting as an ALJ for the next 17 years.



In 1998 she retired from the NLRB to become President and Executive Director of the IAWJ, which she founded. During her 12 years of leadership with that organization, she initiated the Association's newsletter, *Counterbalance International*, and developed the structure for the IAWJ's flagship programme, "Towards A Jurisprudence of Equality", while the membership grew from 850 judges in 15 countries to 4,000 members in 77 countries. Judge Pacht retired as the Director of the IAWJ in 2002, continuing as a member of the Association's Board of Managerial Trustees. The U.S. National Association of Women Judges has honoured her with several awards and she also received a distinguished service medal from the U.S. Department of Health Education and Welfare. She received a J.D. degree from the George Washington University Law School, where she graduated as class valedictorian.

Hon Pacita Canizares-Nye - The Philippines - (1994 – 1996)



Justice Pacita Rodriguez-Canizares-Nye was born on October 26, 1929 in Manila. Her father was Justice Antonio Canizares of the Court of Appeals. She married Walter Nye and they had two sons.

She attended the Sta. Scholastica's College for her primary and secondary education. She obtained her law degree from the University of the Philippines in 1955.

She engaged in private law practice until 1962 when she became her father's private secretary in the Court of Appeals, later as Attorney-Researcher until June 1, 1970. In 1986, she was appointed to the bench as RTC Judge in Davao then to Quezon City until her promotion to Associate Justice of the Court of Appeals in 1992.

Justice Canizares-Nye was President of the IAWJ from 1994 to 1996. She organised the 1996 conference in Manila. It was with great sadness that IAWJ members learnt of her passing a few short months after the Philippines conference.

Hon Susan Devine – Canada - (1996 - 1998)

Judge Susan Devine, originally from Dublin, Ireland, served as a judge in the Provincial Court of Manitoba, one of the first women to be appointed a provincial court judge. In 2009 she won the Canadian Bar Association Cecilia I. Johnstone Award in recognition of her outstanding work for the advancement of women in the legal profession.



Judge Devine was a founding member of the IAWJ and was instrumental in the establishment of a Canadian Chapter of the IAWJ in 1994. As President of the IAWJ, Judge Devine organized the IAWJ's conference in Ottawa, attended by over 600 delegates from around the world.

Hon Carmen Argibay – Argentina - (1998 – 2000)



Justice Argibay was appointed to the bench in 1984. She served as a criminal judge until she was promoted to the Appeals Court in 1988. In April 1993, she moved to the Trial Oral Court, sitting until the end of 2001. Then she was appointed to the International Criminal Tribunal for the former Yugoslavia as an ad litem Judge, a position she held until January 2005. She was the first woman appointed to the Supreme Court of Argentina, taking her oath in February 2005.

She was one of the founders of the IAWJ and served on the Board, becoming the President from 1998 to 2000. Justice Argibay was also the founder and first President of the Argentine Association of Women Judges (AMJA). She sat at the Women's Tribunal in Tokyo 2000, a Tribunal convened by NGOs in the Asia Pacific Region, to consider the responsibilities of the Japanese military towards the "comfort women" issues during World War II, that resulted in a sentence of sexual slavery in many territories occupied by Japan. Justice Argibay is well-known in her country as an unfailing defender of human rights and women's rights and for supporting judicial independence and judicial education.

Hon Mella Carroll – Ireland - (2000 – 2002)

Justice Carroll was born in 1934 in Dublin. She attended University College Dublin and King's Inn. In 1957, she became a member of the Irish Bar, where she built a substantial practice. Justice Carroll was the first woman appointed to the High Court in Ireland. She served on that court from 1980 to 2005. During that time, Justice Carroll also headed the Commission on the Status of Women, which in 1993 produced a comprehensive document detailing the demands of Irish women for equality.



Justice Carroll was President of the IAWJ from 2000 to 2002. It was with great pride that she hosted the biennial conference in Dublin Castle in 2002. That conference was addressed by

the two female Presidents of Ireland, former President Mary Robinson and President Mary McAleese. Their participation reflected in no small way the admiration and the esteem in which they held Justice Carroll.

Among the many honors bestowed on her were Doctorates in Law from the National University of Ireland and the University of Ulster. She was appointed a fellow of the Royal College of Surgeons and in recent years she was Chancellor of Dublin City University. She served on the boards of many public and private (including charitable) institutions. Justice Carroll died on 16 January 2006 after a long and brave battle with cancer.

Hon. Mella Carrol was the first woman named to the High Court in Ireland. She served on that court from 1980 to 2005. During that time, Justice Carrol also headed the Commission on the Status of Women, which in 1993 produced a comprehensive document detailing the demands of Irish women for equality.

Justice Carroll was born in 1934 in Dublin. She attended University College Dublin and Kings Inn. In 1957 she became a member of the Irish Bar, where she built a substantial practice. It was generally believed that she could have been nominated to the Supreme Court had she so wished.

To honor Justice Mella Carroll, the IAWJ started the Mella Carroll Memorial Fund. With a generous initial contribution of \$1,000 by an anonymous donor, the Fund is used to help finance the attendance of women judges from developing countries to the IAWJ's international conferences.

Hon Mukasa-Kikonyogo – Uganda - (2002 – 2004)



Hon. Lady Justice Laetitia Eulalia Mary Mukasa-Kikonyogo was born in Uganda in 1940. She attended Makerere University, Kampala where she obtained a Bachelor of Arts general Degree in Geography, History and Sociology. She studied law at the Council of Legal Education, London and was subsequently called to the Bar at Inner Temple in London England in 1968.

She returned to Uganda in 1968 when she joined the Department of Public Prosecution in the Attorney General's Chambers as a State Attorney. In 1971 she was appointed Magistrate Grade 1 and promoted to Chief Magistrate in 1972. She was appointed a Judge of the High Court in February 1986 and was the first woman Judge to be appointed to the Courts of Judicature. In December 1996, she sat in the Court of Appeal to hear Criminal Appeals. In September 1997 she was elevated to the Supreme Court of Uganda and was the first woman judge to sit at that Court. In 2000, she was appointed Deputy Chief Justice of Uganda and became the first woman in Uganda to ever hold that post.

Apart from her career as a judicial officer, Justice Mukasa-Kikonyogo has been committed to human rights causes, especially those relating to children and women. She was actively involved in the IAWJ activities since its inception in 1989 at the 10th anniversary

celebrations of NAWJ of USA in 1989 in Washington, DC. She was the first president of NAWJ of Uganda, the International Director for Uganda and the Regional Co-ordinator of the African region. She served as President of the IAWJ from 2003 to 2004. She is also a co-chair of the IAWJ's Jurisprudence of Equality Program in Uganda.

Hon Jane Mathews – Australia - (2004 - 2006)

Justice Mathews was born in Wollongong, New South Wales (NSW), Australia. She was the first woman to serve as Crown Prosecutor (1977-1980) and the first woman judge in NSW, serving on the NSW District Court (1980). She became the first woman on the Supreme Court of NSW in 1987. Justice Mathews served on the Federal Court of Australia (1994-2001) and was the President of the Commonwealth Administrative Appeals Tribunal (1994-1999). She is currently an Acting Judge on the Supreme Court of NSW.



Justice Mathews served as IAWJ President from May 2004 to May 2006. One of IAWJ's original members, she was also a founder and first Director of the Australian Association of Women Judges. She received her country's highest honor in May 2005, the Order of Australia, Officer (AO) in the General Division for service to the judiciary, to the legal profession, to the University of New South Wales and to music.

Hon Graciela Dixon – Panama - (2006 – 2008)



Justice Dixon completed her undergraduate degree in Law and Political Science at the University of Panama, and a post-graduate degree in Human Rights at the Santa Maria La Antigua University in Panama. Further studies were made in the area of Specialized Judicial Education in Administrative Controls under the Ibero-American Training Program for Court Judges and Magistrates at the General Counsel of the Judicial Branch in Barcelona, Spain. She studied thereafter the area of Constitutional Law at the Carlos III University in Madrid, Spain. From 1989 to 1992 she was a Legal Representative for the victims of the U.S.A.'s military intervention in the Republic of Panama.

In 1995 she was a National Consultant to UNICEF: Technical Committee for the Implementation of the Family Code for the Republic of Panama. From 1994 to 1995 she was an International Human Rights Counsellor for CODEHUCA (Committee for Human Rights in Central America). In addition to her roles as past-president of the Supreme Court of Panama and President of the IAWJ from 2006-2008, she has also been Vice President for the Latin America Federation of Magistrates (FLAM) and a representative for the Latin American and Caribbean Region to the Board of Directors of the IAWJ.

Hon Leslie Alden – United States - (2008 – 2010)

Judge Leslie M. Alden has been a trial judge in Fairfax County, Virginia since 1995. She presently serves as the IAWJ President, and has served on the Board for 10 years. She also sits on the IAWJ Board of Managerial Trustees, which she chaired for 5 years. Also, Judge Alden served as the International Director for the US National Association of Women Judges for 5 years. Judge Alden has delivered a judicial perspective about the importance of the rule of law and the observance of human rights principles in courts, by speaking to legal groups in Nigeria, Cuba, Chile, South Africa, Italy, Russia, Turkey, Jordan, Hungary, Brazil, India and South Korea.



Judge Alden serves as a Corresponding Editor for *International Legal Materials*, a publication of The American Society of International Law, as well as a member of the Editorial Review Board for the *Advanced Management Journal*, the publication of the Society for the Advancement of Management. Judge Alden earned her J.D. in 1983 from George Mason University School of Law, where she has been an Adjunct Professor of Law, and earned her B.S. (Business Administration) in 1978 from George Mason University.

In 2001, she completed the Economics Institute for State Judges presented by the Law and Organizational Economics Center. In 2005, she completed the Sir Richard May Seminar on International Law and International Courts presented by the International Judicial Academy.

Hon Brenda Hale – United Kingdom - (2010 – 2012)



The Right Hon the Baroness Hale of Richmond, Lady Brenda M. Hale is one of the world's most distinguished jurists, with a career in law and academia spanning more than 40 years. In 2004, she became the first woman Law Lord in the British House of Lords and is now a member of the UK Supreme Court, the highest appellate court in the United Kingdom. Prior to serving on the House of Lords, Lady Hale served on the Court of Appeal, where she was only the second woman ever appointed to that court.

In 1994, she became the first High Court judge appointed from academia, and in 1984, she became the youngest person and first woman ever to be appointed to the Law Commission. Lady Hale taught law at Manchester University from 1966 to 1984 and currently serves as the Chancellor of the University of Bristol.

HUMAN RIGHTS AWARDS RECIPIENTS AND LIFE MEMBERS

Hon Justice Bertha Wilson

The first IAWJ human rights award recipient was Justice Bertha Wilson, one of Canada's legal pioneers who became the first woman to sit on the Supreme Court of Canada. She was the recipient of the first IAWJ Human Rights Award at the Ottawa conference in 1998.



Justice Wilson was born in Scotland in 1923. Justice Wilson was educated as a teacher in her home country (receiving an MA from the University of Aberdeen in 1944 and her teachers diploma in 1945). She married Rev. John Wilson in 1945 and they emigrated to Canada in 1949. In 1955, Justice Wilson enrolled at Dalhousie University to study law. She was called to the bar in Nova Scotia three years later and in 1959 to the bar of Ontario. She practised in Toronto for 16 years with Osler, Hoskin & Harcourt and, in 1975, broke ground by becoming the first woman appointed to the Court of Appeal for Ontario. She was also appointed to the Permanent Court of Arbitration in 1984.

Justice Wilson sat on the Supreme Court from 1982 to 1991, handing down watershed rulings on abortion, mandatory retirement, and battered woman syndrome. She was appointed to the Supreme Court of Canada the same year the Canadian Charter of Rights and Freedoms was enacted. As a member of the Supreme Court, she was a pioneer in charter jurisprudence and made an outstanding contribution to the administration of justice. Justice Wilson died on 28 April 2007 at the age of 84. An anthology on her judicial career has been edited by Professor Kim Brooks of McGill University: *Justice Bertha Wilson: One Woman's Difference*.



A sweet exchange between Justice Claire L'Heureux-Dubé and Justice Bertha Wilson who had just received the first IAWJ human rights award at the IAWJ's biennial conference in Ottawa, Canada.

An example of one of Justice Wilson's judgments is that of *R v Lavallee* [1990] 1 SCR 852. Ms. Lavallee faced charges of murder as a consequence of having shot her commonlaw spouse in the back as he was leaving the room. Her defense was self-defense. Ms. Lavallee wanted to present evidence that she was the victim of repeated abuse - the battered woman syndrome. The

issue before the Canadian Supreme Court was whether expert psychiatric evidence about battered woman syndrome could be admitted in support of the defense of self-defense. The majority of the Court held that it could. Justice Wilson, who penned the majority judgment, underlined the importance of understanding the female perspective. She wrote:

If it strains credulity to imagine what the "ordinary man" would do in the position of a battered spouse, it is probably because men do not typically find themselves in that situation. Some women do, however. The definition of what is reasonable must be adapted to the circumstances which are, by and large, foreign to the world inhabited by the hypothetical "reasonable man".

Hon Navanethem Pillay



The IAWJ Human Rights Award recipient for 2000 was the Hon Navanethem Pillay. She was the first woman to start a law practice in her home province of Natal in 1967. Over the next few years, she acted as a defense attorney for anti-apartheid activists, exposing torture, and helping establish key rights for prisoners. She also worked as a lecturer at the University of Kwazulu-Natal, and later was appointed Vice-President of the Council of the University of Durban Westville. In 1995, after the end of apartheid, Ms. Pillay was appointed as acting judge on the South African High Court, and in the same year was elected by the United Nations General Assembly to be a judge on the International Criminal Tribunal for Rwanda, where she served a total of eight years, the last four (1999-2003) as President. She played a critical role in the ICTR's groundbreaking jurisprudence on rape as genocide, as well as on issues of freedom of speech and hate propaganda.

In 2003, she was elected as a judge on the International Criminal Court in the Hague, where she remained until August 2008. In South Africa, as a member of the Women's National Coalition, she contributed to the inclusion of an equality clause in the country's Constitution that prohibits discrimination on grounds of race, religion and sexual orientation. She co-founded Equality Now, an international women's rights organization, and has been involved with other organizations working on issues relating to children, detainees, victims of torture and of domestic violence, and a range of economic, social and cultural rights.

Hon Navanethem Pillay received a BA and a LLB from Natal University South Africa. She also holds a Master of Law and a Doctorate of Juridical Science from Harvard University. She is the current UN High Commissioner for Human Rights.

The IAWJ human rights award was presented by Hon Carmen Argibay and the plaque presented to Hon Navanethem Pillay reads:

The IAWJ and IWJF proudly present this
Human Rights Award to
The Honorable Navanethem Pillay
President, UN International War Crimes Tribunal for Rwanda
in recognition of her historic decision in the Akayesu case, where, for the
first time, rape was condemned as a war crime and an act of genocide.

President Pillay (as she then was) gave an address in reply (and we set out some extracts below).

A Century of Slaughter

As we look at the human rights record of the 20th century, we see both the greatest achievements and the greatest violations in history. Millions of innocent people have been ruthlessly slaughtered and gross human rights abuses have occurred without accountability. The ashes of the Holocaust inspired the 1948 Universal Declaration of Human Rights (UDHR) adopted by the United Nations. Yet, since then we have seen numerous other genocidal campaigns take millions more innocent lives - in Cambodia, in Rwanda - there are no geographical boundaries to the killing and atrocities.

However, despite the lessons of the Holocaust, the response of the international community to crimes against humanity has repeatedly been marked by tolerance of impunity - that is, until recently.

Human Rights Taking Hold

Only in the last decade has the rule of law emerged as a real response to contempt for human rights through creation of ad hoc international criminal tribunals by the UN. As these tribunals and the new International Criminal Court gather momentum, the concept of individual criminal responsibility at the international level is finally taking hold. We are now on the brink of a new era which could bring legal force to rights set forth in the UDHR and other international legal standards of conduct. An international criminal justice system is the expression of a widely acknowledged need to discard a world where only states matter and the powerful rule in a culture of impunity, in favour of a new world order where fundamental human rights norms are protected and observed by all members of society.

Rape As An Instrument of Genocide

In arriving at its determination regarding events in Rwanda, the Security Council considered reports of massive and systematic rape of women, but they were not specifically enumerated as acts of 'genocide'. However, in the case of Jean Paul Akayesu, the Trial Chamber held that these acts caused "...serious bodily or mental harm to members of the group" and were perpetrated with the intent to destroy, in whole or in part, the Tutsi ethnic group, therefore constituting genocide. The Akayesu judgment, the first to define rape in international law, [states that] rape is: "a physical invasion of a sexual nature, committed on a person under circumstances which are coercive...". In Akayesu, the Court recognized that "rape is a form of aggression. The Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment does not catalog specific acts in its definition of torture, focusing rather on the conceptual framework of state-sanctioned violence. Like torture, rape is used for such purposes as intimidation, degradation, humiliations, discrimination, punishment, or destruction of a person. Rape, in fact, constitutes torture inflicted by, or at the instigation of, or with the consent or acquiescence of a public official or person acting in an official capacity."

The IWCTR has 42 people in custody. Among the accused is virtually the entire political leadership of the forces alleged to have committed one of the most intensive massacres in history - 500,000 Rwandans killed within a period of 100

days. The Tribunal was the first international judicial body in history to deliver a genocide conviction, declaring that rape was perpetrated with the intent to destroy in whole or in part, the Tutsi ethnic group...This case represents a new accountability of political leadership at national, regional and community levels. Although Akayesu did not commit any act of rape, the Chamber found that in his position as mayor, he ordered, encouraged and aided the rapes and killings by sending a clear signal of official tolerance for these acts. As the only woman judge on the IWCTR, my experience is somewhat similar to yours: we serve in institutions rooted in tradition, unduly loyal to precedent and slow to embrace change. We must listen to the voices of women who are the worst sufferers of violence, poverty and deprivation of human rights. I look forward to my association with the IAWJ so that together, we can meet the challenge of keeping pace with evolving international humanitarian norms.

Arline Pacht



Arline Pacht retired on July 1, 2002, after serving as founding President and then Executive Director of the IAWJ-IWJF since 1991. She was presented with the IAWJ's human rights award at the Dublin Conference banquet on May 26, 2002. Following a tribute by President Mella Carrol, Judge Pacht delivered the following remarks:

For at least a dozen or more years, my principal interest has been to help construct a viable worldwide organization of women judges. Some might even say that the IAWJ is my obsession. But why another judicial organization?

I found one answer after reading an article about Dr. Shirley Tilghman, world-renowned molecular biologist and Princeton University's first woman president. When asked whether she thought there was a difference in the way that male and female scientists approach scientific problems, she said that male scientists typically focus on scientific problems their peers recognize, and to marshal the power needed to break through barriers to find solutions. She then suggested that female scientists often take a different approach, focusing on subjects on the margins of their discipline's map, sometimes making striking discoveries with significant implications.

If the distinction Dr. Tilghman makes is accurate, why is it so? The answer could be that when people themselves are on the margin, as women judges traditionally have been – and perhaps still are – problems that others may regard as marginal are seen as they are: central and important.

A Different Vision

I suspect that some of us in this room know what life looks like at the margin. Because of our own experience, we clearly see the plight of other women in our societies who are at or beyond the edge. As far as I am aware, we are the only organization of judges that is expressly dedicated to ameliorating the conditions that subject women in our communities and nations to second and even third class citizenship. Our profession puts us individually in a position to bring just solutions to the problems that parties bring to our courts. However, when we act in concert, we are able to achieve goals that would otherwise be unattainable. With the leadership of dedicated past presidents – Susan Devine – Carmen Argibay – and

now Mella Carroll – we have implemented programs and engaged in activities at national, regional and international levels that we never could have done alone. Take for example, the Jurisprudence of Equality project. Without an IAWJ-IWJF and national associations, could any of us have dreamed of training hundreds of men and women judges about women’s human rights? We can be justly proud of what we have accomplished and how far we have come.

Facing Forward

However, now is hardly the time to rest on our laurels. Rather than looking at where we were, we must look at where we are going. Although I am not clairvoyant, I see an extraordinary future for the IAWJ. We are moving forward into a new millennium with a new Executive Director. I have had the privilege of working with Joan Winship for some five years, and can assure you that she is superbly qualified for this position. She has masterful organizational skills and a genius for networking and collaborating with others who share similar goals and interests. While she fully appreciates that we live in a world where national boundaries grow less important, she also recognizes that we must continue to cherish our cultural diversity.

Of course, no one person can manage an organization alone. Joan knows that she has strong support from a new entity in the IAWJ universe. Throughout these past few days, you have heard references to a Board of Advisors. It started out as an informal group of multi-talented persons with wide ranging organization skills who were near at hand in Washington, DC, and therefore, quickly provided me with sound advice. This group has evolved into a hands-on, actively engaged corps, a majority of whom are not judges, but who, linked by their respect for the IAWJ’s mission and accomplishments, want to strengthen the IAWJ organizationally and financially.

The IAWJ now includes more than 4,000 members in 73 nations. Our new Executive Director needs far more support than even our highly competent Board of Trustees can provide. She, the officers and the newly-elected Board of Directors need your support, commitment, ideas and efforts. The collective actions of its members is the IAWJ’s strength. As long as we work together the IAWJ will flourish. As the IAWJ grows stronger, so, too, will our efforts to bring relief to the disadvantaged women and girls in our world. As the noted anthropologist Margaret Mead said, “Never doubt that a small group of thoughtful committed citizens can change the world.”

I recall that the woman whom we honoured in Buenos Aires, Justice Navanethem Pillay, told us that there is no honor like the one that your peers bestow. I know how she felt. I am stepping down, but I will never cease working with you. I have learned much from you – you have changed and enlarged my life. We will continue to share a vision of how life could and should be for all of us on this planet.

I close now with this Irish blessing:

*May the road rise up to meet you,
May the wind be always at your back,
May the sun shine warm upon your face,
May the rains fall soft upon your fields,
And, until we meet again,
May God hold you in the palm of her hand.*

Honorary Life Membership – Hon Justice Claire L’Heureux-Dubé



Also in 2002 honorary life membership of the IAWJ was granted to the Hon Claire L’Heureux-Dubé.

The Honourable Justice Claire L’Heureux-Dubé was appointed to the Supreme Court of Canada in 1987 after serving for fourteen years as a trial and appellate court judge. Her 50-year career in law is one marked by many achievements in family law and human rights issues. She has undertaken many roles in the legal profession as an advocate for equality and proponent of the fair administration of justice.

She was appointed to the Superior Court of Quebec in 1973 and later to the Quebec Court of Appeal in 1979. From 1984 to 1990, she was President of the Quebec Association of Comparative Law. Madame L’Heureux-Dubé was Chairman of the Canadian Section of the International Commission of Jurists (1981-1983) and International President of the International Commission of Jurists (1998-2002), based in Geneva. In 1998, she received the Margaret Brent Women Lawyers of Achievement Award from the American Bar Association Commission on Women in the Profession. She is also an Honorary Member of the American College of Trial Lawyers. She was appointed Companion of the Order of Canada on 8 May 2003.

The resolution awarding the honorary life membership read:

Resolution Awarding Honorary Lifetime Membership of the IAWJ to The Hon Justice L’Heureux-Dubé

WHEREAS The Honourable Justice Claire L’Heureux-Dubé, Justice of the Supreme Court of Canada, is retiring from the Court in June 2002;

WHEREAS the Honourable Justice L’Heureux- Dubé was instrumental in implementing the Canadian Human Rights Charter;

WHEREAS she has authored numerous landmark judgments which have championed the cause of equal justice;

WHEREAS she has been a leader in implementing international human rights norms in domestic decisions;

WHEREAS she has construed the Canadian Charter of Rights and Freedoms in a way which recognizes the special contextual factors that shape the lives of minorities in order to accord genuine equality;

WHEREAS she has devoted endless hours to lecturing, teaching, writing and constant worldwide travel to bring human rights concepts to the attention of jurists around the globe;

WHEREAS she was vitally involved in the development of the Canadian Chapter of the IAWJ;

WHEREAS she has vigorously participated in the work of the IAWJ and enthusiastically supported its goals;

WHEREAS she has been a moving force in developing a global jurisprudence through her membership in and current presidency of the International Commission of Jurists;

WHEREAS she has inspired countless women in the law by means of her tireless enthusiasm and commitment to a more humane brand of justice;

The members of the International Association of Women Judges express their profound gratitude to the Honourable Justice L'Heureux-Dubé for her unique contributions to the law and hereby award her lifetime honorary membership.

Hon Gertrude Mongella



Ambassador Mongella was presented with an IAWJ human rights award at the conference in Uganda in recognition of her efforts towards the promotion of human rights generally and women's empowerment in particular. In her acceptance speech, Ambassador Mongella expressed surprise at the award but accepted it for herself and also on behalf of all women of the world and all those who have contributed to her life and work.

Gertrude Ibengwe Mongella was the founding President of the Pan-African Parliament. She was born in Tanzania in 1945 and graduated from East Africa University in Dar es Salaam in 1970.

In the mid seventies Ambassador Mongella was a Member of the East African Legislative Assembly. Throughout the 1980s and for some part of the 1990s Ambassador Mongella was a member of the Parliament of Tanzania. From 1982 until 1988 Ambassador Mongella was Minister of State within the Prime Minister's office, from there she became Minister of Lands, Tourism and Natural Resources, a post she held from 1985 to 1987. Finally, from 1987 to 1990 she was a Minister Without Portfolio within the President's Office.



One of their own: Tanzanian judges celebrate with their country-woman, President Mongella (center) as she proudly displays the plaque honoring her contributions to women's human rights.

In 1985 Ambassador Mongella became Vice-Chairperson to the World Conference to Review and Appraise the Achievements of the UN Decade for Women. In 1989 she was the Tanzanian Representative to the Commission on the Status of Women. From 1990 to 1993 she was a Member of the Trustee to the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW).

From 1991 to 1992 Ambassador Mongella was Tanzanian High Commissioner to India. In 1995 she was UN Assistant Secretary General and Secretary General, 4th World Conference on Women in Beijing, China. From 1996 to 1997 Ambassador Mongella was UN Under-Secretary and Special Envoy to the Secretary General of the United Nations on Women's Issues and Development.

In 1996 Ambassador Mongella was a Member of the Advisory Group to the Director General UNESCO for the follow-up of the Beijing Conference in Africa, South of the Sahara. Also in 1996 she was a Member of the Board for the Agency for Co-Operation and Research in Development in London. In 1996 she was a member of the board for both The Hunger Project in New York, and the UN University in Tokyo, Japan. Also in 1996 she was President of Advocacy for Women in Africa. In 1997 Ambassador Mongella was Senior Advisor to the Executive Secretary of the Economic Commission for Africa on Gender Issues.

In 1998 she became a member of the OAU sitting on the Women Committee for Peace and Development. In 1999 she was a member of the "Council of the Future", UNESCO, Paris, France. In 2000 she was a Member of the Tanzanian Parliament Ukerewe Constituency. In 2002 she was a member of the OAU's High Level Advisory Panel of Eminent Persons. In 2002 Ambassador Mongella was a member of the Regional Reproduction Health Task Force for the World Health Organization's African Region; she was also leader of the OAU Election Observer Team to the Zimbabwean Presidential Election. 2003 saw her as Goodwill Ambassador for the World Health Organization's Africa Region. She became a Member and President of the Pan African Parliament in 2004. She was designated Chairperson of the International Advisory Board of the African Press Organization (APO) in February 2008.

Her keynote address at the conference in Uganda was based on the topic of "Women's Slow and Winding Road to Justice".

