The IAWJ: Twenty Five Years of Judging for Equality
The IAWJ: 
Twenty Five years of Judging for Equality

It gives us great pleasure to present this Jubilee book celebrating 25 years of the IAWJ to the 13th biennial conference held in Washington, DC from 26-29 May 2016. We thank all the contributors and also acknowledge Heather Nordstrom, associate to Justice Glazebrook, for her hard work liaising with contributors and arranging the book into publishable form.

Edited by

Arline Pacht and 
Susan Glazebrook
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Preface to 20 Year Jubilee History

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 organisation to address the problem of domestic violence. Since its inception, the IAWJ has grown to more than 4,000 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 savour them by reading this book.

In Peace

Judge Leslie M. Alden
IAWJ President (2008-2010)
In 1989, a group of dynamic and visionary women judges from the National Association of Women Judges—United States of America (NAWJ-USA) reached out to other women on the Bench from all parts of the world and proposed the creation of an international association of lady jurists committed to the promotion of equal justice and the rule of law. Two years of vigorous consultations and brainstorming came to fruition with the establishment of the International Association of Women Judges (IAWJ) in 1991 under the leadership of the inimitable Judge Arline Pacht. Twenty-five years later, the IAWJ has grown from the pioneering efforts of the NAWJ-USA members and a core of 50 women judges from other countries into a highly respected, innovative and productive organisation with a membership of over 4,600 women judges from 107 nations.

This book contains more than the remarkable origin story of the IAWJ and the inspiring personal and professional journeys of the organisation’s most outstanding members and leaders. It is a chronicle of how much the gender landscape in the legal profession and the judiciaries of the world have changed in only a quarter of a century.

The IAWJ’s creation led to the establishment of numerous national associations of women judges in various countries, many of them spearheaded by the IAWJ’s founding members. In the 1990’s, membership in an organisation composed of only women judges was confined to a select few as a result of the numbers of women who were appointed to judicial positions, or even those who are admitted to the Bar, remained low relative to the numbers of men who secured Bar admission and appointments to the judiciary. However, in the last two decades, we have seen a marked increase in the number of appointments of women not only to judgeships but even to positions on appellate courts and the Supreme Courts of their countries. In my home country, the most recent statistics showed that women comprised the majority of new appointments to the trial courts. This is a heartening development that indicates that the advocating for equal opportunities for women in the judiciary is gaining substantial ground.

There may be those who would trivialize the rise of women leaders in the judiciary as a consequence of affirmative action or as a placating response to persistent, often vociferous, lobbying. I like to believe that shifting attitudes towards gender diversity in our courts actually spring from burgeoning empirical evidence of women judges’ creativity, competence, independence and integrity in the discharge of their official functions that enhance trust in our judicial systems. In many countries across the globe we can foresee that women in the judiciary rising to the highest ranks with diminishing or no opposition from men or even society in general.

My confidence springs from the knowledge that there is, and will be, no dearth of worthy role models from the IAWJ membership for the future generations of young women who wish to take up law and pursue fulfilling careers on the Bench to emulate. For this reason, this tome on the history of the IAWJ is an essential and precious record of its institutional growth and progress and its achievements in the promotion of human rights (particularly women’s and children’s rights), gender equality, continuing judicial education and judicial leadership done in collaboration by its numerous chapters and individual members worldwide, and in partnership with governmental and private institutions.
We cannot thank the contributors and editors behind this commendable publication enough, led by the Honourable Justice Susan Glazebrook of New Zealand and Judge Arline Pacht, IAWJ Founding President.

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”.

Neither the story nor the struggle ends here. Even with advances we have made in the endeavour to increase women’s access to the courts and their participation in leading our courts, there is still much work to be done. One only needs to look to media to find prevalent examples of gender insensitivity and discrimination, even among the world’s intellectual, social and political elite. The influential role of the IAWJ and its members in the discourse on gender and equal justice remains as vital as it was 25 years ago. As the next generation carries on this narrative that started in 1991, we hope and pray it unfolds in the same affirmative and uplifting vein.

**Justice Teresita Leonardo-De Castro**
Supreme Court of the Philippines
President, Philippine Women Judges Association
IAWJ President (2014-2016)
Foreword to 20 Year Jubilee History

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).

The International Association of Women Judges (IAWJ) is a non-profit, non-partisan organisation 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 programmes 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, organising 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; honouring 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?**

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.

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 clichéd 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 marginalised and confined, that they too can excel, and upon excelling, will be recognised 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 clichéd 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 in courts may mean happier courts. The Supreme Court of Canada has nine judges, four of them women. Since they have had women in 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 Program: 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 D 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.

Mary-Ann Hedlund (whose idea it was to compile this history)
Susan Glazebrook
The past is prolog

The International Association of Women Judges (IAWJ) was conceived in the last decade of the 20th century in order to create a global network of women judges who would collaborate in order to promote gender justice through the law for women worldwide. The Association became a reality three years later and then, in May 2016, celebrated its twenty-fifth anniversary at its Biennial Conference in Washington, DC. A review of those early years reveals that the principles shaping this unique organisation formed to benefit women worldwide, provides a roadmap to its future.

First steps

In 1988, the US National Association of Women Judges (NAWJ) at the suggestion of its founder and first president, Judge Joan Klein, decided to celebrate its 10th Annual Meeting by reaching out for the first time to women judges globally.

To implement Judge Klein’s suggestion, Judge Brenda Murray, then US NAWJ President and Annual Meeting chairperson, decided to form an international outreach committee (IOC) that would, for the first time, reach out to women judges around the globe to attend the meeting and prepare programmes in which the invitees would participate. Judge Arline Pacht, having long been interested in such outreach, volunteered to chair the IOC, an offer Judge Murray readily accepted.

In carrying out its mission the IOC wrote to each US embassy abroad and to every foreign embassy in Washington, DC requesting the names and contact information for all women judges in their respective countries. Names poured in from every continent, resulting in a computerised list of approximately 4,000 women judges in 102 nations. From this list, the IOC sent invitations to the most senior judge in 50 nations that had sizable numbers of women on the bench. Many judges accepted the invitations or recommended substitutes.

The IOC also submitted a grant proposal to the U.S. Information Agency (USIA), seeking funds to subsidise the expenses of the invited judges. After US Congresswoman Connie Morella, understanding the importance of this request, wrote persuasively to the Agency, the grant was awarded.

Thus, in October, 1989, 50 eminent women judges from 42 nations arrived in Washington, DC joining more than 450 United States women judges and their guests for a remarkably successful and joyous annual meeting that led to the IAWJ’s creation.
Throughout the four day meeting, the visiting judges from abroad were woven into the fabric of a number of the substantive programmes. One such programme featured an international tribunal whose judicial members heard oral arguments involving a hypothetical case concerning a child custody issue. The tribunal members delivered a unanimous decision, with each judge explaining how the case would have been resolved under national laws in their domestic courts. The moot court experience proved so successful that it became a feature at many IAWJ conference.

The meeting had its lighter side: each evening women judges from Argentina to Uganda joined United States colleagues in the hotel’s hospitality suite raising their voices in song. The banquet that closed each NAWJ meeting and now also closes IAWJ conferences was especially festive providing a perfect venue for the international judges to don their elegant national gowns.

The esprit de corps that pervaded this historic meeting laid the groundwork for what would evolve into a worldwide union of women judges who recognised how much they had in common with their United States sisters, despite different cultures, languages and judicial systems. Notwithstanding these differences, they were in the same profession with all its rewards and difficulties. In addition, our identity as women whose experiences often differed vastly from those of our male colleagues, forged especially strong bonds.

**Approving the formation of the IAWJ**

At the final session of the 1989 meeting, the international judges and NAWJ members agreed that they shared a common interest in forging a worldwide alliance to ensure that their judiciaries and legal systems responded equitably to issues of great concern to women. When asked if they wanted to form a worldwide association, they assented with a resounding YES. When asked if they preferred to join the NAWJ or form a separate organisation, they again answered affirmatively that they preferred to create a new organisation. Before departing for their respective homelands, the international judges pledged to share their experiences at this historic meeting with their colleagues and seek their support in forming national associations. From these modest beginnings, this small core of 50 women judges from abroad evolved into an organisation with approximately 4,000 members in 79 nations.

**Drafting Bylaws based on democratic values**

Following their enthusiastic support for a new organisation, the visiting judges authorised me as IOC Chairperson, to prepare a draft constitution that would provide a framework for the new association. At the outset, some fundamental issues had to be addressed: how should the new organisation be structured, and what should the IAWJ’s mission be? The answers to these questions addressed in the original Bylaws continue to govern the IAWJ today.

Article I of the Bylaws sets forth the IAWJ members’ commitment to observe the rule of law, advance women’s right to equal justice, promote women’s access to the courts, and increase the number of women judges at all levels of the judiciary who would decide whether the laws and customs challenged in cases that came before them violated women’s human rights.
The founders understood that the Bylaws had to be more than words on paper. Therefore, in declaring a commitment to the rule of law, the IAWJ’s governing rules ensured that all members would be treated equally and enjoy commensurate powers. Membership could be obtained either individually or as a member of a national association and dues would be modest so that no one need be discouraged from joining. A nominating committee and the nominees proposed for five leadership positions each would come from different continents. The five elected officers and the IAWJ’s executive director would serve as an executive council with authority to make decisions under specific circumstances when the full Board of Directors was unable to meet.

From 1990 to 1991, draft after draft of the proposed Bylaws were circulated for comment to the international judges who attended the NAWJ’s 1989 meeting and were forming national associations. By its terms, the Bylaws would take effect when 10 judges who had formed nascent national associations ratified the document. By October 1991, after founding members from Argentina, Australia Brazil, Canada, Iceland, Italy, Kenya, Nigeria, Uganda and the United States had ratified the Bylaws, an embryonic IAWJ was officially established. During this same period, judges who had attended the NAWJ’s 1989 meeting continued to engage in painstaking efforts to mould and expand their national associations.

Why an organisation of women judges?

In the 1980’s and 90’s, women judges, while generally few in number, were educated and charged with deciding matters that could deeply affect people’s lives. Yet, we were not blind to the fact that millions of women were powerless and at the lowest rung of their country’s social ladders. We were aware that women often were and still are denied an education; were deprived of property rights, had no choice in whom they would marry and worse, were, and still are, abused by the very men who were supposed to care for them. When the IAWJ was in its infancy; feminism and consciousness-raising were not household words. We realised that as strong as we might be individually we could be far more effective when working together in common cause. The concept of women judges acting collectively to reject laws or customs that condoned violence and discrimination against women was an idea whose time had come.

The structures and purposes of the IAWJ

The Bylaws were crafted with the understanding that women judges’ are uniquely situated to serve as catalysts for social change. Given their education, skills and status within their communities, they possess the authority to issue judicial decisions that reject traditional practices that hold women in thrall. To achieve these ends, the Bylaws call upon IAWJ members to educate themselves, their colleagues and members of the public about the barriers that can impede women’s full participation in the life of their communities.

For the IAWJ to articulate such ambitious goals when first emerging on the world stage was virtually revolutionary.

A second principle was to ensure that democratic principles were written in to numerous provisions of the Bylaws. For example, no more than two candidates serving two year terms could be drawn from the same continent, thereby ensuring that judges in every part of the world would be represented and participate in the governance of the Association. Elections would be held during each biennial conference with winning candidates chosen by a majority of members present. Since it became customary to hold international biennial conferences in the homeland of the then current IAWJ President, conference sites typically rotated from one continent to another, a practice that continues today.
A comparison between the early and current Bylaws as amended in 2002 reveals many similarities. However, one major difference affected the composition of the IAWJ’s Board of Regional Directors, the IAWJ’s policy-making body. Initially, the president of each national association automatically became a member of this Board. However, as the number of IAWJ national associations grew rapidly, it became apparent that the Board could not function efficiently with an ever-expanding number of directors. Therefore, in 2002, the Bylaws were amended to provide that only two directors from each of five continents would be elected by IAWJ members for two-year terms. By custom, the directors would be from different countries so as to represent members in diverse areas of their continent.

Experience also demonstrated that national association members on the same continent share many common interests beyond proximity. To take advantage of this relative closeness, time now is allotted during each biennial conference so that members from each region may meet to share ideas, consider common projects, plan regional meetings and/or take positions on matters such as proposed resolutions or Bylaws changes that may arise during biennial conferences.

The IAWJ’s inaugural meeting

In 1992, 82 international women judges from 32 nations gathered in San Diego, California, to attend the IAWJ’s first international conference entitled “Transcending Borders,” held concurrently with the NAWJ’s Annual Meeting. The US Agency for International Development (AID) provided a substantial grant making it possible for 30 women judges from Central and South America to attend the Conference. The balance of 52 women judges from other continents received financial support either from their governments or from AID field offices.

Prior to this historic inaugural conference, a nominating committee drawn from extant associations, proposed a slate of candidates for the position of IAWJ president, president-elect, vice-president, secretary and treasurer. I was greatly honored to be elected as the IAWJ’s first President at the IAWJ’s seminal meeting. The other elected officers included Chilean Judge Nancy de la Fuente as President-elect, Justice Aloma Mukhatar as Vice President, and Icelandic Supreme Court Justice Gudrun Erlensdottir became the Association’s Secretary-Treasurer. At a joyful cocktail reception that opened the meeting, NAWJ founder and first President, Judge Joan Klein, administered an oath of office to the IAWJ’s newly elected officers.

Participants attending the 1992 IAWJ Conference in San Diego
Implementing the IAWJ’s goals

Adopting a priority issue

Consistent with the Bylaws, IAWJ members are committed to overcoming legal barriers that ignore women’s and children’s human rights. This is a noble statement, but it was unclear in 1992, how members would put that precept into practice? At the inaugural conference in San Diego, clearly our dreams of a more just world for women and children had to be more than mere words on paper. With unanimous support from the Executive Council, I proposed that a resolution be presented to the members that would propose adoption of a “priority issue”; that is, a problem of utmost concern to women throughout the world. After consulting leaders of a number of international women’s groups, I learned that the issue women most feared in virtually every country was domestic violence. At that time, domestic violence was anything but a household word; typically, it was considered a private family matter and rarely, if ever, led to legal action. To address what the members recognised as a global crisis, each national association or individual member was called upon to create a meaningful programme within their respective cultures. Little did we realise at that time what a far-reaching effect the unanimous adoption of domestic violence as the IAWJ’s priority issue would have in guiding its members’ future activities.

Throughout the next two years, a number of national association members began to educate themselves and their colleagues, both men and women, about the plague of domestic violence. During this period, some IAWJ members heard domestic violence cases in court with mixed results. In Uruguay, for example, one intrepid IAWJ member defied convention by imposing stringent penalties on defendants found guilty of family violence. She also sentenced three boys to prison for raping a young girl. Unfortunately, Uruguay’s President released them on the grounds they were from “good families”. In short order, domestic violence soon became the IAWJ’s defining issue.

In hosting the Biennial Conference in May, 1994, the Italian Women Judges Association (ADMI) presented a three day programme entitled, “Domestic Violence, A Hidden Phenomenon,” a reference to the common custom of hiding such crimes under the veil of family privacy. Every substantive session at the conference addressed various aspects of domestic violence from varying national perspectives.

Consistent with this theme, Judge Patricia Wald delivered an impassioned key note address, graphically describing the devastating effects of domestic violence on countless women and children in every country. She then stressed the crucial importance of coordinated and collaborative action among all stakeholders involved in domestic violence conflicts if efforts to combat this insidious plague were to succeed. Before the Rome conference concluded, IAWJ members unanimously adopted domestic violence as the IAWJ’s priority issue for another two years.

Following the Rome Conference, a number of national associations developed more aggressive steps to combat domestic violence. For example, ADMI, following the United States model, succeeded in convincing legislators to enact a law authorising court ordered issuance of protective orders that compelled abusers to stay away from their victims at home or at work, as well as other places they might frequent such their children’s schools, or friends, neighbours’ and relatives’ homes when deemed necessary. Abuse of such orders could result in incarceration.
In 1996, the priority issue was expanded to encompass all forms of violence against women and in 1998, the issue again was enlarged to bring children within the yoke of domestic violence. Today, domestic violence in many countries is no longer a hidden phenomenon; many organisations exist that address all aspects of this universal plague including providing shelters for women and children who must escape detection by violent partners.

With increasing attention being paid to domestic violence by many public and private organisations, the tradition of addressing domestic violence as a priority issue faded from the IAWJ’s action agenda. Nevertheless, a number of national women judges associations continued to combat this plague as a critical issue within their countries. The IAWJ can take great pride in knowing that it was the first judicial organisation to focus international attention on this insidious crime.

Towards a jurisprudence of equality: human rights principles applied in domestic courts

Due to efforts of many IAWJ national associations, domestic violence has become a household invidious term and laws criminalising domestic violence have been enacted in many venues. Consider, for example, Brazil’s passage of the Maria da Penha law. In May 1983, Maria da Penha Fernandes’ husband shot her twice in the back while she slept, leaving her a paraplegic for life. Two weeks after her return from the hospital, he tried to electrocute her. The da Penha case languished in court for two decades, while her husband remained free. Years later, in a landmark ruling, the Inter-American Court of Human Rights criticised the Brazilian government for not taking effective measures to prosecute and convict perpetrators of domestic violence. In 2006 the Brazilian government acknowledge its international responsibility for the violence, awarded Ms. Da Penha $60,000 and enacted a far reaching statute under the symbolic name, “Maria da Penha Law on Domestic and Family Violence.” The IAWJ did not participate directly in this case, but it is reasonable to conclude that were presented in Brazil over a three year period, contributed to a climate of change whereby the Brazilian government censured the police and the state for malfeasance and enacted a far reaching Maria da Penha law that was affirmed by Brazil’s Supreme Court.

While national associations continued to form and flourish, I continued to search for programmes that would unite IAWJ members in their efforts to challenge laws and customs that subjugated vulnerable women. This quest led to my belated discovery in 1993 that when nations ratified international human rights conventions, their terms became controlling law in their countries. Armed with this knowledge, judges clearly could invoke these conventions to resolve appropriate cases such as domestic violence that arose in their countries’ domestic courts.

I soon found that The Convention on All Forms of Discrimination Against Women (CEDAW), was a comprehensive, widely ratified document that set forth women’s rights to full equality both in substance and practice in all spheres of society. Yet, I also found that many judges were unaware that they had the authority to invoke the curative terms of CEDAW or other human rights conventions in their domestic cases. In fact, although the United Nations adopted CEDAW in 1979, the convention was not invoked until cited by the Court of Appeal of Botswana in Attorney-General v Unity Dow (1992).
That case tested a Botswana law that held a woman married to a foreigner could not convey her own Botswana citizenship to her children, although a male citizen married to a foreigner could do so. The High Court ruled that the law unconstitutionally infringed on Ms Dow’s fundamental rights and freedoms, her liberty of movement, and security and her right to non-discrimination as provided by CEDAW and the Universal Declaration of Human Rights.

Clearly, CEDAW and other human rights instruments offered a universal legal language that could be invoked in domestic courts to promote and protect gender equality. With the requisite knowledge and training, motivated judges, like those in the IAWJ, could lead the way in applying human rights conventions in cases coming before them that involved all forms of violence and discrimination against women.

The IAWJ’s next step was to find financial support to develop and offer such a training programme. To this end, I submitted a grant proposal to the Joyce Mertz Gilmore Foundation (JMG), and in particular, to Robert Crane, the Foundation’s President and Director of its human rights section. At the same time, it was my good fortune and the IAWJ’s, to employ Anne Goldstein, formerly, an adjunct professor at Georgetown Law School whose role would be to provide materials to IAWJ members with information needed to apply human rights provisions to domestic cases arising in their courtrooms. However, when I next met with Mr Crane he gave us his disheartening opinion that our proposed training programme was too immense to be fundable. Nevertheless, he spent an hour with us explaining how to convert an overly broad proposal into a funding request for a pilot project.

Heeding his advice, I reorganised the training programme into three distinct steps. First, the leaders of national associations in four or five contiguous countries that shared the same language and legal-judicial systems, would select two-judge teams whose members would participate in a two week training programme:

**Week one:**

At the outset, the training team members would study CEDAW’s terms and those of other human rights conventions, then Anne guided discussions in which the team members were asked to discuss how the outcome of various cases would differ if decided under international human rights law as compared to their domestic national law.

**Week two:**

An Argentine judicial education expert, Dr Sylvana Stanga, next led a second week of training to equip the judges with interactive skills useful in promoting discussions about the application of human rights provisions to cases involving gender based discrimination and violence in their courtrooms. This phase of the training ended when the judges led a discussion with their colleagues about a case involving violence and discrimination against a woman.

After submitting the revised proposal to the JMG foundation, the IAWJ was awarded $120,000 for a three year period which permitted Anne to complete the preparation of training materials, support the development and testing of the JEP materials in pilot project training programmes at a one day round table programme offered on the day following the Rome Biennial conference and then, offer a three day training programme led by two member judicial teams judges to their fellow judges in Costa Rica, The Philippines and Romania. Subsequently the trial JEP also was tested in Costa Rica and El Salvador.
Major Funding to Implement the JEP in South America: Training the Trainers

After I courted Inter-American Development Bank (IADB) officials for over a year, the Bank awarded the IAWJ a major grant of $875,000 in 1994 to fund a three year JEP training programme in South America. With this support, Anne further refined the training manual to be used for the for first multi-country training to be given at the US Federal Judicial Center in Washington, DC. Anne led the first week’s interactive session for the two member teams from Argentina, Brazil, Chile, Ecuador and Uruguay. Then, Dr Stanga guided the group of 10 judicial trainers through a second week of instruction, using role play and other interactive techniques to equip them with skills they would use in transmitting human rights expertise to colleagues.

After completing the Train-the-Trainer’s sessions, commonly referred to as 3 Ts workshops, the judicial teams first adapted the IAWJ training manual for use in three day seminars they would lead for groups of 20 to 30 judicial colleagues. During these sessions, the trainers would guide the judges as they discussed the outcome of hypothetical cases in light of human rights provisions. In educational circles, reliance on trainers to train their peers is referred to as the “multiplier effect”.