Ambassador Mongella first dealt with the question whether justice was natural or learned and concluded that it was the latter and pointed out that justice was influenced by various factors. These included human interpretation, socialization, different interests, modern management, convenience, social and cultural norms, life expectations and emotions.

Ambassador Mongella noted that there was a continual struggle by humanity to achieve justice and that this was so because justice was not natural behavior. The struggle thus has been on various levels like through customary laws, state constitutions, bills of rights and internationally agreed instruments. She noted some successes as well as some concepts associated with the concept of justice but also pointed out that this struggle was beset by various obstacles. She, for example, pointed out some of the different definitions of the term democracy as associated with justice but she opted for a gender approach to justice. This is because democracy must be all-encompassing-including development, gender concerns and the human aspect and that since all countries have not incorporated all the basics there is therefore no democratic country in the world. According to her, justice here would not only be based on facts and law but on wisdom as well. She gave the example of the Bible story of King Solomon where he was called upon to dispense justice to two women each of whom claimed the same child as their own and how King Solomon had to apply some wisdom in reaching his decision.

Ambassador Mongella mentioned various sins of injustice and pointed out the stakeholders in its promotion. She identified ways of speeding up the promotion of

justice like the identification of partners, using existing norms, both national and internationally agreed for guidelines on standards and deconstruction of society. She concluded by pointing out that justice delayed is justice denied. There was then a short discussion from the plenary.

Arising out of that discussion in concluding her address, Ambassador Mongella admitted her oversight in not discussing the question of women and AIDS and the latter as one of the sins, for example, through rape, lack of access to information and so on. She further pointed out that there was need to re-interpret the existing norms/cultures to avail women with justice. That in doing this, women should not strive to get on board (created by men), but to create their own board and bring men thereon, in a manner that envisages women and men as equal. She also emphasized the importance of networking amongst women and men and the various groups working towards access to justice.

Hon Carmen Argibay



Former IAWJ President, Justice Carmen Argibay received the IAWJ human rights award in 2004. The award was presented on May 6, 2006 by the then IAWJ President Hon. Jane Mathews at the Gala Reception hosted at Sydney's Town Hall. All of the IAWJ members and guests in attendance for the event joined Hon. Mathews in honoring Justice Argibay's work and dedication.

Justice Argibay was imprisoned for nine months, without trial or charges, by the military dictatorship in Argentina in 1974. After democracy was restored, she resumed her duties as a Sentencing Judge and was subsequently appointed to the National Court of Criminal Appeals. In December 2000, she participated in the Tokyo Tribunal to adjudicate charges of sexual slavery and other war crimes allegedly committed by the Japanese military against women from Korea, the Philippines and Japan. In 2002, Justice Argibay was appointed ad litem judge to the International Criminal Tribunal for the Former Yugoslavia (ICTY). In July 2004, Justice Argibay was the first woman nominated to the Supreme Court of Argentina. Justice Argibay's career demonstrates a lifelong commitment to promoting gender equality and eliminating corruption within the justice system.

On October 11, 2007, at an IAWJ-sponsored reception at the Embassy of Argentina in Washington, DC, Executive Director Joan Winship had the privilege of announcing a gift of \$50,000 to the Association from Justice Carmen Argibay. Justice Argibay was visiting Washington to receive the prestigious 2007 Gruber International Prize for Justice at a ceremony the day before. The shared \$500,000 prize and gold medals were awarded by the Peter and Patricia Gruber Foundation to three recipients from Latin America to recognize their contributions to the cause of justice delivered through the legal system. Justice Argibay's donation to the IAWJ was made in recognition of her support of and commitment to the work of the International Association of Women Judges.

We present some extracts from an article by Justice Argibay on comfort women which appeared in 2001 in the IAWJ newsletter.

Tokyo Tribunal Rejects Impunity for War Crimes Against Comfort Women

One of the most moving experiences of my life was serving on a tribunal in Tokyo, Japan, where, with other judges, I heard elderly Asian women testify about their sexual enslavement by Japanese invaders prior to and during World War II.

The Allies knew about Japan's treatment of the so-called "comfort women" while they were preparing cases to be tried before the International Military Tribunal for the Far East from 1946-1948; yet failed to raise these matters while prosecuting Japanese officers for other war crimes. In the early 1990s, survivors finally began to demand retribution for the crimes committed against them, and two United Nations Special Rapporteurs conducted investigations that shed light on this widespread tragedy. However, Japan rejected all exhortations from the international community to apologize and compensate the survivors.

An End To Impunity

In bringing their excruciating experiences to public attention, the survivors broke a 55 year-long period of silence, recognizing that to conceal criminal actions invites their recurrence and sustains a culture of impunity. The Tribunal echoed this point of view in announcing 3 principles that would guide their work: 1. respect for women's human rights; 2. an end to impunity for perpetrators of war time sexual crimes, and 3. repudiation of the notion that sexual abuse of women is an inevitable consequence of war.

Pity Rejected

In this brief report, I cannot recapture the range of emotions we experienced. While preparing for the hearing, we read the heart-wrenching statements of many survivors, but their oral testimony had an agonizing impact that cannot be expressed in writing. We marvelled at the dignity and strength of these women, most of whom were over 70 years old. Tears flowed and moments of anguished silence occurred as witnesses struggled to compose themselves so they could continue testifying. Some witnesses admitted to feelings of profound hatred, others only wanted to be heard. Not one of them sought pity, and firmly rejected the label, "victims", preferring to be known as Japan's "victimized survivors".

Research suggests that Emperor Hirohito's concerns about unfavorable international reaction to the 1937 Nanking massacre spawned the creation of "comfort stations" where "comfort women" were enslaved. Knowledge of this history did not begin to prepare us for the testimony of Yang Mingzhen, a survivor of the Nanking massacre. At age 7, she witnessed her parents' murder, and then was raped. She survived by begging and gathering what she could on the streets.

Judgment Day

We had only one day to prepare our judgment as we wanted to issue it on December 12, International Women's Day. We worked ceaselessly, but in great harmony, completing the decision just in time to read it publicly. However, we had not reckoned with the emotional impact of this two and one-half hour reading. When Judge McDonald announced that we found Emperor Hirohito responsible for the sexual slavery system, the survivors and everyone else in the audience cheered and gave the Court a standing ovation. As the reading ended, the survivors rushed to the stage waving white handkerchiefs. Unbound by whatever enmity exists between their governments, women from North and South Korea, Taiwan and China, Indonesia,

East Timor and The Netherlands, the Philippines, Malaysia and Japan, joined hands, rejoiced and sang together. Some Japanese right-wingers took to the streets with loudspeakers and signs, claiming that the Tribunal was communist-inspired, but violence was avoided. Surprisingly, some feminists argued that we were wasting time on “ancient history.” However, when women arrived from Kosovo, Chiapas, Guatemala, Colombia, Algeria, Sierra Leone, Somalia, Palestine, Afghanistan, Burma, Burundi, East Timor, Vietnam and Okinawa on December 11 to present their cases, the comfort women’s experiences seemed altogether current.

Lessons Learned

The lessons of the comfort women trial cannot be ignored: it revealed that abominable acts will be regarded as normal and inevitable and will recur if they go unpunished. It also demonstrated that judges from different juridical, social and ethnic backgrounds can work well together when there is a unifying belief in fundamental values and an unwavering acceptance of the need to fiercely defend both men’s and women’s human rights. The survivors told us that they felt their dignity and humanity had been restored by our work. I feel deeply privileged to have been a part of this historic tribunal.

Hon. Esmeralda Arosemena de Troitiño (Panama)

Hon. Esmeralda Arosemena de Troitiño (Panama) received the 2008 IAWJ Human Rights Award from former IAWJ President, past award recipient and Justice of the Argentine Supreme Court Hon. Carmen Argibay and from incoming IAWJ president Hon. Leslie Alden.



IAWJ President-Elect Hon. Leslie Alden (US), and Hon. Carmen Argibay (Argentina) present Hon. Esmeralda Arosemena de Troitiño (Panama) with the IAWJ’s 2008 Human Rights Award.

Esmeralda Arosemena de Troitiño is a graduate from the University of Panama with a B.S. in Philosophy, Arts and Education, Major in Pedagogy (1968). She also holds a degree in Law and Political Science from same university. She was awarded the Juanita Oller de Mulfor Award as the valedictorian in the 1982 graduation ceremony. She also did graduate work in gender studies at the University of Panama in 1989. She had had teaching experience at the elementary, secondary and college levels. At present, she teaches Family law and Hereditary Succession at the University of Panama. She has been a college instructor since 1983.

Judge Arosemena is also a Supreme Court Judge (Criminal Branch). Before then she worked for the following government institutions: the State Department of Labor and Social Work,

as Chairperson of the Family and Child Division and Employment Division, as Sub-division Head of the Labor Division and as a member of a committee revising the Family Code. She has also been an advisor to the Child's Rights Committee of the Panama Legislature.

Judge Arosemena has been head of the subdivision of the School of Law and the co-ordinator in Panama for the Adolescent Penal Responsibility Training Project (UNICEF). She has been a Juvenile Superior Court Substitute Judge and Judge from 1995 and President from 2003-2004. She was President and Legal Advisor of the committee nominated by the Executive on Children and Adolescence and Regulations for Adolescence Penal Responsibility to consider law. From 1999-2001 she was President of the Association of Female Supreme Court and Municipal Judges. Judge Arosemena has also participated in several international forums: Counsel for the Interamerican Child Institute (OEA) (Panama Delegate), OEA XXVI General Assembly (Panama Delegate as an expert on child and adolescent matters), International Committee for Children's Rights, Geneva 1997 (Panama Delegate) and U.N. Consulting Committee for the elaboration of the National Human Rights Report (Panama Delegate).

Hon. Elena I. Highton de Nolasco



Justice Elena I. Highton was the human rights award recipient for 2010. She is currently the Vice-President of the Supreme Court of Argentina (la Corte Suprema de Justicia de la Nación), a position to which she was appointed in August 2005.

Justice Highton studied law and social sciences at the University of Buenos Aires and received degrees in 1966 qualifying her as a lawyer, solicitor, and public notary. She also completed her postgraduate studies at the University of Buenos Aires, including doctorate work in international relations and civil law, culminating with a Doctor of Law and Social Sciences in 1980. She has also done graduate studies in the United States at the Judicial College at Nevada University and at Harvard Law School.

Justice Highton has authored books on Civil Law, Procedure and Dispute Resolution, Informed Consent, Mediation, Victim Offender Conflict Resolution and many other subjects. She is Chief Professor in Civil Law at the Buenos Aires National University and has taught courses on civil law in the School of Law and Social Sciences.

Justice Highton's involvement in judicial activities outside the courtroom is noteworthy. She has long been a supporter of judicial education. In 1991 she, and fellow judge the Hon Gladys Stella Alvarez, co-founded Fundación Libra, a non-governmental organization dedicated to judicial reform and the institutionalization of ADR programs. ADR has become, through their efforts, a recognized judicial process in Argentina. The International Institute for Conflict Prevention and Resolution recognized Justice Highton in 1994 for her work with Fundación Libra and presented her with a "Special Award for Excellence and Innovation in ADR". Justice Highton has sat on various committees created by the Argentine government to explore mediation possibilities and has authored and co-authored numerous books and articles on the relationship between ADR and justice.

After joining the Supreme Court, Justice Highton headed a commission on domestic violence. In March 2008, she participated in a conference sponsored by the Inter-American Dialogue that addressed promoting women's rights by examining such areas as domestic violence and access to justice for women. Justice Highton also campaigns vigorously for judicial independence, which she considers "the kernel of the rule of law".

EXECUTIVE OFFICERS OF THE IAWJ

Joan D Winship



Joan D. Winship has been Executive Director of the International Association of Women Judges since June 2002. Ms. Winship has many years of experience working on international issues, including international organizations, human rights, gender, and global higher education. Prior to coming to the IAWJ, she was Advisor for Strategic Alliances for Vital Voices Global Partnership, Vice President at the Stanley Foundation, and also Director of Women Waging Peace. She has more than twenty years experience as a college administrator and professor of political science. She has served as a consultant/trainer for rule of law and human rights programs in such diverse places as Afghanistan, Jordan, Bangladesh, Russia, and the Philippines.

Ms. Winship is a Trustee of the American University of Rome, and on the advisory board of the Global Alliance for Women's Health. She was a founding board member of US Women Connect and a founding Fellow of the University of Iowa Center for Human Rights. Ms. Winship received her B.A. degree from Western Maryland (McDaniel) College and M.A. from the University of Pennsylvania. In 2007 she received the McDaniel Trustee Award for professional accomplishments from the Board of Trustees of McDaniel College, Maryland, USA and in 2008 she was awarded the “Judicial Medal of Merit of José de Mesquito” by the Judiciary of Mato Grosso State, Brazil, for contributions to the judiciary and to justice for all.

Anne T Goldstein

Since 1994, Anne Tierney Goldstein has been the Human Rights Education Director for the International Association of Women Judges. In that capacity Anne designed the IAWJ’s Jurisprudence of Equality Program and has provided leadership for JEP training programs in Central and Latin America, Asia, Africa and the Middle East. She served as a consultant to the World Bank on various gender issues, including a study evaluating the impact of legal aid on poor women and their children in Ecuador.



A graduate of Princeton and Harvard Law School, Ms. Goldstein spent three years as an attorney with the United States Department of Justice and two years with the Washington, D.C. office of Hogan and Hartson before entering the non-profit world. An expert on international law and women’s rights, she has taught undergraduate and law school courses on women and the law, transnational family law, and comparative and international law of women’s rights at Georgetown, George Washington and at Oxford University.

Diana Ilies Ngbokoto



Over the years there have been many dedicated women working in the Executive Office. There is not space to mention them all. We do wish, however, to pay a tribute to Diana Ilies Ngbokoto, who died on 11 March 2005, by repeating extracts of the tribute to her in the IAWJ newsletter.

Diana was a beautiful, bright, talented young woman who contributed much to the work of the IAWJ. Diana began her work with the IAWJ in 1999, first as the IAWJ Membership Coordinator and more recently as the Program Coordinator for the Jurisprudence of Equality Program in Africa and Central America. A talented linguist, she studied and picked up Spanish when we needed someone with Spanish skills. As the Jurisprudence of Equality Program Coordinator she managed all the day-to-day coordination of JEP Africa and Central America with great organizational skills.

Diana was only 32 and the mother of four young children, ranging in age from 8 to 2. She cared about them deeply and juggled all the responsibilities of mothering while working with us full-time as well. She was also an extremely talented and creative artist, who designed jewelry and used her commitment to the global community by transforming beads she collected from around the world into wearable art.

Originally from Romania, Diana studied in Switzerland where she earned a B.A. in Business Economics with a concentration in Management, finishing with a thesis on African economics. After coming to the U.S., she worked with several NGOs that focused on development issues in Africa. Her varied background gave her a unique perspective on issues of human rights, development and justice.

Diana was a victim of domestic violence, the very thing the IAWJ is working so hard to end. In our work we talk every day about the issues of violence against women that are pervasive throughout the world. Diana was committed to her work with the JEP program and to working with our members throughout the world as we each try to do what we can to end this kind of violence. It was hard to believe that even within our midst this has occurred, but it made the work of the IAWJ seem even more urgent and real.

THE ARGENTINA WOMEN JUDGES ASSOCIATION

Washington meeting

In 1989, Judge Carmen Argibay was invited to participate in the National Association of Women Judge's of the United States tenth Annual Meeting in Washington, DC, together with 50 other women judges from around the world. It was then that many women judges realized that they shared many of the same problems: discrimination, appointment to "feminine" jurisdictions, not having legal instruments to protect women's rights and, above all in every country, the failure of government to combat domestic violence.

Thus, the idea of networking and forming an international association to help other sister judges came to the attention of all the Washington attendees. Our representative there was especially enthusiastic and on returning to Buenos Aires, began to promote meetings with other women judges in Argentina in an effort to forge a local association.

First attempts

Society in Argentina, was, and still may be strongly influenced by the Church. To some extent Argentina remains a patriarchal society where men resent the intrusion of women into fields presumed to be male territory. The judiciary was no exception to this so that in the 1980s, women had a very difficult time obtaining judicial posts. At the earliest meetings, women judges voiced their concerns about separating from Magistrates Associations that had functioned for many years. A proposal to form women's branches of Magistrates Associations was rejected when Judge Alvarez pointed out that the interests of the women judges could conflict with the Magistrate Associations' male oriented statutes and possibly lead to women's exclusion. Others failed to understand why a women judges association was needed at all.



5th Biennial Conference of Women Judges, organized by the IAWJ and the AWJA, from 17 to 21 May 2000 in Buenos Aires.

Although the desire for an independent association continued, many difficult challenges had to be overcome. Then in 1991, three Argentine women judges, Carmen Alvarez, Carmen Argibay and Helen Highton, attended a conference in San Diego where the IAWJ was

formally established. On returning from that inspiring meeting, they started to work more intently on creating a women judges association which became a reality in 1993. In 1994, a splendid delegation of Argentine women judges attended the IAWJ Rome Conference.

Formation of the AMJA

The Argentine Chapter of the IAWJ (AMJA), under the presidency of the Hon Carmen Argibay was publicly introduced in 1993 at a round table on domestic violence. At this first official meeting, some well-known experts spoke about domestic violence. Some months later, in November 1993, AMJA organized a workshop on domestic violence at Vaquerias, Cordoba province, which was attended by colleagues from different provinces together with ten members from the Federal Capital.

Through a lot of letter writing, meeting with women judges in the provinces, providing interesting materials on discrimination and other issues, little by little AMJA started to grow.

After acquiring legal status, AMJA members elected the following judges as presidents: Lidia Beatriz Soto (1996-1998 and 1998-2000); Estela Raquel Carcamo (2001-2003 and 2003-2005); Cristina Camina (2005-2007 and 2007-2008), and Susana Beatriz Parada) December 2008 to March 2009). In March 2009, Susana Medina de Rizza, the first judge to come from an eastern province, was elected for a two year term. As the former presidents all were from the Federal Capital jurisdiction, the new president is bound to bring change with greater participation of provincial women judges and a renewed impulse to attract a younger generation of women judges.



First National Meeting of the Association of Women Judges in Argentina, held in Vaquerias, Province of Cordoba in 1992.

Annual meetings

After the first conference in Vaquerias, AMJA has held annual meetings that have explored the following substantive topics:

- 1994 - Children's rights, at Villa La Angostura, Neuquen province;
- 1995 - Human rights, at Corrientes City, Corrientes province;
- 1996 - Domestic violence, legal and psycho-social aspects, San Salvador de Jujuy, Jujuy province;
- 1997 - A new glance at a world without violence; justice for every child, Mendoza City, Mendoza province;
- 1998 - Looking forward to the twenty first century: children and justice, Mar del Plata, Buenos Aires province;
- 2000 - Women on the edge, preparatory to the 5th Biennial International Conference, Buenos Aires city;
- 2001 - Women, labour and poverty, at Parana City, Entre Rios province;
- 2002 - Jurisprudence of equality: to rethink social violence, Buenos Aires;
- 2003 - Access to justice and the judicial process, Buenos Aires City;
- 2004 - Women and justice, at Gualeguaychu, Entre Rios province;
- 2005 - Judicial independence, at Vaquerias, Cordoba Province;
- 2006 - New interdisciplinary approaches, Mar del Plata, Buenos Aires province;
- 2007 - Human rights, justice and violence, Rosario City, Santa Fe province; and
- 2008 - Discrimination and trafficking, at La Plata city, Buenos Aires province.

The next annual Conference to be held in the northern province of Formosa, bordering Paraguay, will explore “What do we mean by gender issues?” We plan to implement it by means of workshops rather than solely through scholarly lectures.

By 1996, the International Women Judges Foundation (IWJF) (later merged into the IAWJ) had designed the “Jurisprudence of Equality Program” (JEP) and received a grant from the Inter-American Development Bank to present the Program in five South American countries. Having been recognized as a legally registered association by the Argentine Government, AMJA became the executor of the JEP program in compliance with IADB requirements.



National and III XI Regional Meeting on Women and Justice held between 24 and 26 June 2004 Gualeguayachú City, Province of Entre Rios.

JEP project

We are particularly proud of AMJA's work related to the JEP. AMJA took responsibility for implementing the JEP in Argentina, Chile, and partially in Uruguay over a three year period. Two of the Three Ts (Training The Trainers) workshops took place in Buenos Aires, as stipulated by the IADB, with subsequent seminars held in Chile and Uruguay. We were supposed to deliver a total of 12 seminars in Argentina but through a careful and austere management of funds, we were able to conduct 25. Furthermore, some of AMJA's trainers volunteered to continue with the seminars or new workshops on a pro bono basis, thereby expanding the effect of the project.

In addition, two AMJA members traveled to Ecuador to try to find a way to fund JEP seminars there since Brazilian regulations prohibited the transfer of IADB funds outside the country. Unfortunately, we were not able to solve this problem.

The impact of the JEP Program was subjected to evaluation by Lic Ignacio Piovani who observed that, even when a particular seminar did not appear to have reached its goal, it nevertheless provided the participants with knowledge and skills needed to enforce human rights conventions. The work of the trainers also was praised. The JEP inspired one of the trainers, Judge Fernando R Ramirez, to examine the way in which violent crimes against women were categorized in ordinary courts in the Federal Capital. She found that the failure to designate specific forms of violence led to concealing the high incidence of domestic violence.

IAWJ Conference in Argentina

AMJA also takes great pride in having organized and presented the IAWJ's Fifth Biennial Conference in Buenos Aires from May 17 – 21, 2000, without any support from the Argentine Government or judiciary. From the outset, it proved to be an eventful meeting, beginning with a very warm and inspiring message sent via videotape by Mary Robinson, then the UN High Commissioner for Human Rights.

One very disconcerting situation occurred when the then Supreme Court Chief Justice, who had ignored the Association's requests to participate, decided he would speak after all when he realized that more than 500 judges were in attendance including many judges from other countries. It was rather difficult to deny him the opportunity to speak, although Judge Argibay, IAWJ President at that time, tried to do so. Having failed to examine the literature that AMJA gave him in advance, his speech so flagrantly flouted the ideals and goals of the IAWJ that for many years afterwards, he is remembered as the man who advised a roomful of women judges: "Girls, go back to the kitchen and stay there!"

Following his remarks, Judge Argibay publicly called him a "machista". This denunciation appeared in the headlines of the newspapers the following day, so thereafter, the Conference received unexpected attention from the media. This was a positive outcome because the conference focused on Women on the Edge; that is, women who suffer because of violence, old age, mental illness, AIDs, poverty, illiteracy, ethnic discrimination, refugee or immigrant status. Marsha Freeman, Director of the International Women's Rights Action Association, was the keynote speaker, and, with many outstanding scholars and judges, contributed to the success of the Conference.

At the traditional gala banquet that concludes each conference, the Hon Navi Pillay, then the first woman president of the International Criminal Tribunal for Rwanda and currently UN High Commissioner for Human Rights, received the IAWJ Human Rights Award, presented by Judges Arline Pacht, Susan Devine, and Carmen Argibay, former and current IAWJ presidents respectively.

Many participants still remember the informal barbecue at an “estancia”, a countryside restaurant where typical food, music and dance made it a joyous and memorable occasion.



National and V XIII Regional Meeting on "New interdisciplinary approaches", held between 21 and 23 September 2006 in the city of Mar del Plata, province of Buenos Aires.

Domestic violence projects

AMJA has networked with other organizations such as UNICEF, the Women’s National Council, some local government agencies, and NGOs in the provinces as well as in the Federal Capital to promote gender issues and specially raise consciousness on violence against women.

Two of AMJA’s founders, Elena Highton de Nolasco and Carmen Argibay, the first women to serve on Argentina’s Supreme Court, are at the helm of the Court’s innovative domestic violence program. The Court has established a Domestic Violence Office under Justice Highton’s supervision. Interdisciplinary teams composed of a lawyer, medical doctor, psychologist and social worker staff the office that is open 24 hours a day, 365 days a year, to assist domestic violence victims in a variety of ways. First, a risk report is completed to assist judges in determining whether exclusionary orders should be issued forthwith. The office has functioned for only six months but initial reports indicate that it is performing an invaluable service, although more time is needed to do a formal evaluation.



Lunch in honor of Dr. Ruth Bader Ginsburg held on September 4, 2009 in the city of Buenos Aires, in the framework of the Conference of the Supreme Courts of the Américas.

Supporting women judges

Much remains to be done to increase the number of women judges and promote access to higher positions of authority in order to break through the glass ceiling. However, AMJA members are hard at work encouraging and supporting women candidates for every judicial vacancy. Many AMJA members have been appointed to the highest provincial courts and courts of appeal. Most gratefully acknowledge that AMJA seminars, workshops and conferences have greatly contributed to their judicial education on gender issues, helping them to help other women. And this is the most outstanding goal we can achieve!



XVI National Meeting on "What is gender?" performed between days August 13 and 15, 2009 in the town of Formosa.

By Carmen Argibay

THE AUSTRALIAN ASSOCIATION OF WOMEN JUDGES

Formation of AAWJ

The AAWJ had small beginnings. The conception was a long one, but the eventual birth was painless and easy.

Justice Jane Matthews of the New South Wales Supreme Court was fortunate enough to attend, as the sole Australian representative, an amazing conference which took place in Washington DC in November 1989. It was the tenth anniversary of the United States National Association of Women Judges, and funding was obtained to bring in women judges from all over the world. It was the first ever international gathering of women judges and it was an extraordinary occasion. Justice Matthews found it a life-changing experience and it was no doubt the same for many of the women who were privileged to attend.

It was in Washington that the idea of an international association was first ventilated. It was then taken up by that visionary woman, Arline Pacht, who was one of the principal organisers of the Washington Conference. In due course a Constitution was drawn up, setting out the admirably broad aims of the organisation and stipulating how countries could form their own associations which would then become part of the IAWJ. In order to be affiliated to the IAWJ, the Constitution required a certain number of women judicial officers to meet and resolve to form a national association.

In the early 1990s it was not easy to get the required number of women judicial officers together at the one time in Australia. Indeed, it took many months to achieve this. Finally, on St. Patrick's Day, March 17, 1992, there was a meeting in Justice Matthews' chambers in the NSW Supreme Court. Present, apart from Justice Matthews, were Elizabeth Evatt (Family Court of Australia); Angela Karpin (District Court of NSW); Barbara Holborow (Local Court of NSW); Jan Stevenson (Local Court of NSW) and possibly Deirdre O'Connor of the Federal Court of Australia.



Some Australian delegates with friends at the Panama conference

At that time there were so few women judges in Australia that all of them, from the District Court upwards, were known to Justice Matthews by name and most were known to her personally. She wrote to the various local courts and obtained details of women magistrates and eventually wrote to all women judicial officers in the country, inviting them to join the new association. Membership, however, was slow to grow. There was little that the association could offer its members in those days, other than distributing the international association's newsletters, and informing them of the IAWJ's biennial conferences.

Leading up to the Sydney Conference

In mid-1994 Justice Matthews left the Supreme Court for the Federal Court. She passed the reins of the Australian association to Margaret Nyland of the South Australian Supreme Court, with the assistance of Kemerli Murray of the Family Court. A steering committee was established with representatives in each State and regular newsletters were distributed. Then, in 2000, when Justice Matthews became an office holder of the IAWJ, it seemed appropriate to combine the two roles and so she resumed her presidency of the AAWJ.

In February 2003, the AAWJ held a dinner in Sydney to celebrate Justice Mary Gaudron's retirement from the High Court of Australia (the highest Court in Australia). The dinner took place on a Saturday evening and was attended by women judicial officers from all States and territories of Australia. It was a most exciting occasion. The primary speeches were given by Margaret McMurdo (President of the Queensland Court of Appeal) and by Mary Gaudron herself. The AAWJ took advantage of the presence in Sydney of so many AAWJ members, and the first general meeting of the Association was held that afternoon.