For the next two years, teams of newly selected judges from each of the five South American Associations participating in the JEP, were immersed in 3 Ts workshop training given in Buenos Aires. Thereafter, successive training teams would repeat the three day seminars described above for groups of judges in their respective nations. When the three year JEP programme concluded in South America, approximately 500 judges were prepared to apply human rights provisions to cases coming before them involving domestic violence and gender based discrimination. Even after the IADB’s grant period ended, the JEP was so well received that the Association of Argentine Women Judges (AMJA), continued to offer training seminars for several more years under the auspices of the Argentine Judicial College.

A Best Practices Handbook

After the Jurisprudence of Equality programme had run its course, the IADB awarded a supplementary grant to the IAWJ, requesting that Anne and I prepare a report describing the best practices that emerged from JEP training seminars. Many of the best practices that we observed or that trainers pointed out were incorporated into subsequent JEP training programmes delivered in East Africa. For example, it became clear that the judges who participated in the Train-the-Trainers workshops should be paid for their two week absences from court. In addition, experienced trainers were assigned to observe and mentor each new crop of JEP trainers when they led seminars for the first time.

Implementing the JEP in East and Southern Africa

The Jurisprudence of Equality manual used in training sessions for judges in South American nations provided an effective template when developing training manuals for use in other countries. With a generous $100,000 grant from UNIFEM, the IAWJ worked with its East African partners; that is, Kenya, Tanzania, Uganda and Zimbabwe, to prepare a JEP tailored to their similar judicial systems. Subsequently, the Ford Foundation awarded another $100,000 to supplement the funds needed to complete the final two years of the programme in East Africa.
With a generous $100,000 grant awarded in 2004 by the UN Office for the Development of Women, the next JEP training programme was introduced to prospective JEP trainers in the East African nations of South Africa, Zambia, Botswana Uganda, Kenya, Tanzania and Zimbabwe. An equally substantial grant of $100,000 from the US Office for the Development of Women, made it possible for the IAWJ to present the JEP in Southern Africa; specifically, in Botswana, South Africa and Zimbabwe. A two year JEP training programme next began in the Central American nations of Costa Rica, Guatemala, El Salvador and Panama and a modified version of the JEP also was conducted in the Dominican Republic, Nigeria and Thailand.

There can be little doubt that the JEP was having a considerable impact in the various host countries and beyond. Although it was not always easy to collect decisions that demonstrated JEP’s influence, over 100 judgments were submitted to IAWJ headquarters. Some of the most novel and potentially influential of these decisions were published in the IAWJ’s quarterly newsletter, Counterbalance International. One of the most notable cases involved a Brazilian woman’s right to an abortion – a country that forbade, and still forbids, abortions under any circumstance. Nevertheless, a JEP trained male judge issued a decision approving an abortion for a woman whose embryo was anencephalytic, thereby setting a precedent for other judges in his country. Another case overturning settled judicial practice was overturned when a JEP-trained Ugandan judge issued a written judgment in which he refused to follow and discredited a frequently invoked stereotypical rationale that women are known to lie about being raped. In Tanzania, a High Court judge overturned settled judicial practice when she ruled that a customary practice of compelling marriage by raping the intended bride was a crime violating the victim’s human rights.

**IAWJ BIENNIAL CONFERENCES – A Brief Overview: 1994 to 2002**

**1994: The Rome Biennial Conference**

The IAWJ grew beyond all expectations when more than 350 IAWJ members and guests arrived at the National Policy Academy in Rome, Italy, the Eternal City, for the start of the May 1994 biennial conference, tripling the number present at the inaugural meeting two years earlier. Under the leadership of Justice Gabriella Lucciolli, the first woman to serve on Italy’s Supreme Court, the Italian Women Judges Association (ADMI) hosted a programme that drew attention to the silence typically shielding the prevalence of domestic violence from public disclosure by aptly titling its conference “Domestic Violence – A Hidden Phenomenon”.

The meeting opened with televised images of US Supreme Court Justices Ruth Bader Ginsburg and Sandra Day O’Conner appearing together on a huge screen to deliver their congratulations to the IAWJ on having brought together women judges from every continent to work in concert in order to more effectively grapple with conditions and traditions that thwarted women’s freedom and equality.

As mentioned above, Justice Patricia Wald delivered an inspiring keynote address in which she graphically described the devastating and often deadly effects of domestic violence on countless women and children in every country on the planet. She maintained that coordinated and collaborative actions taken by all stakeholders were crucial if efforts to combat the insidious plague of domestic violence was to succeed. Before the Rome conference concluded, IAWJ members unanimously approved domestic violence as the IAWJ’s priority issue for another two years.
**1996: The Third Biennial Conference in Manila, the Philippines**

The Philippine Women Judges Association (PWJA) hosted the IAWJ’s third biennial conference in Manila, with its theme entitled “Equality Through Law – Commitments to Keep.” The PWJA broadened the scope of the IAWJ’s priority issue again by devoting the conference to all forms of violence against women, including such topical matters as sex trafficking, migrant labour and child marriage. Philippine Judge Pacita Canizares Nye officiated as the IAWJ’s then current President.

One of the highpoints of the Manila Conference was the presentation of a hypothetical case to a tribunal composed of IAWJ members from nine nations involving an international adoption. Specifically the case posed the question of whether a divorced Philippine mother then living in the US, or the father who had returned to the Philippines, would be awarded custody of their young son. The case was well presented, well argued and unanimously decided in the mother’s favour.

The PWJA members left no stone unturned in assuring that their IAWJ sisters would have ample opportunity to visit Ferdinand and Imelda Marcos’ palace among others. That evening, to my great surprise, Manila’s mayor presented me with a key to the city at a festive *al fresco* dinner party held in a beautiful park situated in the heart of the city. Regrettably, no one knew that Justice Canizares Nye had only a few months to live after the conference ended.

**1998: The Fourth Biennial Conference in Ontario, Canada**

Under Judge Susan Devine’s leadership, then IAWJ President, with the support of the Canadian Women Judges Chapter, the IAWJ’s Fourth International Conference took place in Ottawa, Canada in May 1998, with the thematic title, “Vision for a Non-Violent World.”

Stephen Lewis, Deputy Director of the United Nations International Childrens Fund delivered an insightful and moving keynote address regarding the plight of poverty stricken children in many parts of the world. Given his poignant remarks, IAWJ members’ voted to extend the priority issue again to encompass not only all forms of violence against women, but against children as well, with particular attention to the UN Convention on the Rights of the Child.

Prior to the Ottawa Conference, I suggested, and the Canadian Association agreed, to establish the IAWJ Human Rights Award to honour a woman who made a significant contribution to the advancement of human rights. Lady Bertha Wilson, the first woman to be appointed to Canada’s Supreme Court, was the first recipient of this award recognising her forthright gender bias study of the Canadian judiciary and co-author of a report exposing the dire living conditions of Canada’s indigenous people. Following this singular event, the presentation of this award has become an annual IAWJ tradition.
1999: The IAWJ Granted Consultative Status to ECOSOC

In 1999, the IAWJ-IWJF applied for and was granted Special Consultative Status to the Economic and Social Council of the United Nations (ECOSOC), a major UN Division that encompasses the Commission on the Status of Women (CSW). With this coveted status, the IAWJ-IWJF was entitled to attend ECOSOC meetings, circulate written statements and address ECOSOC members and its subsidiaries. The IAWJ’s principle interest as a special consultant lay in the work of the Commission on the Status of Women, an important ECOSOC division. By virtue of this special status, the IAWJ was able to play a more active role at CEDAW Expert Committee meetings, and other events concerned with gender issues.

2000: IAWJ’s Fifth Biennial Conference in Buenos Aires, Argentina

The Argentine Association of Women Judges, (or AMJA) continued to focus on discrimination and violence against women, particularly those who are especially vulnerable - the poor, the uneducated, the physically challenged, the single mother or the woman with HIV.

Justice Carmen Argibay, AMJA’s founder and then IAWJ’s President, was a key figure in implementing the JEP in South America. Carmen’s other notable contributions to human rights included serving on a special NGO tribunal that tried Emperor Hirohito and several Japanese generals for the enslavement of so-called “comfort women” during World War II. She also was elected to a post on the International War Crimes Tribunal for the former Yugoslavia. She left that position when she became one of the first two women to be appointed to Argentina’s Supreme Court where she won widespread respect for several historic dissenting opinions. Carmen long maintained that that none of her achievements throughout her distinguished career would have happened were it not for the IAWJ. Her death in 2013 was met with great sadness by friends and colleagues throughout the world.

Justice Navanethem Pillay, or Navi as she is widely known, received the IAWJ’s human rights award at the conclusion of the 2000 Biennial Conference hosted by AMJA in Buenos Aires. A South African, Navi spent her early legal career defending members of the African National Congress. Subsequently, she was elected to the International War Crimes Tribunal for Rwanda, becoming its first woman Chief Justice in 1998. In this position, she issued the landmark Akayesu judgment holding that systematic, widespread rape committed as a weapon of war constitutes genocide, crimes against humanity and war crimes under the Charter of the International Criminal Court (ICC). Navi was among the first of seven outstanding women to be elected to the ICC, followed by a six year term as United Nations High Commissioner for Human Rights. On receiving the human rights award, she noted that there is no greater honour than one bestowed by friends.
2002: Conference in Dublin, Ireland

Women judges from 24 nations gathered in Dublin, Ireland, to celebrate the IAWJ’s 10th anniversary at its May 2002 Biennial Conference. Justice Mella Carroll, then IAWJ’s President, a highly respected jurist and creative feminist, was appointed by her nation’s government to prepare influential reports on the nursing profession and later on abortion in Ireland.

Guided by the theme of “Creative Justice,” the Hon Beverley McLachlin, Chief Justice of Canada’s Supreme Court, and the Chief Justice of Ireland opened the programme by comparing how human rights were applied to domestic cases in their respective countries. The Hon Mary Robinson, the first woman president of Ireland and then 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 Essex University, outlined various ways that national judges can be influential in enforcing human rights. IAWJ members deeply mourned Justice Carroll’s death, a year after the biennial conference in her country.

Streamlining the IAWJ’S structure

During the Dublin conference’s closing business meeting, the membership was called upon to consider the following changes in the IAWJ-IWJF’s structure to reflect changes in the law and the enormous growth in membership.

In as much as the IAWJ and IWJF performed many of the same functions with the same leadership, the Executive Council took legal steps to merge the two organisations, with the IAWJ as the survivor. At the same time, amended Bylaws were proposed to enhance the IAWJ’s streamlined structure. The Board of Directors had become unwieldy since the president of each of the many national associations automatically became a member of the Board of Directors. Instead, the amended Bylaws provide that the Board would be composed of 10 elected judges, two of whom would represent one of the following continents: that is, Asia, Africa, Europe and the Middle East, the Far East and South and Central America that composed IAWJ regional groups. It was my great honour to receive the IAWJ’s Human Rights Award as the conference was drawing to a close.

Thinking Ahead: Preparing for Positions on the International Criminal Court

The IAWJ takes great pride in having supported a number of women for election to international tribunals. In particular, the IAWJ, in collaboration with another NGO, the Women’s Caucus, and funded by a grant from the Open Society Institute, co-sponsored a workshop from 9–12 October 2002 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. Carmen Argibay served as a member of the International Criminal Tribunal for the Former Yugoslavia and Ugandan Justice Solomy Bossa was elected to an ad litem term on the International War Crimes Tribunal for Rwanda.

Closing One Door, Opening Another

Following my two year term as IAWJ President from 1992 to 1994, I became the IAWJ-IWJF’s part-time executive director while remaining employed full time as an Administrative Law Judge at the National Labor Relations Board. In 1998, I took early retirement so that I could continue working pro bono as the IAWJ’s full-time executive director. I retired from that position in July 2002 and joined the Board of Managerial Trustees, pleased to be turning the IAWJ’s future over to Joan Winship’s highly capable hands.
Now that Joan has retired, I look forward to working with the Association’s new Executive Director, Lisa Davis who comes to her position with impressive credentials, highly relevant experience and a passion for collegiality after 16 remarkable years with Freedom House, a highly regarded NGO. Lisa is bound to enlarge the IAWJ’s footprint, fill its coffers, and engage us in continued efforts to humanise our world as the number of members expand.

A Personal Note

Publication of this revised edition of Judging for Equality marks the 25\textsuperscript{th} anniversary of the IAWJ’s birth. Throughout these two and one-half decades, I have marvelled and swelled with pride at witnessing women judges’ selfless commitment to securing gender equality and justice for women throughout the world. The emergence of women judges on the world stage is a phenomenon that has no parallel in earlier times. It is exhilarating and fulfilling to be part of this movement knowing that through our collective efforts, yours and mine, we are striving to make our world a more just, safer and equitable place for all people, but especially for women and girls. With 3,900 members in 80 nations and financial support from many generous sources, the IAWJ is moving steadily toward achieving its goals.

Judge Arline Pacht (ret)
The history of the IAWJ from 2002 to 2010

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.

During the first decade, the IAWJ’s membership grew, national associations were formed and the IAWJ’s flagship programme, the Jurisprudence of Equality Programme, 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 honoured by the organisation 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 organisation with increased visibility, more members and evolving and expanding programmes. 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 organisation.

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 organisation called the IAWJ.

**IAWJ Governance**

In anticipation of Judge Pacht’s retirement and thus the loss of her volunteer commitment to running the organisation, 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 organisations, 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 organisation based in Washington, DC with a Board of Directors made up of five officers and 10 regional directors (two from each of five 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 organisational 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’ programme 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 organisation has truly been blessed through the years with a committed, expert leadership on its Boards.

**IAWJ Administration**

In 2002 the IAWJ had two paid staff persons. Diana Ngbokoto served as Jurisprudence of Equality Programme 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 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 programme.

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 Programme 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 LLM 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 programme 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.

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 organisation remained and continue to remain a challenge. Donors want to fund programmes, 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 organisation.

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.

New associations have formed in the following years:

- 2003 Afghanistan
- 2004 United Kingdom
- 2005 Republic of Korea
- 2006 Philippines (reorganised and relaunched)
- 2008 Mongolia
- 2009 Hungary
- 2010 Malawi
- 2010 Ghana
- 2010 Egypt (to be launched)

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.

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 recognising 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 Mesquito” 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.
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 organisation 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 Letiticia 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 Moseveni, 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 Chapter, 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.

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, for 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

Global Networking: IAWJ members enjoying an outdoor reception hosted by the Mayor of Entebbe
Town Hall complete with lively participant dancing as well as an opera performance, and a lovely afternoon harbour 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.

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 organisation is an excellent step forward for the IAWJ.

2010 Seoul, South Korea

As this history is being written, plans for the IAWJ’s 10th Biennial International Conference are being finalised 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 programme, 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.

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 organised 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.

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 D Winship, IAWJ Executive Director to participate and be keynote speakers. Similarly in 2006, the South Korea Association invited five 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 Programme, IAWJ’s Flagship Programme

Both Arline Pacht and Anne Goldstein have written about the Jurisprudence of Equality Programme 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 honoured 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 programmes.

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 programme 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 programmes in small towns and villages around Tanzania. This has been an exciting collaboration and an exciting programme that has been featured on the UNDEF website at: www.un.org/democracyfund.
Our newest JEP programme is a three-year UNIFEM-funded programme in Zambia called “Justice, Jurisprudence, Access and Accountability in Zambia (JJAAZ)” 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 Programme’. 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, labour 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.

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 programme adapted to their laws, judicial systems and issues if JEP is to become instrumental in their judicial education programmes. 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 institutionalised 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 Programmes**

**Judicial Education Programme for Afghan Women Judges**

The IAWJ began to work with Afghan women judges in 2003 following the fall of the Taliban and the re-establishment of women judges to the courts. IAWJ member from the state of Vermont in the USA, Hon Patricia Whalen, and IAWJ executive director, Joan D Winship, began to envision a programme bringing Afghan women judges to the US for a judicial, educational, and cultural programme. By 2004, the IAWJ had secured funding through the US 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 three week programme for Afghan women judges. This programme has been conducted now five times (2004, 2006, 2007, 2008 and 2009) through additional funds from the State Department to the IAWJ and the Vermont group has organised itself into the Rural Women Leadership Programme 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 programme 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 D 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 organisations 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 programmes. The IAWJ continues to partner as best we can and persevere with them as we continue to implement our Judicial Education Programme for Afghan Women.

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 programme 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, anti-violence and anti-trafficking campaigns.

Programme Collaborations with International Organisations

Over the past eight years, the IAWJ has increased its collaborations with other international organisations. 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 programmes. Collaborations have ranged from such organisations as the International Bar Association, the Commonwealth Magistrate and Judges Association, the American Society of International
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 Organisation/FAO in Rome on Gender, Property Rights, and Livelihoods in an Era of AIDS. In 2008, UNIFEM invited IAWJ executive director, Joan D 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.

Two fairly recent international collaborations are examples of the high regard that different organisations 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 emphasis the important of gender justice; these agencies include: UN Development Programme (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.
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 organising 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 organisations.

2009 Global Forum for Gender and Justice

In 2008, the IAWJ was also approached by the Avon Foundation to organise 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 programme in Washington, DC, on issues that have been a focal point for IAWJ through the organisation’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 programme and identify our expert judges to participate in a three day programme 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.
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 honour 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.

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 honour 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!

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 organisations 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 ground-breaking 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 energise 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 programmes for members and IAWJ associations, writing reports on existing programmes, and planning ways to advance the IAWJ as an organisation, 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 organisation 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 organisation and to watch its ever growing potential and the impact it is having in the world.

Joan D. Winship
Executive Director
2010
The history of the IAWJ from 2010 to 2015

Years of Continued Growth and Development

It is a pleasure to write this update to my earlier History of the IAWJ from 2002-2010. I am proud to share the progress of the IAWJ through June of 2015 when I retired from my role as Executive Director of the exceptional organisation known as the International Association of Women Judges. During the past decade and a half, the IAWJ has established itself as an organisation that has members at all levels of the judiciary, not only nationally but in the international arena as well. The work that the IAWJ has done is of exceptionally high quality and has had impact for women judges, the wider judiciary of which they are members, as well as those affected daily by the decisions made by judges around the world. The IAWJ’s work has grown in its visibility and is recognised internationally, especially among those who work on issues of gender, access to justice, rule of law and international human rights. Members and staff of the IAWJ can be rightly proud of the work and the IAWJ!

In order for readers to follow the progress of the IAWJ, this update chapter will follow the same format as the earlier 2002-2010 chapter.

IAWJ Governance

IAWJ Board of Directors

I look back over the last 13 years and see the evolution of the IAWJ Board of Directors with pride. The Board of Directors is the international governing board of the IAWJ. Whereas communication with and involvement by members of the Board were challenges back in 2002, the involvement of members of the Board and their awareness of the activities and governance of the IAWJ has increased dramatically. Annual meetings were instituted beginning in 2003; prior to that, Board meetings had only occurred at the Biennial conference every two years. Even though the IAWJ does not have funding to cover the costs of attendance at the meetings and even though the meetings have been held in different parts of the world, we have reached the level of expectation and commitment that we have had 100 per cent or almost 100 per cent attendance at board meetings in recent years. Board members have been involved throughout the year working on such things as the IAWJ Bylaws, Strategic Plan, and the IAWJ history book, including also the recent search for a new Executive Director and conference calls for planning for the 2016 conference. When we have had to conduct important business before the IAWJ Board via email, members have been responsive in timely fashion.

It has also been a real privilege and pleasure to work closely with the various IAWJ presidents over the years. Despite holding high and challenging positions themselves, they have shared their time, energy, wisdom and leadership with the IAWJ and with me personally. I value the input each has given and recognise their individual strengths and contributions.
They include: Hon Letitia Kikonyogo of Uganda, Hon Jane Mathews of Australia, Hon Graciela Dixon of Panama, Hon Leslie Alden of the USA, Lady Brenda Hale of the UK, Hon Eusebia Munuo of Tanzania and Hon Teresita Leonardo de Castro of the Philippines.

**IAWJ Board of Managerial Trustees (BMT)**

As noted in the earlier History, the BMT was created in 2002 as the structure of the IAWJ was re-organised. Composed of both judges and others with expertise in law and non-profit organisations, the BMT proved to be a tremendously valuable board, especially for me as Executive Director and for consultation on various managerial and administrative issues. Previous BMT chairs include: Agatha Aurbach, Hon Leslie Alden and Hon Anna Blackburne-Rigsby. In 2013 the BMT held a retreat led by a professional facilitator. As the entity charged with fiduciary and management oversight and with resource development, this was an important step in the evolution of the BMT as it led to its restructuring and the appointment of key committees within the BMT (governance, personnel, resource development and finance). Under the leadership of current BMT chair, Hon Vanessa Ruiz, the BMT has also established a closer working relationship with the international IAWJ Board of Directors, which should lead to broader and better understanding between the two Boards now and in the future.

Many members of the BMT have dedicated many hours to the IAWJ over the years. Special recognition should be made of two departed male members whose legal contacts and behind-the-scenes support and consultation over the years were of immense help to me as Executive Director and personally. They are: Robert Wald and Donald Green. Through them the IAWJ has ongoing pro bono legal support from Pepper Hamilton Law Firm as well as excellent contacts in such areas as commercial real estate when new offices have been needed by the IAWJ. Two other long-time members of the BMT, Cynthia Grace and Vicki Jackson, retired from the BMT in 2014, while the IAWJ was pleased to welcome four new members to the BMT in March 2015. (BMT bios may be found on the IAWJ website at: www.iawj.org/BMT)
IAWJ Administration

IAWJ Staff

Among the most critical and valuable components of the IAWJ as an organisation is its small but strong and highly professional staff. Having traced the development of the IAWJ’s staff up to 2010, it can be noted proudly that as of 2015, the IAWJ staff included three professionally trained, internationally experienced lawyers who have been with the IAWJ for more than five years. These are: Anne T. Goldstein, Human Rights Education Director, Winta Menghis, Senior Programme Officer, and Nancy Hendry, Senior Advisor. In 2012 the IAWJ’s excellent Director of Finance and Administration, Jeff Groton, joined the IAWJ having had 10 years of experience in a similar capacity with the US National Association of Women

Additional staffing during these years, included other programme officers trained in law, a Yale University Law School post-graduate Gruber Fellow for 2011-12, and a full-time Communications and Membership Manager, Paola Tejada-Lalinde, who brought new communication experience and a wide range of language skills to the IAWJ for four years before she struck out to start her own communications business. Since our staffing has been primarily supported through grants, with the completion of two grants the end of 2014 and the resulting end of those funds, and while waiting for new grants to begin, we had to say goodbye to one of our younger legal professionals, Stefania Yanachkov, who had managed the Afghan and Haiti grants that came to an end.

IAWJ Offices

During my tenure the IAWJ went from having tiny unprofessional offices to pro bono offices for four years complements of a major law firm and BMT Robert Wald’s contacts, to two years at Georgetown Law School, to professional suites of offices in good locations in Washington. In 2014 the IAWJ moved to new University offices that we could design and that are even better configured for the needs of the IAWJ, including a larger conference room for meetings and trainings. These offices should provide the IAWJ adequate space and professional facilities until 2019 at least.

IAWJ Membership

The core of the IAWJ is its outstanding membership. Members come from all levels of the judiciary and join the IAWJ to be part of a global network of women (and men) who share a commitment to equal justice and the rule of law. The IAWJ has members from first instance trial courts to Chief Justices and justices of national Supreme Courts to the highest levels of leadership of the International Criminal Court and other international tribunals. All work together on IAWJ programmes and participate equally in IAWJ conferences.

Great efforts have been made by IAWJ staff to have as accurate information as possible about current IAWJ membership. Old records and inactive members were purged. Jeff Groton, Director of Finance and Administration, is to be commended for his efforts here! As of 2015 the IAWJ had confirmed and accurate data for more than 5,000 members in more than 80 countries for the first time in its history. Membership recruitment and retention continues to expand. In collaboration with IAWJ headquarters, since 2010, new associations were launched in Papua New Guinea, Mexico, Trinidad and Tobago, the Caribbean Region, and Chile. New efforts are currently being made in Spain, Kosovo and Tunisia.
With the IAWJ work in the Middle East and North Africa (MENA) region, new efforts are being made to include women judges from this region in a regional network as well as the wider global network of the IAWJ.

Individual memberships also continue to grow as more and more individual women judges learn about the IAWJ. Beyond those areas that have already been mentioned, new members in 2015 came from such countries or areas as: Armenia, Colombia, Georgia, Indonesia, Kyrgyzstan, Palau, Palestinian Territories, Singapore, and Thailand.

International and Regional Conferences

For many members of the IAWJ, the biennial international conferences remain the most exciting aspect and mainstay of their IAWJ activities. Each conference is unique as locations selected traverse the IAWJ five world regions to provide for diversity of experiences for all and diversity of opportunities to serve as host associations. These conferences are well-loved by all who attend. Members speak with affection about the experiences of coming together with hundreds of women judges from around the world to learn from each other about new and critical issues facing judges in courts today, to network with other women judges from places they have never visited and legal and judicial systems with which they are unfamiliar, and to build personal and professional friendships with women judges who often face similar problems and challenges just because they are women. Our topics have ranged from access to justice, to judicial independence, and our upcoming 2016 theme of the rule of law.

Biennials rotate among the different regions of the world and guidelines for criteria for selection of the host association by the Board of Directors were established. Participation of members has grown over the time that I have served as ED from about 100, to more than 600 in London in 2012 and almost that many in Arusha, Tanzania, in 2014. There are many challenges in organising conferences internationally, but the rewards are great when the conferences are held and enthusiasm for IAWJ work and the friendships formed energizes the membership. The Roll Call of Nations, which I had the pleasure to lead, is one of the highlights of each conference and provides a sense of the true global nature of the IAWJ.

(See specific conference programmes, including speakers and presentations when available, on the IAWJ website at: www.iawj.org/InternationalConferences)
2010 – 10th Biennial International Conference, Seoul, South Korea

The Korea Association of Women Judges (KAWJ) hosted more than 400 judges from 40 countries in May 2010. The theme “Judicial Challenges in a Changing World” led to discussions on such topics as terrorism and security, the environment and environmental courts, aging, judicial careers and international service. The KAWJ provided lovely special events in different locations around Seoul so that participants experienced the warmth of the Korean hospitality.

2012 – 11th Biennial International Conference, London, UK

Held in London from 2–5 May 2012, the IAWJ had a record breaking turnout of more than 600 participants from 50 countries. Hosted by the UKAWJ and convened by IAWJ President, Lady Brenda Hale, the conference focused on the theme: “keeping safe, keeping well”. Over the course of the conference, participants discussed a wide range of topics from women, work and health; incarcerated women; human trafficking and forced marriage; sextortion; judicial health and safety; violence and the problem-solving court; services for victims of sexual violence; and women and girls as armed combatants.

2014 – 12th Biennial International Conference, Arusha, Tanzania

The 12th IAWJ Biennial International Conference hosted by the Tanzania Women Judges Association was held in Arusha, Tanzania from 5–9 May 2014 with about 550 participants from 36 countries. Convened by Hon Justice Eusebia Munuo, presiding IAWJ President and Justice of the High Court of Appeal of Tanzania, participants discussed such topics as justice for vulnerable witnesses, the global leadership of women, results-based case management, judicial communication, justice in inter-state child abductions, sextortion, and opportunities for judges beyond the bench. The Presidents and Chief Justices of Tanzania and Zanzibar all participated in the conference. In addition, members enjoyed exploring the wildlife refuges and lovely countryside and the hospitality of Tanzania.

2016 – 13th Biennial International Conference, Washington, DC, USA

For the first time in its history, the IAWJ will hold its 13th Biennial International Conference in Washington, DC, the IAWJ’s headquarter city. This will be only the second time the conference will be held in the USA since its first official conference in 1992 in San Diego, California. The U.S. National Association of Women Judges will host the conference and the IAWJ will acknowledge its 25th anniversary during the celebratory days. The theme for the 13th Biennial is: “Women Judges and the Rule of Law: Assessing the Past, Anticipating the Future”.

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Membership Regional Meetings

The IAWJ is divided into five geographical regions (Africa, Asia & the Pacific, Europe & the Middle East, Latin America and the Caribbean, North America) and the regions have been encouraged to hold biennial regional meetings in the off/odd year between the IAWJ biennial conferences. Africa has consistently hosted such meetings – updating those hosting include:

- 2011 – Livingstone Falls, Zambia by the Zambia Association of Women Judges
- 2013 – Abuja, Nigeria by the National Association of Women Judges, Nigeria
- 2015 – Pretoria, South Africa by the South Africa Chapter of the IAWJ

Other regional meetings during the update period include:

- 2011 Budapest, Hungary, hosted by the Hungarian Association of Women Judges for Europe and the Middle East
- 2013 Auckland, New Zealand, by the New Zealand Association of Women Judges for Asia and the Pacific
- 2013 Iguazu Falls, Argentina, by the Associacion de Mujeres Jueces de Argentina (AMAJUP) for Latin America and the Caribbean
- 2015 Tagatay City, Philippines, by the Philippines Women Judges Association/ Asia & Pacific
- 2015 Sao Paulo, Brazil, by the Brazilian Association of Women Judges/ Latin America & the Caribbean
Although North America has not hosted a separate regional meeting, both the Canadian Chapter of the IAWJ (CCIAWJ) and the US National Association of Women Judges invite each other to their annual meetings, and each has sought to support scholarships and efforts to bring international judges from across IAWJ membership as well as IAWJ leaders to their meetings that are held in different parts of their respective countries.

Additionally, after its creation in 2014, the Caribbean Association and the Trinidad-Tobago Association of Women Judges under the leadership of Hon Joan Charles, held a Caribbean regional meeting to introduce others to the IAWJ and to new efforts for women judges in this region.

Membership in the IAWJ is dear to the hearts of many women judges. Over time, they have particularly enjoyed the networking opportunities IAWJ programmes and conferences provide, and many professional and personal friendships have developed around the globe. Members visit and host each other in their homes; they invite each other to meetings and to be featured speakers at local and national meetings; they adapt courtroom ideas gained from each other’s experiences to their own courts and cultures; they honour each other’s work. These truly represent a key part of the mission of the IAWJ as a membership organisation.

**Major IAWJ Programmes 2010-2015**

The IAWJ works in partnership with our members and our associations. Staff try to be alert to programming ideas, issues and interests. Programming proposals come from listening to the experiences and needs of our members. One of the strengths of IAWJ programmes is that we do not parachute experts in and out, but rather work with our partner associations and build the capacity of our members through these programmes. Members take on leadership roles in the implementation of programmes, both through our train-the-trainers approach with local women judges becoming the trainers and IAWJ staff providing support and monitoring, as well as their handling the local logistics only they know best. This sets the IAWJ approach apart from others who work in the realm of judicial education and is seen as one of the strengths of IAWJ programmes by donors and others. We have heard from IAWJ members from Tanzania to Afghanistan and Haiti, that participation in IAWJ programmes, and particularly having the opportunity to take leadership roles, has made a difference in individual professional lives as well as impacting the work and programming of women judges associations around the world.

**Jurisprudence Of Equality Programme** – was historically and continues to remain known as the IAWJ’s flagship judicial education programme. Its background and development were explained fully in chapters by Hon Arline Pacht, IAWJ Founder and first Executive Director, and Anne Goldstein, Human Rights Education Director. Anne will update her previous chapter and I will refer the reader to the appropriate section in this 2010–2015 update. I will, however, mention below the key programmes of the IAWJ between 2010–2015 as they were not all JEP programmes but new programmes introduced in response to new opportunities and responses of IAWJ members and associations.

At 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 programme that focuses on what the IAWJ called ‘sextortion’, a term originally introduced by IAWJ Human Rights Director, Anne Goldstein. The problem is the abuse of power by someone in a position of authority to extract sexual favours 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 was implemented by the IAWJ and its partner associations in Bosnia-Herzegovina, the Philippines and Tanzania. It brought together judges, prosecutors, academics and various experts to address this problem through country reports and the development of an international toolkit that is on the IAWJ website (www.iawj.org/IAWJ_International_Toolkit_Final). It can be used throughout the world to mainstream sextortion into anti-corruption, anti-violence and anti-trafficking campaign. The main programming of the Sextortion programme included:

- The IAWJ along with its partners in Bosnia-Herzegovina, the Philippines and Tanzania, conducted research, defined sextortion and implemented many public education programmes through the courts, educational institutions, police and prosecutors, community local governmental groups.

- The partners shared information about sextortion at two different IAWJ Biennial Conferences. This led other IAWJ associations like Nigeria and Argentina to seek funding and hold special workshops on the issue. They also were selected to hold different panels at the UN Commission on the Status of Women meetings in New York over three different years.

- In the case of the three original associations, the sustainability of IAWJ programmes has been highly successful. Bosnia-Herzegovina received support from USAID to hold workshops on sextortion, while in Tanzania an extensive network of international, national and local organisations have joined forces with the Tanzanian Women Judges Association (TAWJA) to introduce sextortion throughout the country to different sectors with funding from UN Women. The Philippines PWJA held workshops down to the local (barangay) governmental level and received excellent coverage in the media.
Additionally, Nancy Hendry, IAWJ Senior Advisor and I worked hard to find various venues within the anti-corruption communities as well as those involved with gender to expand the IAWJ’s work on sextortion. The term ‘sextortion’ is being used more and more by those whom have been introduced to it. The phenomenon is in the news more and more. It continues to be a critical issue that must be addressed. I look forward to continuing my own personal efforts on this even as the IAWJ as an organisation with Nancy’s leadership moves forward to expand its impact globally.

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2009-2012  “Justice, Jurisprudence, Access and Accountability in Zambia (JJAAZ)” UN Trust Fund to End Violence against Women (UNTF)

New in 2009, this JEP programme was a three year programme funded by the UN Trust Fund to Eliminate Violence against Women. In addition to Train-the-Trainers and JEP trainings, the IAWJ and the Zambia Association of Women Judges wanted to assess the impact of these trainings on women’s access to the courts. The programme focused on reducing the prevalence of violence against women by: identifying and providing recommendations for removing obstacles to women and girls’ access to justice, training judicial officers and prosecutors to increase their knowledge, skills and outlook toward VAW; and creating feedback loops among judges, magistrates, health specialists who treat victims of gender-based violence (GBV), prosecutors, law enforcement officials, and members of NGOs working on GBV issues.

The success of the JJAAZ trainings directly created legal precedents on the right to equality, freedom from discrimination and justice for victims of GBV. The programme was featured on the UNTF website and a video interview with Executive Director, Joan D Winship, as well as recognised specifically by the former President of Zambia, His Excellency Rupiah Banda in special remarks. [(see the IAWJ website for more details and Anne Goldstein’s section on the Jurisprudence of Equality Programme) Winta Menghis, Senior Programme Officer, managed this programme in substantive collaboration with Anne Goldstein.]

2010-2012  “Law on the Books is Only a Step: The Role of Judges in Trafficking Cases” Argentina, US Department of State, Trafficking in Persons Office

Human trafficking is an issue of grave concern globally and in 2008 IAWJ members voted to make it a priority for IAWJ programming. Thus, we sought opportunities for programming and in 2010 the IAWJ was awarded a two-year grant from the US Department of State’s Office of Trafficking in Persons (GTIP) to work in partnership with the IAWJ’s partner association, the Association of Women Judges in Argentina (Asociacion de Mujeres Jueces de Argentina/ AMJA) to provide judicial leadership on human trafficking in Argentina. The programme specifically addressed the State Department’s recommendation in its 2009 Trafficking in Persons Report that Argentina increase judicial efforts and sustain anti-trafficking training for judges.

While the objective of the Argentine Anti-Trafficking Law of 2008 was to criminalize human trafficking and provide victims with rights and service, the implementation of the law was significantly hindered by a lack of adequate enforcement resources. Through its programme in Argentina, AMJA and IAWJ utilized their extensive experience with judicial training by providing local judges and magistrates with targeted courses focusing on relevant human trafficking issues, with particular emphasis on the 2008 Law and its implementation in the courtroom.
This was also done in close collaboration with the Supreme Court of Argentina and its UN partners. The programme achieved its objectives by holding consultations with judges, prosecutors, and law enforcement officials, training AMJA trainers on the material; leading judicial education seminars throughout the country and publishing a collection of articles from eminent jurists and scholars.

2011-2014  “Global Leadership of Women (GLOW)” Fund for Leadership Opportunities for Women (FLOW), Government of the Netherlands

The IAWJ’s second major programme funded by the Government of the Netherlands through its new Fund for Leadership Opportunities for Women, had major impact, in this case in five countries (Cameroon, Ghana, Nigeria; Bangladesh and Nepal, with India a unique participant). The IAWJ’s Global Leadership of Women [GLOW] programme brought together women judges from lower resourced courts with those serving on international tribunals at the highest level of the international judiciaries. From collaborative meetings in The Hague to regional meetings in Ghana and India, the judges shared ideas and learned from each other as they also conducted judicial education and public education programmes in their individual countries. The strength and substance of those programmes was demonstrated by the commitments of the international judges serving on such international courts as the ICC, the ICTY, the Special Court for Sierra Leone, and the Special Court for Lebanon. International judges took the time to participate not only in the consultations in The Hague, but were willing to devote time and energy to travel to the regional meetings as well. Additionally, Hon. Sanji Monageng (ICC) and Hon. Janet Nosworthy (SCL), along with IAWJ Vice President Marianne de Rooij of Amsterdam – even participated with me in a special briefing of Netherlands Ministry of Foreign Affairs personnel about the two Dutch funded programmes of the IAWJ in January 2015. All IAWJ staff were involved with the GLOW programme with Menghis and Hendry providing management leadership.


As noted in the earlier history, 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. By 2004, the IAWJ had secured funding from the US Department of State to begin our IAWJ Judicial Education Programme for Afghan Women Judges. This programme was conducted five times from 2004-2009 and in partnership with the Rural Women’s Leadership Programme of Vermont, with special leadership from IAWJ member, Hon. Patricia Whalen. During that time, the Afghan Women Judges Association was founded, though the Supreme Court disbanded it in 2007 for a number of years.

Despite this, the IAWJ continued its work with the Afghan women judges who
were able to participate in our programmes and in our international biennial conferences. Dear to my heart, the programme was both highly regarded and much loved by the women judges of Afghanistan. They, in turn, were an inspiration to all who came to know them through the programme.

After having a succession of one-year grants, in 2011 the IAWJ was awarded a three year grant to carry on this programme. Additionally, for the first time, the IAWJ was able to hire a Kabul-based Programme Manager, Ms Salma Seraj, as well as to respond to the requests of the women judges to organize and conduct both English and computer classes for women judges in Kabul. These were implemented with the endorsement of the Afghan Supreme Court and the use of a dedicated room at the SC for the classes. Through strategic planning with the women judges over some years, the AWJA was also allowed to be relaunched in 2012. Because of increasing security issues within Afghanistan and changes in US Government priorities, the IAWJ programme was completed in December 2014. Throughout these years I took the lead on this programme, with support during its last two years of Programme Officer Stefania Yanachkov.

An inspiring event occurred in the Spring 2015 as I was finishing my tenure at the IAWJ. Hon. Justice Anisa Rasooli of Kabul, who participated in the first IAWJ Afghan programme in 2004 and who has served as Afghan Women Judges Association president for some years even as the association was disbanded for a period of time, was nominated by President Ashraf Ghani to be the first woman judge on the High Council of the Supreme Court of Afghanistan. In my exchange of congratulations with her, she credited our collaborative work and the ongoing support of the IAWJ over the years for seeing this dream come true for her personally and for the women of Afghanistan. However, we were deeply disappointed that ultimately Judge Rasooli was not confirmed by Parliament, needing an additional nine votes for confirmation. No woman judge was better qualified than she at the time. Despite the ongoing challenges of culture, religion, security and governmental policies and politics, we anticipate that the courageous women judges of Afghanistan will continue their efforts to work toward the rule of law and equal justice for all in the future.

**2011-14 “Rebuilding, Moving Forward: Strengthening Judicial Capacity to Address Trafficking in Haiti”, US Department of State Office of Trafficking in Persons**

In Haiti, the IAWJ partners with its local affiliate association, the Chapitre Haitien de l’Association Internationale des Femmes Juges (CHAIFEJ) to cultivate leadership and strengthen the capacity of Haitian judges to properly recognise and decide cases involving human trafficking in the absence of a trafficking-specific law.
To implement the programme, the two associations launched a judicial training programme to inform judges on how they can decide human trafficking cases within Haiti’s existing criminal laws governing abduction and assault, as well as child abuse and neglect.

This programme focused on giving judges tools to address the issue of human trafficking in the courts whether or not Haiti had a trafficking law. It received recognition by the judiciary, the Ministry of Justice, Parliament, and the US Embassy for its implementation and its strength. Just as the IAWJ programme was wrapping up in the Spring of 2014, the Haitian legislature passed a human trafficking law. Consequently, the IAWJ and CHAIFEJ were most anxious to build on the judicial training already begun, to utilise the expertise of the women judges who were serving as trainers, and to update their manual and trainings to now include the new Trafficking Law. During 2014, Stefania Yanachkov, Haiti Programme Manager, and I worked diligently to seek new funding for the programme to continue at this critical time. In December 2014 we submitted a new proposal to the GTIP office and in March 2015 were selected to submit a larger proposal. The title of this new programme was: “New Law on the Books: Women Judges Provide Leadership on Trafficking in Haiti”. Though the final proposal was being finalised just as I was completing my tenure as Executive Director, I was pleased that we were able to lay the groundwork for it to begin in October 2015 under the new IAWJ leadership.

2013-2016 Strengthening Women Judges’ Capacity to Provide Judicial Leadership on Gender and Access to Justice” in the MENA (Middle East and North Africa) Region, International Legal Assistance Consortium (ILAC), Sweden

This programme is part of a three year grant funded by SIDA, the Swedish International Development Agency to the International Legal Assistance Consortium (ILAC), with member international organisations including the International Bar Association, the American Bar Association, the Raoul Wallenberg Institute, the CEELI Institute-Prague as well as the IAWJ responsible for specific programme components. Women judges in the MENA region have had little opportunity to network together. The IAWJ component creates opportunities for women judges in the MENA region at both national and regional levels to network and to have dialogues with each other. Through hosting conferences and capacity-building workshops to address issues affecting women judges within the profession, the IAWJ is helping identify barriers and obstacles faced by women judges in the region as well as achievements that women have made. The programme will also identify obstacles and barriers that women in MENA societies in general face in seeking access to justice through the courts. The IAWJ is particularly working with women judges in Tunisia, Egypt, Morocco, Jordan and the Palestinian Territories.
Additionally, because of its expertise in gender and justice, the IAWJ has a consulting role with the other implementing partners on implementing gender as a cross-cutting issue in the other programme components as well. I took the lead on this programme initially, and in 2015 Menghis and Goldstein took over its management and programming.

2014-2016 “Judges and Community Workers Join Forces to Enhance Access to Democratic Justice in Malawi”, UN Democracy Fund – Malawi

A new two-year UN Democracy Fund grant began 1 April 2014 in collaboration with the Women Judges Association of Malawi (WOJAM). The IAWJ and WOJAM are working closely to implement mechanisms for exchange of information between judges and vulnerable women. WOJAM is working with a local grassroots organisation to empower women and girls about their legal rights and court processes. Through focus groups and trainings, the programme focuses on overcoming barriers to justice that women and girls face as a result of various forms of discrimination. The goal is to increase the capacity of magistrates, facilitate discourse between judges and community women, and improve community women’s participation in the judicial process. Winta Menghis is managing and monitoring this programme, working closely with WOJAM throughout.


This is another new programme that was proposed in late 2014 and was being developed further and finalised as I was wrapping up my time at the IAWJ. Its development and approval is reflective of the time it takes for proposals to be turned into grants and programme reality. The new programme formally began in October 2015 and will likely be described in future updates of IAWJ history.