The tyranny of distance has meant that the next meeting was to be over three years later, at the IAWJ Conference in Sydney in May 2006. That conference was a resounding success. It was attended by 352 women from 43 different countries. The largest contingent was Australia, with 95 delegates. That conference did much to raise awareness amongst Australian judicial officers about the AAWJ and the IAWJ. It was very gratifying to see a significant Australian contingent at the Panama Conference in 2008.



AAWJ Committee meeting in Sydney in 2008

After the Sydney Conference

After the Sydney conference, Justice Matthews stepped down from the presidency of the AAWJ. She considers it a great privilege to have been involved in the formative stages of the organisation and is sure that its future history will be a story of growth and success.

In May 2006 Sarah Bradley of the Queensland District Court was elected President of the AAWJ. Margaret Beazley of the NSW Court of Appeal and Ann Vanstone of the South Australian Supreme Court were elected Secretary and Vice President respectively. Later in the year each State elected two representatives who (with the office holders) form the decision-making body of the Association. The Association concerns itself with issues involving women and the justice system generally and the advancement of women as judicial officers in particular.

The AAWJ has been able to make significant financial donations to the IAWJ in recent years. It seeks to support and assist women judicial officers in the Asia-Pacific region and in that regard in 2008 it sponsored a judge from Papua New Guinea and a judge from Sri Lanka to attend the biennial conference of the IAWJ in Panama City. It also assisted (with advice and encouragement) the women judges in Papua New Guinea to establish their own national association.

As at August 2008, the AAWJ had 111 members from most State and territory courts and tribunals as well as from the Federal Court, the Federal Magistracy and the Family Court.

Women judges in Australian courts

In 1989 there was one woman Judge in Australia's highest court out of seven judges, the Hon Justice Mary Genevieve Gaudron. In 2009 there are three out of seven judges, Justices Susan Maree Crennan, Susan Mary Kiefel and Virginia Margaret Bell.



Mary Genevieve Gaudron was appointed the first female judge of the High Court of Australia

In 1989 the percentage of women judges in the Federal courts was 6.5 per cent. In 2009 it is 29.22 per cent. In the State courts in 1989 the percentages of female judges ranged from 0 per cent to nearly 10 per cent. In 2009 the percentages range from 16 per cent to 36 per cent.

By Justice Jane Matthews and Judge Sarah Bradley

THE BANGLADESH WOMEN JUDGES ASSOCIATION

A Brief Account of its Wonderful Journey

Background

Bangladesh is a densely populated country in South East Asia, with a population of approximately 159 million people within an area of 144,000 square kilometers. Basically, it is a democratic state whose government is composed of three organs: the Executive, Legislature and Judiciary. The judiciary was separated from the executive branch of government in 2007. In accordance with the nation's constitution, the Supreme Court is the highest court in the country with supervisory authority over all lower courts. Prior to 1975 women were not eligible to become judges in Bangladesh. However, in that year, Judge Nazmun Sultana (pictured in the middle) was the first women to be appointed to the judicial service and subsequently, became the first woman to be appointed to the Supreme Court. Currently, there is a total of approximately 1180 judges nationwide, 200 of whom are women. In other words, women now constitute 17 per cent of the judiciary, an increase of 7 per cent over the last five years. Today, in addition to Justice Sultana, three other women serve on the Supreme Court.



Arlene Pacht with Justices Nazmun Ara Sultana (Bangladesh) and Ma Yuan, (PRC) in Beijing in 1994

Formation of the BWJA

In 1989, Justice Sultana was invited to attend the Annual Meeting of the United States National Association of Women Judges in Washington DC together with approximately 50 other women judges from different countries around the world. At that time, the United States and international judges agreed to form an international association of women judges.

On returning to Bangladesh from that historic meeting, Justice Sultana was determined to form a national women judges association. With support and guidance from Judge Arline Pacht, Founding President of the IAWJ, Justice Sultana became the founding president of BWJA. Thus, in January 1990, Justice Sultana, together with senior Judges Zinat Ara (now a member of the Supreme Court), Krishna Devnath, Nasreen Begum, Yesmin Anwar, Sabrina Ahmed, and Salma Bente-Kader, all of whom were posted in Dhaka, began working to form

a national association. This core group contacted women judges posted elsewhere in Bangladesh and convinced them of the need to form a separate association. At the same time, the women judges in Dhaka formed an ad hoc committee to draft a constitution. Then, on December 29, 1990, the first general meeting of the BWJA took place. More than 40 women judges, two thirds of all women judges in the country, joined that meeting and ratified the Constitution. Today, the BWJA has 200 members.



Members of BWJA with some other judges of different countries in the Biennial Conference of IAWJ held in Sydney, Australia in 2006.

Obstacles

The founders of the BWJA encountered many obstacles in forming the association.

The male judges in particular were the first to object to the creation of a separate organization since an association already existed for both men and women judges. However, the then Law Secretary, Justice Abdul Quddus Chowdhury, an important and powerful figure in the judicial field, had enormous influence on the male judges and was able to convince them of the need for a women judges association. His support made it possible for the BWJA to attain official status.

Financial constraints also made it difficult for the Association to achieve its goals. Bangladeshi judges are not permitted to receive funds from any organization; therefore, the BWJA's only source of income comes from the subscription of its members. Many members cannot pay their dues regularly if at all. Excessive workloads both in the office and in the home pose another obstacle to the member's ability to participate in programs on a regular basis. In addition, members are posted to different parts of the country thereby impeding the growth of the BWJA.

The BWJA's Purposes

The principal objective of the BWJA is to upgrade the legal and social status of Bangladeshi women by proper implementation of the law in their behalf. Specifically, the purposes of the BWJA are:

- to address important issues relating to the improvement and advancement of women in the legal and judicial system;
- to increase the number of women judges at all levels so that they may participate equally in the development of the law and ensure that the legal and judicial system promotes the wellbeing of all women in society.



Some members of BWJA at the end of official launching ceremony of BWJA in 1990.

Accomplishments and projects

Since the BWJA is limited by acute financial constraints and other limitations, it has not yet been able to undertake any project of major proportions. Because its members work in different parts of the country, they are able to gather together only during the annual vacation in December. It is at this time that the BWJA holds its Annual General Meeting. Many distinguished persons, including law ministers, attended these meetings and gave assurance that many of the BWJA members' demands would be fulfilled. Thus, by lobbying the appropriate authorities, the BWJA has succeeded in eliminating certain forms of gender discrimination that affected entitlement to pensions and other retirement benefits. Further, the BWJA's proposal to expand maternity leave from three to six months is under active consideration by the appropriate authorities.

The BWJA also has submitted a proposal to abolish a provision dealing with minimum punishment, introduced a proposal to allow bail in certain cases and influenced the passage of another Act allowing women to remarry in extreme circumstances. At the initiative of BWJA a film was produced based on a story by Judge Krishna Debnath, a former President of the BWJA, involving discriminatory Hindu laws that do not permit Hindu women to inherit property from their fathers, divorce their husbands or remarry even under extreme circumstances. With the co-operation of the then Law Minister, the BWJA televised this film entitled, "Konya Tomar Thikana Kee" ("Woman, What Is Thy Address?") to arouse public awareness.

BWJA members often contribute financial aid and services to the poor and people distressed by natural calamities such as floods, cold winters, and SIDOR (name of a recent devastating

cyclone). In addition, the BWJA supports its members in resolving both their personal and professional problems. Recently, the BWJA formed a group “The Aggrieved Cell” to provide a secure and confidential setting that allows women judges to share personal problems with their fellow members. For last several years, the BWJA has faithfully disbursed funds contributed by the late father of Justice Zinat Ara, to support the children of two deceased judges. A child of one of these recipients became a judge this year and then joined the BWJA.

The organization has also helped to increase the number of women judges by lobbying the responsible authorities. Typically, the BWJA publishes an annual newsletter recounting its activities during the past year.



Justice Nazmun Ara Sultana with other Board members of IAWJ at the end of the Board Meeting held in Panama in 2008.

Goals and Plans for Future Growth

The BWJA hopes to achieve the following goals:

- organizing conferences, seminars and other educational programs;
- publishing and distributing a newsletter to share information;
- facilitating training for its members on various legal subjects;
- acquiring a building in Dhaka to serve as its headquarters, house a library and provide temporary accommodation for women judges posted outside Dhaka when they come to the city for official or other purposes.

Lessons Learned

By joining together and working collectively, we can make a difference in overcoming all adversities.

Justice Nazmun Ara Sultana

BOTSWANA CHAPTER OF IAWJ

Introduction

The Botswana Chapter can trace its roots to a meeting held in Gaborone on Friday December 10, 1999, where Justice Unity Dow first introduced the International Association of Women Judges to the women judicial officers of Botswana. The meeting was attended by 13 women; that is, one Judge, one Registrar (of the Industrial Court) and 11 Magistrates of different levels.

The women spent the morning sharing experiences, both positive and negative, of working in a male dominated profession. The experience was an eye opener for many of us, and enthusiasm quickly grew for the establishment of a forum where we could articulate our issues. By the end of the meeting it was agreed that an association should be established that would immediately affiliate with the IAWJ. It was further agreed that the organization be constituted as a trust. An Executive Committee was elected, with a mandate to begin creating the Association, under the leadership of Justice Dow. The Deed of Trust was ultimately executed by the Registrar of Deeds on 26 July 2002,

The main objectives of the Association are to:

- advance the legal status of women and children in Botswana;
- create a networking forum for women judicial officers in Botswana;
- advocate for the increased appointment of women to judicial posts, and other participation in the development of law in Botswana;
- conduct research, and facilitate debate on pertinent issues, through studies and publications and contribute to law reform.

Composition of Association

The Association is comprised of women judges, magistrates and registrars from the High Court, the Industrial Court and the Magistrates Courts. Currently we have 20 members, and of this number four are Judges, and the only four women judges in Botswana.

Status of women in the judiciary of Botswana

In 1966, when Botswana gained independence from Great Britain, there were no women judges at any level of court in Botswana. By 1991 there were no female High Court judges and no female registrars. However, three magistrates were women. By 2008 one High Court judge is a woman. There are 30 women magistrates and three women judges in the Industrial Court, which was established in 1994. There is one female Registrar. In 1997 a woman served as the Registrar of the Industrial Court (which was established in 1994), holding this post until 2001. The next female Registrar was appointed in May 2006, holding this post until 2008 when she ascended to the bench as Judge of the Industrial Court. The High Court has so far had only one woman Registrar who held the post in an acting capacity for one year in

1981. In 2008 one female Magistrate was appointed temporarily, to act in the post of Assistant Registrar.

The Court of Appeal is the highest court in the country and is comprised of male judges appointed from all over the world. To date no Botswanan citizen has been appointed to this court. However recently, the Chief Justice has started a system whereby the High Court judges are appointed to sit on the Court of Appeal on a temporary, rotational basis. Accordingly, Justice Dow has held a temporary position of Justice of Appeal under this arrangement. Legislation is currently being drafted which may among other things facilitate the localisation of this Court.

In addition to the 35 women judicial officers in Botswana in 2008, the National Association of Women Judges and Magistrates of Botswana is privileged to count in the midst of Botswana female judges, Hon Sanji Mmasenono Monageng, who is currently at the High Court of Swaziland, after a tour of duty in the High Court of the Gambia. Hon Monageng also chairs the African Human Rights Commission.

Challenges

From its inception the Association has been challenged by the lack of sufficient financial support. Members are often called upon to use their own resources to run the affairs of the Association. Thus, until recently, members based in towns and cities across the country have had to rely on personal resources to attend meetings. However, since the Association was introduced to the Chief Justice and the Registrar of the High Court, we have received financial support for international conferences, and official transport to attend Association meetings.

Other activities planned for the Association:

- Collaboration with other women's organisations nationwide;
- Development of a newsletter;
- Workshops and seminars; and
- Collaboration with regional chapters of the IAWJ.

Activities to date

To date, the Association's principal activity has been members' attendance at IAWJ biennial conferences in Argentina, Ireland, Uganda and Australia. Members have also participated in regional meetings within Southern Africa; including the Annual Conference of RSA chapter and the JEP Training of Trainers workshop.

Hon Tapiwa B Marumo
Judge, Industrial Court

THE BRAZILIAN ASSOCIATION OF WOMEN JUDGES

The beginnings

On November 13, 1989, Magistrada Shelma Lombardi de Kato, a Supreme Court justice from the state of Mato Grosso, Brazil, was among 50 women judges from various countries who participated in the tenth anniversary conference of the United States National Association of Women Judges (NAWJ). Inspired by their hosts' example, on returning to Mato Grosso, Magistrada Lombardi de Kato took steps to form a Brazilian Association whose aims and efforts would be modelled on those of NAWJ. In 1991, women judges from 15 nations, including Brazil, ratified the bylaws of the newly-formed International Association of Women Judges (IAWJ).

At the same time that the IAWJ was founded, ANM (Associação Nacional de Magistradas, or Brazilian Association of Women Judges) also took form. One of ANM's first contributions was to submit a design that with some modifications became the IAWJ's logo.

In November 1991, all 20 women judges in Mato Grosso met to discuss ANM's goals and the terms of the Association's bylaws. Currently, ANM has 59 members and 7 *amicii iudicii*. The IAWJ Constitution provides that persons who are not judges may join the IAWJ as *amicii iudicii* or friends of the courts, entitled to all the benefits of membership except that they may not hold office. The greatest challenge facing ANM is how to unite women judges from the 24 states of an enormous country.

Important events in ANM's history

- From August 5 – 8, 1992, the ANM held its first national meeting attended among others by Ministro Jose Nery da Silveira, President of the Supreme Court. Judge Pacht, the IAWJ's first President, also attended together with several other judges from abroad.
- In April 1993, ANM held a meeting in Cuiaba to consider the conditions confronting the life of indigenous people in Mato Grosso, the state with the largest number of tribes in Brazil. In particular, the discussion focussed on such major problems as the occupation of tribal lands, health care, the lack of an adequate diet and the treatment of indigenous people by FUNAI (Fundação Nacional do Índio), the Government department that is responsible for the welfare of tribal people.
- The ANM also collaborated with several distinguished feminist scholars including Professors Flavia Piovesan, Silvia Pimentel and Valeria Pandjarian in their study of gender bias in the Brazilian courts.
- From July 1997 - April 2002, ANM in partnership with IAWJ implemented the Jurisprudence of Equality Project (JEP), reaching more than 1,250 judges, and a number of prosecutors and lawyers. Some of the most outstanding institutions in Brazil such as the Centro de Estudos Judiciários, the Superior Tribunal de Justiça and several other State Supreme Courts supported the program. For the first time, international law governing women's human rights was introduced as an academic

discipline at the Federal University of Mato Grosso. Initially, Anne Goldstein, IAWJ's Human Rights Director, led the training workshops which produced a stream of outstanding trainers including such eminent scholars as Professor Silvia Pimental, Flavia Piovesan and Leila Linhares; Judge Jose Torres, Heleith Safiotti, Justice Cancado Trindade (recently elected to the International Court of Justice), and Superior Tribunal Ministro Salvio de Figueirido Teixeira.

- On August 7, 2006, Brazil's President Lulu signed into law a progressive statute that provides a range of protections for women who are victims of violence, in keeping with international and regional human rights conventions. In fact, the statute, referred to as the Maria de Penha law, can be considered a product of the JEP since it, too, treats violence against women as discrimination that is prohibited by international conventions. Maria de Penha is a notable figure in the Brazilian women's rights movement whose ex-husband had twice attempted to murder her. ANM members, among others, have been deeply engaged in implementing the statute, by organizing public campaigns and conducting workshops and seminars throughout the country for judges at every level of the judiciary. Judges who sit in special domestic violence courts are already issuing important decisions that uphold the Maria de Penha law.

By Shelma Lombardi de Kato

CAMEROON CHAPTER OF IAWJ

The beginning

The year 1994 was the beginning of an époque-making era for Cameroon for it saw the founding of the Cameroon chapter of IAWJ by Cameroon's judicial icon, Lord Justice Florence Rita Arrey. Justice Arrey, who presently serves on the International Criminal Tribunal for Rwanda (ICTR), was the second woman to enter the Cameroon judiciary, the first female Chief Justice in Cameroon and, before leaving Cameroon for the ICTR, had risen to the position of a Lord Justice of the Supreme Court of Cameroon.



Lord Justice Florence Rita Arrey - Judge with the UN Criminal Tribunal for Rwanda, Tanzania, Arusha.

Justice Arrey was introduced to IAWJ in 1994 during a visit to the United States under an International Visitor Program where she met some IAWJ members. Upon her return to Cameroon she founded the Cameroon Chapter with 12 judges. IAWJ Cameroon was officially registered in 1996. Today it has 17 internationally registered members and seven newly inducted members.

From its inception, IAWJ Cameroon set to work on pertinent issues in the areas discussed below.

Appointment of female judges to policy making positions

Prior to 1989, there were very few female judges in policy-making positions in Cameroon. In the history of the Cameroon judiciary a total of three females had been head of a court and only one ever sat in the High Court and Courts of Appeal which determine issues relating to the status of persons including gender issues and matrimonial and property rights.

In 1989, following a review of judicial organizations, female judges (and young ones at that) began to accede to the High Court and policy making positions. In 1998, with Justice Arrey's influence, 40 per cent of both State Prosecutors and Presidents of Courts were women while many female judges were appointed to the Courts of Appeal. (Both judges and prosecutors in the Cameroon are trained together in the same school of magistracy and may hold positions as a judge or prosecutor.) Women currently make up approximately 37 per cent of the judiciary in Cameroon.

Since Justice Arrey's departure, all chief justices of the South West Court of Appeal have been women. At the present time this position is held by Chief Justice Lucy Asuagbor.

Overturning precedents prejudicial to women and harmful customs and traditions

Prior to 1989, the High Courts and Courts of Appeal, as well as policy-making positions, were male dominated, resulting in a plethora of outrageous decisions by patriarchal male judges on the status of women and access to property pursuant to customary law. One of the most infamous of these was the judgment in *ACHU v ACHU* (BCA/62/86 Bamenda Court of Appeal) where, in denying a woman property rights upon divorce, the male judge issued the astounding dictum: "Under customary law, woman is property and property cannot own property"

When women judges got the opportunity, they began to follow Judge Arrey's decision in *Alice Fodge v Ndangsi Kette* by awarding women property upon divorce. In one of the most remarkable cases, *Kang Nsume v Kang Nsume* (HCF/38/96) a woman, Judge Mbaacha, ordered the sale of the lone house of the couple and a distribution of the proceeds between the ex-spouses, making sure that two years' arrears of maintenance owed to the wife was paid.

Within a few years women's access to property upon divorce as well as women's inheritance rights were firmly established and today, through the enterprise of IAWJ, the question of access to property, especially landed property for women, has been settled.

IAWJ's emphasis on women's human rights also led to the reversal of a decision on the issue of monogamy versus polygamy and bigamy. The Cameroon Marriage law allows both monogamous and polygamous marriages while bigamy is an offence. However, through a series of patriarchal precedents, a male-dominated court declared that every Cameroonian marriage is "potentially polygamous" since marriages are preceded by the custom of bride price. Women judges quickly overturned that decision: *Che Maabo v Che Maabo* (HCF/Mc/97/2m/98) per Ngassa J and *Nganso v Nganso* (CASWP/Cc/95) per Najeme J. IAWJ also encouraged women judges to stamp out other harmful practices such as forced marriages, child marriages and widow inheritance.

Judicial Activism

IAWJ Cameroon has contributed immensely to judge-made law in Cameroon, not only by overturning precedents that discriminated against women, but also by forging precedents in hitherto unexplored areas. For example, before the 1990s, women could not challenge a husband's disposition of property. However, by the late 1990s a series of decisions were issued pursuant to IAWJ initiatives whereby errant husbands were estopped from dissipating property acquired during marriage, thereby securing the property rights of wives.

In 1998, following an IAWJ seminar on the application of international instruments in local cases, Chief Justice Arrey led the way by relying on provisions in CEDAW to outlaw forced customary marriage. Thereafter, other judges followed suit in using CEDAW to resolve cases where local laws were either silent, non-existent or oppressive.

One of IAWJ Cameroon's most remarkable judicial milestones, in collaboration with FIDA-Cameroon (International Federation of Female Lawyers), was securing convictions in domestic violence cases even though there is still no gender-specific legislation. These cases, as well as those dealing with sexual slavery and rape, were featured in the British Broadcasting Corporation Award Winning Documentary "Sisters In Law".



Vera Ngasasa, Florence Awasom, Henrietta Nyamndi, Beatrice Ntuba and Betty Luma at CAWJ Conference in Douala, Cameroon.

Gender awareness for the Judiciary

One of IAWJ Cameroon's most rewarding efforts, also accomplished in conjunction with FIDA was the Gender Awareness Project for the Judiciary in 1999. Both men and women judges and prosecutors received training on gender issues which led to groundbreaking resolutions that have since become policy.

Before 1999, in cases of intestate succession, widows first had to go to the patriarchal customary courts to obtain a 'declaration of next-of-kin' before applying for grant of letters of administration. The traditional mourning period for widows is long (legally six months). Thus, before the widows finished their mourning, the deceased male's relatives had already obtained the letters of administration. Through the above seminar it was resolved that women who were monogamously married assume the position of a widow in England, which means they automatically get the grant of the letters without the necessity of going before the customary court for next-of-kin status.

Further, prior to 1999, the High Courts were deprived of jurisdiction in cases involving polygamous marriages under the theory that such marriages were controlled by customary

law. Unfortunately, the Customary Courts would typically declare the woman guilty and order her to refund the bride price. After the seminar mentioned above, the customary courts were divested of jurisdiction in all polygamous marriages that were registered, giving wives of such marriages a fair chance before the High Courts. Judges Beatrice Ntuba, Henrietta Nyamdi, Betty Luma and Vera Ngassa, who supervise the customary courts in the South West, have since then carried out controls to see that the customary courts do not interfere in statutory marriages.

It is fair to say that IAWJ Cameroon has been quite successful not only in raising awareness of women's rights and legal literacy but in actually changing the status of women and creating judge-made laws in the areas of property and inheritance rights, equality, parity and access to justice.

Challenges

While IAWJ Cameroon has been quite successful in changing the status of women through judicial acts, practice directives and legal literacy, much remains to be done in the area of law reform. For example:

- Legislation is required to end overtly discriminatory laws like the Nationality Laws and the law on adultery and bigamy which set double standards for men and women;
- Gender-sensitive laws must be enacted addressing violence against women, HIV/AIDS, gender and property rights, and affirmative action or parity laws for women in politics and government.
- IAWJ Cameroon needs to find financial resources that will permit it to expand its activities and projects in order to encourage regional participation; and
- IAWJ Cameroon is still struggling to expand its membership nationwide so as to attract non English-Speaking members.

Future goals

IAWJ Cameroon is currently planning a "Trafficking Awareness Initiative" if sufficient resources are obtained. There is a 2005 law on trafficking which is not being applied to date because not only members of the public but judges, lawyers, the police and many stakeholders are unaware of it.

IAWJ Cameroon also has a law reform initiative for discriminatory and inadequate laws and anxiously awaits the creation of the constitutional court provided for in the 1996 Constitution.

Increasing its membership, liaising with sister chapters in the sub-region and hosting a regional seminar by 2010 are top on our list of priorities.

By Judge Vera Ngassa

THE CANADIAN CHAPTER OF IAWJ

Washington meeting

Canada is the world's second largest country by total area and shares land borders with the United States to the south and northwest. It is not surprising, therefore, that in 1989, when the National Association of Women Judges invited women jurists from around the world to Washington, DC, several Canadian women judges accepted the invitation to help their sister judges celebrate their tenth anniversary.

This conference sparked the birth of the International Association of Women Judges (IAWJ) and in 1991, in Chicago, Illinois, Canada became one of the original signatories to the *Ratification Agreement* which brought the IAWJ into existence.

The following year, five Canadian women judges attended the IAWJ inaugural conference in San Diego, California: Susan Devine of Manitoba (the first Canadian elected to the IAWJ Board of Directors), Donna Hackett of Ontario, Patricia Proudfoot of British Columbia, Corrine Sparks of Nova Scotia, and Marguerite Trussler of Alberta.

The origins of the Canadian chapter



2010 Board of Directors of the Canadian Chapter.

The initiative for a Canadian chapter was taken by Claire l'Heureux-Dubé, the second woman appointed to the Supreme Court of Canada. On May 31, 1994, she wrote to every woman judge in Canada, stating:

Some of us met in Toronto recently with Judge Arline Pacht who, in addition to her involvement with the IAWJ is also President of the International Women Judges Foundation, whose main purpose is the education of judges in the field of human rights with particular focus on discrimination against women. After

discussion of our interest in supporting the Foundation and its goals, we felt that we had reached the point in Canada of establishing a chapter of the IAWJ in order to give ourselves a Canadian structure which, while benefiting from the experience and input of the IAWJ, could provide a mechanism for focussing on our own priorities.

All Canadian women judges were invited to the Canadian Bar Association's annual meeting in Toronto in August 1994. In attendance at the Canadian Chapter's inaugural meeting were Marie Corbett of Ontario, Cheryl Daniel of Alberta, Susan Devine, Catherine Fraser of Alberta, Claire l'Heureux-Dubé of Ottawa, Jean Lytwyn of British Columbia, Céline Pelletier of Québec, Michèle Rivet of Québec, Marguerite Trussler, and Bertha Wilson of Ottawa.

A Constitution was drafted providing for a board of directors composed of at least one director from each of the ten provinces and two territories to a maximum of twenty-four directors, including an executive of five.

In 1995, at the Chapter's second annual meeting in Winnipeg, Manitoba, the Constitution and Bylaws were approved. It was agreed that the Chapter would be bilingual to reflect the fact that both French and English are Canada's official languages. In addition, it was decided that no one would be excluded from membership based on gender.

In 1996, Marie Corbett became the first President of the Canadian Chapter and Margaret Larlee of New Brunswick was elected to the IAWJ Board of Directors.



Margaret Larlee at the IAWJ Manila, Phillipines Conference, 1996

Ottawa conference

In 1998, Susan Devine, the first Canadian IAWJ President, and the Canadian Chapter hosted the International Biennial Conference in Ottawa, Ontario, welcoming more than four hundred national and international judges from sixty countries. The first IAWJ Human Rights Award was presented to Justice Bertha Wilson, the first women to serve on the Supreme Court of Canada.

Among the resolutions approved by the Ottawa Conference delegates was the establishment of a permanent International Criminal Court and a call for the universal ratification of the United Nations Convention on the Rights of the Child and Optional Protocol to the

Convention on the Elimination of All Forms of Discrimination Against Women that provides for the right of petition by individuals and third parties.

During the Conference, Marguerite Trussler, the Chapter's second President, was given a colourful tapestry by judges from the Philippines. Since then, the banner has been passed from President to President and has become a symbol of continuity for the Canadian Chapter.

Activities up to 2000

Between 1998 and 2000, under the leadership of Presidents Marguerite Trussler and Karen Johnston of Ontario, the Canadian Chapter gave priority to issues of overcoming violence against women and protecting the rights of children. The *Child Witness Handbook* was published for judges dealing with the requirements for children appearing as witnesses in the courtroom. The current version of this benchbook is a National Judicial College document.

Members also explored the concept of "twinning" with women judges from a country with similar bijural (common law and civil law) and bilingual judicial systems. Initially, it was decided to approach our judicial sisters in Cameroon. The purpose of the twinning agreement with Cameroon (and later Benin) was to foster mutual aid and the exchange of information with respect to our judicial systems and, more particularly, the protection of human rights, the independence of the judiciary and the role of judges. Since 2001 the Canadian Chapter has sponsored judges from both Cameroon and Benin to attend the IAWJ biennial conferences.

The Canadian Chapter "adopted" and supported a judge from the Democratic Republic of the Congo (formerly Zaire). After the fall of President Mobutu, the Judge was imprisoned when she arranged for the issue of the mistreatment of prisoners to be broadcast on television. She escaped the country and sought refugee status in Canada where she successfully completed her law degree.

In 2000, thirty-six Canadian judges attending the International Biennial Conference in Buenos Aires, Argentina, brought with them seventy pounds of books on a wide range of topics for distribution to sister judges from other countries. Rose Boyko of Ontario, Susan Devine and Claire l'Heureux-Dubé participated in the Conference as panellists and Cheryl Daniel of Alberta was elected to the IAWJ Board of Directors.

From 2001 to 2004

In 2001, the Canadian Chapter hosted an international conference in Montreal, Québec, with the National Judicial Institute. One hundred and twenty judges from North and South America and Africa came together to discuss Canada's expanding obligation under international treaties and how this body of law can be used in domestic courts to further the rights of women and children.

At the Montreal Conference, Beverley McLachlin, Canada's Chief Justice, was presented with a lifetime membership in the Canadian Chapter. The Chapter had sponsored the attendance of judges from the West African countries of Benin and Cameroon at the Montreal Conference and a Twinning Agreement was signed with both countries to foster mutual aid and the exchange of information with respect to our respective judicial systems.

In 2002, Micheline Corbeil-Laramée of Quebec became President of the Chapter and at the International Biennial Conference in Dublin, Ireland, Karen Johnston was elected to the Board of Directors. Claire l'Heureux-Dubé was honoured by the IAWJ with a lifetime membership for her contribution to human rights and the law.

After Virginia Schuler became President of the Chapter in 2003, a private website was established (as part of the judicial communication network), as well as a “chat line” for delegates attending international conferences.

The following year, Canada sent the largest delegation to the International Biennial Conference in Entebbe, Uganda. The Chapter also sponsored Marie-Noelle Ndemo from Cameroon to attend the Conference and hosted a reception with the Canadian High Commission for all delegates. Constance Hunt of Alberta joined the IAWJ Board of Directors.

Activities in 2005

In 2005, the Chapter, together with the National Judicial Institute and University of Victoria, hosted an international conference in Victoria, British Columbia, entitled “Judging Across Borders: Canadian Judges and International Law”. A remarkable cast of distinguished jurists from Australia, Brazil, Canada, India, the Netherlands, South Africa and the United States discussed international treaties, narratives of torture before the International Criminal Tribunal for Rwanda, the Hague Convention, and First Peoples and Sharia approaches to justice. They explored the role of international law in Canadian courts and the contribution that Canadian judges can make to strengthen the rule of law globally.



Annual General Meeting, Victoria, British Columbia, 2005
Passing the Banner from Past President Virginia Schuler to
President Patricia Hennessy

At the Victoria Conference, Patricia Hennessy of Ontario became the Chapter's President. Constance Glube, Chief Justice of Nova Scotia, was presented with a lifetime membership. The Honourable Iona Campagnolo, Lieutenant Governor of British Columbia, delivered an inspiring address to delegates, in which she said:

... We learned the lessons of instituting equality into the heart of our Constitution here in Canada in 1982 when, after an enormous struggle, women's equality was included in the people's package of the *Charter of Rights and Freedoms*. It is worth noting that in the same year our [American] sisters were specifically denied an Equal Rights Amendment to their own Constitution. ...for all our accomplishments, we remain painfully aware that until all women everywhere are free, no woman anywhere is ever free.

With the exception of the host country, Canada sponsored the largest number of official delegates to the International Conference in Sydney, Australia, in 2006. Canada also hosted a breakfast for many dignitaries attending the meeting. Our Chief Justice, Beverley McLachlin, eloquently addressed the delegates on the subject "Why We Need Women Judges" and Marsha Erb and Nancy Flatters of Alberta took part in a panel discussing Indigenous Peoples.

In 2006, the Canadian Chapter established a newsletter called *Accent*, which is published twice annually to keep in touch with members and to attract new members. This is also posted on the IAWJ website.



At the Chapter's Annual General Meeting in St John's, Newfoundland, Beverley McLachlin again spoke to members about why Canadian courts need women judges. She remarked that Canada has a good record of appointing women to the bench, judged by standards of many other countries: about one in three judges is female. She stated that, nonetheless, it is important to have women judges to ensure that courts are representative of society and to preserve their legitimacy; to reflect our society's commitment to equality; to best use available human resources; and to bring new perspective and combat clichéd stereotypes.

From 2006 to 2008

France Thibault of Québec became President in 2006 and the Canadian Chapter and National Judicial Institute co-hosted a conference in Toronto, Ontario, entitled "Emerging Issues: Why Gender Equality Still Matters". Sixty judges from Canada, Korea and Haiti discussed the continuing relevance of gender equality to the work of judges, including the sentencing of women offenders, the changing Canadian family, fairness in sexual assault trials and gender equality on the international stage.

After Rosemary Weisgerber of Saskatchewan became the Chapter's President in 2007, our Twinning Committee focussed their considerable efforts on an international project to collaborate with and financially support our twin country Benin in the publication and distribution of a book entitled *Femmes Juges du Bénin: Visages et Contribution à l'Evolution du Droit*. The book documents the role of women judges in the evolution of customs and women's and children's rights in Benin. This book was launched at the IAWJ Panama Conference.



Annual General Meeting, Toronto, Ontario, 2007 - Canadian Chapter Presidents Rosemary Weisgerber, Susan Devine, Patricia Hennessy, France Thibault and Karen Johnston

The Canadian Chapter sponsored Jeanne-Agnès Ayadokoun and Claire Houngan Ayémomma from Benin to attend the 2008 International Biennial Conference in Panama City, Panama, and the book was launched internationally at a reception for all delegates hosted by the Canadian Chapter and Canadian Embassy.

Tamarin Dunnet of Ontario was elected to the IAWJ Board of Directors and Sheila Greckol of Alberta and Patricia Hennessy participated in panels discussing economic discrimination and access to justice for women in indigenous communities.

During the Panama Conference, Canadian delegates each undertook a project to interview judges from other countries about their judicial systems and personal and professional lives. The interviews were published in the Chapter's newsletter. Some 700 copies of this newsletter were sent to our members and also all non-member women judges (along with a recruitment letter).



Canadian Chapter's Twinning Committee taken at our Annual General Meeting in November 2007. The Committee was responsible for the collaboration with our Benin sister judges in financially supporting the publication and distribution of *FEMMES JUGES DU BENIN*. (Pictured left to right): Patricia Hennessy, Shehni Dossa, Judith Elliott, Constance Hunt, Joan Winship (invited guest), France Thibault, Danielle Cote, Petra Newton, Tamarin Dunnet.

Women judges in Canada

At the time the IAWJ was founded in 1991, there were 186 women judges in Canada (Supreme Court of Canada 2; Federal Court 2; Tax Court 2; Supreme Courts of ten provinces and two territories 74; Courts of Appeal of ten provinces 13; and provincial courts 93). By August 2008, 640 women judges were seated at all levels of the Canadian judiciary: Supreme Court of Canada 4; Federal Court 12; Tax Court 6; Supreme Courts of ten provinces and three territories 267; Courts of Appeal of ten provinces 48; and provincial courts 303.

Indigenous women

Canada is blessed with a bijural, bilingual legal system with a strong indigenous legal culture and a multicultural society protected by the values articulated in the *Canadian Charter of Rights and Freedoms*. The Canadian Chapter has recently made a commitment to recognize and encourage aboriginal women by sponsoring a woman to attend the Program of Legal Studies for Native People which is open to aboriginal students across Canada. Aboriginal peoples inhabited the land occupied by Canada for *millennia* and they continue to play an active role in building the future of our country.



IAWJ International Conference, Sydney, Australia -
Petra Newton of Canada, Claire Houngan Ayemonna
of Benin and Janet Simmons of Canada

Membership of the Chapter

Twenty years ago, three Canadian women judges attended the United States conference where the IAWJ seed was planted. Today, the Canadian Chapter boasts a membership of almost 300. We are proud of our contributions to international issues of legal and humanitarian importance, as envisioned by the founders of the IAWJ. We are proud of our contribution nationally to women's and children's rights. We are proud of the judicial networks we have established to provide mutual support between judges nationally and internationally.



The traditional Passing of the Banner from Past President Lucie LaVigne to current President Petra Newton.

Future plans

We recognize the importance of issues that challenge our communities in our own country and abroad. To that end, we have established a strategic planning committee to address future goals. Led by our remarkable members, the Canadian Chapter of the IAWJ will continue to make an impact on the world.



Tamarin Dunnet, current IAWJ Vice President with IAWJ Past President Leslie Alden.

By Tamarin Dunnet, International Director, Canadian Chapter
Member, IAWJ Board of Directors

THE CZECH REPUBLIC

Women judges in the Czech Republic

Women judges have always played a very important role in the Czech Republic's judiciary and in fact constitute a major percentage of the judiciary in the Republic. Because of this and because women judges have always actively worked (but not as a separate group) in the Union of Czech judges, we have not established an association of women judges in the Czech Republic.

It can be said that the position and role of women in justice generally reflects the position and roles of women in each society. The position and role of women in the society is, in turn, shaped by the traditions, culture, religion and other circumstances in each country. Therefore the attitudes of women judges in Central and Eastern European countries differ vastly from those in other parts of the world.

In 1991, there were 1564 judges in the Czech judiciary. At that time, there were no statistics on how many women judges there were in this total number but an issue with the Czech judiciary in the past was a feminization of justice. The situation has changed rapidly, with an increase in male judges. In 2008, we had 3019 judges in total – 1163 men and 1856 women judges. Having a judiciary that is more reflective of society is important for ensuring that the public have trust in our judiciary. Nevertheless, women still retain a large number of the higher posts in the Czech justice system. For example, the Chairperson of the Supreme Court and the Supreme public prosecutor are both women.

Future tasks

One of the most important tasks for the future is to increase the public trust in the judiciary. We are sure that women judges have to play a very important role in this activity. Three of us are members of the (IAWJ) and we hope both that the number of Czech Republic members will increase and that membership of the IAWJ can play a role in improving our judiciary.

By Vladana Woratschova

HUNGARIAN ASSOCIATION OF WOMEN JUDGES

Introduction

The Hungarian women judges formed the Hungarian Association of Women Judges at the end of 2008. Presently our Association has 60 members.

The Republic of Hungary is located in East Central Europe and is a member of NATO and of the European Union. This fact is very important, because it has influenced the legal system in general. We have had to harmonize Hungary's legal system with EU norms.

According to the Constitution of Hungary, administration of the courts is exercised by the National Judicial Council. In 1997 the Hungarian Parliament adopted legislation on the organizational and administrative structure of the courts and another law on the legal status and remuneration of judges. From this time, the judiciary has been organized in a completely new way, differently from Hungarian traditions. Currently the organisation of the judiciary is based upon the South-European administrative model and the National Judicial Council has total responsibility for the administration of the courts. Officially no other branch is entitled to influence any matters concerning courts.

The National Judicial Council has 15 members. Two thirds of the Council's membership are judges. The President of the Supreme Court is the Council's President and there are nine elected judge members as well as the General Prosecutor, the Minister of Justice, the President of the Bar Association, and two parliamentarians (one appointed by the Constitutional and Justice Committee and one by the Budget and Finance Committee). The Council is responsible for the nomination of judges, for the budget of the courts and for the administration of the Courts.

The court system in Hungary

There is the Supreme Court, five high courts of appeal, 20 county courts, 111 country/district courts and 20 labor courts.

The President of the Supreme Court is elected by qualified majority by Parliament and the right of nomination lies with the President of the Republic. Judges, when appointed for the first time, are appointed by the President of the Republic. There is a career judiciary in Hungary.

There are 2823 judges in Hungary. Women account for approximately 62-72 per cent. This is the case at the Supreme Court level, too). One can see that we do not have to solve the problem of how to have more women judges. The Hungarian education system, the salary, tradition and the fact that there is a career judiciary have caused this result. Unfortunately, this fact, itself, cannot solve all problems.

According to the Hungarian Constitution a judge may not become a member of a political party and should not deal with politics. Judges can, however, form associations and become a member of these organizations. Judges have the right of freedom of assembly.

The beginnings

Our history began when 12 Hungarian women experts took part in a meeting on domestic violence and trafficking in human beings, in Washington D.C. in 2003, upon an invitation from Vital Voices Global Partnership. The members of the group were a judge (the author of this history), a prosecutor, a police officer, a journalist, two experts from the Ministry of Justice and some representatives of well-known NGOs. We had never met before.

This training gave us a lot of new insights. The first one was that even nowadays we do not have a uniform professional interpretation of domestic violence. The other one was that it is very effective to work together with NGOs.

Six years ago we started our joint work, going forward step by step organizing short or longer training sessions for judges. This has been an important step toward openness. The training of judges is an important issue for the judiciary. In recent years special attention has been given to issues concerning the protection of victims. In this field we have to consider the problems related to domestic violence and trafficking in human beings. Consultations and conferences started in 2004. Their most important aim was to raise public attention and initiate discussion among the different professions.

Conferences we have organised

- One-day conference with judges, prosecutors, police officers and NGOs representatives. Its main aim was to make participants sensitive to the problem, to introduce foreign (Italian, Austrian) experiences (organized by Office of the National Judicial Council (ONJC) in February 2004 with 100 participants).
- Three-day conference on domestic violence and trafficking in human beings. State organs and NGOs, together with representatives of Vital Voices Global Partnership – USA participated. Organized by ONJC and a Hungarian association, NaNe, supported by the US Embassy, the Canadian Embassy, the Ministry of Justice and the Ministry of Interior. (September 2004, 120 participants).
- Three-day training for judges on protection of victims, with special emphasis on problems of domestic violence and trafficking in human beings. We worked together with the International Organization of Migration and other NGOs. (December 2004, organized by ONCJ, financed by IOM, 40 participants).
- Three-day training for judges on domestic violence, organized by the NaNe Association under the EC Daphne program (September 2005, organized by ONCJ, training sponsored by NaNe for 20 judges).
- One-day conference on new instruments in criminal procedure, WJO CJ introduced mediation and restraining orders. Participants from the police, social workers, judges and NGOs discussed problems related to the agenda. Two Austrian experts shared their experiences. (December 2006, organized by the Supreme Court and the ONCJ, 140 participants.)

Although, these events were of great importance, they can be considered as occasional events. We worked hard, but these efforts were not enough. The author of this history worked

as head of the court administration department at the Office of the National Judicial Council at that time and was able to achieve some results, but they depended on ad hoc decisions by her boss. The main problem was that the interpretation of domestic violence did not change within society, nor in the justice system.

Some things changed in 2007. We hoped to start a qualitative development. Training judges on human rights became part of the regular training program. Its title was: “Bridge construction – human rights in adjudication”. It is important to know that the agenda was set up and introduced by human rights NGOs. The training included topics on violence against women. The first training session was undertaken in 2008, and the judges received it very well. It was, however, also the last.

Formation of the Association

The next logical step was the formation of the Association of Women Judges in Hungary at the end of 2008. This Association provides an opportunity to give judges important knowledge in the field of human rights.

Our organisation intends to initiate positive steps in the fields of human rights, recognition of discrimination cases and the fight against them. We would like to bring a new attitude to our profession. We would also like to achieve horizontal co-operation among judges, police officers and prosecutors and several NGOs.

Professional and social approach to domestic violence in Hungary

- There is no separate legislation in force in Hungary on domestic violence. This fact very strongly determines the rights, possibilities, task and procedures of the authorities. In the continental legal system, written law is very important. Therefore, it is very important for the state to send a clear message and this message should be sent in legal provisions.
- A lot of judges, lawyers and other legal practitioners think in general, that domestic violence is violent crime (like battery, or homicide) but just committed in a family.
- Since there is no separate legislation on domestic violence, there is no education for judges in this matter.
- Since there are no specialized cases, there are no specialized judges. In Hungary there are no special family courts: the traditional areas of court proceedings are civil cases, criminal cases, business related cases and administrative cases. Every case that correlates with the problems of family life, is heard by a professional court.
- The Criminal Procedure Code defines a restraining order - from 2006 - as an enforcement measure, pre trial detention, or house arrest
- This phenomenon of domestic violence remains hidden in the society. People do not recognize that this is a real social problem. They think - in general - that women do not tell the truth and that NGOs sensationalize these questions.

Judicial education

- We have a training school, but the method of education is not elaborate.
- This training is voluntary for judges.

The main goals of our Association

- Our Association's main goal is education. We would like to raise awareness and knowledge of judges on domestic violence, all forms of discrimination, human rights of women and trafficking in human beings.
- We would like to give judges information about international research and international practices.
- We would like to initiate research, and co-operate with other organizations that research domestic violence and discrimination.

Our programs and further plans

This year we organized two professional conferences and a two-day training programme.

The main goals of the professional meetings were to examine our prejudices, the attitude of judges, human rights, especially of ethnic minorities and several forms of discriminations (anti-Semitism, racism, women). Twenty women judges took part in the two-day training program.

We would like to learn and recognize the problems we face in making change. If we want to change attitudes, we have to know and overcome the obstacles. We would like to prepare a handbook for judges about the most important issues relating to domestic violence and about the methods of interview, particularly when a judge has to interview the child who is a victim of a sexual abuse.

We would like to create a tradition for our association by organizing a conference every year on the anniversary of the foundation. The main goal of every conference will be to examine a very important social or criminal question.

We look forward to the possibility of co-operating with other associations in the justice system, e.g. women police officers and women lawyers.

By Judge Agnes GALAJDA president of HAWJ
Metropolitan Court of Hungary

ITALIAN ASSOCIATION OF WOMEN JUDGES

In 1990 a few Italian women magistrates formed ADMI - Associazione Donne Magistrato Italiane with the following objectives in mind:

- To study judicial, ethical and social problems relating to the position of women in society.
- To promote the role of women magistrates with a view to guaranteeing the rights of citizens and the better functioning of justice.
- To create firm links between women magistrates so as to make better use of their respective professional experience, and to enable a proper evaluation of the contribution made by women magistrates to the interpretation and application of the law.
- To propose legislative amendments aimed at the full implementation of sexual equality.
- To promote meetings between women magistrates, including those from abroad.

Our purpose was to initiate a cultural debate on the role of women magistrates in an apparently neutral world, but which in substance is rigidly male. In effect, we wanted to influence the “status quo” and mindset which was never before discussed publicly.

In fact, the degree to which protective legislation was applied revealed that it was not enough and that it was necessary to go beyond formal equality between male and female. To this end, we believed it was necessary and proper to provide “positive action”, that is, action directed at eliminating de facto discrimination in order to facilitate the implementation of the law dealing with equal opportunities. In 1991, ADMI presented to the Consiglio Superiore della Magistratura (CSM), the body which is constitutionally authorized to govern the judiciary, some proposals for the reform of employment conditions that applied to women magistrates. The objective of these proposals was to guarantee that women judges who choose maternity and the responsibility of raising a family were not disadvantaged in terms of their professional development, career advancement or personal growth.

Positive action on employment conditions

Under the programme for positive action foreseen by the C.E.E., ADMI’s proposal will develop according to the following plan: first, a planning phase, secondly an analytical stage to help clarify the conditions applying to women within the magistracy, then finally an application phase to be followed up by an evaluation of the effectiveness of the programme.

With respect to phase one, a committee, composed of both men and women, was established to function as a reference point for positive actions that would affect all magistrates, and also serve as a link to the CSM.

With regard to stage two, ADMI identified actions that required immediate attention. Specifically, ADMI recommended that when young magistrates are given their first appointment, those with children should be allowed to select venues within their judicial districts. Alternatively, they should be awarded priority points as to their assignments according to their children's ages. These same rules should be applied when they seek transfers.

In addition, periodic professional refresher courses have been proposed for all magistrates. While aimed at both men and women magistrates, it will in fact, especially benefit women judges who are compelled to absent themselves from work for maternal reasons during the formative years of their professional career.

The first proposal was accepted by the CSM, which at its meeting of October 22, 1992 set up a committee to study equal opportunities presided over by the Vice-President and composed of three members of the CSM itself, three women magistrates from ADMI, an expert nominated by the National Committee of the Employment Ministry and three women magistrates from the National Association of Magistrates (men's and women's judges association).

Maternity leave

Of the many issues dealt with by the Committee, it is important to mention here those concerning the maternity leave of women working in the judiciary. It had been alleged that this was the main reason for the malfunctioning and tardiness of justice. The data collected in this regard showed that to put the blame on women was totally groundless; nevertheless it was deemed necessary to draft an amendment to the currently in force, by proposing an additional list of substitute judges/prosecutors to replace colleagues who are on maternity leave. This remedy should allow the judicial system to operate better in the interests not only of women but of citizens as a whole.

In 2001, accepting our proposal, a new law established a pool of magistrates, attached to the Court of Appeal, who can substitute for those male and female magistrates who become absent for reasons of maternity, illness or other related reasons. In this way, we women magistrates have taken on the role of watchdog in respect of those difficulties encountered by citizens in the functioning of the justice system. At the same time, we have ensured that maternity does not become a negative factor in the career of women magistrates.

Other initiatives taken by the Committee, concerned the granting of the request of ADMI for additional points to be granted to women having children three years old and under when their secondment to the initial place of work and subsequent transfers; preferential treatment to women applying for the vocational training courses which are organised on a regular basis by the Consiglio Superiore della Magistratura; the appointment of a greater number of women to give lectures in such courses and sit as members in the commissions which are in charge of the public competition to join the Judiciary.

Survey

The Committee also carried out a wide-range survey on labour conditions of women working in the judiciary, by means of a questionnaire which was administered to all judges/prosecutors in Italy. The answers to this questionnaire further confirm that women are

represented in a fully balanced way whenever such representation is based on objective criteria (as is the case with a public examination), whereas this does not apply if subjective factors are brought into play (as in appointments, elections) or when a woman is called upon to make a choice which entails sacrificing her family.

Rome conference

In 1994 we organised an international convention with IAWJ in Rome, during the course of which the American delegates told us about the use of protection orders in cases of family violence.

Shortly afterwards we made legislative proposals providing for similar measures in cases involving violence between family members. In 2001 the Italian Parliament approved a new law developing our original proposals.

Governance of the judiciary

ADMI is concerned that few women are members of the CSM. The CSM's authority extends to employment, appointment, transfers, advancements and discipline of judges. The Parliament elects one-third of its members from law school university professors and lawyers, while the balance are elected by all members of the judiciary. The President of the Republic, who acts as its chairman, the Senior President and the Principal State Counsel attached to the Court of Cassation are also members.

The fact that there are few women representatives on this body is to be regarded as negative: indeed, there can be no doubt as to the negativity for women of entrusting the government of the judiciary wholly to their male colleagues. It is definitely negative that such an important body, expressly provided for in the Italian Constitution, has been deprived of the contribution which women could have given to its functioning, especially when considering that the number of women judges has expanded from 2,000 in 1989 to 4,000 in 2009.

More recently, we presented a proposal to the Associazione Nazionale Magistrati (ANM) to modify its statute so that a specific percentage of women candidates stand for election to the governing body. However, this proposal was rejected.

Role of women in the judiciary

In Italy women in the judiciary have attained highly important positions and are carrying out complex investigations of organized crime, political corruption and business crime. Other women conduct important proceedings in civil matters on a par with their male colleagues, and with excellent results. Some of these women have even come to be known abroad on account of their wholehearted commitment and ability.

Moreover, due to the influence of ADMI members on the Supreme Court, that body has created a jurisprudence of equality in many fields, especially in family matters. Thus, the Supreme Court is playing a leading role in the judiciary.

The progressive balancing of the numerical ratio between the two sexes with the passing of time, has not, however, resulted in comparable effects as to the access to leading positions,

which are still largely the province of male colleagues. This can be accounted for on the same grounds as those underlying the difficulties encountered by women in all other fields of activity, namely on account of women being still largely expected to comply with fixed behavioural models within family and society. It can therefore be said that the issue of equal opportunities is still open with regard to the judiciary, despite the existing formal and factual equality. ADMI now is trying to establish equal opportunity committees in all Courts of Appeal and the Supreme Court. Our next activity will be a conference to take place in Rome at which a highly debated topic in Italy at the present time, rights concerning birth and death, will be considered.

Conferences and meetings

In 2000, during the IAWJ Conference in Buenos Aires, the Italian delegation met with other European women judges in an effort to formulate a European position on the Conference theme prior to the 2002 Conference in Dublin, Ireland. We organized another meeting in Turin, Italy in November 2001, with women judges from many European countries, particularly those from Eastern Europe, to consider European law and its influence on jurisprudential creativity.

On June 12, 2003, ADMI organized a conference in Rome concerning the reform of juvenile courts as that matter was being debated in Parliament.

Throughout these years, ADMI sponsored many other events including conferences and debates through which we established contacts with judges in other jurisdictions, as well as in administrative and military courts. In this manner ADMI contributed to the growth of a culture of equality.

We have contacts with universities in many cities where we have organized conferences, with students participating. We were present at a conference on the theme "Safety, justice, international dimension of Italy." In that conference we also had contacts with women in diplomatic and prefectorial career paths.

In May 2007, three ADMI members attended a conference organized by CSM dealing with equal opportunities and in July of that year, members attended another conference sponsored by the International Labor Committee at which 30 newly-appointed Egyptian women magistrates were present.

ADMI continues to publish its newsletter, 'Giudicedonna', which has a distribution of 11,000 copies.

Inspiration to others

ADMI's achievement has inspired other judicial bodies, some of which have established equal opportunity committees in the past few years, and implemented practices such as ensuring that judges with children under three years of age may seek assignments near the workplace of the other parent.

By virtue of its activities, the Association has gained great prestige among other organizations and institutions. It is a unique women judges association in Italy with members holding prominent positions on their courts and at the Supreme Court.

Future goals

ADMI's future goals are threefold: further implementation of equality principles both in the nation's jurisprudence and in the administration of justice, the consolidation of contacts with the other associations and the prospect of a regional meeting.

By Graziana Campanato, Supreme Court-Roma
ADMI President

JAPAN ASSOCIATION OF WOMEN JUDGES

Women lawyers and judges in Japan

The history of our association must start with the history of women lawyers in Japan. Historically, women were not allowed to practice as lawyers. The former Attorneys Law, enacted in 1893, allowed only Japanese men to be attorneys. After a major effort by certain liberal lawyers and jurists, the Attorneys Law was revised in 1933, giving Japanese women the chance to become lawyers. However, it took some years before we had our first woman lawyer. It was not until 1938 that the first three women lawyers in Japan completed their legal education and passed the Bar examination. They were Ms Kume, Ms Wada and Ms Nakada. The appointment of the first woman judge and the first female prosecutor had to wait until the enactment of the Japanese Constitution of 1946 after the World War II. Ms Nodo was appointed to the position of assistant judge in 1950, and in 1960, after the required ten years of experience as assistant judge, she was appointed as a judge.

In September 1950, the Japan Women's Bar Association (JWBA) was established at the instigation of a female attorney who was serving at the headquarters of the US occupation army. The JWBA joined the International Women's Bar Association (IWBA) after its establishment and was registered as NGO by the United Nations. There were only ten original members, comprising qualified female judges, prosecutors, attorneys and jurists. Thereafter, women lawyers in Japan have gradually increased in number, and by 1970, 20 years after its establishment, the JWBA had acquired as many as 300 members. More remarkable growth came after the signing of the Convention on the Elimination of All Forms of Discrimination Against Women by the Japanese government in 1985.