Other Significant Programmes:

In its efforts to strengthen relations with law programmes (or other organisations) engaged in teaching and research, the IAWJ has worked in several different areas:

- For four years from 2010-2014, the IAWJ and Golden Gate University School of Law collaborated on a fellowship programme for an IAWJ member to pursue studies at GGUSL and receive an LL.M. degree. Dru Ramey, current BMT member and former Executive Director of the US NAWJ and Dean at the GGU School of Law, initiated conversations with me to develop this programme. Dru Ramey was successful in finding the funding for making its implementation a reality. During these four years, IAWJ fellows were selected from Ghana, Kenya, Bangladesh and Tanzania. In each case, the individual women judges earned their LL.M degree which allowed them to increase their professional credentials in their respective areas of work, interest and expertise. GGULC also benefited from the programme by having the IAWJ women judges on campus to share their international perspectives and expertise with others on campus and in the surrounding community.
The above became a model that was adapted by the Canadian Chapter of the IAWJ (CCIAWJ) and the Law School of the University of Montreal. They established a similar programme for a francophone member of the IAWJ. A woman judge from Haiti was selected in 2014 to be the first participant in this programme and another from Haiti was selected for 2015. Congratulations for the CCIAWJ for helping to create and also support financially this programme.

This model of cooperation between law schools and the IAWJ is one that could be easily replicated with other schools as well. It benefits the school by widening its students among mid-career women judges even as it benefits the IAWJ and its members.

**Increased Communications:** From 2012-2015 the IAWJ hired a designated Communications and Membership Manager, Paola Tejada-Lalinde. During this time the IAWJ updated its logo and its communication materials including: the IAWJ website, its brochure and an Annual Report, an online e-newsletter and increased email blasts. The brochure was published in three languages (English, Spanish and French). As of 2015, we were sending out monthly issues of online *CounterBalance International*. Tracking these, we know that hundreds of these were opened each month and we received e-mail in response to various articles included.

Email blasts have become an easy way to communicate specific messages to members in a very timely fashion. These are good ways to send out information quickly to members, whether it be announcements of international opportunities, news about individual members or updates on IAWJ programmes or members facing catastrophic issues like the earthquake in Nepal. We know the blasts are being read, because as Executive Director, I received, as did the office, many responses in return. We hear that members are appreciative of the increased communication between the office and the individual members and we know that many more are reading them as well.

Additionally, the IAWJ has developed new PowerPoints that can be used to tell the story of the organisation as well as obtained a portable banner that can be taken to conferences and other public venues. Opportunities for other venues such as the media and press have increased. An example is the IAWJ’s programme on ‘sextortion’ being featured by the InterPress Service of the UN, in national press of the programme partners (Bosnia-Herzegovina, Philippines, Tanzania), and a special story in the International New York Times, while other IAWJ and its member associations events are often featured in national and local newspapers and media.

**International Visibility and Partnerships:**

Over the last decade, the IAWJ has become increasingly known as a global leader on gender and the judiciary, with IAWJ staff and members being recognised as experts in different areas of access to justice, gender, rule of law, international organisations and NGOs. This comes particularly from individual efforts by staff and by members. Indeed, the IAWJ is increasingly the ‘go-to’ organisation for others seeking information about women and the judiciary. This has happened through our efforts over the last decade plus to increase the visibility of the IAWJ and the recognition of the strength, value and quality of IAWJ programmes overall. Examples are:

- The IAWJ has been invited to be an active participant or to lead discussion in online communities, what the World Bank, UN Women and others are calling ‘communities of practice” or COPS. Our involvement has been particularly in the discussion areas of gender and justice.
• IAWJ staff are invited to speak in a variety of places throughout the year. We also suggest and nominate members of the IAWJ to be speakers and participants in a variety of programmes organised by other international organisations. Personal contact and networking is extremely important to telling the story of the IAWJ and promoting it to wider audiences, including donors.

• In 2013 and again in 2015, the IAWJ was elected to two year terms on the International Legal Assistance Consortium Council. I represented the IAWJ on the ILAC Council. This is important because of the membership of ILAC overall, which includes such organisations as the International Bar Association, the International Association of Prosecutors, various national bar associations, International Association of Court Administrators, etc. Being able to represent the IAWJ in such capacity promotes IAWJ visibility and leadership to a wide range of leaders of key international legal and judicial organisations. This representation and the MENA/ILAC grant was achieved through my personal contacts and my history in the co-founding of ILAC prior to my coming to the IAWJ. The IAWJ is now well situated to continue this role into the future.

For more than a decade the IAWJ staff and members have expanded their reach and identified new opportunities for collaboration around the world. Among the international organisations that sought out the IAWJ staff and members during the past five years for various consultations, ideas, participation on panels and various programmes are the following in no specific order and not an exhaustive list:

• UN Women – meetings and briefings at UN headquarters in NY, other regions, approached to be one of two partners in a new five-year effort on access to justice and currently working with UN Women to develop this programme proposal
• UN Development Programme – meetings at UN headquarters in NY, other collaborations in such places as Nepal, India and Thailand
• UNAIDS – Geneva and Bangkok
• Huairou Commission – joint panel at the UNCSW in 2013; participating in HC/UNDP meeting at UN headquarters in NY 2014
• ILAC and its partners – meetings in Tunis; leadership on gender sessions
• Organisation for Economic Cooperation and Development (OECD) – Facilitated session at High Level Global Forum on Women and Leadership in Public Life, Paris
• International Criminal Tribunal for the former Yugoslavia – Mentoring of ICTY Women programme
• InterAmerican Commission on Human Rights – speaking on programmes in DC and Argentina

• Avon/Cornell Global Center for Women and Justice – mentored research projects; annual international meeting with IAWJ judges; jointly sponsored UNCSW panel

• International Organisation of Judicial Training (IOJT) – conferences in Europe and Washington

• World Bank – advised for WB Law, Justice and Development Week, identified IAWJ international judge as key speaker;

• USAID – briefing staff on Sextortion

UNDP and International Anti-Corruption Conference – I served on expert committee on anti-corruption and was invited to two different expert meetings in Malaysia in 2015; Nancy Hendry coordinated an IAWJ initiated panel on Sextortion at the IACC Conference in Malaysia.

Example of Partnership Development

It takes time to develop these collaboration opportunities. I would like to use the Thomson Reuters Foundation/Trust Law, and its global pro bono service, as an example of the importance for the IAWJ of building relationships over time. In 2012 I was invited to the London meeting of TR/TL where I introduced the IAWJ’s work on sextortion and had the opportunity to meet the Executive Director of TRF and staff. Follow up led to my consulting on the 2013 programme for London, and President-elect Teresita de Castro (Philippines) being invited to be a panel speaker in London on sextortion. For that meeting, Thomson Reuters interviewed me and Nancy Hendry about sextortion for a featured piece ‘above the fold’ on page 3 of a Special Report for the New York Times International Tribune. Following my participation in another TR/TL meeting in New York in 2014, the IAWJ was invited to submit a proposal written by Hendry and me seeking pro bono research among Trust Law’s members on the issue of sextortion. Our proposal was accepted and submitted to Trust Law’s several hundred law firms for their acceptance of the IAWJ project as pro bono client.

The result was a comparative study of sextortion and the legal framework for addressing it in nine jurisdictions around the world (Argentina, Australia, Brazil, Canada, Kenya, Mexico, Taiwan, Uganda and the United Kingdom). Nine law firms from these countries took on this research which was coordinated by Marval, O’Farrell & Mairal’s Argentina office. Nancy Hendry worked closely with the researchers, and the Argentine and TR coordinators as the report was developed, edited and produced. The launch of this new report “Combating Sextortion: A Comparative Study of Laws to Prosecute Corruption Involving Sexual Exploitation” was held in March 2015 at Thomson Reuters headquarters in Times Square, NYC, where Nancy and I coordinated a panel for the NY NGO, legal and media community. Participating on the panel was Hon Thea Martin, IAWJ member from Canada, who had issued a key decision on a sextortion case in 2010.
After the launch several exciting new opportunities arose:

- The IAWJ project was nominated for an award from Trust Law;
- Law firms in Europe expressed interest in also conducting pro bono research on sextortion for the IAWJ;
- A prominent UK TV documentary show explored doing one of its season shows featuring the issue of sextortion; and
- Additionally, Nancy Hendry coordinated a panel at the International Anti-Corruption Conference (IACC) in Malaysia (mentioned earlier above) in September 2015. This was another opportunity for high level visibility for the IAWJ and its groundbreaking work on this important topic and led to further follow-up.

I featured this work because it demonstrates the time involved from 2012-15 to develop relationships that will have lasting impact, to build possibilities for collaboration, and to develop various opportunities and possibilities for future IAWJ programming and funding.

**Successes and Challenges**

I am pleased to report that the IAWJ is continuing to develop in each of its Strategic Planning Goal Areas and in 2015 in many ways is stronger than ever. This, I believe, is due to the strengths and commitment of our members, our boards, our staff and leadership. I have highlighted the ongoing progress in our four key target areas: 1) Strengthen the IAWJ infrastructure; 2) Promote the IAWJ; 3) Continue to develop and deliver quality programming to members of judicial systems; and 4) Build collaborative relationships.

The IAWJ helped build new associations as well as continued to grow through individual memberships. With a concerted effort by IAWJ staff, our 2015 database is now more accurate than ever and this has led to better communications directly with members, a more accurate count of our organisational demographics, and increased income from dues that also demonstrates members’ commitments to the IAWJ. With a small but stable and highly qualified staff, the IAWJ develops and implements high quality programming in partnership with our member associations around the world. Together the IAWJ and its partner associations and members are increasingly recognised as experts in key areas of judicial training, international human rights, and gender.

Yet, challenges remain in 2015 as well. To continue to be a vibrant organisation, the IAWJ must continue to scramble for funding for its programmes and its infrastructure. Writing proposals, working and reporting to donors and implementing programmes takes considerable staff time, initiative, creativity and expertise. It is necessary for grant proposals to be continuously submitted, since although our record is quite positive, one never is awarded all the grants that are submitted. Time lag from writing a grant to receiving an award and ultimately starting a programme may take as long as one to two years. It is a circular process – the IAWJ cannot do more programmes and support ongoing membership programmes and needs without more staff and more funds, and to get these the IAWJ must be able to continue to write proposals, implement those that we have and seek new opportunities at the same time. Staff cannot do it alone; members, the Board of Directors and the Board of Managerial Trustees’ efforts all play important roles. These challenges are not unique to the IAWJ for they exist for many non-profit, NGO’s around the world.
Despite these challenges, I am proud of all the accomplishments of the IAWJ, its members, staff and programmes during my years as Executive Director. The IAWJ has gained respect and considerable visibility around the world. Its members serve at all levels of the judiciary and in key judicial positions internationally. The quality of our programmes is high; the diversity of our programming indicates responsiveness to our members worldwide and to newly identified issues and trends. We have been on the forefront of issues and provided superb leadership whether you have served on the bench or through the IAWJ offices and programmes.

**Personal Reflections and Appreciation**

I am truly grateful to have had the privilege to serve as the Executive Director of the IAWJ from 2002-2015. Through my work with our amazing members and our talented staff, I have been inspired and energised in work that focuses on issues that have been important to me all my life – the rights of all people, equal justice and especially the rights of and equal justice for women and girls. As the IAWJ prepares to celebrate its 25th year as an organisation, I am proud to have been a part of its life and growth. I will continue to follow the work of the IAWJ and have great faith that new and exciting things lie before the organisation as it moves forward with new leadership. Thank you for our years together and your support for my leadership.

Respectfully submitted,

**Joan D. Winship**
Executive Director 2002-2015
International Association of Women Judges

December 2015
August 2015 onward

It is my honour to lead IAWJ’s work into the future. Reaching the age of 25 and a membership of over 4700, IAWJ possesses enormous untapped potential in who we are, how many we are, and what we can do to transform our judicial systems and advance the rights of women and of all.

I began as Executive Director in August 2015 with the great fortune of having four very experienced colleagues on staff, a supportive Board of Managerial Trustees and Board of Directors, and an active membership making differences in their own countries. My predecessor Joan D Winship and the Haitian Chapter bestowed immediate gifts upon my arrival—two winning funding proposals for projects in Haiti and the Dominican Republic. My priority as a new leader of a small, highly experienced team was to ensure robust implementation of a programme engaging our 100 plus new members in the Middle East and North Africa, to timely launch the new programmes in the Caribbean, to engage the broader membership in new ways, and raise resources and visibility for our collective work in all regions of the world. I doubled our team by using new project funds to hire two talented, multi-lingual members for the programme team and from our internal resources, to hire a ‘can-do’ new communications and development officer.

Jane Charles-Voltaire, our new IAWJ Programme Officer, is a Haitian-American attorney that just returned to the US from 4 years in Haiti as a legal adviser. She manages the two new programmes in Haiti and the Dominican Republic and designs new programmes for Latin America and the Caribbean membership.

Linden Wait, our new Programme Associate, brings Arabic language skills, overseas experience in Jordan and Indonesia, and a political science and global studies degree to work on our MENA programmes and develop new programmes around the world.

Nicole Welsh, our new Communications and Development Officer, is a talented teacher, fundraiser, women’s rights campaigner, and holds degrees in Anthropology and Peace, War and Defense. She recently returned from overseas work in Indonesia, and ready to increase the frequency and quality of communications among a global membership.

To supplement our expertise on staff, we now send out broad notices on programmes, inviting members to offer their expertise and experience across countries and jurisdictions. At the headquarters, we value the opportunity to share successes and lessons learned by women judges. We hope to increase opportunities for engagement through regional initiatives like our Middle East and North Africa Programme, through global programmes such as GLOW and the JEP training network, and uniting members on common themes, such as our ground breaking sextortion programmes.
Our 2015 programmes carrying us forward into 2016

Judicial Response to Communities’ Needs for Justice in Malawi:

IAWJ, under the leadership of Senior Programme Officer Winta Menghis, formed a very strong partnership with our member association in Malawi, the Women Judges Association of Malawi (WOJAM), and a grassroots group called the Centre for Legal Assistance to address some fundamental areas preventing access to justice for women and girls. The United Nations Development Programme funded this project. The programme ended in March 2016 with very strong results reported by members and those who have participated in training and outreach efforts. Some magistrates issued compensation to domestic violence victims; several granted housewives equal share of matrimonial property upon divorce; others created a friendly environment for rape/defilement victims in their courtrooms so the victims could give their testimony without fear, embarrassment or further traumatization. As community leaders, some magistrates based in rural areas led education within the community on legal rights and how to use the courts. Over 50,000 beneficiaries received public education materials which focused on what to do in response to property grabbing, sexual offenses and gender based violence and tailored to meet the needs of the targeted district. For more detail, see the chapter by Winta Menghis. IAWJ and WOJAM hope to partner again in the future.

Addressing Case Collapse in Gender-based Violence (GBV) cases in the Dominican Republic:

In a fast moving 12 month project funded by US State Department and USAID, IAWJ established a formal partnership with the Supreme Court, including its Gender Commission, and the Judicial Training Institute to assess and respond to the failure of courts to provide redress for GBV victims. We designed an online survey questionnaire for 200 Criminal Court Judges and Justices of the Peace in the five pilot Judicial Departments (San Cristobal, Santo Domingo, Santo Domingo – National District, Santiago, and San Juan de la Maguana). The results demonstrated a clear commitment of members of the judiciary to addressing GBV case collapse. As well, the survey was a vivid assessment on the system’s role in secondary victimisation, including high costs and excessive time periods related to the process. A high percentage of the judges found that more training was needed with regards to examining evidence and handling of witnesses. These results are being used by our lead Technical Director of the project, long-time colleague and expert judicial trainer, Silvana Stanga. Together with the Judicial Training Institute, Stanga is preparing a training curriculum, as well as preparing an instruction manual for judges to improve case handling. IAWJ will co-host justice sector-wide forums in five provinces to discuss improvements and to begin to change attitudes, behaviours, and application of the law in the courts. Prior to the project, IAWJ had no members in the DR, but with introductions at the IAWJ Regional Meeting in Sao Paolo, Brazil, in October 2015, we had four new members in the first visit who linked us to important contacts. We hope to grow this membership beyond our current 16 members, and consolidate the leadership of women judges and judicial trainers and administrators to bring about change for women in the DR.

Combatting Trafficking in Persons in Haiti:

With a three year grant of $750,000 from the U.S. State Department’s Office to Monitor and Combat Trafficking in Persons (J-TIP), IAWJ with our Haitian Chapter (CHAIFEJ) are taking the lead to ensure application of a relatively new anti-trafficking law. This project follows a previous successful IAWJ-CHAIFEJ Anti-Trafficking programme. Trafficking internally and cross-border is a major phenomenon exploiting Haitian children and adults, but before the project launch, there were no prosecutions and convictions of traffickers.
A newly formed inter-ministerial working group had no judges in its composition and risked a dysfunctional start with the country’s contested elections last Fall. CHAIFEJ and IAWJ’s collaboration makes female judicial leadership the driving force – in training justice sector actors, coordinating among the justice sector and civil society, ensuring fair treatment of trafficking victims, and creating public awareness efforts. Jane Charles-Voltaire and expert consultant Susan French (a former US prosecutor) assisted CHAIFEJ in updating our training manual on anti-trafficking court cases. Our new audience for training now combines police, prosecutors, judges and social workers for a holistic response. By combining actors within a single jurisdiction along the rescue, investigation, prosecution, and remedy path, we better guarantee an effective judicial response. As well, we can enhance the work and results of the National TIP Committee so that real coordination helps victims through every step of the judicial system. By May 2016, the Haitian courts have two convictions of traffickers, and unsurprisingly, both of which had CHAIFEJ members presiding as the judge of instruction: Judge Magarette T. Georges (CHAIFEJ former president) and Judge Marie Mercie Destorel Jean Baptiste.

**Strengthening Capacity of Women Judges to Advance within the Judiciary and Improve Access to Justice in the Middle East and North Africa:**

Through this three year project beginning in 2014, IAWJ has deepened our membership base in the Middle East and North Africa. Together with members, IAWJ catalogued the many formal and informal barriers to female judges in the profession and women’s access to justice. The programme provides a much-needed set of regional forums for women judges from Jordan, Tunisia, Morocco, Egypt, Syria, and Libya to meet and discuss common issues and design pathways to overcoming the barriers. The programme supports our members in country-specific capacity building, conferences led by our member judges for their judicial peers on current matters of concern, and initiatives to transform judicial procedures and response. We have identified the key professional challenges facing women judges in the MENA region: male colleagues who do not believe women are capable of assuming certain judicial positions, punitive transfers, the gap between the letter of the law and its implementation, women not supporting of other women, and an unequal playing field that establishes different rules for men and women.

The women and girls who appear in their courts seeking justice also face barriers, including: cultural attitudes and stigma preventing women from asserting their rights in court, ignorance of their rights, evidentiary challenges in proving abuse, lack of protection for their privacy and confidentiality, favouritism and corruption, lack of empathy and insensitivity on the part of gatekeepers and court staff; discriminatory laws, inadequate protection for women who report domestic violence, and restrictive religious laws and practices. Many of our members struggle with these barriers, and more still face the same challenges as the female judges who founded the IAWJ 25 years ago – which is why, as an association, we must continue to work with each other to advance our mission, and help our colleagues who struggle with similar issues.

At our regional and country-specific meetings in the North Africa, we employed our JEP model, which allows our members to address a range of sensitive issues, including gender-based violence, child marriage, human trafficking, countering extremism, corruption, and gender stereotyping/discrimination. Just in the past six months, we collaborated with Moroccan members to hold a Training of Trainers workshop in Marrakech on incorporating international human rights into domestic law, to combat the pervasive problem of child marriages and to build members’ skills to lead training of the peers. Our Jordanian judges identified child rights as area they want a stronger role, so our subsequent workshop examined recently enacted laws relating to juvenile offenders, family violence, and human trafficking. In Tunisia, we held a meeting within the judiciary on the new anti-terrorism law and its unique impact on women and girls, examining how women judges might inform judicial practice in counter-terrorism efforts.
Our members discussed efforts to place women judges within the all-male bench serving the new counter-terrorism court and strategies for our members presiding in family courts to help families seeking preventative measures to stop their young family members becoming radicalised, including recruitment of jihadi brides among young girls. Two and a half years into the project, our members have the desire and position to play a bigger role in the outcome of judicial response.

Membership Engagement on the Future Direction of IAWJ

My goal as the new Executive Director is to take us further into a new era. Just days before the release of this Jubilee book, we designed an online survey for the membership to evaluate whether IAWJ was succeeding or failing in our mission “to advance human rights and equality for all” and ways in which IAWJ can serve our members and transform the landscape on gender justice. While the survey responses are still coming in, we have noticed some initial trends. The overwhelming majority of early respondents said that currently IAWJ served them most by connecting them to a network of other judges and that being a member was itself a valuable credential. They responded that other women judges could help them through networking, serving as a mentors, providing advice about career advancement as well as meaningful careers after retiring from the bench. When asked what our members wanted the IAWJ to be known for in five years, these were the most common answers: increasing diversity on judiciaries around the world, advancing the perception of women as equals through country specific and global programmes, and a platform of judicial networking and promote professionalism. These are goals I believe are not only achievable, but ones our entire membership can support.

Transforming us into the next era, we need new tools for engagement. Our next step is to significantly update our website and communication tools. We are launching a website by late summer with new features to share the activity of all our members, to announce opportunities well in advance so others can join in, to create more forums for dialogue and cross-border sharing, and to coordinate our joint initiatives across a region or the globe. We will re-energize our brand—that says who we are and why we exist. We want to produce more tools that can be used by our membership everywhere to advance an issue, a cause, a judicial solution – such as the Sextortion Toolkit developed a few years ago. With our network and a progressive, compelling initiative, we can bring about change.

Our future is one in which IAWJ will expand our membership and work. In so many countries, new laws advancing women’s rights and protections for children and vulnerable persons are finally in place. It is our role as judges to now apply those new rights. We will deepen our impact by upholding rights and by identifying and eliminating gender discrimination in case decisions and in how our judicial peers and court personnel behave. I see us going further to advance new, modern principles and judicial responses to persistent problems of discrimination, violence, inequality and inequity for women and also to transnational and contemporary problems. I see us looking beyond the problems and issues of one class or race of women to being inclusive and highly aware of the intersectionality of rights and those more vulnerable. Women judges possess important powers, and IAWJ will help our members identify, unite, define and lead – through one case decision at a time, a new court rule or procedure ensuring substantive equality, or a major initiative that spans the region or globe to address an ignored problem such as sextortion. We have the opportunity as an association to be a united front for justice, equality, and the advancement of women as judges in a new era.