The number of women judges in Japan has been increasing recently. In 2008, it had reached 537 in total, including one justice in the Supreme Court, one presiding judge in High Court and about 20 presiding judges in District Courts. Hopefully the number will keep expanding from now on.

Beginning of the Japan Association

In November 1989, the tenth annual meeting of the U.S. National Association of Women Judges was held in Washington D.C., celebrating a decade of its accomplishments. Judge Nodo was invited to that meeting, together with women judges from other jurisdictions in Asia. At the meeting, a women judges' international association was conceived, leading to the establishment of the IAWJ. A call was extended to various jurisdictions, including Japan, to establish national associations of women judges to participate in the IAWJ. The foundation meeting for the Japanese National Association of Women Judges (JAWJ) was held on March 19, 1992, and, at the same meeting, we resolved to affiliate with the IAWJ. There were 17 original members of the JAWJ.

Development of the JAWJ

However, the development of JAWJ remains relatively slow at the moment. One of the reasons is that, since Japanese judges start their career as judges at a very early stage of their professional life, usually right after legal apprenticeship, most of the women judges in Japan

are still relatively young. They thus struggle to combine work and housework including child-care, which makes it difficult for them to be very active in other social activities. In fact, more than half (nearly 300 out of the 537 mentioned above) of women judges are assistant judges, who have been judges for less than ten years. The practice of transferring judges to other courts in Japan every few years also makes our activities more difficult. Lastly, and without doubt, difficulties with the English language make it challenging for us to take part in international activities.

Despite these difficulties, the JAWJ holds meetings periodically to exchange ideas. The visit of Ms. Joan D. Winship, Executive Director of IAWJ, to Tokyo in 2005, also gave us the chance to have a small gathering of our members residing in the Tokyo area. We had a great time talking to her and learning from her.

Future plans

The Association aims to develop its activities and to promote international exchanges with other jurisdictions. At the same time, Judge Noda, as the first woman judge in Japan, would like to add her personal wish for more woman justices in our Supreme Court to come through from the ranks of the inferior courts.

By Madam Justice NODA Aiko
Former Chief Justice of Sapporo High Court
President of Japan Association of Women Judges

KENYA WOMEN JUDGES ASSOCIATION

Our vision is to be a model of excellence for the promotion of jurisprudence and equality.

History

The Kenya Women Judges Association (KWJA) was founded in 1993 by Hon. Lady Justice Effie Owuor (now retired) and Hon. Lady Justice Joyce Aluoch, JA, then the only two women judges on the Kenyan High Court Bench. It is an affiliate of the IAWJ.

The Association was registered in July 1993. From a humble beginning of having only two women judges as members, KWJA has since grown tremendously with the appointment of other women High Court judges. The Association was further expanded in 2005 when women magistrates were incorporated and made full members and the Constitution was amended to reflect this.

Currently, KWJA has 42 members comprised of women judicial officers from the three different levels of the judiciary. There is one Court of Appeal Judge, 15 judges of the High Court and 25 women Magistrates. The Association also has five honorary members who include two retired judges, a commissioner of assize, a former Deputy Chief Litigation Counsel and the counsel who heads the Kenya National Council of Law Reporting. There is still more room for our Association to grow in its membership as only 25 out of the 104 women magistrates in the Republic are members.



Front Row: Hon. Lady Justice M.A. Ang'awa, Hon. Lady Justice H.M. Okwengu,
Hon. Lady Justice J. Aluoch, JA, Hon. Lady Justice K.H. Rawal, Hon. Lady Justice W. Karanja,
Hon. Lady Justice R.P. Wendoh, Hon. Lady Justice R.N. Sitati.

Back Row: Hon. lady Justice Jeanne Gacheche, Hon. Lady Justice M.G. Mugo,
Hon. Lady Justice J.N. Khaminwa, Hon. Lady Justice M.N. Kasango,
Hon. Lady Justice M. Koome, Hon. Lady Justice J. Lessit.

Activities

KWJA has participated in and organized many activities and projects since its inception. Among its major achievements is the formation of the Family Division of the High Court. The Association organized a workshop to consider the establishment of a Family Division of the High Court of Kenya in April, 2000. The recommendations were forwarded to the Chief Justice who subsequently appointed an Administrative Committee chaired by Hon. Lady Justice Joyce Aluoch to work out the modalities of forming the Family Division. The committee's report was accepted by the Chief Justice and on 21 December, 2000, he launched the Family Division of the High Court of Kenya. The setting up of the Family Division has hastened the administration of justice in succession cases, matrimonial causes, adoption and the division of matrimonial property.



Participants at a 2007 KWJA workshop

In addition to its leading role in the establishment of the Family Division, KWJA has also been involved in the training of judicial officers on The Children's Act, the new Sexual Offences Act and the new family law with the aim of enhancing the knowledge of judicial officers of the substantive and procedural requirements in family law. Apart from judges and magistrates, paralegal staff have also benefited from training in the law of succession. A further contribution by the Association was the development of a Bench Book for use by judicial officers in the Family Division, many of whom serve in remote parts of the country. This has helped to standardize procedures and practices in family law through the use of checklists, and in particular by ensuring uniform procedures in succession and adoption cases. CARE/HACI sponsored this project.

In 1998, the Association organized a workshop in collaboration with Women in Administration of Justice on "Sexual Offences against Women and Children" with funding from UNIFEM and UNICEF. The Association observed several gaps in the legal process from arrest to prosecution of offenders. These gaps enabled offenders to go scot-free from the courts. The recommendations of the workshop designed to remedy this situation were forwarded to the Attorney General who thereafter published an amendment to the Evidence Act enabling judicial officers to accept the evidence of children in sexual offences, without the need for corroboration, if they were satisfied, for reasons to be recorded, that the child was telling the truth.

After the passage of the Sexual Offences Act 2006, a National Task Force for the Implementation of the Act was gazetted by the Attorney General. The Association's Patron, Hon. Lady Justice Joyce Aluoch, JA, was appointed to chair the Task Force.

Within the Association itself and under the stewardship of the Hon. Lady Justice Mary Ang'awa, the Chairperson, a Task Force was set up to study the new Act and train judicial officers on the provisions of the Act and how to apply them. The Association has started such training sessions and has developed a training manual which was presented to the Chief Justice. CIDA-GESP Canada sponsored this project. Our Association made contributions to the discussions on the Protocol of The African Charter on Human and Peoples Rights and The HIV/AIDS Prevention and Control Bill which has since been passed into law. We intend to train judicial officers on the implementation of this new law.



Hon. Joyce Aluoch and Hon. Njoki Ndungu, MP (center) officially open a safe house

Regional conferences

The Kenya Women Judges Association hosted the second IAWJ Africa Regional Conference for Women Judges between 6th and 8th August 2001 which was very successful. Ford Foundation sponsored the conference. The Theme of the Conference was "Application of International and Regional Instruments at National Level". The conference brought together about 60 women Judicial Officers from seven African Countries namely: Liberia, Uganda, Tanzania, Zimbabwe, Cameroon, Nigeria, and Kenya (the host). It also brought together the main players concerned with the actual implementation of human rights provisions as contained in International and Regional Conventions/Treaties and domesticated by individual countries. The outgoing Regional Coordinator for Women Judges in the Africa Region Hon. Mrs. Leticia Mukasa-Kikonyogo, Deputy Chief Justice of Uganda handed over the symbolic chair of the Africa Regional Coordinator to Hon. Lady Justice Joyce Aluoch of Kenya at the Conference.

The Association sent delegates to the third IAWJ Africa Regional Conference of Women Judges held in South Africa, from 18th to 21st October 2007 under the theme of Human Trafficking.

Launch of the Association's Strategic Plan – May 2008



The Hon. the Chief Justice Evans Gicheru,
Hon. Lady Justice Aluoch, JA.
Back: Hon. Lady Justice Mary Ang'awa.



KWJA members: Judges, Magistrates and
Honorary members.

JEP in Kenya

We have completed the first and second phases of the implementation of the Jurisprudence on Equality Programme (JEP) with funding from IAWJ, and managed to train many judicial officers, most of whom are applying the principles of human rights in their decisions.

The JEP programme, in its first two phases, had a total of 80 Judicial Officers trained. Unfortunately most of the officers were “swept” away by the wave of radical surgery of the judiciary in 2003 when they either retired or were dismissed from service. This was a big set back for the Association, but we were not deterred. We continued training under the new administration.

Challenges

Every organization constantly faces challenges and KWJA is no exception. The limited membership of the Association at its inception posed a big challenge as no programmes could be effectively implemented. As the membership increased, communication became a challenge as most members are in remote parts of the country and have no access to the internet. However this problem is being addressed by the Chief Justice under a special programme.

Funding of the Association's programmes still remains a major challenge as the implementation of the programmes depends on donor funding which is not always easily available.

Future Plans

To Create an Enabling Environment for Accessing the Courts and Responsive Justice for All

Some of the activities to be undertaken under this strategic objective include:

- Designing simplified publications in different languages on the laws relating to issues that affect the poor, women, widows, children, orphans and other marginalized groups.

- Participating in judicial open days. This will foster a better understanding by the public on the role of the judiciary and KWJA and the administration of justice.
- Compiling an inventory of the most recurring legal problems facing the poor, particularly women, and disseminate these widely to members of the Association
- Disseminating simplified publications on procedure and laws in various courts in the country and in legal centers
- Redefining the ‘pauper’ definition as indicated in the Civil Procedure Act and improve the mechanisms that can cater for the poor litigant



Hon. Lady Justice Mary Ang'awa briefing members of the public on the Association's work at the first judicial open day in February 2007

To Undertake Skills and Knowledge Enhancement for Judicial Officers on Human Rights and Gender

Some of the activities to be undertaken under this strategic objective include;

- Bi-annual training on Jurisprudence of Equality with specific emphasis on the Childrens Act, Sexual Offences Act and the HIV and AIDS Prevention and Control Act. Quarterly in house reviews and capacity building on testing compliance of judgments with human rights and gender equality.
- Developing and updating a training manual on emerging laws with reference to Children Act, HIV and AIDS Prevention and Control Act. Updating the training manual on the Sexual Offences Act,
- Developing and publishing a handbook on gender sensitive judgments and updating the already existing handbook and compendium of cases on the Sexual Offences Act.
- Partnering with the faculties of law to develop an internship programme that will equip law students with the skills to conduct awareness campaigns to advance the rights of women.

Promote Solidarity among Members

Some of the activities to be undertaken under this strategic objective include:

- Establishing a peer review mechanism which shall be an internal self evaluating exercise by women Judicial Officers. The members will formulate and set for themselves minimum standards of professional competence and ethical conduct to be adhered to by each member. In this way KWJA will be distinguishing itself within the mainstream judicial system for excellent performance
- Hosting diverse forums for members to deepen solidarity amongst one another through seminars, retreats, team building workshops and social activities
- Publishing the KWJA values and disseminating them widely to build a sense of ownership and accountability
- Supporting and building visibility of women judges and magistrates through diverse media

Promoting Equal Representation within the Judiciary

Some of the activities to be undertaken under this strategic objective include;

- Developing and building an understanding relationship with the Chief Justice’s office and other male members of the bench to ensure appreciation and awareness of the relevance of KWJA.
- Demonstrating how KWJA contributes to improving the quality and delivery of justice.
- Lobbying for education on gender mainstreaming and equality for all members of the judiciary.
- Partnering with Kenya Women Parliamentarians Association to design effective ways of securing compliance with the Presidential directive on affirmative action and to promote the passage of gender sensitive legislation.

To Mobilize Resources and Strengthen the Secretariat

Some of the activities to be undertaken under this strategic objective include;

- Establishing an advanced resource centre for published and electronic materials with recent legal texts on human rights and gender.
- Developing a KWJA members “book club” to nurture the reading culture and promote it within the legal fraternity.
- Undertaking computer classes so as to be conversant with up to date research packages.
- Convening and attending network meetings with women parliamentarians and like minded organizations to gain wide and valuable insight on their successes, challenges and experiences as professionals.
- Designing self improvement programmes in leadership, communication, research, gender and human rights.
- Proactively participating in law reform processes to ensure any reforms capture the challenges that litigants encounter in the court systems.

- Designing a fundraising strategy to include the wide dissemination of our strategic plan.
- Enhancing the institutional systems and strengthening the secretariat with more personnel.

By Edith Kiragu

KOREAN CHAPTER OF THE IAWJ

Introduction

The Korean Chapter of the IAWJ began in February 2006. Hon. Justice Young-ran Kim, the first woman Supreme Court Justice of Korea, took the initiative. Now 144 women judges, including two Supreme Court Justices, participate regularly as members of the Chapter. There are also a number of associate members, including former Justices, researchers for the Constitutional Court, prosecutors, lawyers and professors.

One of the aims of the Chapter is to define the roles women judges can play in the Korean judiciary and in Korean society. We focus in particular on gender equality, the protection of minorities and on enhancing the leadership roles of women judges, through symposiums, seminars and international conferences.

Annual meetings

Members of the Korean Chapter get together every year for a symposium and annual meeting, where women judges from all over the country can build friendships among themselves. The Annual Reports of the Chapter are tabled at those meetings.



1st Symposium in 2005

The first symposium was held on 19 November 2005 before the inauguration of the Chapter. Professor Hyun-Ah Yang from Seoul National University delivered a lecture about ‘The Diverse Streams of Feminist Jurisprudence Theories’. 79 women judges from various provinces took part.

On October 28 – 29, 2006, the Korean Chapter held its first annual general meeting and the second symposium. The main theme was “Judicial Leadership: Empowerment of Women Judges”. Five Executive Officers of the IAWJ, including Hon. Graciela Dixon, joined the Korean women judges to discuss creative ways of enhancing judicial leadership.



1st annual general meeting and 2nd symposium in 2006

On October 26 – 27, 2007 the Korean Chapter held its third annual symposium and the “Asian Regional Meeting” in Seoul. The Chief Justice of Korea, seven Supreme Court Justices, 140 Korean women judges from all around the country and 50 members from IAWJ Asian Region, including members from the Taiwan Chapter, the Philippines, China and Mongolia, attended the reception and the seminar sessions. The theme of the meeting was ‘CEDAW (Convention on the Elimination of All Forms of Discrimination against Women) in Asia and the program focused on judicial application of CEDAW in Asian countries, legal issues on the ratification of the optional protocols and future prospects for CEDAW. The participants also dealt with the question of how to enhance networks in Asian Region.



Asia Regional Meeting in 2007

Seminars

In addition, the Korean Chapter holds casual seminars two or three times a year to discuss legal issues relating women and minorities. For example, on June 16, 2006, the Korean Chapter held a seminar on ‘Mind Control of the Leaders’. 120 women judges gathered to hear the lecture of Doctor Chang-Soon Yang. On January 19, 2007, the Korean Chapter heard a lecture from Hon. Won-Yeol Jun, the translator of ‘Democracy and Distrust’ by John Heart Ely. On March 30, 2007, Hon. So-young Kim, the former Chief Judge of the Kong-ju Branch Court, gave a presentation to 76 women judges on “Portrait and Future Prospect of women judges” in Seoul Central District Court.

Participation in the IAWJ

In terms of participation in the IAWJ, delegates from Korea have attended every international biennial conference of the IAWJ. The Hon. Young-hye Kim was elected as a member of the Board of Directors representing the Asia and South Pacific Region at the Eighth Biennial conference of the IAWJ held in Sydney. She became the vice-president of IAWJ at the Ninth Biennial Conference held in Panama. Furthermore, in 2007, at the Board of Directors and Executive meeting, the Korean Chapter was chosen to host the Tenth Biennial Conference in Seoul.

Conclusion

The future goal of the Korean Chapter is to increase knowledge on issues regarding women, children and other minorities through research and symposiums and to contribute to the globalization of the Korean judiciary by mutual exchanges with judges from all over the world. The Chapter will constantly try to develop educational programs in order to improve the abilities and the leadership of women judges in Korea.



2008 IAWJ Conference in Panama

There is an English and Korean homepage of the Chapter (www.kawj.org), which was launched in October 2007, where the various activities of the Korean Chapter are introduced.

By Nak-Hee Hyen

MONGOLIAN ASSOCIATION OF WOMEN JUDGES

Introduction

The Constitution of Mongolia, adopted in 1992, plays a vital role in Mongolian society. It is based on declared principles of the equal distribution of state power. Relevantly, it provides that judicial power is exclusively vested in independent courts. Statistically, there were 277 judges in Mongolia twenty years ago, but now this figure is up to 429 of which 285 or 67 percent are women judges.

Formation of the Association

Under the constitution, all citizens of Mongolia are guaranteed freedom of association and have the right to form a party or other public organizations on the basis of social and personal interests and opinion. Under the law governing the judiciary, judges are also guaranteed the right to join professional and public organizations for the purpose of providing independent and impartial courts and improving their professional skills and protecting lawful interests. In accordance with that law, the women judges of Mongolia established the Mongolian Association of Women Judges on 5 July 2007, which was officially registered on 6 August 2007.

MAWJ was initially established as an initiative of the Presiding Justice of the Chamber for Civil Cases of the Supreme Court of Mongolia, Mrs. TS.Amarsaikhan, acting on the suggestion of a former Justice of the New York Supreme Court and IAWJ Board of Managerial Trustees member, Hon. Mary Davis, by the former Head of Division of Press Information and Public Relations of the Supreme Court of Mongolia, Mr B Tsognyam and by women judges of Dornod Aimag Court.

MAWJ is a non-profit, non-governmental, professional organization which currently has 141 members. The primary goal of the MAWJ is to protect the rights, freedoms and lawful interests of women judges, to improve their professional skills and to encourage their empowerment and participation in the creation of a fair legal structure and a democratic law-governed state.

Training

As most of Mongolian justices and judges graduated from law schools during the former system of society, it is very important to focus on the core issues of justice system reform: its human resources. Therefore, the judiciary of Mongolia is making efforts to train and retrain judges and the administrative staff of courts, by the creation of a continuing legal educational system and training programs corresponding to today's requirements, as well as by providing judicial officers and administrative staff with manuals and other resources. MAWJ aims to create continuing legal education for judges from courts of all levels and to encourage women judges to improve their qualifications and professionalism by strengthening close relations and cooperation with IAWJ.

International Cooperation

In this period of globalization it is also very important to establish friendly relations and close cooperation with other judiciaries to share perspectives on judicial responses to new legal challenges and to develop strategies to increase the professionalism of judiciaries world-wide. For the purpose of widening our activities and developing cooperation with foreign counterpart organizations, the MAWJ joined the IAWJ in November 2007.

Joining the IAWJ was the beginning of developing our foreign relations. A delegation from MAWJ participated in the Ninth Biennial Conference of IAWJ in Panama City, Panama, March 25-28, 2008. It was a great pleasure and honor for our members to attend this important event. It left unforgettable memories and gave delegates a chance to share their thoughts and experiences with other women judges from different countries of the world.

MONGOLIAN WOMEN LAWYERS' ASSOCIATION

Introduction

The Mongolian Women Lawyer's Association (MWLA) is a not for profit, professional non governmental organization established in 1992. Nowadays, the MWLA operates in all 21 provinces and city districts with 40 branches and more than 900 members, including advocates, prosecutors, judges and other women lawyers.



B. Dolgor, Head of MWLA



Kh. Enkhzaya
Executive Director of MWLA

The vision of our Association is to contribute to the establishment of a humanitarian, democratic and fair civil society that abides by the rule of law and where human rights and development are enjoyed.

Activities

Our activities include conducting surveys and providing basic materials on gender equality, poverty alleviation, human development, the right to live in healthy and safety conditions, corruption, domestic violence and human trafficking. The Association also aims to build awareness about gender issues and social problems of women among public officers, state organizations and law enforcement agencies and to organize activities to strengthen the role in women lawyers in society.

In 2007, we celebrated our fifteenth anniversary. One of our activities was to organize a conference on the "Family and its legal protection" in collaboration with the Ministry of Justice, the Supreme Court, State General Prosecutor, State Property Committee, National Legal Center, Law school and State Police Department. We shared opinions and experiences in family law enforcement and the problems faced at each stage and methods to cross barriers to justice.

Since its establishment, the MWLA has successfully organized and implemented human rights programmes, especially dealing with children's and women's rights, with the support of international donor organizations.

Some examples of projects and programs of particular interest for judges, which have been implemented by the MWLA since 2001, are:

- With Australian Development Agency finance, the MWLA helped in the development of Judge’s bench books
- In 2001 with financial support from ILO, we successfully implemented a project on the “Protection of Horse Racing Children”. This resulted in The Law on Mongolian National Holidays being amended to provide some protective provisions for racing children.
- The MWLA developed a draft domestic violence law, which was passed. In 2007 we implemented a project to have the Supreme Court provide an official explanation of the law.
- With UNFPA finance the MWLA, implemented a project for World population day with its slogan “Your family happiness is in your hand”. We prepared handouts and TV advertisements on how to prevent unwanted pregnancy and reproductive health.



Members of MWLA including some Judges

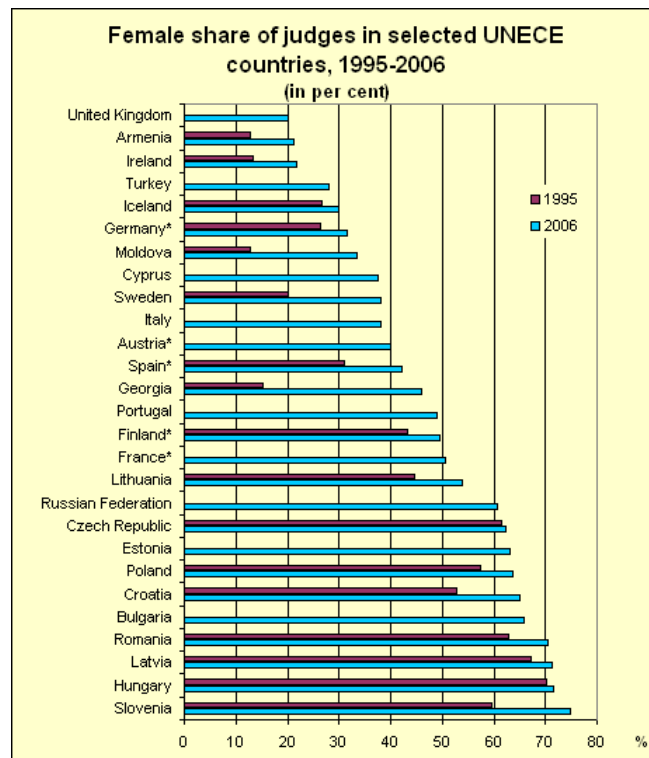
By Kh. Enkhzaya, Executive director of the MWLA

THE IAWJ AND THE NETHERLANDS

Introduction

In 2002 a delegation of Mongolian judges set out for the Netherlands for a judicial exchange program that was created to help the judges of both countries to understand the practices, procedures and problems of the courts and to develop mutual confidence. The delegation visited the district court in Amsterdam. As we believe that a visit to our country is incomplete without a visit to a Dutch home, my husband and I invited five female Mongolian judges for dinner at our house. It was wonderful, exhilarating evening and we enjoyed the opportunity to interact with colleagues of another country very much. Then suddenly one of the women asked me: “And *you*, are you a member of the International Association of Women Judges?” I was silent. I had never heard of this Association before! The Mongolian judges immediately showed me the web-site of the IAWJ and urged me to become a member as soon as possible. I did and thus became the first IAWJ member in the Netherlands.

In 2009 membership of IAWJ is still not very widespread in the Netherlands: there are 16 members and the majority of them are the members that are working at the international courts at The Hague. This is perhaps surprising because 50 percent of the judges in the Netherlands are female.



Women judges in The Netherlands

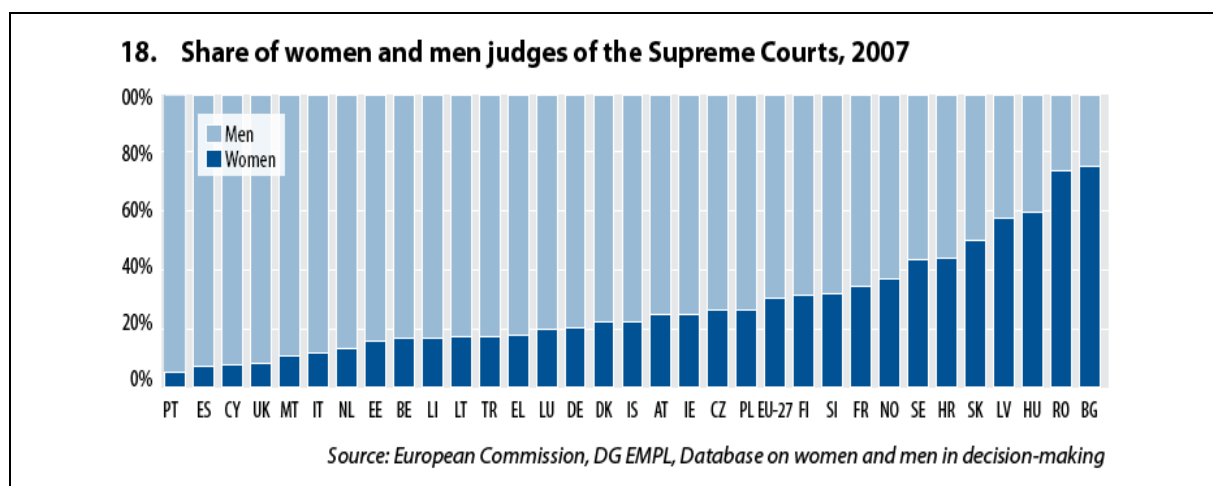
The first woman judge in Holland was appointed in November 1947. The appointment of Johanna Hudig, the first women judge in the Netherlands ended a discussion that had endured since 1915. Before World War II it was seriously debated in the legal world whether women could serve as judges. In particular the argument was that women are more emotional than

men and that this could influence their objective perception of de case played a very important role in the discussion. Another argument was that women would be more lenient in sentencing criminals. And in the Netherlands the letter that a famous professor of Law, Noyon wrote in 1921 to the Supreme Court of the Netherlands is still notorious. This letter stated that women were seldom successful in practicing law because they were so mediocre. However, as in the other European continental countries, nowadays judging has become a very common profession for women in the Netherlands. In fact in a lot of European countries female judges are in the majority.

Challenges for women judges

Are there then no challenges left for female judges in the Netherlands and Europe? Yes there are. One of the problems is the slow progress women make to obtain positions in the top of the judiciary. In 2007 only 12% of the judges in the Supreme Court of the Netherlands were women. In 1999 just over 15% of judges in the supreme courts of the EU-15 countries were women and by 2007 this figure has risen only slightly to nearer 18%. However, the influx of new countries to the European Union – which now consists of 27 member states - has had a very positive effect on the overall balance within Europe. Indeed, in some of the new countries women are actually in the majority amongst supreme court judges, with the most striking cases being Bulgaria (76%) and Romania (74%), though Hungary, Latvia and Slovakia have also surpassed or reached parity (60%, 58% and 50% women judges respectively). On the other hand, the senior judiciary remains largely a male reserve in the United Kingdom, Cyprus, Spain and Portugal where over 90% of judges are men and less than 10% women.

In research conducted by the European Commission in 1999 under judges, public prosecutors and lawyers (advocates) two main reasons are given for this situation: by far the leading reason cited by both judges and public prosecutors is women’s relatively recent access to the careers of judges. Another reason cited is women’s supposed lack of career aspirations, which can be interpreted as “a deliberate choice in favor of career path which is more feasible and realistic with family life.” This comment of the interviewees, is closely linked to the reason “workload”. There are many comments about the difficulties that women encounter when trying to perform two jobs – profession and family – simultaneously and the choices they have to make. In The Netherlands we hear the same explanations for the small representation of women in the top of the judiciary.