Lisa Davis, J.D., LL.M
Executive Director

Judge Pacht began her judicial career in 1979 when she was appointed an Administrative law Judge (ALJ) for the US Department of Labor. Prior to her judicial appointment, she was a public defender in the District of Columbia and a trial attorney in the US 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 organisation, she initiated the Association’s newsletter, *Counterbalance International*, and developed the structure for the IAWJ’s flagship Program, “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 US National Association of Women Judges has honoured her with several awards and she also received a distinguished service medal from the US 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.


Justice Pacita Rodriguez-Canizares-Nye was born on 26 October 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 1 June 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.

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 organised the IAWJ’s conference in Ottawa, attended by over 600 delegates from around the world.


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.


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 honours 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.

To honour 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 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 Programme in Uganda.

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 honour 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.


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 Programme 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 USA’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.


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 five years. Also, Judge Alden served as the International Director for the US National Association of Women Judges for five 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.


**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.


Justice Eusebia Nicholas Munuo obtained her L.L.B. from the University of East Africa, now the University of Dar-es-Salaam, joining the judiciary directly upon graduation in 1970. From 1970-1987, she worked her way up through the ranks of the Magistracy, from Resident Magistrate to Senior Resident Magistrate, and ultimately to Principal Resident Magistrate (extended jurisdiction). She was appointed a Judge of the High Court of Tanzania on the 1 April 1987, a position she occupied until the end of August 2002, when she was appointed Justice to the Court of Appeal, the highest court of the land. Besides her full time job as a judicial officer, she has had part time assignments with the Local Government Elections Board, Arusha, the Law Reform Commission, and the Regional Housing Tribunal, Arusha.

A founding member of the Tanzania Women Judges Association, Justice Munuo has written a book on women’s rights in Kiswahili. She participates in legal literacy programmes and moot courts on human rights and environmental law.

Justice Teresita J. Leonardo-De Castro is an alumna of the University of the Philippines College of Law where she earned her Bachelor of Arts, cum laude, in 1968 and Bachelor of Law in 1972 in the top four of her class. She is now the working Chair of its First Division. Justice De Castro’s career in public service spans 42 years beginning on 19 February 1973 when she passed a law clerk examination administered by the Supreme Court to the top 20 law graduates. From January 1975 to November 1978, she served first as a law clerk and later as a Legal/Judicial Assistant and as a member of the technical staff of the late Chief Justice Fred Ruiz Castro. In December 1978, she transferred to the Department of Justice (DOJ), where she rose through the ranks, culminating in her appointment in 1997 as Assistant Chief State Counsel. In 1998, for her outstanding role as legal adviser of the government peace panel, she was awarded by then Philippine President Fidel V Ramos with the Presidential Medal of Merit.

Justice De Castro rejoined the Judiciary as Sandiganbayan (anti-graft court) Associate Justice on 23 September 1997 and became its Presiding Justice on 15 December 2004. She was appointed to the Supreme Court of the Philippines on 4 December 2007.


Dr Susana E Medina was appointed as the new Director of the Dr Juan Bautista Alberdi Institute for Judicial Training and Improvement of the Province of Entre Ríos by General Agreement No. 06/14 of the Supreme Court of the Province of Entre Ríos. She is currently the Vice-President of the High Court and President of the Labour Chamber and has served two terms as President of the Asociación de Mujeres Juezas de Argentina (AMJA) from 2009-2013.

Dr Medina is also a member of the Committee on Access to Justice of the Supreme Court of Justice of Argentina, and has implemented the programmes “La Justicia va a los barrios” (which brings the service of justice closer to people within city limits), “Oficina Rural Móvil” (which takes the service of justice to the countryside) and “Oficina Flotante e Itinerante” (which takes the same service to the southern islands of Entre Ríos).

Hon Susana Medina was designated as Member of the Council of Notables of the National Commission for the Stipulation of Punitive Measures against Gender Violence (CONSAVIG) by Resolution No. 1592/11 of the Ministerio de Gobierno, Justicia y Derechos Humanos de la Nación (Ministry of Government, Justice and Human Rights). She is a member of the Association of Magistrates and Officers of Entre Ríos (AMFPJER), the Argentinian Association of Labour Law, and co-Founder of the Argentinian Association of Victimology. She is also a former professor at the Universidad Autónoma de Entre Ríos (UADER), Universidad Nacional del Litoral (UNL) and Escuela Superior de Oficiales de la Policía de Entre Ríos.

The new Director is also an activist for women’s rights and author of numerous works on gender issues. She has taken part in national and international conferences as a lecturer and organiser.
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 teacher’s 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.

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 common law spouse in the back as he was leaving the room. Her defence was self-defence. 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 defence of self-defence. 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 defence 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 organisation, and has been involved with other organisations 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 Honourable 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 recognised that “rape is a form of aggression. The Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment does not catalogue 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 26 May 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 organisation of women judges. Some might even say that the IAWJ is my obsession. But why another judicial organisation?

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 recognise, 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 organisation 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 programmes 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 D Winship for some five years, and can assure you that she is superbly qualified for this position. She has masterful organisational 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 recognises that we must continue to cherish our cultural diversity.

Of course, no one person can manage an organisation 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 organisation 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 organisationally 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 it’s 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 honour 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.*
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.

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).

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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. 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 Organisation’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 Organisation’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 Organisation (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 behaviour. 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.
Hon Carmen Argibay

Former IAWJ President, Justice Carmen Argibay received the IAWJ human rights award in 2004. The award was presented on 6 May 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 honouring 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 11 October 2007, at an IAWJ-sponsored reception at the Embassy of Argentina in Washington, DC, Executive Director Joan D 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 recognise 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, recognising 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 wartime 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 unfavourable 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 seven, 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 12 December, 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 11 December 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.

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 UN 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 organisation dedicated to judicial reform and the institutionalization of ADR programmes. ADR has become, through their efforts, a recognised judicial process in Argentina. The International Institute for Conflict Prevention and Resolution recognised 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”.

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

On 5 May 2012, at the banquet that capped the IAWJ’s 10th biennial conference, it was especially fitting that the IAWJ bestowed the Human Rights Award upon a singular woman, The Hon Justice Claire L’Heureux-Dubé. Her passionate commitment to human rights throughout a remarkable judicial career has altered and improved the legal and societal conditions that afflict women not only in her own country, Canada, but to women worldwide. She is a legend in her own times. She had already been recognised by the IAWJ, having been made a life member in 2002.
From the time of she obtained her law degree from the University of Laval in 1951 and began practicing law in Quebec throughout her career on the Supreme Court of Canada and beyond, she has been recognised as a brilliant and independent thinker. Yet, when she began her legal career, women were not welcome in legal circles. She succeeded, nevertheless, in becoming the first woman to be appointed to the Superior Court of Quebec in 1973, and in 1979 was the first woman to serve on the Quebec Court of Appeals. Then, in 1987, she was appointed to the Supreme Court of Canada, becoming the second woman to serve.

Clearly ahead of her times, while on the Supreme Court she authored numerous landmark judgments construing the Canadian Charter of Human Rights and Freedoms to assure genuine equality for women, minorities and all vulnerable citizens. Thus, her judgments were instrumental in implementing her country’s Human Rights Charter. Consider the case of *R v Ewanchuk* which illustrates her understanding of the contextual factors affecting people’s lives. A young single mother applying for a job was sexually assaulted by the defendant, Ewanchuk, the man interviewing her. The judge of the Alberta Court of Appeals acquitted Ewanchuk by referring to his assault as “romantic intentions” reasoning that “the young woman complainant” did not present herself to Ewanchuk or enter his trailer in a bonnet and crinolines ... She was the mother of a six-month-old baby.”

In reviewing the appellate court judge’s opinion, Justice L’Heureux-Dubé did not conceal her disdain, when she wrote rhetorically, “One might wonder why (the judge) felt it necessary to focus on these aspects of the trial record”. She offered her own explanation: “Could it be to express that the complainant is not a virgin?” She then crystallised the stereotypical assumptions driving the appellate judge’s opinion:

*These comments...help reinforce the myth that under such circumstances, either the complainant is less worthy of belief, she invited the sexual assault, or her sexual experience signals probable consent to those myths, lessens the guilt of the accused.*

With this and other cases involving sexual assault, Justice L’Heureux Dubé made a remarkable contribution to the reform of Canadian rape law.

Claire’s energetic efforts never were limited to her life on the bench: she was a moving force in developing a global jurisprudence through her membership in and presidency of the International Commission of Jurists – Canadian Chapter; she travels almost constantly, serving as an observer during sensitive election periods in emerging nations and commits endless hours to lecturing, teaching and writing to bring human rights concepts to the attention of jurists around the world. She was vitally involved in establishing the Canadian Chapter of the IAWJ and has been active in and supportive of the IAWJ’s goals. She has received a multitude of awards, far too many to enumerate now.
Justice L’Heureux-Dubé retired in 2002, but this tireless dynamo is living proof that there is life after the Supreme Court bench. Since idleness is not in her genetic makeup, she has accepted numerous pro bono assignments inside and outside Canada that put to good use her international reputation as a champion of human rights and equality. With her characteristic vigour and optimistic outlook undimmed, she still strives to make a positive difference. With commitments to lecture and teach for the next several years, she continues to hope to “give something that matters somehow.”

Justice Sanji Mmasenono Monageng

Sanji Mmasenono Monageng was awarded the Human Rights Award in 2014. She has been a judge of the International Criminal Court (ICC) since 2009. She is a national of Botswana. She became a judge in Botswana in 1989. In 2003, Monageng was elected as a Commissioner in the African Commission on Human and Peoples’ Rights, which is an organ of the African Union. In 2007 she became the Chairperson of the Commission.

On November 2006, she attended the meeting for The Yogyakarta Principles held in Gadjah Mada University. At the time she was elected as a judge of the ICC, Monageng was also acting as a judge of the High Court of The Gambia and as a judge of the High Court of Swaziland. She was acting in these positions pursuant to the Commonwealth Fund for Technical Cooperation Programme.

In 2009, Monageng was elected a judge of the ICC by the court’s Assembly of States Parties. She was assigned to sit in the Pre-Trial Chamber of the Court. Her nine-year non-renewable term expires in 2018. Between 2012 and 2015, she served as First Vice-President of the Court for a term of three years.
Lisa Davis

Lisa Davis, J.D., LL.M. is the Executive Director for the IAWJ. Lisa is an international human rights lawyer with over 20 years of global project management and legal reform experience. She brings to IAWJ her extensive experience in executive leadership of international advocacy and development organisations, in women’s rights, and in the design of strategies, training, and support for those within the justice sector and frontline human rights defenders. Prior to IAWJ, Lisa was part of the executive team at Freedom House, a democracy promotion organisation, where she advised the organisation and staff on international legal issues, and as Director of Rule of Law programmes, developed a signature portfolio of programmes to support human rights defenders in over 30 countries—expanding Freedom House’s operations to 10+ overseas field offices. She served as Technical Director for two USAID funded global rule of law and human rights (RIGHTS) programmes, leading consortia of implementing partners. In all of her international experience, she designed strategies to promote women’s rights, including drafting and advocating for new legislation, research and human rights documentation, and support of strategic litigation on women’s issues. Her previous experience also includes serving as a trial attorney at the US Commodity Futures Trading Commission, and project director for two legal reform projects in Albania. She has led advocacy delegations before international and US agencies, including the United Nations, Organisation of American States, US Congress and State Department.

Anne T Goldstein

Anne Tierney Goldstein, has been the Human Rights Education Director of the International Association of Women Judges (IAWJ) since 1993. She designed the IAWJ’s Jurisprudence of Equality Programme and has provided leadership for JEP training programmes in Central and Latin America, Asia, Africa and the Middle East. A graduate of Princeton University and Harvard Law School, Anne spent three years as an attorney with the United States Department of Justice and two years Washington, DC 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 University, and George Washington University in Washington, DC, and at the joint Oxford-George Washington summer programme in human rights in Oxford, UK. Harvard Law School selected her as a Wasserstein Fellow for the 2011-12 year.
Jeffrey W. Groton

Jeff is the Director of Finance and Administration for the IAWJ. He has more than 28 years of experience in banking and financial administration, managing both for-profit and not-for-profit companies. He came to the IAWJ having served as the Chief Operating Officer for the U.S. National Association of Women Judges for 10 years, where his work was highly regarded by US women judges. Mr. Groton graduated with a BA in Business from Salisbury University.

Nancy Hendry

Nancy has served as Senior Advisor for the International Association of Women Judges since June 2010. During that time, she has managed implementation of the IAWJ’s program on Naming, Shaming, and Ending Sextortion pursuant to a three year grant from the Netherlands. She has a broad range of experience in government, the non-profit sector, private law practice, and teaching, as well as extensive international experience and commitment to women’s rights. A graduate of Harvard University (cum laude) and Stanford Law School, Ms Hendry served as General Counsel of the Peace Corps during the Clinton Administration, with responsibility for protecting the legal interests of the agency and its volunteers around the world. Prior to that, she served as Vice President and Deputy General Counsel of the Public Broadcasting Service, where she handled a wide variety of legal and corporate matters. Her previous experience also includes legal work with the Children’s Law Center, the US Department of Education, and the law firm of Wald, Harkrader and Ross, and teaching as an adjunct professor at Georgetown University Law Center. She was honoured by the DC Bar as its Pro Bono Lawyer of the Year for her work with the Children’s Law Center. From 1970-1972, Ms Hendry served as a Peace Corps Volunteer in St. Louis, Senegal, where she directed a community center that provided health and education services.

Winta Menghis

Winta is the IAWJ’s Senior Program Officer working to advance human rights and equal access to justice for women and children. She joined the IAWJ in July 2009. In collaboration with IAWJ staff and member judges and magistrates, Ms Menghis develops and manages IAWJ programs aimed at developing the capacity of women judges associations on issues pertaining to gender equality, access to justice, HIV/AIDS and anti-trafficking in Sub-Saharan Africa, South Asia and currently in the Middle East and North Africa Region. She joined the IAWJ in July 2009 after working at an immigration law firm as a Legal Associate. Prior to that, Ms Menghis worked extensively on human rights issues related to violence against women with several non-profit organisations including the Center for Reproductive Rights and the Tahirih Justice Center. In addition, Ms. Menghis has worked in governance and anti-corruption issues as a staff associate of the Volcker Panel Review that assessed and reviewed the World Bank’s anti-corruption effort and specifically the Department of Institutional Integrity. Ms Menghis earned an LL.B. from the University of Asmara, Eritrea and an LL.M. in International Legal Studies from New York University School of Law, where she was a Hauser Global Scholar.
Jane Charles Voltaire

Jane is the Program Officer for the IAWJ project with the Haitian Association on Women Judges to promote Haiti’s new Anti-Trafficking Legislation passed in 2014, and to continue to support women judges in providing leadership on trafficking in Haiti. Jane joined the IAWJ in October of 2015 and is a Haitian-American lawyer, who has dedicated her work and education to advancing human rights, gender equality, community development, and environmental sustainability. Jane worked in Haiti for four years as local counsel, with a Haitian law firm, for the United States Development Aid Agency in Haiti (USAID).

In addition, Jane has extensive on the ground experience through her work in the non-profit sector. During her two years working with Viva Rio, an innovative Brazilian non-profit organisation based in Port-au-Prince, Jane implemented projects in the health, community security, education and environment sectors.

Linden Wait

Linden is our new Program Associate for the Middle East and North Africa region. Linden joined the IAWJ September of 2015 and is a native North Carolinian. She recently graduated in 2014 from the University of North Carolina (UNC) at Chapel Hill. During her time at UNC, she majored in Political Science and Global Studies with an Arabic minor, and studied abroad in Jordan and Singapore. She most recently spent nine months teaching English at an Islamic Senior High School in Indonesia as a Fulbright Scholar. She is fluent in English and proficient in Arabic and Bahasa Indonesia.

Nicole Welsh

Nicole is our new Communications and Development Officer. Nicole joined IAWJ in April 2016. She graduated in 2014 from the University of North Carolina (UNC) at Chapel Hill, where she was elected to Phi Beta Kappa. She majored in Anthropology and Peace, War, and Defense with a minor in Social and Economic Justice, and studied abroad in Singapore and South Africa. While at UNC, Nicole interned for several organisations that promoted women’s rights and social and economic justice in North Carolina, South Africa, and Indonesia. She most recently spent 18 months teaching kindergarten and preschool at the Yogyakarta Independent School in Indonesia. She is fluent in English and Bahasa Indonesian.
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 Programme Coordinator for the Jurisprudence of Equality Programme 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 Programme Coordinator she managed all the day-to-day coordination of JEP Africa and Central America with great organisational skills.

Diana was only 32 and the mother of four young children, ranging in age from eight to two. 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 jewellery 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 programme 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.

When the Jubilee Committee asked me to write the chapter on the history of the Jurisprudence of Equality Programme (“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 programme, 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 programme. Of the 28 years since I finished law school, I have spent 16 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.

And yet — I do want to smooth the way for those who will direct the IAWJ’s human rights education programmes 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 programme 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 increasing 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.
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 programmes, 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. The 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 organisation” 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 recognise that running programmes 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 programme for a women judges association, at every juncture I have tried to design training programmes 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.

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.
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 favourite 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 programme 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 programme 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 uncontroversial, 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 colour 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).

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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 recognise 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 recognise 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 programme 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 Programme has been introduced and/or 3 T’s (Train-The-Trainers) conducted and full programme implemented in the following places with specific grants:

- 1997-2000 Argentina, Brazil, Chile, Ecuador, Uruguay
- 2002-2004 Kenya, Tanzania, Uganda, Zimbabwe
- 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 programmes 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 three 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 programme 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 four 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 “honour 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’ honour 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 honour ... 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 honour.

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 honour killings out of the written curriculum, on the advice of the Jordanian women judges that the IAWJ would lose credibility if it focused on honour killings.
The judges’ advice – which I respected and honoured – was that many Westerners were coming to Jordan and lecturing about honour killings, but that the problem of honour 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 honour 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 honour 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 dishonour 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 dishonour, the Prophet said that to accuse a woman of bringing dishonour 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 honour killings. Honour 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 honour 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 programmes 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 modelled 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.
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 neighbouring Guatemala led the 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 neighbour 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-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 12 November 1981, most of a village had been slaughtered by Salvadoran troops fresh from their training in the US. 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 scepticism 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 labour 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 three to four week judicial education programme through a partnership with the IAWJ and the Rural Women’s Leadership Institute in Vermont, a state in the US Northeast. During their programme in Washington, it is my job to give them a one-day “mini-JEP” programme 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 honour 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.

Anne Tierney Goldstein
IAWJ Human Rights Education Director (2010)
The Jurisprudence of Equality Programme, 2010-16

Power springs up whenever people get together and act in concert, but it derives its legitimacy from the initial getting together rather than from any action that then may follow. ... Power and violence are opposites; where the one rules absolutely, the other is absent. Violence appears where power is in jeopardy, but left to its own course it ends in power's disappearance.


... When we started talking
I saw our words had the rare power to unmake history: ...
Each phrase of ours holding still for a moment in the stormy air,
raised an unburned house at the end of an avenue of elder and willow. ...

Eavan Boland, A Dream of Colony (1998)

[The] European states that colonized Africa, the Middle East, and parts of Asia – exported to those lands their own superfluous people, their déclassé mobs, where they were overseen by a type of colonialis bureaucrats who became accustomed to treating the mob and the colonized peoples as subhumans and trampling upon their local laws and customs. [Arendt] argued that these imperialist methods in turn corrupted the European states themselves, which carried the methods over into their continental imperialisms.


Six years ago, I wrote an essay for the first Jubilee Book, about the thinking that went into the development and implementation of the Jurisprudence of Equality Programme, or JEP. Since 2010, IAWJ has broadened and deepened its training efforts, branching into new countries and new issues. We have developed and implemented, and/or assisted in implementing training programmes in human trafficking, as well as the discrimination and violence against women trainings that have been our core curricula since the beginning.

Our three largest initiatives in these years, however, have focused increasingly on access to justice, women's leadership, and what it means to be a judge in a democratic state: the Sextortion Programme, about which Nancy Hendry writes separately in this volume; the GLOW (Global Leadership of Women) project, which brought together judges from three countries in East Africa and three in South Asia with judges on the international humanitarian law tribunals on issues of sexual assault; and the current Middle East North Africa (MENA) programme.

These three programmes have been particularly exciting and rewarding to work on, because they have been designed in an iterative process – that is, we proposed a very general idea, and the national chapters (or groups of judges, in countries where we have not had chapters), have designed the projects that interested them.

In the GLOW project, which was funded by the Netherlands Fund for Leadership Opportunities for Women, a fund set up to encourage compliance with Security Council Resolution 1325, which encourages United Nations Member States “to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict.”
The IAWJ started from the premise that there is one place where Resolution 1325’s aims have been met – in the international humanitarian law tribunals established in the Hague and elsewhere to investigate and prosecute war crimes, women have held substantial percentages of judgeships and leadership positions. Women judges (many of whom are IAWJ members) have used their positions on these tribunals to develop much of the leading jurisprudence on war crimes involving sexual assault and abuse.

The rulings of the international tribunals are available to anyone with access to the internet. Some of the procedural innovations, however, are more difficult to learn about without physically visiting the tribunals, or at least speaking with those who work at them. In particular, the IAWJ was interested in the victim and witness support services available at these tribunals. We identified three issues: the substantive issue of “consent” in sexual assault crimes; the problem of cultural pressures and stigma discouraging victims from coming forward; and the question of what constitutes a “victim friendly” (or, as some of the judges preferred, “user friendly”) court.