Role of IAWJ in International Tribunals

In the history of the IAWJ one must certainly pay attention to the important part the IAWJ has played in promoting the position of women judges in the International Courts, as the International War Crimes Tribunal for the Former Yugoslavia (ICTY), The International Criminal Court (ICC) and the Special Court for Sierra Leone, which are all based in The Hague, the city of peace and justice in The Netherlands. In 2001 the IAWJ-IWJF joined other NGOs as signatories to a letter sent on March 8 to UN Secretary General Kofi Annan. The letter urges the Secretary General to postpone the elections of nominees to the ICTY and to reopen nominations so that more women can be added to the list of candidates that included only one woman and 25 men. However the IAWJ learned that the election was held as originally scheduled. To no one's surprise, the 26 candidates were re-elected.

From this experience the IAWJ developed a new strategy in 2002 with regards to the ICC. On July 1, 2002, the Rome Statute creating the ICC entered into force. The Convention requires that State-Parties take into account the need for fair representation of female and male judges. Until then the number of women appointed to international and regional tribunals had ranged from negligible to non-existent. As the attention to the inclusion of women judges could be attributed largely to the efforts of feminist academics and women's NGO's, IAWJ joined forces with the Women's Caucus for Gender Justice to help develop a strong and effective ICC that includes more than a token number of women judges. To this end, the IAWJ and Women's Caucus conducted in October, 2002 a seminar at the Central European University in Budapest, Hungary. The Workshop aimed to equip participants with a level of expertise that will make it clear that highly qualified women judges are well prepared to take seats on the Court. This time IAWJ's efforts had more success: in 2003 the ICC became a reality with the February election of 18 judges, 7 of whom are women. They were inaugurated on March 11, 2003, in a ceremony at The Hague. The election of 7 women to the Court was unprecedented when compared to the number of women serving on other international judicial bodies. The IAWJ was particularly proud that 3 of the newly-elected judges were IAWJ-members. Now, in 2009, six eminent IAWJ-members are working as women judges in The Hague, in the ICC, in the ICTY and the Special Court for Sierra Leone.



October 2002, ICC Seminar, Budapest

Sexual exploitation

The relation between the IAWJ and the Netherlands entered into a new phase in 2009. In this year the IAWJ launched an exciting program entitled: *Stopping the Abuse of Power through Sexual Exploitation: Naming, Shaming and Ending Sextortion* at a three-day consultation held in the building of The Netherlands Council for the Judiciary. This program is being funded through a new three-year grant to the IAWJ from the Netherlands government's MDG3 Fund. It is IAWJ's first major grant from an European donor. This program will be

implemented initially through the work of IAWJ members in the Philippines, Bosnia and Herzegovina and Tanzania. In the program the first step in stopping this abuse of power is giving it a name: *Sextortion*.

What is sextortion? Simply put, it is the abuse of power for the purpose of sexual exploitation. Women migrating in search of work – women crossing borders are literally “at the margins” of their communities – are preyed upon by border officials, immigration officers and detention centre guards. Girls and women confined in institutions – whether refugee camps, prisons, orphanages, boarding schools, or other institutions – are particularly vulnerable to sexualized abuse. In countries where a person’s health and even survival may depend on food or medicinal support provided by family, prison guards prey upon women supporting loved ones. Too often, trafficked women and girls are identified and prosecuted as prostitutes and not treated as victims of international crime. Sextortion is both a problem of marginalized women and girls and a means of marginalizing them. It focuses on the abuse of authority for sexual purposes, abuses such as rape, corruption, trafficking or other forms of violence, and discrimination against women that are rarely prosecuted.

In the program the IAWJ will bring together judges, prosecutors, academics and various experts to address this problem and develop a toolkit that can be used throughout the world to mainstream sextortion into anti-corruption, antiviolence and anti-trafficking campaigns. This program will address issues that many judges and others have just begun to identify as critically important. The IAWJ and the Netherlands anticipate being at the forefront of developing an important program for the judiciary.



IAWJ members from Tanzania, Philippines, and Bosnia and Herzegovina and staff at The Hague consultation on the Sextortion program, March 2009.

Global community

In conclusion, I should like to return to the Mongolian women judges that visited Amsterdam in 2002. We did not keep in touch. But my female colleagues were right: IAWJ members work hard together to share experiences and best practices worldwide in areas such as violence and discrimination against women. We in the Netherlands are very honoured to be part of that global community.

By Marianne de Rooij

NEW ZEALAND ASSOCIATION OF WOMEN JUDGES

Mihi (Greeting)

E nga mana, e nga reo, e nga rau rangatira wahine ma,

Tena koutou, tena koutou, tena koutou katoa.

Ki nga hunga mate o tenei wa, haere, haere, haere atu ra.

Nga mihi nui ki a koutou e panui ana tenei korero e pa ana ki te timatanga o te roopu o nga wahine, nga kaiwhakawa o Aotearoa. Tenei ano te mihi mahana ki nga kaiwhakawa o te ao katoa e whai panga ki te kaupapa o te International Association of Women Judges. E korero ana matou ki a koutou: Kia kaha, kia tika, kia manawanui!

This is a traditional greeting in Māori which is (along with English and New Zealand sign language) an official language of Aotearoa/New Zealand. The greeting was written by Judge Stephanie Milroy of Tuhoe, Ngati Whakaue affiliation. It is hard to translate appropriately in English but a general translation is as follows:

To all distinguished women leaders, salutations. To those who have died in this time, farewell. Many greetings to those who read this story of the beginnings of the association of women judges in New Zealand/Aotearoa. Further warm greetings to women judges all over the world who adhere to the philosophy of the International Association of Women Judges. To you we say: Be strong, Be just, Be courageous.

Women judges in New Zealand

As well as being the first country to give women the vote (in 1893), New Zealand was also one of the first countries in the Commonwealth to permit women to practice law with the passage of the Female Law Practitioners Act 1896. However, it was not until 1975 that we had our first woman judge, Dame Augusta Wallace, who was appointed to the District Court in that year and sat on the Bench for the next 18 years. Other milestones for women on the bench have been the appointment of Dame Silvia Cartwright as Chief District Court judge in 1989 and in 1993 as the first female High Court judge. In 1999, Dame Sian Elias was appointed Chief Justice of New Zealand. She now presides in the five member Supreme Court, New Zealand's highest Court, and is the only woman member of that Court.

In the next court in the hierarchy below the Supreme Court; that is, the Court of Appeal, two out of a total of nine judges are women. In the High Court there are eight women judges out of 35 and one woman associate judge out of six permanent associate judges. In the District Court (including the Environment Court) out of a total of 135 permanent judges, currently 37 are women. A number of retired women judges still sit in a temporary capacity on that Court. In the specialist Employment Court, there are four judges, only one of whom is a woman. There are 11 Māori Land Court judges three of whom are women and two of whom are Māori. All of these figures are correct as of December 2008.

Judges of the Māori Land Court also sit as presiding officers on Waitangi Tribunal inquiries, and all three women judges have presided over such inquiries. Dame Augusta Wallace was also a presiding officer for the Waitangi Tribunal in her later years. The Waitangi Tribunal is a permanent commission of inquiry charged with making recommendations on claims brought by Māori relating to actions or omissions of the Crown that breach the Treaty of Waitangi, signed in 1840 by representatives of the English and over 500 Māori rangatira (chiefs), of whom 13 were women.

As Māori are the indigenous people of New Zealand, it is important to acknowledge that across all Courts there is a total of six Māori women judges. Māori now comprise about 15% of the population but this figure is projected to rise to 17% by 2021. Currently the total population of New Zealand is 4.3 million.



Maori Women Judges – Karina Williams is the second from the left

We take this opportunity to pay tribute to Judge Karina Raewyn Roimata Williams, one of our few Māori women judges who died in 2005 (tragically at only 42 as a result of cancer). She was a trailblazer who in 2004 was aptly described by the then Minister of Maori Affairs, the Hon Parekura Horomia, as “renowned in her district for being a passionate advocate for improving the violent and poverty stricken areas of South Auckland and for overall being a staunch voice for her community”. A fluent Maori language speaker, Judge Williams was a significant role model, whose loss is still keenly felt. She was of Ngai Tuhoe descent.

We also take this opportunity to pay tribute to Dame Augusta Wallace, our first woman judge, who died in 2008. At the time of her death, our Chief Justice Dame Sian Elias commented “For the women who followed her into the legal profession, her appointment as the first woman judge in 1975 was an important affirmation of the contribution women could make to the law. The fact that she discharged her responsibilities with complete professionalism was particularly important in the move to gain acceptance for women in legal practice and following her lead, on the bench”. Dame Augusta will also be remembered for her contribution to public life and for her tireless efforts in working with the community. For example, she served as a city councillor and also privately provided scholarship assistance to women students who would have otherwise struggled financially.



The New Zealand Association

Our Women Judges Association began on 20 March 2006 with a well attended inaugural meeting. Justice Jane Matthews, Acting Judge of the Supreme Court New South Wales and the then President of the IAWJ spoke at that meeting. We appreciated her coming to address us and she was extremely supportive and encouraging of New Zealand's decision to become a chapter of the IAWJ.

Our first President was Judge Dale Clarkson and our current President is Judge Annis Somerville, both District (Family) Court Judges. There are some 64 women judges in New Zealand (including retired judges) but at present only 29 are members of the Association, Our next Annual General Meeting is to be held in Rotorua in March 2009 and we expect that our numbers will increase due to a recent increase in the number of women appointees to the bench.



Attendees at Inaugural Meeting

Before the formal association was launched, women judges met informally to discuss matters of concern to them, including representation in judicial education, terms and conditions of appointment, and to provide support and informal mentoring to women judges in their judicial work.

The first event which formally brought New Zealand's women judges together was held in 1993 when New Zealand celebrated the centenary of Women's Suffrage. To mark the occasion, the then Chief District Court Judge, Dame Silvia Cartwright hosted a conference of women judges from around the world. The idea for the conference came from Judge Carolyn Henwood, the third woman judge appointed in New Zealand, who was an enthusiastic member of the organising committee. Although this conference was not held under the auspices of IAWJ, it was attended by some of its members and, in particular, by Judge Arline Pacht who introduced New Zealand women judges to the IAWJ. As a result of her advocacy and the success of this conference in uniting our women judges and introducing them to overseas colleagues, many joined IAWJ as individuals.

Women judges were also involved in organising a major interbench conference on gender equity in 1997 when for the first time the entire New Zealand judiciary was brought together to discuss issues confronting women from all parts of society.

Involvement with IAWJ

As the senior woman judge in New Zealand at the time, Dame Augusta Wallace attended the First International Conference of Women Judges organised by Judge Arline Pacht. This was a very successful event and inspired New Zealand women judges as did the 1993 conference held here. A number of New Zealand women judges of their own volition attended international conferences of the IAWJ before our New Zealand Association began. New Zealand women judges attended the biennial conferences in Rome, the Philippines, Buenos Aires, Ireland and Uganda, the latter conference attended by Judge Heather Simpson, one of our first women judges, who was always a role model and member and staunch advocate on women's issues. Although now retired, she remains closely connected with NZAWJ.

Since our association first was formed, financial contributions and support for attendance at the IAWJ conferences has come from various sources. The Chief District Court Judge Russell Johnson, has been particularly supportive of the nascent Association in this regard and also has helped to facilitate our annual meetings. Accordingly, the Association was able to send a good contingent of representatives to Sydney in 2006 and Panama in 2008. Now, we are planning to attend the Seoul conference in 2010.



Some NZ delegates with international colleagues at the Panama Conference

New Zealand women judges have been active in the IAWJ. Judge Coral Shaw was elected as an IAWJ Board member at the Dublin conference and held that post until 2006. She was the author of the dollar a day project for IAWJ. Our Chief Justice, Dame Sian Elias, was the keynote speaker at the Sydney conference in 2006. Justice Susan Glazebrook, a judge of our Court of Appeal, was elected to a two year term as Board Member of the IAWJ at that meeting. A number of our other members have been involved with chairing sessions or speaking at the IAWJ conferences, including Judge Jan Doogue, who was a speaker at the Hague Convention session at the Panama conference.

The IAWJ conferences are an amazing experience for New Zealand judges, giving them an opportunity to interact with women from so many different countries with such diverse backgrounds who work in such different conditions from our own. We relish the opportunities our membership in the IAWJ provides to exchange ideas, discuss the problems that we all face and make new friendships.

Current and planned activities of the New Zealand Association

On a local level some of our activities include welcoming each new woman appointee to the Bench in New Zealand, hosting women judges from overseas who visit New Zealand and representing the interests of retired women judges, including identifying post-judicial career opportunities for them. We have also provided input to Heads of Bench on matters affecting women judges and liaise where appropriate with groups representing women lawyers on such matters.



Some Committee Members with the Rt Hon Dame Sian Elias,
Chief Justice of New Zealand (second from right).

The Association needs to consider in greater depth the extent to which it is appropriate and compatible with the judicial role and our relationship with Heads of Bench for the Association to comment publicly or undertake projects on issues of wider significance to women or women judges. This will no doubt depend on the nature of the projects or issues that may arise and be considered on a case by case basis in the future. A delicate issue that has already arisen is the role the Association should take where judgments delivered by judges may contain sexist material, unacceptable stereotypes of women or attitudes condoning or excusing violence against women.

A work in progress is a waiata being written for women Judges and the Association. Waiata or songs and chants are an important part of Māori culture, and correspond to both poetry and music in other cultures. In Maoridom after a speech is given, the speaker's companions will rise and stand behind the speaker and sing a waiata to show support and respect for the speaker. The waiata will reflect the place the group comes from and their common background, and will often have some allusion to the theme of the speaker's speech or the nature of the event at which the speech is given. After Dame Sian gave her keynote address at the Sydney IAWJ conference a number of the other delegates were clearly moved to see the New Zealand women judges stood to sing a waiata in her support. Some of the most

commonly performed waiata in Aotearoa/New Zealand were written by women, and it seems appropriate that the Association of Women Judges in Aotearoa has a special waiata of its own.

Another specific project is to collect oral histories of women in the judiciary. The oral history committee has decided to begin by interviewing all retired women judges and an interview template is being developed with the help of oral historians. We were fortunate to be able to interview Dame Augusta Wallace, our first woman judge, before her death in 2008. Consideration is being given to the next stage in the project, which hopefully will include publication of these histories.

Another major project is to increase the diversity of the judiciary to better reflect New Zealand society. For example, women currently make up some 42% of the legal profession (albeit not well represented at the higher levels) but only some 26% of judges are women. A committee has been formed to address this issue. We started by running seminars for women at the Bar to encourage them to consider judicial careers. These seminars generated a great deal of interest and were very well received. We have also begun to examine appointment processes in other similar jurisdictions.

Another issue we would like to address concerns the lack of transparency in the appointment process to the bench and even less transparency in promotion decisions, including leadership positions in the judiciary. Some progress has been made, again often with substantial input from women judges. For example, rather than being “shoulder tapped” for positions, which tended to favour the appointment of men, new approaches permit applicants to express interest in appointments. Panels that included women judges were established to interview applicants for District Court positions. Other groups were also consulted including, for example, women lawyers organisations and the national Māori lawyers group.



Stephanie Milroy's Swearing-in

Another project we wish to pursue is a mentoring scheme for women judges by other women judges. This could in time be extended to women at the Bar, particularly Māori and Pacific Island women, who might be interested in pursuing a judicial career.

We have also been helping to implement initiatives that will make the terms and conditions of appointment more suitable for women. An important ongoing project concerns the appointment of less than full-time judges. It has often been a challenge to have suitable women apply for appointment given the difficulties with balancing judicial careers and family life. Some existing judges have been allowed limited flexibility in certain circumstances. Considerable work is being done, predominately by women judges, to expand the situations in which flexibility will be permitted,

We also want to ensure that our judicial education programmes support career path choices for women judges, and, more generally, that the educational programmes offered meet the needs of women judges and reflect New Zealand's diverse society. In this regard, we are also interested in ensuring that the court's processes meet society's needs (in particular, those of women), with a special focus on women in minority groups.

Finally, through members' donations and fund raising, we are developing a fund that will enable us to assist women judges in countries experiencing conflict or poverty. When the fund reaches a sustainable level, we will decide on specific projects which initially will focus on the Pacific region.

Authors

This brief history was compiled in December 2008 by Justice Susan Glazebrook, Judge Coral Shaw, Judge Stephanie Milroy, Judge Annis Somerville, Judge Nicola Mathers, Judge Lisa Tremewan and Judge Carolyn Henwood.

THE NATIONAL ASSOCIATION OF WOMEN JUDGES NIGERIA

How it all began

The origins of the National Association of Women Judges Nigeria (NAWJN) can be traced to 1989 when Justice Rose Ukeje attended the first gathering of women judges from abroad at the Annual Meeting of the US National Association of Women Judges. At that historic meeting, the participants expressed their interest in forming an international organization and agreed they would return to their countries and share their experiences with their sister judges. Over the next several years, the IAWJ Constitution was drafted and Nigeria was among the first 15 nations to ratify it. The first election for IAWJ officers took place in San Diego and Justice Aloma Mukhtar of Nigeria was elected the first Vice President while Justice Rose Ukeje was elected as a member of the Board of Directors.



Nigerian Women judges association members at their 2009 conference.

NAWJN ratified the IAWJ Constitution at its exploratory meeting held on May 25, 1991 and was formally inaugurated on October 18, 1991 in Lagos, Nigeria, with the support of the Grand Patron of the Association, the Hon Justice Mohammed Bello GCON, the then Chief Justice of Nigeria. The aims and objectives of NAWJN, as set forth in Article 3 of the Amended Constitution ratified at the General Meeting held in Benin City, Nigeria on November 21, 1992 are as follows:

- To provide a forum and resource centre to disseminate information affecting women judges;
- To urge an increase in the number of women judges so that the judiciary more appropriately reflects an equal role for men and women in society;
- To engage in research study and participate in international, regional or national conferences, judicial exchanges and training programs which contribute to the understanding and resolution of critical legal issues facing women and Nigeria at large;

- To encourage co-operation and collaboration between women judges of all nations;
- To address other important issues relating to the improvement and advancement of women in the legal and judicial system;
- To encourage promote and advance professional interaction among judges in Nigeria.



Hon Justice Aloma Mukhtar, first female justice of Supreme Court of Nigeria

Twenty-five women judges joined the NAWJN at the inaugural meeting as founding members. Since then, the membership has grown to over 200 members. Nigeria can claim to have one of the largest numbers of women judges in the African Region. Moreover, two NAWNJ members are Justices of the Supreme Court, several are Justices of the Court of Appeal and an even larger number are Chief Judges of the various States, whereas at the inception of NAWJN there were none.



Delegates from the National Association of Women Judges (Nigeria) attend the Gala Dinner at the Panama Conference

Workshops and seminars

The NAWJN has organised several workshops and seminars for both men and women judges that were modelled on the IAWJ's Jurisprudence of Equality (JEP) project in order to achieve gender-sensitive judicial interpretations and applications of the provisions of the 1999 Nigerian Constitution and other legislation. The country's National Judicial Institute has also organized various training sessions to equip members of the judiciary with the knowledge they need to perform their daily duties. Magistrates and women lawyers are included in these programs because they are the most likely persons to handle the legal problems of women at

the grass roots level, especially widows and the downtrodden, and acquaint them with their legal rights.



Participants at the third regional conference held in Nigeria

The last Executive of the NAWJN was heavily involved with an AIDS programme and held several highly successful zonal workshops addressing this grave problem. The NAWJN also hosted the third African Regional Conference from October 16 to 22, 2005 which was well attended by representatives of national associations from a number of African countries. At the end of the Conference Justice Rose Ukeje OFR, the then Chief Judge of the Federal High Court was made the African Regional President (and the IAWJ banner was handed over to her by the representative of Hon Justice Aluoch of Kenya). The Presidency of the Region has now gone to South Africa.

ASSOCIATION OF WOMEN MAGISTRATES AND JUDGES OF PANAMA

Introduction

On February 4, 1994, at the initiative of Magistrates of the Judicial Supreme Court of Panama, Aura Emérita Guerra de Villaláz and Mirtza Angélica Franceschi de Aguilera, a group of women Magistrates and Judges throughout the country met to fulfill a long-held wish: to found an Association of Women Magistrates and Judges of Panama (AMAJUP). The primary objectives of this new organization would be to uphold the judicial independence of its members, combat discrimination and violence against women, promote judges' professional and cultural development, and to ensure collegiality among its members.

Structure

In conformity with AMAJUP's rules, a General Meeting is convened every two years at which time members vote for the officers who will serve on the Board of Directors. Since its creation, the following justices have served as President of AMAJUP: Aura Emérita Guerra de Villaláz (1994-1996), Mirtza Angélica Franceschi de Aguilera (1997-1998), Esmeralda Arosemena de Troitiño (1999-2000), Angela Russo de Cedeño (2001-2002), Margarita Ibets Centella G (2003-2004) and Nelly Cedeño de Paredes (2005-2008).

AMAJUP is composed of six regional chapters whose members identify and address priority issues through various activities that are consistent with AMAJUP's objectives, including academic conferences and programs of citizen legal education, related to violence against women and children, among other activities.

Training

Since its creation, AMAJUP has been committed to promoting gender equality principally through training offered by the Judicial School and the IAWJ. One of our important achievements is the permanent inclusion in the Judicial School Training Plan of the topic of gender perspective in judicial decisions. This training has, since 1994, been addressed to judges across the nation. The AMAJUP also participates in the preparation of training modules related to gender violence, its repercussions and the way the subject is dealt through jurisprudence.

Likewise, AMAJUP intervenes in the study and analysis of legislation in gender violence matters, discrimination against women and the protection of children and adolescents. It provides recommendations on related laws. One of our great achievements has been the association's participation in the approval of important laws, such as: the Family Code, Children and Adolescents Laws, Violence against Women, the Penal Code, and Judicial Career Law, among others.

Selected activities

In September 1996, we participated as hostesses in the IX World Congress of Family Rights held in our country.

In 1999, together with the Judicial Organ, we developed the CEDREDIN project, known as “Growth and Children’s Development Center Sandra Huertas de Icaza”, which has the aim of ensuring all in the justice sector respect the human rights of children. In 1998 and 1999 we participated in the National Campaign against Violence to Women, sponsored by the Inter-American Development Bank (BID), which was transmitted by radio and television.

On September 2002 we were hostesses of the training workshop, sponsored by the IAWJ and the International Foundation of Women Judges (JEP Project), held in our country on September 2002. The workshop was attended by judges from all of central America. The main objective was the study of international agreements that consecrate women’s human rights and their interpretation from a gender perspective, in order to avoid discrimination against women in the administration of justice.

In 2003 we participated in the celebration of the Centennial of the Republic of Panama, by organising a conference analyzing the participation of women in the judiciary. Doctor Aura Emérita Guerra de Villaláz, First President of our Association, was in charge of the conference and gave an interesting talk on: “The Women Judge in the Judicial Branch in One Hundred (100) Years as a Republic.”

Since 2003 AMAJUP has developed a Citizenship Legal Education Campaign, using radio stations and schools all over the country to educate the community on legal subjects of interest. This facilitates access to justice, the existence of quicker processes, and an increase of confidence in the administration of justice. The execution of the program is the responsibility of the Regional Chapters. Important subjects, such as responsible fatherhood, violence against women, and the rights of the children were developed.

Since 2004 AMAJUP has participated in the Judicial Council meetings, which have the purpose of strengthening the administration of justice.

In 2004, AMAJUP celebrated its ten year anniversary (Jubilee for our Tenth Anniversary) through conferences and seminars.

In March 2008 AMAJUP was honored to host the Ninth Biennial Conference of the IAWJ with the subject: “Justice for All: Access, Discrimination, Violence and Corruption”. The conference was a great success and more than 350 members from different countries of the world participated. The general organization of the event was responsibility of our associate Maruquel Arosemena Velasco.

JEP in Panama

In 2003 we carried out the project “Jurisprudence of Equality in Central America” known as the JEP Project, promoted by the IAWJ. This project arose from the need to provide judicial officers and administrators with the necessary tools to incorporate human rights in their rulings. This project was developed through three training sessions and one follow up session. Two of them were held in 2003. The follow up session to validate acquired knowledge was programmed to be held in 2004, to complete this ambitious project. In December 2004 the final report “Towards a Jurisprudence of Equality” was presented. This report showed AMAJUP’s efforts in this matter and gathered the description of each one of the training sessions of the JEP Project and the main results obtained.

The report was presented at the headquarters of the Judicial School before special guests such as Magistrates of the Supreme Court of Justice, the Attorney General of the Administration, members of the National Counsel of Women, the Gender Officers of the different governmental offices, judges, women judges, magistrates, and women magistrates. The report contained a synopsis of the academic sessions and its main results, including the recommendations made by the participants. At this important event, AMAJUP received a recognition note from the IAWJ for work well done.

Achievements of our Members

In 2000 the Inter-American Lawyers Federation (FIA) granted the “Distinguished Women Lawyer of the Americas” award to our associate Mirtza Angélica Franceschi de Aguilera. Since 2000, AMAJUP’s associates Angela Russo de Cedeño and Ruby Ibarra have also participated as representatives of the judiciary before the National Council of Women.

In 2003, our associate, Aura Emérita Guerra de Villaláz, was designated as Magistrate Ad Litem of the International Penal Tribunal for the crimes of Rwanda and our associates Selma Herrera Kivers was designated as international observers of the Jep Seminars in Costa Rica and Guatemala, representing JEP.

In 2004 our associate Esmeralda Arosemena de Troitiño was appointed Magistrate of the Supreme Court of Justice.

In 2005 our associates, Magistrate Esmeralda Arosemena de Troitiño, Magistrate Nelly Cedeño de Paredes, and Magistrate Eysa Escobar de Herrera were appointed members of the Commission for the creation of the Integral Childhood and Adolescence Protection Law of Panama.

In 2006 our associate Delia Carrizo de Martínez was elected Substitute Magistrate of the Supreme Court of Justice and in 2006 Graciela Dixon was elected President of the IAWJ. Also in 2006, Magistrate Esmeralda Arosemena de Troitiño, Magistrate Nelly Cedeño de Paredes and other associates represented the judiciary as members of the Estate Pact for Justice requested by the Presidency of the Republic of Panama to introduce reforms to penal, civil, labor, family, childhood, adolescence and judicial career legislations.

In 2007, our associates Eda Gutiérrez, Carmen De Gracia and Margarita Ibets Centella G, were designated by the Judicial as part of the project for the elaboration of training modules for the assistance of gender violence victims, sponsored by the Spanish Agency and the judiciary.

In March 2008 during the Biennial Conference, our associate, Magistrate Esmeralda Arosemena de Troitiño, obtained the Human Rights award granted by the IAWJ. Also during the Biennial Conference, our associate Margarita Ibets Centella G., was elected as a member of the Board of Directors of the IAWJ, representing Latin America and the Caribbean.

In 2008 our associates Nelly Cedeño de Paredes (AMAJUP Chairperson) and Gisela Agurto, were named Substitute Magistrates of the Supreme Court of Panama and our associate Idalides Pinilla Guzmán was distinguished with the “Clara González” award granted by the National Union of Women Lawyers of Panama to women lawyers that work for human rights. Also in 2008 the associates Nelly Cedeño de Paredes, Gisela Agurto and Kathya Bedoya were

designated to participate in the project of Unity and Access to Justice and Gender carried out by the Supreme Court of Justice.

Publications

Since its foundation, AMAJUP has published a quarterly bulletin that reports on the Association's activities and the achievements of its members. In addition, in 2004, AMAJUP published the first edition of DICEA magazine, which marked an important milestone in AMAJUP's future.