We brought judges from three countries in West Africa (Cameroon, Ghana and Nigeria) and three countries in South Asia (Bangladesh, India and Nepal) together with judges sitting on the international tribunals in The Hague. We brought judges sitting on the international tribunals to regional workshops in Accra and Delhi. Finally, we worked with judges in each country to develop a project or projects tailored to their specific interests.

National judicial conduct rules vary widely as to the extent to which judges are authorised to engage with the public. Some of the judges opted to stick with projects narrowly addressed to other judges. Other chapters, with the support of their respective judiciaries, opted for a broader engagement with the public.

In 2014, as part of the GLOW programme, the Ghanaian Chapter of IAWJ convened a meeting of judges and “Queen Mothers.” The Queen Mothers are traditional women leaders who resolve disputes in their communities. Many of these women have professional degrees as nurses or teachers, but they also have traditional roles in assisting girls become women and in other rites of passage. The source of their authority is entirely local – the institution pre-dates colonialism in Ghana. The colonial encounter appears to have diminished their authority; as I understand it, the 19th century colonial authorities perceived their role through Victorian-British concepts of gender roles. In recent years, the Queen Mothers have organized to re-claim the status vis-à-vis the male traditional leaders that they long ago enjoyed.

The Queen Mothers have an interest in combatting domestic violence. They have jurisdiction to resolve minor crimes, but are supposed to bring more serious offenses to the police. Two Queen Mothers had been invited to an earlier meeting, and had told us that although they understood that they were supposed to bring sexual assault victims to the police, as a practical matter this was often impossible. Whether because of fear of the police, or because of the shame and stigma of rape itself, their experience was that victims categorically refused to go with them to the police – so if the Queen Mothers did not try to help them, no justice would be possible.

Some of the Queen Mothers explained to the judges that their concept of a just resolution was focused on arranging a marriage between the victim and her attacker. Two of the Mothers told us that they attempted to negotiate marriages between women and their attackers, because they were concerned that since the victim had lost her virginity, she would have difficulty arranging a match with anyone else.
Many Queen Mothers described the day as transformative. One commented that she now – for the first time – had come to realise that she herself had been raped. The judges gave the Queen Mothers copies of the new Domestic Violence Act (which also contained an updated sexual assault provision). One of the Queen Mothers commented that this statute would become her bedtime reading every night, until she had memorised it. She said that armed with this statute, she would no longer be intimidated by the police.

At the end of the day, the Queen Mothers asked for simple materials that they could bring back to their villages, to talk to children and mothers about sexual assault. With the consent of the British Society for the Prevention of Cruelty to Children, we were able to give them age-appropriate brochures for children on protecting oneself from sexual violation.

For more than 20 years now, I have worked primarily with judges from countries where the court system – whether British Common Law or the Napoleonic Code – was imposed from outside, by occupying powers. For some of our members, the colonial era is a living memory.

British and French women, like Ghanaian and Haitian women, were barred from serving as judges 100 years ago, and were at best tokens on the bench 50 years ago. In a sense, all of our members work in systems that were not of their own making. The disconnect between women judges and the rules in place, however, is much more profound for the judges from States that were previously under the control of other States.

We all know that being a judge is about much more than knowing the black letter law. When the rules are clear, yes, judges are like umpires calling balls and strikes (if you will forgive the American metaphor). In situations where the rules are not so clear – or where, for example, the rules are inaccessible to the poor or to the illiterate – our members exercise “judgment” every day. Watching the Ghanaian judges engage with the Queen Mothers – or the Nigerian judges engaging with market women, or (in earlier projects) the Tanzanian judges engage with health workers and teachers and kids in rural communities is a way of watching judges re-defining what it means to be a judge in a democratic society.
For the last two years, I have spent most of my time on our project in the MENA region. As in GLOW, we started with very general objectives. The MENA project is funded by the SIDA, the Swedish government’s development agency. We are tasked with bringing together judges on the national and regional levels to: (1) identify barriers faced by women judges in their professional lives (i.e., barriers to becoming judges or to being elevated through the career ladder); and (2) identify barriers faced by women and girls who seek to access justice through the courts.

The project was originally designed to include judges from Egypt, Jordan, Libya and Tunisia. The situation on the ground has made it impossible for IAWJ to work in Libya, so with the donor’s permission, we substituted Morocco in 2015. We have also been able to include a handful of judges from Syria (judges now living in exile in Europe), and also from the West Bank.

In 2015, we held a regional meeting in March in Tunis, and another in October in Amman. We will hold a third regional meeting in Morocco later this calendar year. We have held national meetings thus far in Jordan, Tunisia and Morocco, with Egypt scheduled for the fall.

The social compacts between the three branches of government and the citizenry are being revised in the countries affected by the Arab Spring, and many of our members are in the middle of the process of revision. We now have large numbers of members (many of whom will be attending the 2016 conference in Washington) who have only recently been permitted to join independent associations of judges. Their countries’ laws are being rewritten, sometimes dramatically. The relationship between the citizenry and the three branches of government (very much including the judiciary) is in flux. These countries are also profoundly affected by the refugee crisis in the region. Finally, of course, each of these countries is affected by terrorism.

IAWJ’s regional meeting for the European and Middle Eastern region was scheduled in Tunisia last March; one week before the meeting, terrorists attacked the Bardo Museum, taking hostages and killing 22 people, mostly tourists.

Tunisia is spectacularly beautiful (as the above photo intimates). Not a single judge cancelled her participation in the conference. The day after the conference, the Bardo re-opened, and I was able to visit it with an American judge who had attended the conference. Three months later, on June 27, 2015, terrorists hit Tunisia again – this time at a beach resort hotel in Sousse. That night I posted to Facebook the photo above of the beach behind the hotel we stay at in Tunis.

The Tunisian judges have chosen to design their national programme around terrorism and gender. They are concerned about the situation of the 60 women and girls currently in prison under the new anti-terrorism law. In April 2016, they convened a meeting of terrorism experts to discuss not only the new law, but also the cases that are coming before the family and juvenile courts in which parents seek help for their children who the parents believe to be under the sway of ISIS propaganda.
Tunisia

A young family court judge asked her colleagues for ideas for dealing with parents who come to her court, fearing that their children are in the process of being radicalized. She mentioned one young man whose parents were concerned that he was using ISIS-like rhetoric, excoriating his older brothers for serving in the Tunisian military and being involved in its fight against ISIS. There are no programmes for such youth — no counselling, religious or otherwise. There are no programmes for the parents. She committed the young man to a psychiatric hospital for evaluation, but after three days the psychiatrists pronounced him not ill and let him go. The parents are desperate. The young judge asked her colleagues for help and advice. What should she do, when the parents’ fears seem so clearly reasonable, but there are no resources to which she can turn? In the coming months, we will explore and try to create options for this judge and others like her.

The month before this seminar, we held a national meeting for the Moroccan judge in Marrakech. The Moroccan judges wished to address the problem of child marriage. They were proud of their 2004 Moudawana, the progressive Moroccan Family Code. Article 19 of the Moudawana provides that “Men and women acquire the capacity to marry when they are of sound mind and have completed eighteen full Gregorian years of age.” Article 20, however, creates an exception: “The Family Affairs Judge in charge of marriage may authorize the marriage of a girl or boy below the legal age of marriage ..., in a well-substantiated decision explaining the interest and reasons justifying the marriage, after having heard the parents of the minor who has not yet reached the age of capacity or his/her legal tutor, with the assistance of medical expertise or after having conducted a social enquiry.”

The Moroccan judges were concerned that the exception was consuming the rule; Ministry of Justice statistics indicated that 85 per cent of the 40,000-plus applications filed in the most recent year under Article 20 had been approved. No clear standards for the “interest and reasons justifying the marriage” are set forth under the law, and judges have wide latitude. They asked for a “train the trainers” workshop on CEDAW, and wanted to develop a strategy for persuading their colleagues to re-think these approvals.

One morning of the workshop, the judges invited a “morchidat” to the workshop. Morchidats are Muslim women religious leaders, about 50 of whom are selected each year in Morocco for a rigorous training programme alongside male student leaders. When they complete their trainings, the morchidats work in schools, mosques and prisons spread across Morocco. One of their issues is opposition to child marriage. The judges learned that the morchidats had been seeking a role at the courts in the decision whether to grant a petition for a child marriage. One of the arguments heard in these petitions is that the Prophet Muhammed, PBUH, married his wife Aisha when she was only nine. The morchidat at the Marrakech meeting made the point (which the judges thought would be very helpful to them going forward) that Allah chose Aisha for her brilliant intellect. She spent years being prepared to live in the house of Prophecy, and had a phenomenal memory. Many of the sayings of the Prophet are attributed to her.
The morchidat said that Aisha and the Prophet were extraordinary people, selected by Allah for specific purposes, and that one cannot draw such direct lines between these two extraordinary people and ordinary mortals. Allah chose Aisha for her mind. In fact, if a direct line were to be drawn from the life of the Prophet to today, she pointed out, it is rather that Allah did not give Aisha and Muhammed children. Muhammed’s children who survived to adulthood all came from his first wife, Khadija, who was a mature woman when she married Muhammed.

The Moroccan judges have drafted by-laws for a national chapter of women judges. Going forward, they would like to travel to each of the provinces in their country, to run trainings for judges using the skills they gained in IAWJ’s workshop. They will also invite more mourchidats to meet with them and explore ways the two groups of women professionals, mourchidats and judges, could collaborate on their common interest in encouraging families to defer marriage until adulthood.

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This essay starts with a quote from Hannah Arendt, about the nature of power, and power’s relationship to violence. When Arendt died suddenly in December 1975, her survivors found a single sheet of paper in her typewriter, with the heading “Judging” and two epigraphs. “Judging” was to have been the name of the third section of her final book, The Life of the Mind. From her notes and lectures on the topic, we know that she believed judging required empathy, required the ability to understand the perspective of others, and the ability to make distinctions. We know from her writings on political theory that she believed in the kinds of activities IAWJ members engage in – the coming together of judges and civil society to discuss problems like trafficking or terrorism or gender-based violence. She believed that power derives from the act of coming together in this way -- that power flows from the promises that we as political actors make to each other.

In the coming years, IAWJ will continue to explore with its members ways to protect, preserve and expand access to justice. We will continue to search with our members for ways to strengthen the rule of law and the protection of human rights, notwithstanding the myriad challenges of our complex and chaotic times. We will continue to look for opportunities to bring judges together with other women leaders, other women professionals, and other stakeholders, to talk, to think, to share, to promise, and to attempt to bring both power and justice into the world.

Anne Tierney Goldstein
Stopping the Abuse of Power Through Sexual Exploitation: Naming, Shaming, and Ending Sextortion

Coining the term “sextortion”

The IAWJ’s work on sextortion emerged from concerns expressed by judges in different parts of the world about seemingly very different situations:

- Magistrates in Uganda told anecdotes about prison officials who demand sex from the wives of prisoners in return for delivering necessary food or medication.
- Judges in Central America were troubled by reports that border guards were demanding sex in exchange for allowing women to cross the border.
- A woman in Ecuador was propositioned by the judge who was to decide her child support claim.
- Teachers were accused of pressuring students for sex in exchange for grades or recommendations in multiple countries.

The IAWJ realised these concerns were not just about a particular injustice perpetrated by a particular official in a particular country. They were part of a broader pattern: a sexualised form of corruption in which sex, rather than money, is the currency of the bribe. But we lacked the vocabulary to describe this pattern. There was no name for these abuses of authority. They were not studied systematically. They just happened—a lot—and had common threads:

- First, they involved someone in a position of authority—whether an immigration officer, prison guard, judge, teacher, or supervisor.
- Secondly, that person was improperly trying to extort a sexual favour.
- Thirdly, the sexual favour was demanded as a quid pro quo for the person’s exercise of authority—whether to grant a visa, deliver medicine to an inmate, dismiss a case, award a grade, or grant a promotion.
- Finally, and perhaps most important: these abuses of authority were generally occurring with impunity.

The IAWJ coined the term “sextortion” to describe this pattern. As the name underscores, abusing a position of authority to extort sex is not only a form of sexual abuse but also a form of corruption. As a result of IAWJ initiatives, this term is now used by IAWJ members world-wide, and the anti-corruption community has begun to recognise and discuss sextortion.
Developing the concept of sextortion and piloting steps to combat it

The IAWJ sought funding to explore and develop the concept of sextortion and, in 2008, received a grant from the Government of the Netherlands for a three-year programme on “Stopping the Abuse of Power Through Sexual Exploitation: Naming, Shaming, and Ending Sextortion.” The sextortion programme was launched in March 2009, with an initial consultation in The Hague that included representatives from the IAWJ and its implementing partners: the Association of Women Judges in Bosnia-Herzegovina (AWJ-BiH), the Philippine Women Judges Association (PWJA), and the Tanzania Women Judges Association (TAWJA).

During the initial phase of the programme, each partner association conducted research and prepared a report on the nature and extent of sextortion in its country and the ways in which the existing laws and enforcement mechanisms were succeeding – or failing – to address the problem. The preliminary findings were presented in May 2010 by a panel, featuring members of the three partner associations, at the IAWJ Biennial Conference in Seoul.

Building on the country reports, each partner association developed a sextortion “toolkit” to help others understand what sextortion is and what can be done to combat it. These toolkits were then used as part of awareness raising activities in each country targeting the justice sector and general public. Each partner association tailored its outreach activities to local needs and capacities.

In the Philippines, the smallest political unit is the barangay, and the barangay captain is often the first person to whom people turn for assistance. For this reason, the women judges saw it as a priority to build the capacity of barangay leaders to deal with sextortion complaints and provide support for victims. They trained the association’s officers and directors to facilitate barangay seminars, translated their sextortion toolkit into four major dialects, and enlisted the support of government officials and other local entities.
The women judges fanned out across the country to conduct seminars in each of the 14 judicial regions, where they trained 1,700 participants, both male and female.

The PWJA also collaborated with: civil society, academia, and professional associations of lawyers, and judges to organise programmes on sextortion; the Philippine Judicial Academy to include sextortion in its judicial training; and the press to assure coverage of sextortion activities.

In Tanzania, the women judges discovered an egregious example of sextortion involving a court employee who supervised an office of about 10 women. The matter first came to people’s attention because of the high incidence of illness in the office. Upon further investigation, it was learned that, to earn overtime pay, the women employees had to sleep with the male supervisor. The male supervisor, who had HIV, spread the infection to his female employees. Eventually, everyone died. The women judges saw a need to raise awareness about sextortion within their own court system. They organised 16 seminars on sextortion for non-judicial personnel in all of the High Court centres throughout Tanzania, reaching a total of approximately 800 people.

Their work contributed three important insights, which TAWJA incorporated in its sextortion training. First, sextortion is a matter of judicial and professional ethics. Ethical codes proscribe abuse of power by those in positions of authority, and if people observed their ethical obligations, it would go a long way towards eliminating sextortion. Secondly, there is an important link between sextortion and HIV/AIDS: in a country where HIV/AIDS is prevalent, sextortion can be fatal. Thirdly, people need to know their rights, feel empowered to assert them, and have confidence that there will be an administrative or legal remedy.

A second, significant concern was the phenomenon of “sex for grades.” In a number of African countries, sextortion is so prevalent in schools that people refer to certain degrees as STDs – “Sexually Transmitted Degrees.”

To address this, the Tanzanian women judges worked with teachers’ colleges and other educational institutions to hold 22 sextortion workshops around the country. They developed a sextortion brochure, which they distributed at the workshops.
The response was overwhelming. At one teacher training college, they planned a seminar for 35 people, but the principal felt the topic was of such importance that he wanted to include his entire staff, student body, and assorted local officials. The 1,200-person hall filled, and the overflow crowd waited outside, listening over a public address system. In all, they estimated that 2,000 people attended.

In Bosnia and Herzegovina, the women judges organised sextortion roundtables in six cities around the country – Sarajevo, Jahorina, Banja Luka, Tuzla, Mostar, and the Brcko District – to educate members of the justice sector, NGOs, and others about sextortion and to draw upon their experience and knowledge in developing a Country Report and sextortion toolkit and brochure. A final, national conference was held in Sarajevo and attended by members of the judiciary, prosecutors, NGO representatives, embassy officials, and judges from Serbia and Croatia. The women judges worked with an investigative journalist who produced film materials about the sextortion programme activities, as well as a public service video spot about sextortion. These video materials were distributed widely on local television.

In November 2011, the final consultation for the sextortion programme was held in The Hague. The IAWJ took advantage of this opportunity to hold a symposium on sextortion, hosted by the Netherlands Council for the Judiciary, for members of the judiciary and international community in The Hague.
Raising global awareness about sextortion

Although the grant was ending, the global effort to combat sextortion was only beginning. The IAWJ’s work on sextortion confirmed we had identified a global problem with far-reaching human and social costs. At public fora on sextortion, women would come up, sometimes in tears, to describe different permutations of the phenomenon. Combating sextortion advances the inter-related and crosscutting goals of gender equity, democratic governance (through increased accountability and reduced corruption), and development.

Sextortion occurs where corruption and sexual exploitation intersect. Women around the world confront sextortion in virtually all aspects of life, hindering their access to government services, education, employment, justice, and the marketplace. However, the anti-corruption community focuses its research and advocacy on financial impropriety and pays scant attention to corruption in which sex is the currency of the bribe. As long as we continue to see corruption in narrow financial terms, we will remain blind to the problem of sextortion. Ignoring the gendered aspects of corruption masks the pervasive and disproportionate impact it has on women’s lives, and prevents us from appreciating that the impact is exacerbated, first, when the currency of the bribe is sexual and, second, when poverty increases dependence on basic public services. To make sextortion visible and end impunity, we need to raise awareness and reshape the way we think, talk, collect and analyse data, and formulate anti-corruption strategies.

The IAWJ and its members continue to look for ways to raise awareness about sextortion and build a global campaign to end it. That campaign begins with information about sextortion. The IAWJ developed a Sextortion Toolkit http://www.iawj.org/IAWJ_International_Toolkit_FINAL.pdf and Brochure http://www.iawj.org/IAWJ_Sextortion_brochure.pdf to help others understand what constitutes sextortion, how to assess the adequacy of the existing legal framework for holding perpetrators accountable, and steps to take in combating sextortion.

The next step was to make that information available to IAWJ members. At the IAWJ Biennial Conference in London, in May 2012, we devoted a plenary session to a presentation on sextortion and distributed copies of the sextortion toolkit and brochure. Two years later, in May 2014, the IAWJ Biennial International Conference in Arusha also featured a plenary session on sextortion – this time with a well-received Moot Court format. Meanwhile, in 2013, sextortion was also the topic of panel presentations at the IAWJ Latin America and Caribbean Regional Conference in Iguazu, Argentina and the Asia-Pacific Regional Conference in Auckland, New Zealand.

Sharing information about sextortion inspired member associations to organise programmes on sextortion in their own countries:

- The National Association of Women Judges Nigeria organised a Conference on Violence Against Women and Sextortion, held in Port Harcourt on 30 June 2012. The issue of sextortion received attention from high-level government officials and the press.
- The Trinidad and Tobago Association of Women Judges organised a “Workshop on Sexual Harassment in the Workplace and Sextortion” held in Port of Spain, Trinidad, on 22 January 2015.
- The Canadian Chapter of the IAWJ included a presentation on sextortion at its meeting held in St John’s, Newfoundland on 14 April 2015.
Meanwhile our partner associations in the initial sextortion programme continued and expanded their work to combat sextortion:

- The Philippine Women Judges Association organised a sextortion seminar-workshop, held in Victoria’s City, Negros Occidental on 24 February 2012, and a Barangay Workshop on Sextortion for 115 participants, held in Palawan on 14 September 2012.

- The Tanzania Women Judges Association obtained funding from UNWOMEN to support its continued work on sextortion. In June 2012, TAWJA organised a sextortion seminar in Dodoma that, for the first time, brought together policy makers, law makers, adjudicators, and law enforcers. Over the next two years, TAWJA organised additional sextortion seminars and workshops in Arusha, Mwanza, Bukoba, Tabora, and Moshi. On 11–12 April 2014, TAWJA held a seminar on anti-corruption and sextortion at the Institute of Judicial Administration in Lushoto. The participants included law enforcers and other justice sector stakeholders. TAWJA also printed and disseminated 5,000 sextortion brochures at Morogoro College of Teachers Education, Islamic University, Jordan University, Mzumbe University, and Dodoma University. Finally, in November 2014, TAWJA launched a Coalition on Sextortion in partnership with UNWOMEN, the Women Fund of Tanzania (WFT), and other human rights' NGOs committed to combating sextortion in public and private institutions.

- The Association of Women Judges in Bosnia and Herzegovina received a grant in 2013 from the US Embassy in Bosnia and Herzegovina to organise three roundtables for women parliamentarians, aimed at raising awareness about sextortion. In addition, the AWJ-BiH worked to assure that the Judicial and Prosecutorial Training Centres include sextortion in trainings on gender equality and that sextortion is part of the country’s ongoing justice sector reform efforts.

The IAWJ has introduced sextortion to the international women’s rights community. Since 2011, the IAWJ has organised and participated in three panels held in conjunction with the annual meeting of the UN Commission on the Status of Women in New York City:

- “Sextortion: Unmasking Hidden Corruption” (23 February 2011);
- “Sextortion: Have we reached a tipping point?” (1 March 2012); and

The Tanzania Women Judges Association also organised a side event on sextortion at the 2013 UNCSW meeting.
The IAWJ has also pursued an absent constituency – advocates and institutions within the anti-corruption community. The IAWJ took the issue of sextortion to the largest biennial meeting of government, civil society, and international organisations fighting corruption – the 2015 International Anti-Corruption Conference in Putrajaya, Malaysia. IAWJ organised a ground breaking “Game Changer Session” entitled Sextortion: Where Corruption and Sexual Exploitation Meet. This session had a significant impact at the conference, receiving prominence in remarks during the closing plenary and featured in a special conference video (https://vimeo.com/138295161). The issue of sextortion generated great interest among participants, who saw it as a novel but undeniably important way of viewing corruption. The UN was so taken with the concept that it immediately invited IAWJ to its Anti-Corruption Workshop for Pacific Civil Society Organisations, organised by UNODC and UNDP three months later.

As our initial sextortion programme underscored, legal frameworks for addressing sextortion differ around the world, so legal analysis is critical. To provide a broader context for our work on sextortion, the IAWJ conducted a comparative study of laws that might be used to prosecute sextortion in Argentina, Australia, Brazil, Canada, Kenya, Mexico, Taiwan, Uganda, and the United Kingdom. The IAWJ partnered with the Thomson Reuters Foundation and its global pro bono legal network, TrustLaw Connect, to undertake the study. This partnership began with Justice Teresita Leonardo-de Castro’s speech on sextortion at the December 2013 Trust Women Conference in London. Following that presentation, the IAWJ developed and submitted a research proposal to TrustLaw Connect, which identified lawyers around the world to undertake the comparative legal analysis. The Thomson Reuters Foundation published the final report on “Combating Sextortion” and hosted a launch event and panel discussion of sextortion at the Thomson Reuters office in New York City. The report is available online at http://news.trust.org/item/20150803165937-uovhl/ (Retrieved 22 March 2016) Key findings include:

- Sextortion is a global problem. In every jurisdiction surveyed, sextortion exists and has yet to be adequately recognised and addressed.
- Identifying sextortion cases remains a challenge. There is no legal database for “sextortion” cases.
- Legal frameworks vary, but every jurisdiction has some laws that would apply in some cases of sextortion. The tools exist to hold perpetrators accountable, but we are not doing enough to use them.
- All nine jurisdictions have gender-based violence or sexual harassment laws that target the sexual aspect of sextortion, but they do not necessarily contemplate situations in which the victim yields, albeit not freely or voluntarily, to the coercive power of a corrupt authority. Thus, some statutes require evidence of physical force or refusal by the victim.
- Corruption evokes images of money changing hands, and that mindset is reflected in anti-corruption laws that narrowly focus on financial bribes and require property gain or financial harm – or have been construed as so limited.
- In many jurisdictions, abuse of authority and breach of trust provisions may be best suited to address sextortion. These laws generally encompass a broad range of perpetrators and a broad range of improper conduct, including sexual misconduct.
- Professional codes of conduct and other ethical rules are potentially effective tools for addressing sextortion.
Even with adequate laws, there are significant barriers to successfully prosecuting sextortion. Chief among these is the lack of information on sextortion and how to report it. The shame and stigma associated with sexual offences and fear of retaliation compound the difficulty of reporting sextortion. And when victims do come forward, the lack of witnesses and other evidence can be a barrier to successful prosecution.

Existing institutional frameworks may lack the resources and capacity to receive and prosecute sextortion complaints, protect the complainants, and provide effective redress.

The way forward

As we look to the future, IAWJ will work to expand awareness about sextortion and effectuate concrete changes in the attitudes and behaviours that allow it to flourish. Our plan forward for the membership includes:

- Increasing the visibility of the problem – naming and shaming it.
- Incorporating sextortion into data collection efforts so we can understand and address the problem more effectively. Specifically, persuading organisations like Transparency International and the World Bank to include questions in their global and state-level surveys that assess and measure the extent of sextortion.
- Incorporating sextortion into the way we think about corruption, so people don’t think only of money changing hands and not of sexual favours. Specifically, ensuring that anti-corruption commissions, watchdog organisations, legal assistance providers, and other civil society actors approach their work with gender sensitivity and awareness of the different ways in which women experience corruption, particularly sextortion. That awareness needs to be reflected in policies, strategies, outreach materials and activities, safe reporting mechanisms that encourage women to come forward, and recognition that sextortion involves coercion, not consent, and exacts a heavy price on victims and society in terms of human dignity, democracy and accountability, gender equity, development, and stability.
- Incorporating sextortion into the way we think about gender-based violence and assuring it is not overlooked amid the other types of abuse on which GBV definitions and efforts focus.
- Incorporating sextortion into laws and government accountability rules, ethical standards, and professional codes of conduct, and providing training to reinforce those legal obligations and standards of conduct.
- Recognising the link between sextortion and HIV/AIDS, and addressing it in HIV/AIDS prevention efforts.

Nancy Hendry
Senior Advisor
Paving the way to justice for marginalised women in Malawi

Over the last two years, I’ve had the privilege and honour of leading IAWJ’s project in Malawi along with our wonderful members from the Women Judges Association of Malawi (WOJAM). The IAWJ and WOJAM recently completed a programme on enhancing access to justice for women and girls in Malawi.

Funded by the United Nations Democracy Fund (UNDEF), the project titled “Judges and Community Workers Join forces to Enhance Access to Democratic Justice in Malawi” was aimed at enhancing access to justice through the formal justice sector for victims of domestic violence, property grabbing, sexual violence and unequal distribution of marital property. In addition to training over 105 subordinate court magistrates across the country, the project also created formal and informal dialogues between and among judges, magistrates, traditional leaders, community members, civil society organisations, faith based organisations and social welfare officers.

Not long after the project started, we learned that very few subordinate court magistrates had adequate opportunities to participate in interactive participatory workshops where they could exchange ideas with their peers and seek clarification from High Court judges. This project made it possible for the magistrates to get together and discuss the role they could play as judicial officers in ensuring equal access to justice for gender based violence victims. The magistrates reflected collectively on how their attitudes could undermine a sexual violence victim’s ability and willingness to testify against the perpetrator.

For the first time in their careers, some trained magistrates realised that a stand-alone medical report cannot prove whether the person charged with sexual violence committed the crime, given the unavailability of forensic evidence in the country. Others learned about the meaning of medical jargons commonly referenced by expert witnesses in sexual assault cases to describe the location of injuries sustained by victims. They deliberated on how they could improvise to create a victim-friendly court in their resource-stripped courtrooms to protect the rights of child sexual assault victims. They reflected on the importance and need for uniformity of approach in sentencing convicts and the possibility of ordering compensation for victims of sexual violence. The magistrates also learned about the main forms of protection provided by Malawian law for victims of domestic violence and explored how they could help domestic violence victims and hold batterers accountable.
In addition to the interactive trainings and workshops, WOJAM and our grassroots partner – the Centre for Legal Education (CELA) conducted 70 public education campaigns in almost all of the 28 districts in Malawi that reached over 50,000 community members. The public education campaigns have equipped victims of violence with information about their rights in cases dealing with child abuse, division of matrimonial assets, inheritance, sexual assault, early marriages, domestic violence, witchcraft and child abuse. Community members were able to interact with judges and shared their personal experiences or challenges they faced when trying to get access to justice through the courts. In one community, after a WOJAM member sensitised women about the importance of writing wills, over 190 women wrote wills and deposited them with the District Commissioner. Writing a will in Malawi is considered by many to be tantamount to a death wish. Hence, many Malawians choose to die intestate, leaving their wife and children unprotected from greedy relatives who grab their property as soon as they return from the funeral of their loved one.

Much has been accomplished from project launch till now, but one of the challenges that continues to hinder women and girls’ ability to get equal protection of the law and access to justice through the courts in Malawi is the judiciary’s meagre budget preventing wide dissemination of newly passed statutes to all magistrates in the country. Many magistrates in the country find themselves using old laws that discriminate against women simply because they don’t have the newly passed statutes such as the Marriage, Divorce and Family Relations Act and the Deceased Estates Act. IAWJ and WOJAM hope to partner once again to continue fighting for justice for the thousands of vulnerable women and girls seeking to enforce their rights through the courts.

Winta Menghis
Senior Programme Officer
In the final section of this book are the histories of some of the Associations affiliated with the IAWJ and some contributions from individual members of the IAWJ. Some of the histories have not been updated since the 20\textsuperscript{th} anniversary edition. But all of them illustrate the diversity, dynamism and dedication of the IAWJ and of women judges around the world.

Time has not permitted some of the Associations to check the final form of their contributions prior to publication.
The Afghan Women Judges Association (AWJA) is Afghanistan’s premier membership organisation for women judges in Afghanistan which was created in the year 2002. AWJA was officially inaugurated in the year 2012 to increase the mobilisation of women judges by implementing programmes to increase the capacity of women judges, women’s access to justice and the rights of women and men.

The Afghan Women Judges Association is headed by an elected council which includes a Head, secretary, and head of cultural committee, head of M & E committee and Head of Admin and Finance committee. Currently there are 222 members (Women Judges) of AWJA where 35 of them are operating in provinces; 21 in Herat, 11 in Balkh, two in Takhar and one in Baghlan, while the rest are active in Kabul. Judges who are working in provinces are posted in northern and western provinces, while there are no women judges in southern and eastern provinces.

**Strategic objectives and activities of the AWJA**

- Professional capacity building of Afghanistan Women judges equivalent to the world’s experienced judges;
- Increase professional development opportunities for women judges;
- Ensure access for female judges to complete judicial education curriculum and professional development courses of master and PhD level;
- Provide professional networking and communication among Afghan women judges and legal sources;
- Stimulation in women’s rights movement through raising their legal awareness;
- Holding seminars for female students of the Faculty of Human Rights;
- Advocate for the inclusion of a woman Judge on the Supreme Court;
- Supporting the Afghan Women Judges Association with the necessary institutional capacity to support the activities planned;
- Establishment of Library;
- Access to Internet;
- Good office environment with all facilities; and
- A permanent building for the AWJA.
Notable activities of the AWJA have included establishing an annual Work Plan, conducting computer and English courses for appellate and primary judges, and training judges all over Afghanistan in areas such as gender, Fiqh and Sharia principles, family law, inheritance law, business law and management. Female judges have been able to travel to New Zealand, the United States of America and India for further education and observation.

Several donors have assisted AWJA since its establishment. DPK/USAID, in cooperation with Supreme Court of Islamic Republic of Afghanistan, has financially and technically assisted AWJA by developing a strategic plan 2013 – 2015 and working on building the capacity of AWJA members. They supported a study tour for members of AWJA to New Zealand and conducted training on jurisprudence (Ahkam Feqa), gender and equipping the AWJA secretariat. The Hamida Barmaki Organisation also conducted trainings on family law and inheritance law for members of the AWJA.

UNWOMEN supports AWJA financially and technically. Notably, this has resulted in legal forums in eight provinces for 500 students of Law and Sharia faculty who are in the last year of their study to improve the interest in judiciary career for girls, a study tour for 13 AWJA members to Muslim countries and training on best practices of EVAW Law implementation in these countries, leadership trainings for 250 Afghan women judges and a research in five provinces of Afghanistan on implementation of EVAW law. Their support also enabled AWJA to conduct its general assembly and election.

**National Annual Conference**

A highlight of the AWJA is the National Annual Conference. Its third conference and election was held on 24-25 April 2016 at the Supreme Court hall. His Excellency Chief Justice of Supreme Court of Islamic Republic of Afghanistan, Her Excellency First Lady of Afghanistan, Members of Supreme Court High Council, Members of Afghan Women Judges Association (AWJA) from Kabul and four provinces (Herat, Mazar, Takhar and Baghlan), UNWOMEN, Representative of the Lawyers Association, Representative of the Bar Association and Representative of MoWA participated in the conference.

The previous Head of AWJA and head of committees were farewelled and we welcomed a new elected Head Judge Shakila Abawe Shegarf, Judge in Primary Public Rights Court of First District of Kabul Primary Court and new heads of committees: Ms Nazira Safi, judge in commercial court of Supreme Court, Ms Zuhal Raheeq Noori Public Rights Judge in District Four, Ms Tahmina Safi, Judge in Criminal Court of District Three and Ms Zuhal Nesari, Judge in Criminal Court of District Three. The conference was focused on reviewing AWJA charter; election rules and regulations; finalising the draft of AWJA strategy and work plan for 2016 – 2017; making committees/teams for implementing the work plan and renewing membership of AWJA members.

**Anisa Rasooli**
Head of Juvenile Appeal Court and Head of Afghan Women Judges Association
Argentina Women Judges Association

Washington meeting

In 1989, Judge Carmen Argibay was invited to participate in the National Association of Women Judges 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 realised 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.

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 organised 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.

Annual meetings

After the first conference in Vaquerías, 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
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 Vaquerías, Cordoba Province
2006  New interdisciplinary approaches, Mar del Plata, Buenos Aires province
2007  Human rights, justice and violence, Rosario City, Santa Fe province
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 Programme” (JEP) and received a grant from the Inter-American Development Bank to present the Programme in five South American countries. Having been recognised as a legally registered association by the Argentine Government, AMJA became the executor of the JEP programme in compliance with IADB requirements.

**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 travelled 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 Programme 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 categorised 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 organised and presented the IAWJ’s Fifth Biennial Conference in Buenos Aires from 17–21 May 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 realised 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.

**Domestic violence projects**

AMJA has networked with other organisations 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 programme. 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.

**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!

**Carmen Argibay**
History and formation of AAWJ

The AAWJ was formed in 1992 at the instigation of Justice Jane Mathews and others from New South Wales. In 1989 Justice Mathews attended as Australia’s sole representative at the 10th anniversary of the United States National Association of Women Judges. Funding had been obtained to bring women judges from all over the world and it was the first ever international gathering of women judges. It was an extraordinary occasion and Jane Mathews experienced the life-changing effect of this, in the way that many women judges have done ever since when attending international conferences of the IAWJ. Just as this conference provided the inspiration for the formation of the IAWJ, it also provided the impetus to establish the Australian Association of Women Judges.

Australia is a vast but sparsely populated country and, in the early 1990’s, had relatively few women judges. Getting enough together to form an association was not easy, but on 17 March 1992 Jane Mathews convened a meeting in her chambers, attended by the grand total of six women judges and the AAWJ was formed.

From formation to the Sydney Conference in 2006

The Association continued from its formation, initially under the presidency of Justice Mathews, then Justice Margaret Nyland (Supreme Court of South Australia). After 2004, Justice Mathews served a second term as President when she was also President of the IAWJ.

Membership of the AAWJ is open to a serving or retired female judge or magistrate, or a female whose principal employment is as a judicial or quasi-judicial officer of an Australian court or tribunal. The Association has about 175 financial members in 2015, including women judicial officers from most courts and tribunals in all states and territories of Australia.

The AAWJ remained a very small organisation throughout the 1990s and beyond 2000. In 2003 Justice Mary Gaudron retired from the High Court of Australia. She was the first woman appointed to our highest Court and was a strong supporter of the AAWJ. The AAWJ held a dinner to mark her retirement in Sydney in February 2003, which was attended by women judges from around Australia, and the AAWJ took advantage of this to hold the first general meeting of the Association.

In 2005 the AAWJ became an incorporated association. Its objectives are:

- to advance women’s rights to equal justice;
- to increase the participation of women at all levels of the judiciary and the legal system; and
- to promote education which contributes to the understanding and resolution of legal issues facing women.
When Justice Mathews became President of the IAWJ in 2004 she put plans in place to hold the Biennial Conference in 2006 in Sydney. That was a massive effort for the AAWJ at the time, which was still relatively small and even today suffers from the tyranny of distance when trying to bring all members together Australia-wide.

The IAWJ conference in Sydney in 2006 was however a huge success, with 352 women judges from around the world attending, representing 43 countries. There were 95 Australian delegates, thus amounting to the largest gathering of Australian women judges ever. That conference did much to raise awareness of both the AAWJ and the IAWJ and, just as Justice Mathews had experienced in 1989, proved a life-changing experience for many of us, increasing membership of the AAWJ and creating ongoing interest in the IAWJ, including regular Australian attendance at IAWJ Biennial and Regional Conferences.

The AAWJ after 2006

Justice Mathews stepped down as President of the AAWJ after the Sydney Conference. Her role in establishing the Association was enormous and she continues to be actively involved in the Association. Her contribution is ongoing and valuable.

Judge Sarah Bradley of the Queensland District Court was elected President in May 2006 and was responsible for overseeing an increase in membership of the AAWJ and raising our profile both nationally and internationally.

The AAWJ was well-represented at the Biennial IAWJ Conference in Panama in 2008 and increasingly well represented at every Biennial conference thereafter – Seoul in 2010, London in 2012 and Arusha, Tanzania in 2014. Each of these Biennial Conferences has created a new contingent of Australian women judges attending an IAWJ Biennial Conference for the first time and coming away inspired.

Under Judge Bradley’s leadership the AAWJ held its first National Conference in 2011 in Brisbane with a keynote speaker on the topic of human trafficking and the sex trade.

In December 2013 the AAWJ was pleased to host the opening event of the Australian and New Zealand Law and Society Conference at the University of Queensland, which was the launch of a book entitled “Australian Feminist Judgments: Righting and Rewriting Law”. This book brings together feminist academics and lawyers to present a collection of alternative judgments in a series of Australian legal cases. It was a sold-out event, with over 250 people attending and addressed by Justice Margaret McMurdo, Chief Justice Diana Bryant and Judge Sarah Bradley. This function elevated the profile of the AAWJ in the broader legal academic field.
The AAWJ’s interest in areas involving the intersection of human rights, women’s rights and the law included hosting a seminar in 2014 on commercial surrogacy, an issue of considerable relevance in our region. The keynote speaker was Chief Justice Diana Bryant and it attracted media interest with some television coverage.

In June 2014 Judge Bradley stepped down as President and Judge Robyn Tupman from the NSW District Court was elected President. Justice Margaret Beazley, the President of the NSW Court of Appeal, is Secretary and Judge Rosemary Davey from the District Court of South Australia is Vice President. The governing Committee has representatives from each State of Australia, the Federal Courts and the two Commonwealth Territories. The Committee meets by teleconference at least twice a year and by email as needed. With five different time zones and huge distances, it is difficult to meet in person.

We have attempted to strengthen our bonds with the NZAWJ and recently Judge Tupman attended their Annual Conference and AGM in Auckland, renewing old friendships and meeting new members.

The AAWJ and the IAWJ

The AAWJ is part of the Asia Pacific Region of the IAWJ and enjoys a close relationship with other women Judges in our region. We were delighted to send a large delegation to the Regional Conference in Auckland in 2013, hosted by the New Zealand Association. We have much in common with New Zealand and were delighted to be part of an excellent conference. Similarly delegates from Australia were the largest international delegation at the recent Regional Conference in Tagaytay, The Philippines, in May 2015 hosted by the PWJA. We were treated to extraordinary Philippina hospitality at that conference and forged stronger bonds within our region.

As a relatively wealthy country in our region, the AAWJ seeks to assist women Judges in the Asia-Pacific region, where possible. Our income is limited to fees, and access to external funding has either decreased or ended in recent times, but we have been able to sponsor some women Judges to attend the Biennial and Regional Conferences. This has included women Judges from Papua New Guinea, Timor l’Este and Cambodia. We hope to continue this in the future. We also support our sisters in Papua New Guinea generally and were delighted when they established their own National Association in 2012.

Women Judges in Australian Courts

In 2015 there are women Judges at all levels of the judiciary in Australia. Justice Mary Gaudron was the first woman appointed to the High Court of Australia in 1989 and remained there for many years as the only woman Judge. But this has now changed. Since then Justices Susan Crennan, Susan Kiefel and Virginia Bell were appointed. Justice Crennan retired in February 2015 and in April 2015 Justice Michelle Gordon was appointed to the High Court of Australia. Thus women comprise almost a majority of the seven judges of our highest court.

Justice Diana Bryant is the Chief Justice of the Family Court of Australia, Justice Helen Murrell is the Chief Justice of the Australian Capital Territory, the Chief Justice of the State of Victoria is Justice Marilyn Warren and the Chief Justice of the State of Queensland is Justice Catherine Holmes. Justice Margaret Beazley and Justice Margaret McMurdo are the Presidents of the Courts of Appeal of NSW and Queensland respectively. The Government of the State of Victoria has recently adopted a 50:50 model, to ensure 50 per cent of all new judicial appointments are women. The national average for women judges is between 28 per cent to 37 per cent, except for the ACT where women now comprise 55 per cent of the Judges in that Territory.
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We have attempted to strengthen our bonds with the NZAWJ and recently Judge Tupman attended their Annual Conference and AGM in Auckland, renewing old friendships and meeting new members.

The numbers of women Judges throughout all of the Courts and Tribunals in Australia is increasing but there is still room for improvement and, where appropriate, the AAWJ advocates for the appointment of women.

**The AAWJ and the Future**

Membership and interest in the AAWJ is increasing. We will continue our involvement with the IAWJ, especially through attendance at the Biennial and Regional Conferences. There will be a large contingent of Australian Judges at the conference in Washington DC during the IAWJ’s 25th Anniversary year.

**Judge Robyn Tupman, Judge Sarah Bradley and Justice Jane Mathews**
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 kilometre. 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 was the first woman 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 seven per cent over the last five years. Today, in addition to Justice Sultana, three other women serve on the Supreme Court.

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 29 December 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.

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 organisation 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 organisation; 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 programmes 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 on 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.

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 cooperation 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 the 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 organisation 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.

Goals and Plans for Future Growth

The BWJA hopes to achieve the following goals:

- organising conferences, seminars and other educational programmes;
- 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.
Botswana Association of Women Judges

Introduction

The Botswana Chapter can trace its roots to a meeting held in its capital, Gaborone, on 10 December 1999, where Justice Unity Dow first introduced the International Association of Women Judges to the women judicial officers of Botswana. The 13 women who attended that seminal meeting included one judge, one registrar (of the Industrial Court) and 11 magistrates at different levels.

Before the meeting ended, the participants agreed that an association affiliated with the IAWJ should be established. It was further agreed that the organisation be constituted as a trust. An Executive Committee was elected, with a mandate to begin creating the Association under Justice Dow’s leadership. The Deed of Trust was 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; and
- Conduct research, and facilitate debate on pertinent issues, through studies and publications and contribute to law reform.

Composition of Association

The Botswana Association is comprised of women judges, magistrates and registrars who are members of the High Court, the Industrial Court and the Magistrates courts. Currently, the Chapter has 20 members. Of this number, three of the four women judges in Botswana are members of the Association.