Relations with other Associations

AMAJUP considers it important to create and enlarge bonds with other organizations, both nationally and internationally. To this end, it has taken steps to cooperate with other organizations to achieve common goals. For example, members work with the National Union of Women Lawyers of Panama by, for example, offering support in preparing workshops that focus on child labor.

AMAJUP also has collaborated with the National School of Lawyers of Panama, the Panamanian Association of Magistrates and Judges and the Citizen Alliance Pro Justice of Panama. Further, AMAPJP participates in the Gender Consultative Council, a coalition that also includes the Judicial School, the CEDEM, FORGEN, FUNDAMUJER and UNA. The Coalition brings these groups together to combat child kidnapping, to improve the sexual and reproductive health of women, and to improve the conditions of women in prison, to promote responsible parenthood and to deal with issues relating to trafficking.

Likewise, we have participated in joint activities with international organisms, such as BID, AECI, ILANUD and the European Union, related to gender violence and discrimination against women.

It is worth mentioning our relationship with the Association of Women Magistrates and Judges of Costa Rica, with whom we have shared local meetings, seminars and international conferences.

Finally, our associates have participated in the Biennial Conferences of IAWJ in Canada, Argentina, Sydney and Panama.

Present situation of AMAJUP

Presently, AMAJUP has 81 members, distributed as follows: one Supreme Court of Justice Magistrate, 17 magistrates of Superior Courts (Superior or Appeal Judges), 41 Circuit and Sectional Judges and 22 Municipal Judges. Since our foundation began in 1994 up to 2008, women's participation as Magistrates and Judges has increased by 40 per cent. This constitutes a significant advance of female participation in the judiciary, mainly as a result of the existence of AMAJUP, which has promoted women's development inside the justice system.

Plans and objectives for the future

Throughout the history of AMAJUP our associates have contributed with their effort, performance, and professional capacity to strengthen and exalt the judicial branch of Panama and to increase women's participation in the judiciary. The professional value of the membership of AMAJUP is obvious. We strive for our professional improvement and cultural development so as to better understand causes related to family, minors, penal, labor, and civil.

Our future goals and objectives are:

- To continue actively participating in seminars, conferences, and commissions that aim to diminish violence and discrimination against women and the violation of the human rights of women and in particular those subject to violence. We want to ensure that Judges and government employees avoid the re-victimization of women victims.
- To contribute to the Unity and Access to Justice and Gender Project that is presently in development by the judiciary.
- To promote the Cross Border Program carried out in Central America by the IAWJ.
- To increase our membership numbers.
- To strengthen even more our bonds with other Associations of Women Magistrates and Judges of the Region, and especially with the IAWJ.

By Margarita Ibets Centella G.

THE PHILIPPINE WOMEN JUDGES ASSOCIATION INC.

Beginnings

In 1987, Justice Sandra Day O'Connor of the United States Supreme Court suggested to Justice Ameurfina A. Melencio-Herrera, then a senior member of the Supreme Court of the Philippines, that she form an organization of women magistrates and judges in the Philippines to serve as a forum for the exchange of ideas, information, insights and perspectives.

Convinced of the merits of the suggestion, Justice Melencio-Herrera wasted no time in selling the idea to the Philippine delegates to the ASEAN Women Judges Conference. Justice Melencio-Herrera envisaged an association that would work towards the appointment of more women judges, ensure their greater participation and representation in the activities and programs of the judiciary, and provide a venue for the exchange of ideas, fellowship and the promotion of closer relationship among them.

Thus, on September 5, 1987, the Philippine Women Judges Association Inc (PWJA) was born, with no less than Justice Ameurfina Melencio-Herrera as its first President. It was registered with the Philippine Securities and Exchange Commission on October 7, 1987. The PWJA's membership includes all incumbent women magistrates from the Municipal Trial Courts to the Supreme Court.

Objectives

The purposes and objectives of the PWJA are:

- To provide a venue for the exchange of views and information among women judges of the Philippines.
- To identify specific problems affecting women judges and to propose solutions to them.
- To promote the welfare of women judges throughout the Philippines.
- To improve the administration of justice and to study ways and means of bringing about efficient management of the courts.
- To provide continuing judicial education for its members.
- To initiate and undertake necessary judicial reforms.
- To maintain professional linkage with women judges of other countries.

PWJA Creed

Aside from the objectives stated in the Articles of Incorporation, the PWJA adopted the "Credo for Women Judges" authored by Justice Melencio-Herrera. The creed reads as follows:

1. We believe it is our sacred duty and our sworn pledge to do justice to everyone at all times for clear injustice to anyone is tantamount to injustice to everyone.
2. We believe in the Independence, the supremacy of the Constitution and the rule of law, and that said independence should be zealously safeguarded at all times.
3. We believe in security of tenure for all judges so that they may work in an atmosphere of freedom and dispense justice to rich and poor alike, with neither fear nor favor.
4. We believe that in the selection process for judicial positions, the guiding criteria should be competence, integrity, and independence of mind, regardless of gender or of political consideration.
5. We believe that, as members of the Bench, our conduct must not only be characterized by propriety but must always be above suspicion.
6. We believe in the necessity of effective Court management from the filing of a case up to its final disposition as a measure of administering justice efficiently, reducing unacceptable delays, and minimizing rising litigation costs.
7. We believe in the need to oversee Court personnel to ensure that notwithstanding temptation along their way, they do not stray from the narrow paths of righteousness.
8. We believe it improper for litigants or their counsel to approach Judges in connection with cases pending before their Courts or for any group to try and exert pressure or influence on their judgments, so that, the faith of our people in judges as the impartial dispensers of justice may be preserved inviolate.
9. We believe, despite diversity in legal and judicial cultures, in joining the universal search for innovative and alternative techniques of dispute resolutions cognizant that the underlying common objective is the speedy, inexpensive and just settlement of legal disputes.
10. We believe that in arriving at a just decision there is need to recognize the true facts, to clarify the legal issues, to understand the human and national problems involved, to apply the law correctly, and to be guided only by one's conscience, for only then may we be worthy to be called "Judge".

Speedy Disposition of Cases

The relatively slow dispensation of justice has always been a problem in the Philippines. A single criminal case can drag on from four to six years before it is finally disposed of.

On August 12, 1988, the PWJA submitted to the Supreme Court a set of recommendations for the speedy and orderly disposition of cases. One of the recommendations was the adoption of mandatory continuous trials, for which the Supreme Court commended the PWJA in a Resolution dated November 3, 1988. This ground-breaking proposal stemmed from the PWJA's commitment that "despite diversity in legal and judicial culture ... the universal search for innovative and alternative techniques of dispute resolutions (must have as its paramount goal the attainment of) speedy, inexpensive and just settlement of legal

disputes". The recommendation was eventually approved for implementation by the Supreme Court on December 10, 1990.

Because of their inadequate facilities, however, the courts initially had difficulties coping with the continuous trial system. The PWJA analyzed the problems and offered the following solutions to the Supreme Court: computerization of courts, the upgrade of office equipment and physical structures, the steady and adequate supply of office supplies and an increase in pay and benefits of court personnel.

Today, all courts in the Philippines are observing the mandatory continuous trial system, following the adoption of most of the PWJA's recommendations.

Wearing of Black Robes

Before 1989, Philippine judges were only required to wear business suits during court proceedings. On February 10, 1989, the PWJA passed a resolution requiring all women judges to wear black robes during court hearings befitting the dignity and solemnity of court proceedings.

Today, all members of the Philippine bench are mandated by the Judicial Code of Conduct to wear black robes during court proceedings.

Amendment of The Rules of Court

On December 10, 1990, the Supreme Court approved the PWJA's proposal to amend Rule 140 of The Rules of Court of the Philippines regarding charges filed against judges, and its proposal on the submission of certificates of service.

Newsletter

To serve as a means for disseminating information among fellow members of the bench and provide an active medium for expressing views and opinions, the PWJA Newsletter, the association's official publication, was launched in December 1987.

Continuing Education

The PWJA convenes at least once a year principally to discuss judicial trends, exchange best practices, and promote fellowship and camaraderie among its members. Every convention has a theme that is geared towards meeting current demands of the profession.

International Linkages

The PWJA has affiliated with the International Association of Women Judges (IAWJ), a corporation organized to promote understanding and resolution of legal issues facing women and women judges.

Membership Benefits

The PWJA gives death benefits to members and their families as part of its commitment to lend assistance to its membership. Other benefits are being studied.

Other Activities

The PWJA also recognizes its responsibility to society. Its members have actively assisted victims of various natural calamities. Lately, the association donated mats and other basic necessities to women inmates in the Philippines.

IAWJ Conference

The IAWJ held its third biennial conference in the Philippines from February 21-25, 1996. Seventy-nine judges from 29 countries and 212 judges from the Philippines participated in the conference. The then President of the IAWJ, Justice Pacita Canizares-Nye of the Philippines, opened the conference. The event marked the first time that a gathering of eminent lady jurists from all over the world was held in Asia.

Conclusion

The PWJA has come a long way since its humble beginnings 19 years ago. When it saw light in 1987, there were only 155 women judges in the Philippines or about 9% of the total number of judges. Today, the percentage of women judges has soared to 38%. As of March 2008, of the 1,545 judges in the Philippines, 580 are female. Five of the 15 Philippine Supreme Court Justices are women.

The steady rise in their number is an affirmation of the high regard and recognition accorded to women lawyers in general and women judges in particular.

- The “PWJA (A Brief History)” by Judge Stella Dadivas-Farrales published in the PWJA Souvenir Program 1994.
- “History of the Philippine Women Judge Association (PWJA) Inc.” by Judge Adoracion G. Angeles published in the PWJA Souvenir Program 2001

By Ma. Belen Ringpis-Liban,
Presiding Judge,
Branch 85, Regional Trial Court,
Republic of the Philippines

INTERNATIONAL ASSOCIATION OF WOMEN SOUTH AFRICAN CHAPTER OF THE IAWJ

Our Beginnings

Following a decision to form a chapter of the IAWJ made at the Women Judges Conference held in Capetown in October 2003, the South African Chapter (SAC) was launched in Johannesburg, on 8 August 2004. A steering committee chaired by Judge Mailula was appointed, and under her guidance, a draft Constitution was considered and adopted at the launch in August 2004.



Former President Thabo Mbeki is thanked by Regional Court Magistrate J Wessels. Mailula J, Founding President, is seated in front.

The organization's launch remains a treasured memory for members as it took place on the eve of Women's Day, a public holiday in South Africa that celebrates women and the role they have played historically in the transformation of the country and South African society. On this day women judicial officers and practitioners of law harnessed their power to begin building an organisation that envisages the advancement of women within the judiciary and in society through fair access to justice.



Former President Thabo Mbeki inaugurated the Chapter. The former Chief Justice Arthur Chaskalson and former Minister of Justice and Constitutional Development, Ms Bridgette Mabandla (*pictured*) through the Gender Directorate also played a significant role in supporting the Chapter's establishment.

The founding executive committee that held office from 2004 to 2006 included Judge L Mailula as President, Magistrate J Wessels as Treasurer, Judge J Traverso as Secretary, Magistrate Belinda Molamu (*pictured*) as Secretary, Judge L Theron as the Vice President Programmes and Magistrate S Naidoo as Vice President Publications.



Judge R Allie became President in 2006 with Chief Magistrate T Beshe as Deputy President, Judge J Traverso as Treasurer, Magistrate S Mia as Secretary, Magistrate S Naidoo as Vice President Programmes and Chief Magistrate C Loots as Vice President Publications.

In 2008 Judge K Pillay became president with Judge M Maya as Deputy President, Judge P Goliath as Treasurer, Magistrate S Mia as Secretary, Magistrate B Dzivhani as Vice President Programmes and Chief Magistrate C Loots as Vice President Publications.

Single judiciary

The launch of the organisation was a distinguished affair supported financially by the Department of Justice and Constitutional Law. The challenge thereafter lay in ensuring the continuity of a body made up of Lower Court and High Court judges since these groups have not traditionally operated as a single entity. Historically, appointments to the High Court bench have come from the Bar and occasionally from the ranks of private practitioners, but rarely from the lower court bench. The IAWJ SAC played an instrumental role in ensuring that members of the Lower Court Bench were considered for participation in the fast tracking judicial education programme for Aspiring Women Judges, initiated jointly by the Minister of Justice & Constitutional Development and the Office of the Chief Justice.

The result has been that a significant proportion (50 per cent) of the total number of successful applicants includes members of the Lower Court Judiciary. The majority of candidates who completed the fast tracking programme successfully were members of the Lower Court Judiciary, who have been invited to accept acting appointments as judges in the various High Court divisions. This goes a long way towards addressing two of IAWJ SAC goals, namely to move towards a single judiciary and to increase the number of women being appointed to the High Court.



Justice Yvonne Molgoro

The SAC is committed to ensuring that more females are appointed to the bench as women have faced significant challenges in this regard due to traditional views about their roles and the positions they should occupy. Whilst change has occurred and more women have been appointed in recent years, it is still a challenge for women to attain leadership positions within the judiciary. At present no woman has served as Judge President, although the previous Treasurer, Judge Traverso, is acting in this position in the absence of the Judge President in the

Western Cape. The SAC is not yet represented on the Judicial Service Commission, but some of our members serve on the Magistrates Commission.



South African Chief Justice Pius N. Langa speaks with African delegates at Johannesburg regional meeting on human trafficking in October 2007

Training workshops

The IAWJ SAC has engaged in a significant number of training workshops addressing diverse questions facing judicial officers. These have included workshops that sensitise members to the subtle role that cultural differences can play in decision making and how language and attitudes contribute to discrimination. The former Chief Justice of South Africa, the Hon. Justice A Chaskalson, stressed the importance of fostering a consciousness that language and attitudes can be discriminatory in his opening address at the SAC launch.

The challenge in running such workshops is finding funds to ensure their success. This is further complicated by management attitudes within the judiciary that question the time taken to send persons on training and the impact thereof on the smooth running of the courts. Ensuring that training sessions are not duplicated so as to negatively impact the search for funds also poses a stumbling block to the smooth implementation of such projects. The SAC also has applied for funding from the US government to extend a training programme on Prevention and Combating Human Trafficking in South Africa to include some colleagues from other African nations.

Funding challenges

The major challenge faced by the SAC as an organisation is the lack of funding to implement projects. Non-governmental organisations typically may receive funding from the Department of Justice & Constitutional Development; however in view of our position as judicial officers, the Department has not applied the same criteria to funding this organisation's projects, citing judicial independence as the reason to proceed through the office of the Chief Justice. This hampers the SAC's effort to develop leadership among women judges and makes such activity subject to the approval of the office of the Chief Justice.

Individual fund-raising efforts contribute in part to supporting activities. With a small but growing membership, subscriptions have been useful but they fall far short of what is required to run the organisation successfully.

By Mia Shanaaz

THE TAIWAN CHAPTER OF THE IAWJ

Formation

It was in the 1970s, when some ten women judges, all serving in the metropolitan Taipei area, first got together to renew their friendship, that the late lady Justice Shun-Shiang Fan of the Constitutional Court initiated a proposed a women judges association. However, the initiative remained a topic of discussion due to regulatory restrictions on freedom of association.

In October 1991, with the assistance of Mrs Edith S Coliver (the Asia Foundation's former representative) then Supreme Court Justice Renee Ren-Shu Chang and Taiwan Banciao District Court Judge Pi-Li Shieh participated in a preparatory committee meeting of the International Association of Women Judges (IAWJ), during an Annual Meeting of the US National Association of Women Judges held in Chicago, Illinois. Subsequently twelve Taiwanese women judges became founding members of the IAWJ. In October 1992, Justice Renee Ren-Shu Chang and then Taiwan Taipei District Court Presiding Judge Ida Yuh-Chih Wang attended the IAWJ's first Conference in San Diego, California, at which time Judge Arline Pacht was installed as the organization's first President.

Inspired by the inauguration of the IAWJ and President Arline Pacht's leadership, and with the relaxation of rules governing functionaries establishing associations, 77 women judges were recruited as founding members of the Taiwan Chapter who agreed to draft its bylaws by the end of 1993. A seven-member panel led by Justice Renee Ren-Shu Chang prepared to establish an association in accordance with the country's laws and regulations. Finally on January 7, 1995, with 102 members, including both women judges and prosecutors, the women judges association, the first of its kind in Taiwan, was inaugurated in Taipei. The Hon Justice Pacita Canizares-Nye, President of the IAWJ, came to witness the inauguration. Justice Renee Ren-Shu Chang was unanimously elected President of the Chapter.



Our delegation at the 1994 IAWJ Conference with Arline Pacht.

Objectives and Missions

The objectives of the Chapter are as follows: to maintain judicial independence, to develop and implement legal research on issues of special concerns to women judges, to advance women's rights to equal justice, to encourage the exchange of information among women judges domestically and internationally, and to promote the sisterhood of women judges worldwide.

In order to carry out the objectives, the Chapter's missions are: to provide channels of communication for information exchange among women judges; to conduct research programs focusing on issues of vital concerns to women judges and women's rights; to promote benefits for women judges; to advocate and monitor judicial reforms; to participate in the activities held by the IAWJ; to facilitate visits and collaborative efforts among women judges internationally; to work jointly for the well-being of women, and to develop and sponsor other activities relevant to the objectives.

Organization

The Chapter is headed by a President who is elected by the Board of Directors for a maximum of a two-year term. Retired Justice Renee Ren-Shu Chang, founding President of the association, is the sole Honorary President of the Chapter for her significant contributions to the association.

To ensure the Chapter's smooth operation, a Board of fifteen Directors a Board of five Controllers, a Secretariat General (staffed by a secretary and one assistant), a Treasurer, and several consultants were established. Meanwhile, four Committees dealing with Legal Research, International Affairs, Membership, and Information & Technology, each with a Committee Chair, two to three Vice-Chairs, and several Members, were formed to handle the Chapter's business.



Attending 2007 IAWJ Asia Regional Meeting in Seoul, South Korea

Activities, Projects, Accomplishments

The Chapter's regular activities include an annual conference, Board of Directors meetings, regional meetings, legal research seminars, membership tea parties, the IAWJ biennial conferences, the Asia/Pacific regional meetings, and exchange visits of women judges internationally.

Other major activities, projects, and accomplishments that have taken place over the years include:

- In 1995 the Executive Yuan (Cabinet) announced a five per cent pay-raise for the government employees, but the judiciary was not included. The Chapter lodged a strong protest against this unfair treatment in the media and urged the government to take corrective measures.
- From 1996 to 1998 the Chapter promoted the enactment of the 1998 Domestic Violence Prevention Act with members participating in numerous discussions and drafting of the Act.
- In 1997 the Chapter advocated a Constitutional Amendment for judicial budgetary independence, which provides that "the Executive Yuan shall not change the annual budgetary bill presented by the Judicial Yuan, but shall have the power to add notes when sending the central government budgetary bill for the Legislative Yuan to decide."
- At the invitation of the Chapter, a five-member delegation of Shanghai and Shantung Women Judges Associations paid a seven-day visit to Taiwan in 1997, marking the first of its kind in the judiciary's history. This historic meeting facilitated the exchange of information, and fostered friendship, and understanding between women judges across the Taiwan Strait. In response, the Chapter had eight delegates led by Supreme Court Justice Kuei-Shiang Tseng President of the Chapter, visit the two groups in 1998.
- In order to improve the working conditions of judges and to enhance the quality of judgments, the Chapter conducted a nationwide comprehensive survey in 1998-1999, sending out 1,903 questionnaires to all of Taiwan's judges. The responses were analyzed and culminated in a report sent to representatives of relevant government agencies, lawyers, and prosecutors for their consideration. In 1998, the Chapter was graded A in structure, business operation, and financial matters among some 3,000 national social groups by the Interior Ministry. The Chapter was regarded as a model of teamwork, efficiency, and mutual support for groups of its kind.
- In 1999, the Chapter worked with Judicial and prosecutorial reform associations, in lobbying to increase the number of judges, prosecutors, and clerks in the country. This collaborative effort resulted in an amendment to the Organic Act of the Administrative Court.
- In 2000, the Chapter and the Interior Ministry jointly held a seminar on the Practice of Domestic Violence Prevention Act – the Preventive Order. Legal issues relating to the application, permission, and execution of protective orders were discussed and amendments to the Act were proposed.

- In 2001 the Chapter established its website: www.wja.org.tw.
- At the invitation of the Taiwan Chapter, the President of the Chinese Women Judges Association (CWJA) together with eight CWJA members came for a seven-day visit in September 2004.
- To prepare for the celebration of the Chapter's tenth anniversary in 2005, the Chapter's President, Chief Judge Jiin-Fang Lin of Taipei District Court, designed the Chapter's logo.



A huge delegation of the Taiwan Chapter visiting the MWLA in 2005

- A delegation of 32 persons, consisting of 20 members and 12 accompanying persons, led by Justice Beyue Chen Su, Chapter President, visited the Mongolian Women Lawyers Association (MWLA) in August 2005. A proposal to form sister-organizations was presented and highly welcomed by both groups. Thereafter, on February 24, 2006, the Chapter and the MWLA established official organizational ties. Three distinguished members of the MWLA, Ms Dolgor Badraa, President, Justice Tsetsgee Purev of the Mongolia Supreme Court, and Ms Oyuntsetseg Khurts, Executive Director, came to Taiwan for the ceremony.



Outside a Ger - Mongolia 2005

- In 2006, Anne T. Goldstein, IAWJ Human Right Training Director led a seminar entitled Towards A Jurisprudence of Equality, at a program jointly sponsored by the Chapter and the Judicial Study Center of the Judicial Yuan to explore women's international human rights.
- Invited by the IAWJ, the American Bar Association, and the Philippines Women Judges Association, Chief Judge Jiin-Fang Lin of Taipei District Court attended a meeting in Manila, the Philippines in March 2006, at which she discussed the operations of the Chapter and the role of Taiwanese members of the IAWJ in judicial reform.
- In November 2006, the Judicial Study Center of the Judicial Yuan and relevant government agencies sponsored a 12-day trip to Taiwan by a ten judge delegation from Mongolia to study the country's judicial system. This program has been repeated every year since then with the Chapter's assistance, in light of its special relationship with the MWLA.
- Chapter members Hon Feng-Zhi Peng, Chief Justice of the Supreme Administrative Court, Justice Peggy Pi-Hu Hsu of the Constitutional Court, Justice Alice Hsiu-Mei Chen of the Committee for the Disciplinary Sanctions of Public Functionaries, and Judge Sheng-Huay Wang of the Taiwan High Court (Court of Appeals), have been honored as national "Outstanding Judge/Justices of the Year" ever since the award first was bestowed in 2000.



Women judges across the Taiwan Strait, Sept. 2 - 8, 2004

Present Status

Currently the Chapter has 181 members, including 16 Supreme Court justices, 58 Court of Appeals judges, 75 District Court judges, seven retired judges/justices and 25 prosecutors.

The following statistics indicate the growing numbers of women judges/justices in the nation's judiciary. In 1991 the percentage of female judges was 15 per cent. As of the end of October 2008 that has risen to 40 per cent.

Major Challenges

The membership of the Chapter has not increased in proportion to the steady increase in the number of women judges nationwide over time. One of the major reasons for this is that women judges are too busy to spare time for activities other than their daily court responsibilities and family commitments. In addition, they frequently ask why women judges

join the Chapter, what are the benefits for belonging to the Chapter, and, how can nationwide networking make a difference in one's own work? Fortunately those who join the Chapter are loyal and committed. Encouraging more women judges to join the Chapter and participate in its activities remain big challenges for the members.

The major obstacle the Chapter has encountered in the IAWJ community is about the issue of our organization's identity. At the 1998 International Conference, an agreement, referred to as the "Ottawa Consensus" was reached identifying our members as the "Taiwan Chapter of the IAWJ." We urge the IAWJ to continue to honour that commitment. Another challenge arose at the 2004 Uganda Conference, where members of the Taiwan Chapter were denied entry to the country. At the suggestion of our Chapter, the IAWJ now makes one of the criteria for selecting an international conference site that the country involved must allow all IAWJ members to enter the country.



Members of the Taiwan Chapter with the Chief Justice of Taiwan together with Arline Pacht, Jane Mathews and Joan Winship.

Future Goals

The Chapter will turn 15 on January 7, 2009. Since its inauguration, the founding members have shouldered most tasks to ensure the organization's smooth operation. With the increase of women in the judiciary, it is hoped that more young members will join and that the torch can be passed down to the younger generation.

In the coming years, the Chapter will endeavor, as always, to further advance women's right to equal justice, maintain judicial independence, and fulfill legal research objectives on issues of great concern to women judges. Most importantly, the Chapter will retain a vital and productive link with the IAWJ.

By Justice Jiin-Fang Lin, Supreme Court

TANZANIA WOMEN JUDGES ASSOCIATION

Introduction

The Tanzania Women Judges Association (TAWJA) is a non-profit organization composed of more than 60 women judges and magistrates of different levels. The TAWJA was formed and registered under the Societies' Ordinance on 28th November, 2000, and is affiliated with the International Association of Women Judges (IAWJ).

TAWJA's main objectives, which are consonant with those of the IAWJ, are:

- Advancing women's rights to equal justice.
- Promoting women's access to the courts.
- Advocating for the increase of the number of women judges at all levels.
- Developing judicial leadership.
- Conducting legal research on gender equality and human rights.
- Exchanging information on issues of critical concern to women.
- Uprooting gender bias from the judicial system and the community.

Formation

In May 2000, Lady Justice Eusebia Munuo, Lady Justice Engera Kileo and Hon Regina Rweyemamu, then Commissioner for Labor, attended their first international conference in Buenos Aires, Argentina. There, the group met with Arline Pacht and Laeticia Kikonyogo who inspired and encouraged them to form a national organization. Upon return to the country quick steps were taken to form the TAWJA.



Lady Justice Munuo (in red), Judge Mushi, High Court Arusha, on her left with participants at the JEP seminar, Arusha – 2002

TAWJA's members on the Higher Benches

At the time the TAWJA was founded, three women judges sat on the High Court, but none on the Court of Appeal. However, by August 2008, four women judges were on the Court of Appeal out of 15 justices, and 19 female judges sat on the High Court Bench, out of a total of 56. Other senior women judicial officers include the Director of District Courts to the Court of Appeal, Director of Primary Courts, Registrar High Court, Deputy Registrar – Commercial Court, Acting Registrar – Land Court and Acting Deputy Registrar – Court of Appeal.

TAWJA's Activities

Shortly after its formation, TAWJA conducted the first Jurisprudence of Equality Program (JEP) seminar on 27-29 March, 2001 in Dar es Salaam. The seminars and follow up workshops for the first three years of the program were financially supported mainly by the IAWJ with a grant from UNIFEM for which TAWJA is deeply grateful.

Since its inception, TAWJA has been involved in advancing human rights of women by means of the JEP which has equipped women judges and magistrates with knowledge, techniques and skills necessary for effective application of international, regional and national human rights norms in the determination of cases involving violence and/or discrimination against women. Judicial officers have issued numerous decisions demonstrating the application of international and regional human rights norms and principles.

In 2007 and 2008 TAWJA offered JEP training to a total of 311 second-year law students, many of whom were Primary Court Magistrates. The Tanzanian Judiciary generously funded this program.

TAWJA co-operates with other NGOs that also advocate for equality such as the Tanzania Women Lawyers Association and the Women's Dignity Project.



Seated. Centre Navanethem Pillay, on her left Lady Justice Munuo, Judge Mchome (High Court Moshi) on Navi's right with trainers and participants at JEP seminar at Moshi, 2002.



Seated from left Lady Justice Munuo, Chief Justice Augustino Ramadhani, Lady Justice Kileo, Ms. Mjema DC. Lady Justice Kimaro and Ms. Mbise Registrar High court at Institute of Judicial Administration Seminar, 2008.

TAWJA's future goals

The TAWJA is committed to participating in all activities that advance human rights. With this goal in mind, we will continue to promote equal justice for all by providing continuing legal education for members and other judicial officers as well as others involved in the administration of justice. We also will continue to collaborate with other stakeholders in the advancement of equal justice for all.

By Engera Kileo

THE NATIONAL ASSOCIATION OF WOMEN JUDGES OF UGANDA

The beginnings

The National Association of Women Judges of Uganda (NAWJ(U)) was formed in May 1994 but formally launched in December 1995. Lady Justice LE Mukasa Kikonyogo Deputy Chief Justice/Head of the Constitutional Court and Court of Appeal together with Lady Justice A Mpagi Bahigeine of the same Court were privileged to participate in the first meeting of international women judges in the United States in 1991, at which the IAWJ was formed. Since then NAWJU members have actively participated in all subsequent IAWJ conferences, not least the VII biennial IAWJ conference hosted by then IAWJ President, Lady Justice L E Mukasa Kikonyogo, in Entebbe, Uganda in May 2004. This was a historic occasion not only for the national chapter but also for the Africa region, which for the first time was hosting the IAWJ.



Leading the Way: Justices Laetitia Mukasa- Kikonyogo and Benjamin Odoki pause at doorway to the IAWJ Conference in Uganda

NAWJ(U) consists of female judges of the Courts of Judicature, other female judicial officers and categories such as associate members, honorary members and *amicus judicii* including men. Its membership currently stands at 30 judicial officers.

Goals of NAWJ(U)

The NAWJ(U) and the IAWJ jointly share a vision of helping to build a just world by contributing to the development and enforcement of human rights law. The goals and objectives of the NAWJ(U) include identifying means of addressing critical legal and judicial problems which impede true equality for men and women, fostering the social economic and psychological independence of women in abusive relationships through awareness, creation and provision of alternatives, promoting joint programmes in legal education through seminars and workshops for the judicial officers, members of the legal profession, law enforcement agencies and members of the public. In addition, the NAWJ(U) advocates for the establishment of emergency centers for victims in distress and for specific legislation which expressly defines domestic violence as a crime and provides for appropriate punishment and speedy disposal and practical effective remedies.

Achievements

NAWJ(U) members can boast some major accomplishments. Since its inception, in 1994, NAWJ(U) has carried out a number of activities including the publication and dissemination of a guidebook into six local languages, Luganda, Luo, Ateso, Runyakitara, Swahili and Lugbara to ensure better accessibility to the widest possible public. It has been disseminated in Mubende, Soroti, Iganga and Arua and funds permitting will be extended to other parts of the country. With the assistance of His Worship David Batema, NAWJ(U) produced and staged a play entitled “The Convict” that vividly depicts the reality of domestic violence in the home.

In August 1996, the NAWJ(U) hosted the first African regional conference that focused on domestic violence, marriage and property rights. Combining both theoretical and practical approaches, programs were presented addressing the impact of domestic violence and the denial of full equality to women suffered on an individual and collective basis. Strategies and practical means of responding to those problems were discussed and recommendations made were incorporated into the proposed Domestic Relations Bill.

Following the NAWJ(U) lead, the Africa regional conference has become a biennial event with its leadership rotating among the area’s national associations. At the 2005 Africa region conference in Abuja, Nigeria, Hon. Lady Justice LE Mukasa Kikonyogo was honored with a leadership award.



The 7th Biennial Conference - Uganda

JEP in Africa

The NAWJ(U) in collaboration with the IAWJ, has played a central role in implementing the Jurisprudence of Equality (JEP) project throughout eastern Africa. Since the program was launched in the year 2000, the NAWJ(U) has hosted many JEP training workshops and conducted a numerous seminars designed to prepare judges and magistrates to invoke international and regional human rights conventions in resolving cases that come before them involving discrimination and/or violence against women and children.

JEP was initiated in October 2000 when a group of ten training candidates, two from Kenya, Tanzania and Zimbabwe, and four from the host country, Uganda, assembled in Entebbe for a Training-of-Trainers (TOT) Workshop, facilitated by Florence Butegwa and Judy Wolf, experts in African women's rights.

Following the training, the teams returned to their respective countries and in consultation with their taskforce, identified issues of particular concern on which they would focus and the dates and venues of their seminars. The trainers were responsible for preparing manuals for three-day seminars, drawing on the workshop curriculum, but tailoring their materials to address concrete forms of discrimination and violence endemic to women in their respective jurisdictions.

The second TOT Workshop took place in December 2001 attended by Kenya, Zimbabwe, Tanzania and Uganda, the same countries that participated in the first workshop. Nigeria participated in an observer capacity. The training teams generated by the second TOT were charged with the responsibility of facilitating at seminars/workshops designed to impart knowledge and skills in the application of international human rights instruments in domestic courts. NAWJ(U) coordinated the training in the region, as the regional coordinator was based in Kampala.

Through JEP training, judicial awareness of the phenomenon of domestic violence and the need to craft appropriate remedies has led to real justice for women who come before the courts. For instance in *Uganda v Yigga*, criminal session case No.55/2002 (unreported) the High Court convicted the accused of rape in spite of his defence that the complainant was his customary law wife. In convicting the accused, the trial judge was mindful of the right to human dignity of the complainant and gender equality.

JEP has moved to another level, and currently NAWJ(U) operates a secretariat headed by a Project Coordinator. Working closely with THE IAWJ secretariat in Washington DC, the two partners developed a program entitled Jurisprudence of Equality in a Time of HIV/ Aids. The program design comprises training seminars for judicial officers with topics that not only expose judicial officers to jurisprudence of equality but also raises their awareness of the links between gender and human rights and HIV/AIDS. Participants are better able to adjudicate sexual violence cases, property rights from the perspective of gender, human rights law at a time of HIV/AIDS. In 2008, NAWJU trainers trained 60 judicial officers. This year, a total of four seminars are planned. All this would not have been possible without funding from Irish Aid, to whom both IAWJ and NAWJU are eternally grateful.

The success of this program is due in large measure to the support of the Hon Chief Justice of Uganda, B Odoki whose leadership has made it possible for the Judicial Studies Institute to wholly incorporate the program into the national training curriculum.

Work of individual members

Individually, members of NAWJ(U) assist aggrieved persons most of whom are disadvantaged victims of domestic violence. However, NAWJ(U) also handles matters involving deprivation of resources, eviction from matrimonial homes, and desertion without provision for the family, mental torture and assault. They promote reconciliation in appropriate cases. Experience has shown that women would prefer non-custodial sentences for their spouses or companions even when they are violent. It is partly for this reason that the

NAWJ(U) advocates for domestic violence legislation that would give the victims quick and practical remedies that will make the abusers answerable but without necessarily imprisoning them.

In closing, special mention must be made of the leadership of NAWJ(U) who have kept the candle burning, namely, Hon. Deputy Chief Justice LE Mukasa Kikonyogo, Hon Lady Justice S Arach Amoko, Hon Lady Justice M Maitum (rtd), Hon Lady Justice M Oguli and Her Worship H Wolayo.

By Henrietta Wolayo

UNITED KINGDOM ASSOCIATION OF WOMEN JUDGES

The beginnings

The United Kingdom Association of Women Judges was formed as recently as 2003. Before only a handful of individuals were members of the IAWJ. From the late 1990s there had been increasing concern at the pitifully small numbers of women in the UK judiciary at all levels but particularly in the High Courts and Courts of Appeal in our three jurisdictions, and in the House of Lords (the UK Supreme Court). Like all common law countries, it has been the custom in the UK to recruit judges from the ranks of experienced practitioners, and, as we still have a legal profession divided into solicitors and barristers, to recruit our High Court judges from the ranks of senior successful barristers appearing regularly in the higher courts.

The result is a judiciary which is still overwhelmingly male, with women forming less than 10% of the higher ranks. The senior judiciary clung to the myth that things would improve as the numbers of women joining the profession began to ‘trickle up’ to the top. But Government began to realise that something more needed to be done. Moves to change our system of judicial appointments gathered pace, culminating in judicial appointments commissions for each part of the UK, each with a brief to try and increase diversity without sacrificing ‘merit’.



Celebrating the IAWJ's newest association:
Rt Hon. Elizabeth Butler-Sloss (left) and Baroness Onora O'Neil (right)
enjoy a cheerful moment with Lady Justice Brenda Hale.

The impetus to form the UK Association came from the small group of women judges who were lucky enough to attend the 2002 IAWJ Conference in Dublin. We found it inspiring to be among so many women judges from so many different countries and legal systems. We were struck by the unwavering commitment to equality for which some of us in the UK still felt we needed to apologise.

We enjoyed the unusual emphasis on our international obligations – how many of us knew to which international human rights treaties our countries were parties? What could we as judges do to bring home the commitments to race and sex equality and child welfare contained in the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, and the United Nations Convention on the Rights of the Child? But we were also embarrassed that so few UK judges had managed to make the short journey to meet our colleagues in Dublin.

So in June 2003, as the senior judge who had been in Dublin, I convened a meeting at the Royal Courts of Justice in London, to which all female members of the full time mainstream judiciary were invited and to which over one third of them came. Carmen Argibay, Leslie Alden and Joan Winship were there from the IAWJ. Many who were there clearly felt the need to come together, partly to discuss issues which only women tend to be interested in – not only or even mainly about the place of women in the judiciary but also about the place of women in society and their treatment by the legal system – and partly to break down the isolation which many of us still felt – often being the only woman sitting in a court staffed by men.

It was easy to agree to set up the UK Association, draft a Constitution and select interim officers and committee. The liveliest debate was about whether we should admit men as members. Some thought that this would destroy the point of an organisation where the female minority could feel safe to say whatever they felt. Others wondered whether we might be a trade association covered by the laws against sex discrimination. And in any event we wanted to be inclusive rather than exclusive. We did not want to be met with the accusation that we were divisive (although that does still happen, both from men and women). And we wanted to welcome men who were interested in what we were interested in. So men can join but (as Joan Winship told us would happen) very few have done so.



IAWJ Board of Directors meet with Lady Justice Brenda Hale, UKAWJ President, at the House of Lords.

We are the only British organisation which welcomes legally qualified judges from all levels of the judiciary, from the part-time fee paid chairman of social security tribunals to the full-time salaried judge in the highest court in the land. Others with an interest in our work can join as supporting members. We try to see issues from the point of view of every judge, not just those at a particular level in our very hierarchical system. We have asked for, but so far been denied, a seat on the overwhelmingly male dominated Judges' Council so that someone can represent our distinctive point of view. Fortunately those in Government who issue consultation papers on matters related to the judiciary, such as salaried part time workers, are more welcoming of our views. We were delighted to discover that there was a maternity policy for judges, when one of our committee members became the first serving judge to have a baby.

Annual conferences

Since that inaugural meeting, we have held annual conferences and regional meetings. We have discussed reform of the system of judicial appointments, women in the criminal justice system, the voice of the child in all branches of the justice system, the modern evils of human trafficking for sexual exploitation and forced marriages, and equality and non-discrimination law. Alongside the discussion of substantive issues we also try to include some inspiration from other successful women, such as the first woman chief constable, and the crime writer Val McDermid. We have also set up a mentoring scheme and held ‘meet the judges’ sessions to encourage women to apply for judicial posts.



Third Annual Meeting of the UKAWJ in March 2007.

Involvement with IAWJ

Above all, we value our membership of the IAWJ. Full members of our Association are automatically also members of the IAWJ. Unfortunately, only Bernie Kelly from Northern Ireland was able to attend the 2004 International Conference in Uganda. But she is a host in herself and brought back many enticing stories as well as valued contacts. Much larger contingents visited Sydney in 2006 and Panama in 2008 and we hope to be well-represented in Seoul in 2010. Perhaps it will then be Europe’s turn to host the conference in 2012. We have been humbled to learn of the threats to their integrity and independence faced by the judiciaries in some countries which we have been lucky enough to escape in the UK. But it is wonderful to know that there are so many clever, tough, serious, humane and feisty women in the world who are living proof that women can do judging at least as well as the men – though perhaps in a rather different style.

Anniversary

2008 is our fifth anniversary and we plan to celebrate in the time honoured legal way with a dinner at one of the historic Inns of Court and the support of the senior Law Lord, the Lord Chief Justice and other senior men in the judiciary. We feel that we have come a long way in those five years but we still have a long way to go before women have gained true equality in our judicial system let alone in the world outside.

By Rt Hon Baroness Brenda Hale of Richmond

THE NATIONAL ASSOCIATION OF WOMEN JUDGES OF THE UNITED STATES OF AMERICA

Where it all began

In 1979, two California judges, Joan Dempsey Klein and Vaino Spencer, decided to invite as many women judges as they could identify to take part in an effort to form a national organization that would cater to the special concerns affecting women on the bench. That October, a group of over 100 women judges assembled in California for the first meeting and 50 others, who were unable to attend, indicated their desire to be considered as charter members of the Association. One of the first issues they had to confront was how to define the term “Judge”. The term could have been limited to only those judges who sit on State and Federal trial and appellate courts.



Founding Members of NAWJ present at the First Conference held by the National Association of Women Judges at the Westwood Marquis, Los Angeles, California, October, 1979. Though not all pictured approximately 166 women from 28 states, D.C. and the Virgin Islands chartered the beginning of the organization. The First Conference was convened by California Appeals Court Justice Joan Dempsey Klein and Justice Vaino Spencer.

Fortunately, the charter members decided to be much more inclusive, and today, our organization consists of over 1200 female and male judges who sit on state, federal, specialized, military and tribal courts. Most of the twenty or so women state court Chief Justices are members, as well as Justice Ruth Bader Ginsburg and retired Justice Sandra Day O'Connor of the Supreme Court of the United States. Today, NAWJ of the USA is a flourishing organization that celebrated its 30th anniversary at the Annual Conference held from October 15 - 19, 2008 in Portland, Oregon.

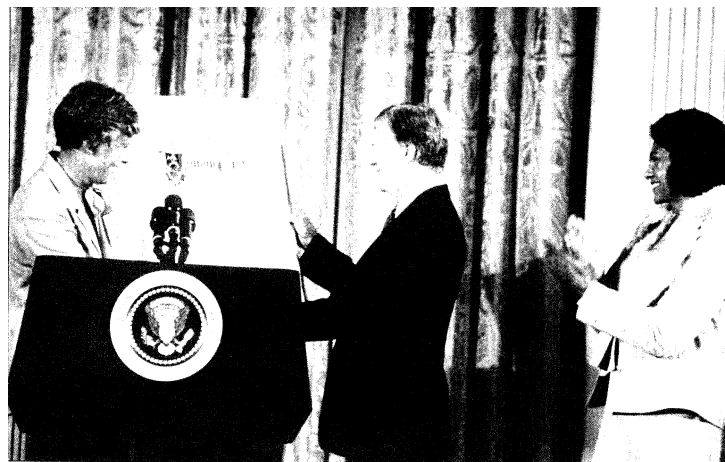
Structure

NAWJ was organized as a not-for-profit corporation whose officers are a President, President-elect, two Vice-presidents, a Secretary and a Treasurer. The membership was divided into Districts (following the districts delineated by the Federal Court system) and a Director for each District was elected to serve on the Board of Directors. A separate entity

known as the Women Judges Fund for Justice (“the Fund”) was organized as a fund-raising arm of the organization. Eventually, the two organizations were combined under the name National Association of Women Judges and the infrastructure of the organization now includes an Executive Committee consisting of the President, President-Elect, Vice-President for Districts, Vice-President for Publications, Secretary, Treasurer, Immediate Past President, Projects Committee Chair, Finance Committee Chair, Policy Development Advisory Committee Chair and Resource Board Liaison.

Our Board of Directors includes the Directors of the 14 Districts as well as our International Director and our Liaison to the American Bar Association (ABA) House of Delegates. Additionally we now have a permanent staff of three consisting of an Executive Director, Chief Operating Officer and Program and Publication Assistant with offices in Washington, D.C. The NAWJ has a Resource Board composed of non-judicial members of the legal profession and the public who support the aims of NAWJ and provide both advice and fund raising assistance to the organization.

The organization holds a mid-year meeting in March and an annual meeting in October and, lately, has added a number of regional meetings that take place throughout the year. The meetings are held in various locations all over the United States and provide an interesting way of seeing our country as well as revisiting our friends. NAWJ dues also include membership in IAWJ. Our newsletter, *Counterbalance*, is published in electronic and hard-copy form several times a year and a “monthly update” is emailed to our members to keep us informed of the activities of our organization on a more timely basis.



NAWJ Founders Justice Joan Dempsey Klein (left) and Justice Vaino Spencer (right), both on the California Appeals Court, thanking President Jimmy Carter (centre) at a White House reception celebrating his appointment of 40 women to the federal bench. President Carter’s welcome was part of NAWJ’s 2nd Annual Conference in Washington, D.C. in 1980.

Need for the organization

Initially, there were many judges, of both genders, who questioned the need for an organization that would mainly focus on issues of importance to women judges. But our founding mothers realized that this would be a positive and proactive mechanism for addressing many of the problems that were unique to women judges in what was, at that time, a predominantly male occupied position. In fact, one of the main issues addressed at the original meeting of the organization was how to increase the number of woman on the bench.

The legal profession in the United States had raised many barriers for women who wanted to become lawyers, much less judges. In 1872, the United States Supreme Court affirmed a decision of the Supreme Court of Illinois to deny a woman admission to the State bar. In its now often quoted decision it said:

The paramount destiny and mission of woman are to fulfil [sic] the noble and benign offices of wife and mother. This is the law of the Creator. And the rules of civil society must be adapted to the general constitution of things and cannot be based upon exceptional cases. *Bradwell v. Illinois*, 83 U.S. 110, 141-42 (1872).

Gradually, women were able to break through this male model mind-set, but progress was slow and the number of women lawyers appointed or elected to the bench was sparse. Florence Allen was the first woman elected to serve on a state trial court of general jurisdiction in 1920 and also the first woman elected to a state appellate court (the Supreme Court of Ohio) in 1922. She later became the first woman appointed to serve on a Federal appellate court (the Court of Appeals for the 6th Circuit) in 1933. The first woman to serve on a Federal trial court was not appointed until 1949 (U.S. District Court for the District of Columbia). Today, by contrast, over 20% of the judges serving on the various U.S. Courts are women and the efforts of NAWJ are part of the reason for this improvement.



(Left to right): Attorney Marvin Moskowitz, Hon. Pearle Appelman Retired Queens County, New York Supreme Court Justice and Chair of NAWJ's 23rd Annual Conference held in New York City, NAWJ Past President and New York Appellate Division Justice Karla Moskowitz, and former Brooklyn Family Court Judge Phoebe Greenbaum (Retired), holding a patchwork quilt of NAWJ memorabilia at the 22nd Annual Conference in Los Angeles, California, 2000.

In 1979, there were far fewer women judges on the bench; many served as the “token” woman and, therefore, were totally isolated from other women in the judiciary. A directory of women judges published that year by NAWJ together with the American Judicature Society listed only 727 women judges on State and Federal courts. Woman judges were often treated as inferior to their male colleagues and were apt to be relegated to assignments that were thought to be appropriate to their gender such as family and juvenile matters. They were often seen as unfit to sit on Criminal cases or complex civil litigation. In the beginning, NAWJ provided a “safe haven” where women judges could meet with their sisters to discuss these matters of mutual concern, to experience the comfort of being with others who were having the same experiences, and to strategize ways to increase the number of women on the bench.

Gender bias

The members soon focused on the issue of gender bias in the courts as a whole and on ways to educate judges about the issue. In 1980, a year after its formation, the Association decided to join with the National Organization for Women's Legal Defense and Education Fund to co-sponsor a judicial education course on "Eliminating Gender-Based Stereotypes, Myths and Biases in the American Judiciary". This became known as the National Judicial Education Program to Promote Gender Equality for Women and Men in the Courts (NJEP).

As a result of this project, through the hard work of NAWJ members throughout the nation, state Chief Justices, and, in some cases Governors, appointed Task Forces to investigate instances of gender bias in the courts and to publish reports of their findings. As of 2003, forty-two states and Puerto Rico have published reports. Following the publications, the States have taken strong measures to eradicate gender bias in the treatment of the judiciary the bar, those using the courts and court staff. Training programs for lawyers, judges and court staff have resulted in profound differences in the culture of the justice system of the United States. It has resulted in an increased sensitivity in the courts to treat everyone equally and with respect and has done away with attitudes that were previously found acceptable and even preferable. One of the major achievements of the Gender Bias project was to turn the problem of gender bias in the courts, from a woman's problem into a problem for the judiciary and court administrations as a whole. NAWJ is very proud of its part in this accomplishment, which could not have been achieved without the cooperation and expertise of the NOW Legal Defense and Education Fund.

By 1985, our organization's influence had advanced to the point where a letter from our President to the Governor of the State of Vermont resulted in the appointment of women to the Vermont bench for the first time in its history.



(Left to right): U.S. Supreme Court Chief Justice John Roberts and Justice Ruth Bader Ginsburg, NAWJ Past President Retired Judge Bea Ann Smith and NAWJ Past President Judge Noel Anketell Kramer District of Columbia Court of Appeals at NAWJ's Gala celebration in Washington, D.C. in March, 2006. The Gala honored former U.S. Supreme Court Justice Sandra Day O'Connor with NAWJ's Lifetime Achievement Award.

Code of judicial conduct

Another early success for NAWJ, was its influence in convincing the ABA to amend its Model Code of Judicial Conduct to prohibit membership in clubs and organizations that

discriminated on the basis of gender, ethnicity or other grounds. The male opposition to this was often based on the fact that in their jurisdictions they couldn't get elected to the bench unless they were members of these organizations. NAWJ quickly pointed out that this was the exact point we were trying to make. Women were being cut off from the networking possibilities that led to the possibility of election or appointment to the bench. Many of these organizations have now seen the error of their ways and now welcome women as members who would previously been excluded. The fact that judges, who are usually leaders in their communities, refused to join these groups unless they changed, has certainly had an impact on this development.

Vanguard of legal issues

From its inception, NAWJ has tried to be in the vanguard of legal issues and has sometimes investigated and educated its members about issues that may not appear in the courts until sometime in the future. An example of this is NAWJ's involvement in the development of various educational programs surrounding the subject of bioethics. Together with members of the Bar and the medical profession, the NAWJ has conducted seminars and conferences to discuss such topics as life support, surrogate parenting and other newly developing means of reproduction, stem cell research and the use of DNA programming in connection with issues affecting economics and employment.

Washington meeting

In 1989, the NAWJ Annual Meeting was held for the second time in Washington, D.C. to celebrate the organization's tenth anniversary. Like every Annual Conference, a host of memorable programs were on the agenda, but, without doubt, the most outstanding event involved the attendance at the conference of some 50 judges representing 30 different countries from all over the globe. Judge Brenda P. Murray, the Chair of the conference, appointed Hon. Arline Pacht to handle the international side of the meeting. A list of women judges throughout the world was compiled and invitations sent to specifically identified women judges most of whom attended. Judge Pacht and the leadership of the NAWJ, hoped that a permanent structure would emerge from this experience. In fact, that seminal meeting ultimately led to the creation of the International Association of Women Judges.



NAWJ Past President District of Columbia Court of Appeals Judge Vanessa Ruiz and US Court of Appeals Circuit Judge Deanell Reece Tacha at the NAWJ 27th Annual Conference in Houston Texas – October 2005.

Through her intense energy and persistence, Judge Pacht's hopes and dreams came true and in 1992, the International Association of Women Judges held its first conference, in conjunction with the NAWJ Annual Conference, in San Diego, California. It was described by one attendee as, "the most impressive and most interesting and most fulfilling meeting of women in the legal profession that I have ever attended"

Educational programmes

NAWJ members are very proud of the many programs that were developed to address issues of importance to the judiciary, the Bar and the public in the United States. The list of current programs includes:

- *The Bankruptcy Card and How to Play It* (revised 2007)
- *Beyond Borders: Impact of International Law on U.S. Courts* (Curriculum 2005)
- *A Guide to the Transfer of Structured Settlements Annuities* (2004)
- *From Bar to Bench* (Program Manual 2005)
- *Justice for Immigrants: Removing Obstacles to Justice for Immigrants* (2002)
Genome Justice: Implications of New Genetics for Women and Vulnerable Populations (Video 2002, Curriculum 2005)
- *Success Inside and Out Sentencing Women Offenders* (Online 2001, updated 2003)
- *Changing the Face of Justice: The History of the National Association of Women Judges* (Video 2001)
- *Color of Justice: Outreach to Encourage Students to Consider Legal and Judicial Careers* (2001)
- *The Storybook Project* (2001, ongoing outreach program)
- *Judicial Considerations When Sentencing Pregnant Substance Users* (1996) (with and available from NJEP)
- *Moving Beyond Battered Women's Syndrome: A Guide to the Use of Expert Testimony on Battering and Its Effects* (1995)
- *Understanding Sexual Violence: The Judge's Role in Stranger and Non-Stranger Rape and Sexual Assault Cases: A Self-Directed Video Curriculum* (2001) (with and available from NJEP)
- *Gender Fairness Strategies Project* (2001) (with and available from NJEP)
- *Gender Fairness in the Courts: Action in the New Millennium* (2001) (with and available from NJEP)
- *Promoting Gender Fairness Through Judicial Education: Guide to Issues and Resources* (1989, 2002) (with and available from NJEP)

A detailed description of these programs can be found by going to the organization's web page at www.NAWJ.org/programs.asp and clicking on the name of the program.

The NAWJ is especially proud of its programs that reach out to lawyers (to encourage them to transition to the bench), to minority students (to encourage them to seek careers in the law), and to prisoners (to help them make a successful transition to the world outside). Our program on Genome Justice is breaking new ground and alerting judges to issues they might face in the future and our Gender Fairness programs continue the job that was begun by our state commissions.



(Left to right): NAWJ Past President New York State Supreme Court Supervising Judge La Tia Martin, U.S. Supreme Court Justice (Retired) Sandra Day O'Connor and Massachusetts Appeals Court Justice Fernande R.V. Duffly, also NAWJ Past President, at an NAWJ Regional Conference in San Diego, California in August, 2007. Justice O'Connor delivered the Keynote Address at the Joan B. Kroc Institute for Peace and Justice on the campus of the University of San Diego.

NAWJ's history and plans

The NAWJ's history from its inception to its 25th anniversary is detailed in a handsome book entitled, *Keeping the Promise of Justice*, published in 2003. The organization also maintains an up-to-date website at www.nawj.org.

In 2007, the NAAWJ Board of Directors adopted a Strategic Plan which defines the organization's mission to:

Promote the judicial role of protecting the rights of individuals under the rule of law through strong, committed, diverse judicial leadership, fairness and equality in the courts, and equal access to justice.

The NAWJ's vision for the future entails serving as a public passionate voice for fairness, accessibility and equality, maintaining a balance of programs for professional development and the administration of justice, regional and electronic outreach, encouraging productive collaborative relationships and promoting effective and efficient leadership and operations.



(Left to Right): Maryland Seventh Judicial Circuit Judge Cathy Hollenberg Serrette, NAWJ Past President and U.S. Court of Appeals Ninth Circuit Judge Mary Schroeder, NAWJ Past President and U.S. District Court District of Columbia Judge Gladys Kessler, and International Association of Women Judges Founder Hon. Arline Pacht, in attendance to honor Judge Kessler with the 2010 Edna G. Parker Award at the Cosmos Club in Washington, D.C., May 24, 2010.

This article was written by Judge Carolyn Engel Temin, International Director of NAWJ of the USA and Liaison to the Board of the IAWJ from the USA – with reliance on many sources including her membership in the organization since 1985, our history book, *Keeping the Promise of Justice*, our web page and Wikipedia.

By Carolyn Temin