Status of Women in Botswana's Judiciary

In 1966, when Botswana gained independence from Great Britain, there were no women judges at all. By 1991 there were three women magistrates but no women were on the High Court. Nor were there any women registrars. By 2008, 33 women were members of the judiciary: one woman judge served on the High Court, two women judges were on the Industrial Court that was established in May 2006, and 30 women magistrates served in various communities throughout the country. In 1997, a woman was appointed the Registrar of the Industrial Court and held this post until 2001. The next female Registrar was appointed in May 2006, holding this position until April 2008 when she ascended to the bench as an Industrial Court judge. Currently out of 14 High Court and Court of Appeal Registrars, eight are women. The Industrial Court now has two women registrars who are assigned to the Industrial Court, while a third woman was appointed in June, 2015.
The Court of Appeal is Botswana’s highest court, and only recently were the judges localised; that is, from Botswana. However, some judges from other countries continue to sit with their local peers. All the Court of Appeal judges (both local and international) are male. However, recently, the Chief Justice has started a system whereby 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 as a Justice of Appeal under this arrangement.

In addition to the women judges of Botswana’s Superior Courts, the National Association of Women Judges is proud to count in its midst, Hon Sanji Mmasenono Monageng. Her career began in 1987 as a Magistrate, and Executive Secretary of the Law Society. She then was appointed to the High Courts of Gambia and Swaziland respectively through the Commonwealth Secretariat. Since March 2009, she has served on the International Criminal Court at The Hague and also chairs the African Human Rights Commission. Given her positions on these prestigious bodies, she has been rightly honoured at home and abroad for her contribution to human rights.

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 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 members have attended IAWJ biennial conferences in Argentina, Ireland, Uganda, Australia, England, and Tanzania. Members have also participated in regional meetings within Southern Africa; including an Annual Conference of the RSA Chapter and a Jurisprudence of Equality (JEP) Training the Trainers JEP workshop.

In 2014, the Association collaborated with the Southern African Litigation Centre, and Malawi’s judiciary in publishing a book entitled Using the Courts to Protect Vulnerable People: Perspectives from the Judiciary and Legal Professions in Botswana, Malawi and Zambia. Articles and presentations from members of the judiciary and the legal professions in Botswana, Malawi and Zambia arose from discussions at judicial colloquia on the rights of vulnerable people in the three countries. The colloquium in Botswana was held in March 2014. Both the Colloquia and the publication were made possible by support from the United States Department of State, Bureau of Democracy, Human Rights and Labor, and the Open Society Foundation.

Hon Tapiwa B Marumo
Judge, Industrial Court
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 10th 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 (Associacao 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 seven amicii judicii. The IAWJ Constitution provides that persons who are not judges may join the IAWJ as amicii judicii 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 5-8 August 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 (Fundacao National do Indio), 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 Pandjiarjian in their study of gender bias in the Brazilian courts.
From July 1997 to 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 Judiciarios, the Superior Tribunal de Justica and several other State Supreme Courts supported the programme. 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 Figueirdo Teixeira.

On 7 August 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 organising 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.

Shelma Lombardi de Kato
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.

Justice Arrey was introduced to IAWJ in 1994 during a visit to the United States under an International Visitor Programme 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 organisations, 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”.

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 ground breaking 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.

![Image of five women at CAWJ Conference in Douala, Cameroon](image)

Judge Vera Ngassa
Washington meeting

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

This conference sparked the birth of the International Association of Women Judges (IAWJ) and in 1991 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 International Association of Women Judges (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

The initiative for a Canadian chapter was taken by Madam Justice Claire l’Heureux-Dubé, the second woman appointed to Canada’s Supreme Court. On 31 May 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.

The Canadian Bar Association’s annual meeting in Toronto in August 1994, provided an opportune time to hold an inaugural meeting for the Canadian Chapter of the IAWJ. In attendance at that meeting were Marie Corbett of Ontario, Cheryl Daniel of Alberta, Susan Devine of Manitoba, Catherine Fraser of Alberta, Claire l’Heureux-Dubé of Ottawa, Jean Lytwyn of British Columbia, Céline Pelletier of Quebec, Michèle Rivet of Quebec, Marguerite Trussler of Alberta, and Bertha Wilson of Ottawa.

A constitution was drafted for the Chapter and in 1995, the Constitution and Bylaws were approved at the Chapter’s second annual meeting in Winnipeg, Manitoba. It was agreed that the Chapter would be bilingual to reflect the fact that both French and English are Canada’s official languages. Further, it was decided that no one would be excluded from membership based on gender. In 1996, Marie Corbett of Ontario was elected as the Canadian Chapter’s first President and Margaret Larlee of New Brunswick was elected to the IAWJ Board of Directors.
**Ottawa conference**

In 1998, Susan Devine, the first Canadian IAWJ President, and the Canadian Chapter hosted the 4th International Biennial Conference in Ottawa, Ontario, welcoming more than 400 national and international judges from 60 countries. The first IAWJ Human Rights Award was presented to Justice Bertha Wilson, the first woman to serve on Canada’s Supreme Court.

The delegates to the Ottawa Conference approved a number of resolutions including, inter alia, supporting the establishment of a permanent International Criminal Court, universal ratification of the United Nations Convention on the Rights of the Child, and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) that provides for individual and third party petitions claiming violations of CEDAW’s terms. During the Conference, IAWJ judges from the Philippines presented a colourful tapestry to Marguerite Trussler, the Chapter’s second President. Since then, the banner has passed from one president to president, becoming a symbol of continuity for the Canadian Chapter.

**Activities to 2000**

Between 1998 and 2000, under the leadership of Presidents Marguerite Trussler and Karen Johnston, the Canadian Chapter focused on measures to overcome violence against women and protecting the rights of children. The Chapter was instrumental in publishing the Child Witness Handbook as a guide for judges dealing with children who appear as witnesses in the courtroom.

Members explored the concept of “twinning” with women judges from a country with similar bijural (common law and civil law) and bilingual judicial systems. Initially, the Chapter members agreed to approach our judicial sisters in Cameroon and subsequently, in Benin. The purpose of these twinning agreements 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. Between 2000 and 2012 the Canadian Chapter has sponsored the attendance of a number of judges from Cameroon and Benin to IAWJ international conferences.

The Canadian Chapter also “adopted” and supported a judge from the Democratic Republic of the Congo. 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, 36 Canadian judges attended the IAWJ’s 5th Biennial Conference in Buenos Aires, Argentina, bringing with them seventy pounds of books on a wide range of topics for distribution to sister judges from other countries. Judges Rose Boyko, Susan Devine and Claire l’Heureux-Dubé served as panellists at the Conference and Cheryl Daniel of Alberta was elected to the IAWJ Board of Directors.

**From 2001 to 2004**

In 2001, the Canadian Chapter, and Canada’s National Judicial Institute co-hosted a conference in Montreal, Quebec for 120 judges from North and South America and Africa. The participants discussed Canada’s expanding obligations 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, the first woman Chief Justice of Canada, was presented with a lifetime membership in the Canadian Chapter. The Chapter, having sponsored the attendance of judges from Benin and Cameroon, signed a twinning agreement with both countries. In 2002, Micheline Corbeil-Laramée of Quebec was elected the Chapter’s President.

At the IAWJ’s 6th Biennial Conference in Dublin, Ireland, Karen Johnston of Ontario was elected to the IAWJ Board of Directors and Claire l’Heureux-Dubé was honoured by the IAWJ with a lifetime membership for her contributions to human rights and the rule of law.

In 2003, after Virginia Schuler was elected Chapter President, a website and “chat line” for Canadian delegates attending international conferences was established. The following year, the greatest number of delegates to the Seventh International Biennial Conference in Entebbe, Uganda came from Canada. The Chapter subsidised the attendance at the conference of Marie-Noelle Ndemo from Cameroon and also co-hosted a reception with the Canadian High Commission for all delegates. At the regional business meeting that concluded the conference, Constance Hunt of Alberta was elected to the IAWJ Board of Directors.

Activities in 2005 and 2006

In 2005, the Canadian Chapter, together with the National Judicial Institute and University of Victoria, hosted a 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, testimony regarding torture given in trials before the International Criminal Tribunal for Rwanda, the Hague Convention, and First People’s and Sharia approaches to justice. The participants also explored the role of international law in Canadian courts and the contributions Canadian judges can make to strengthen the rule of law globally.

At the Victoria Conference, Patricia Hennessy of Ontario was elected Chapter President and Constance Glube, from Nova Scotia was awarded lifetime membership. In an inspiring address delivered to the delegates, the Honourable Iona Campagnolo, Lieutenant Governor of British Columbia, stated:

> 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.

Beverley McLachlin addressed the delegates on “Why We Need Women Judges.” Further, Marsha Erb and Nancy Flatters of Alberta participated in a panel discussion of indigenous peoples.

In the same year, the Canadian Chapter launched a newsletter entitled Accent, to enhance communication with its members and attract new members.
At the Chapter’s Annual General Meeting in St John’s, Newfoundland, Supreme Court Chief Justice McLachlin addressed the members regarding Canadian courts’ need for women judges. She noted that when measured against the standards of many other countries, Canada had a good record of appointing women to the bench; that is, about one of every three judges was a woman. She stressed the importance of having women judges to ensure that courts are representative of society, to reflect society’s commitment to equality, to best use available human resources, and to bring new perspectives and combat clichéd stereotypes.

From 2006 to 2008

After France Thibault of Quebec was elected President in 2006, the Chapter and the 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, especially with regard to sentencing women offenders, changing Canadian families, fairness in sexual assault trials, and gender equality on the international stage.

In 2007, during Rosemary Weisgerber’s term as Chapter President, the Twinning Committee collaborated with and financially supported its twin country, Benin, in publishing and distributing a book entitled Femmes Juges du Bénin: Visages et Contribution à l’Evolution du Droit. This work describes the role of women judges in the evolution of customs, as well as women’s and children’s rights in Benin.

In 2008, during Lucie LaVigne’s presidency, forty Canadian judges and two judges from Benin who were sponsored by the Chapter, attended IAWJ’s Biennial Conference in Panama. The book documenting women judges’ role in Benin was launched at a reception for all delegates hosted by the Canadian Chapter and the Canadian Embassy.

During the Panama Conference, Sheila Greckol of Alberta and Patricia Hennessy of Ontario participated in panels discussing economic discrimination and access to justice for women in indigenous communities. During North America’s regional caucus, Tamarin Dunnet of Ontario was elected to the IAWJ Board of Directors.

From 2009 to 2013

In 2009, during Petra Newton’s term as President, the Chapter and the National Judicial Institute co-hosted a conference in Ottawa, Ontario, entitled “Women, Girls and the Justice System: Convergence, Divergence and Intersection.”

That same year, the Chapter members agreed that, in light of Canada’s strong indigenous culture, they would sponsor an aboriginal woman’s attendance at the Programme of Legal Studies for Native People at the University of Saskatchewan’s Native Law Centre. The project continues to provide funding to assist aboriginal women students.
In addition, the Chapter established a national website and created a speaker’s bureau composed of members who would volunteer their time to speak to and with law school students and women’s legal organisations.

In 2010, 34 Canadian delegates attended the 10th Biennial Conference in Seoul, Korea. Again, the Chapter made it possible for two judges from Benin to join them at the Conference. Carol Cohen of Quebec contributed to a panel discussion addressing new issues in sexual/reproductive rights and bioethics. Lucie LaVigne was elected to the IAWJ Board of Directors and Tamarin Dunnet of Ontario was elected IAWJ Vice-President.

The Chapter also established the McLachlin Prize to be presented annually to the woman deemed the best debater at the Gale Cup, one of Canada’s most prestigious bilingual law school moot court competitions. The prize commemorates Beverley McLachlin’s appointment as the first woman Chief Justice of the Canadian Supreme Court.

After Danielle Côté of Quebec became President in 2011, the Chapter, together with the National Judicial Institute, hosted a conference in Vancouver, British Columbia, entitled “Judging Women: Aging, Mental Health and Culture” with 70 participants in attendance.

In 2012, 81 Canadian delegates attended the 11th Biennial Conference in London, England. The Chapter subsidised the attendance of 10 national and 10 international delegates. Chief Justice McLachlin addressed the need for and characteristics of judicial leadership. Retired Justice Claire l’Heureux-Dubé was the honoured recipient of the IAWJ’s Human Rights Award for her worldwide contributions to human rights and the rule of law. Tamarin Dunnet moderated a panel on women and girls as armed combatants.

Three Canadian delegates participated in panel discussions during the London Conference. Nancy Flatters discussed violence and the problem-solving court. Patricia Hennessy addressed issues affecting women’s work and health, and Petra Newton participated in a discussion about incarcerated women. Lucie LaVigne was elected to the IAWJ’s Board of Directors and Tamarin Dunnet was elected Vice President of the IAWJ.

In 2013, During Louise Charbonneau’s term as Chapter President, a conference entitled “Living at the Margins,” co-hosted by the Chapter and the National Judicial Institute, was held in Montreal, Quebec.
In partnership with the Université de Montréal, the Chapter created the Louise Arbour Scholarship to assist a francophone judge from a developing country to pursue graduate studies in law at the university. A former judge of Canada’s Supreme Court, Justice Arbour also served as the United Nations High Commissioner for Human Rights. The first judge to receive this scholarship was from Haiti. The Chapter also established a scholarship to provide financial assistance to a woman aboriginal law student at Lakehead University in Thunder Bay, Ontario.

Activities in 2014 and 2015

More than 50 Canadian delegates attended the 12th International Biennial Conference in Arusha, Tanzania, in 2014. Panel speakers included Robyn Diamond of Winnipeg who spoke about inter-state child abductions and Nancy Flatters who discussed results-based case management. Tamarin Dunnet of Ontario moderated a panel dealing with justice for vulnerable witnesses. Petra Newton was elected to the IAWJ Board of Directors and Tamarin Dunnet was elected IAWJ Secretary/Treasurer. Following the Chapter’s Annual General Meeting in Arusha, Michele Murphy of Prince Edward Island took office as its elected President.

In 2015, the Chapter hosted a conference with the National Judicial Institute in St John’s, Newfoundland, entitled “Judging as Canada Changes: Balancing Rights.” Fifty one judges attended to consider the challenges judges face in balancing legal rights and judicial life. They also considered the impact of the equality rights section of the Canadian Charter of Rights and Freedoms, that had been in effect for 30 years.

IAWJ President Teresita Leonardo de Castro from the Philippines attended the Conference as did IAWJ staff members Executive Director, Joan D Winship, Human Rights Education Director, Anne Goldstein, and Senior Advisor, Nancy Hendry, who spoke about the impact of IAWJ programmes involving the Global Leadership of Women, as well as the Jurisprudence of Equality and Sextortion projects. Thereafter, Sheilah Martin of Alberta was elected President of the Chapter.

In May, Petra Newton of Ontario attended the IAWJ Board of Directors meeting and Asia-Pacific Regional Women Judges Conference in Tagaytay, Philippines, where she spoke about restorative justice.

Women judges in Canada

At the time IAWJ was founded in 1991, there were 186 women judges in Canada (Supreme Court - two; Federal Court - two; Tax Court - two; Supreme Courts of 10 provinces and two territories - 74; Courts of Appeal of 10 provinces 13 and provincial courts - 93).
As of July 2015, 796 women judges were seated at all levels of the Canadian judiciary (Supreme Court - four; Federal Court - 16; Tax Court - six; Supreme Courts of 10 provinces and three territories - 324; Courts of Appeal of 10 provinces and three territories – 56, and provincial courts- 390).

**Pride in our Chapter’s work**

Twenty-five years ago, three Canadian women judges attended the American conference where seeds of the IAWJ were planted. Today, the Canadian Chapter boasts a membership of more than three hundred judges on every level of the judiciary. The Chapter’s mission is to enhance the work of women judges nationally and internationally in the pursuit of equality, judicial independence and the rule of law.

We are proud of our contributions to international issues of legal and humanitarian importance, as envisioned by IAWJ’s founders. We are proud of our contribution nationally to women’s and children’s rights. We are proud of the judicial networks we have established both nationally and internationally. Led by our remarkable members, the Canadian Chapter of the IAWJ will continue to have an important impact on justice throughout the world.

**Tamarin Dunnet**

IAWJ Secretary/Treasurer
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 1,564 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 3,019 judges in total – 1,163 men and 1,856 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.

Vladana Woratschova
From Chile, a lengthy South American country bordered by the Pacific Ocean, we are pleased to share our experiences with women judges around the world. We have a unitary judicial and political system for a country of 17 million people, 10 million of whom are in the capital, Santiago. Seven hundred and fifty women are employed in Chile’s courts in a universe of approximately 1,800 judges. The restoration of democracy more than twenty years ago, followed by the election of a woman President, Michelle Bachelet, now in her second term, brought some procedural reforms to the judiciary and the introduction of modern technology, positioning Chile as one of the most developed nations in the region.

Despite certain achievements such as new procedural legislation and ratification of key international human rights instruments such as Belem Do Para, Chile has not used these innovations effectively or equally to defend the rights of every citizen. Given economic geographic, cultural and symbolic obstacles that persist, much remains to be done to guarantee Chilean women their autonomy and access to justice. These obstacles affect both the users of the justice system, and those who work within it. Judges are victims of injustice both on a systemic level because of their role in perpetuating inequality, and on a personal level because they are working women.

Perceived inequalities gave rise to The Associação de Magistradas Chilenas (Chilean Association of Women Judges or MACHI) which is committed to educating and increasing public awareness nationally and strengthening its position by means of international links. MACHI draws upon the individual and collective work of women judges, and is open to other members of the justice system, including women prosecutors and public defenders.

Given its dedication to equality and non-discrimination, MACHI agreed on two major goals in 2014: gender parity in the workforce and decriminalisation of abortion in Chile.

Incorporation of women into the workforce, especially during the last 50 years, has changed the makeup of the labour market and decreased gender segregation. In Chile, as elsewhere, women are entering professions and occupations long reserved for men. But are these trends sufficient? Fifty eight per cent of lower court judges and judicial employees are women; but women judges and employees at the appellate level fall to 40 per cent, and only 25 per cent at the Supreme Court and high administrative levels. This disparity is not a matter of ability since statistics show that women are now equally qualified and even surpass men at some educational stages. The argument that fewer women than men apply for higher positions also is belied by a careful review that show men and women apply in equal numbers.
The inequality between men and women, particularly at the upper levels of the judiciary is clear. Even beyond a glass ceiling on promotions, women face such issues as sexual and psychological harassment, difficulties in balancing work with domestic and childcare responsibilities and the lack of a gender perspective in institutional policies. While we have achieved a certain degree of power that many of our women colleagues have not, MACHI would like to open the door for them and lead the way. We are eager to share the lessons learned combating discrimination in our struggle for equal access to justice. It is only in this sense that we can call ourselves privileged.

MACHI members believe they have a responsibility to identify and modify patriarchal patterns that pervade their work place and an obligation to demand the equal selection and promotion of men and women to all judicial positions, thereby promoting respect and equality. However, the discourse of formal equality clashes daily with respect for fundamental rights, including reproductive rights.

The second challenge; that is to decriminalise abortion, is more difficult. Nevertheless, MACHI has endorsed the decriminalisation of abortion in Chile so that they will no longer be one of the few countries that punishes abortion with incarceration. Thus, MACHI’s members have joined the existing, but mostly underground, struggle of women with strong convictions. We act courageously for we work in an institution with strong conservative roots.

As we pursue a challenging agenda, we thank our colleagues worldwide for sharing their experiences and knowledge. To be part of a universe of women seeking deep, structural changes that will bring about true equality and justice convinces us that sooner or later, we will become a visible half of history.

Lidia Poza Matus
President, Chilean Association of Women Judges

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Founder and first President of the Chilean Association of Women Judges, Judge Francisca Zapata opening the first Annual Conference "Gender and Justice", the President of the Supreme Court, Justice Sergio Muñoz, the Minister of Women, Mrs Claudia Pascual, the Minister of Justice, Mr. José Antonio Gomez, and the President Elect of the International Association of Women Judges, Honourable Susana Medina.

Some of the attendees to the first conference 2014, (from right to left) President of the Chilean Association of Women Judges, Judge Lidia Poza; President Elect of the International Association of Women Judges, Honourable Susana Medina; first President of the Chilean Association of Women Judges, Judge Francisca Zapata, and the President Elect of the National Association of Women Judges from USA, Honourable Lisa Walsh.
Haiti Chapter of IAWJ

In 1998, Judge Norah Amilcar Jean François participated in the 4th Congress of the International Association of Women Judges (IAWJ) in Ottawa. On her return to Haiti, as the sole member, she had to take many steps to create a local association.

In 2001, taking advantage of an extraordinary meeting of judges and lawyers at the National Palace, she noted the locations of the female judges present. Thus on 15 August 2001, 11 women judges met at the courthouse in Port-au-Prince to found the Haitian Chapter of the International Association of Women Judges (CHAIFEJ).

A steering committee was formed consisting of:

- Hon Lise Pierre, senior judge of the trial court of Port-au-Prince, President
- Hon Joceline Pierre, a Judge in the same court, Vice President (died 2014)
- Hon Clunie P Jules, Judge at first instance of St Marc, Treasurer
- Hon Maggy Lariveaux, Justice of the Peace in Cayes Jacmel, Secretary
- Hon Norah A Jean François, Judge of the trial Court of Port-au-Prince and Judge Delegate for children, Executive Director

The other member judges are:

- Hon Eugenie Georges Charlot, the oldest member (deceased in 1986)
- Hon Nicoletta D Joseph, Hon Laurence Fils Aime, Hon Anette Pintieve Dupiche, and Hon Marie Edvard Jean Philippe Adam.
- Hon Venide Guirand (died in the earthquake of 12 January 2010).

Since then, the CHAIFEJ has grown. It has participated in several congresses of IAWJ, notably in Dublin, Panama, Seoul, the United Kingdom, and Tanzania. It also participated in a regional congress in Puerto Rico and several congresses of the Association of American women (NAWJ).

Activities of CHAIFEJ

In 2002 with the support of UNDP, eight women judges received training in strategic planning.

The CHAIFEJ has conducted an investigation into the low participation of women in law and justice in Haiti. It has also participated in the education of scores of children in physical and moral danger, 75 per cent of which are girls.
CHAIFEJ has helped law students prepare final dissertations in relevant subjects: the rights of women and children, human trafficking, and sexual harassment (sextortion). Of the 30 women out of 60 admissions this year in the School of Magistrates (EMA) more than half are supported in this way by CHAIFEJ.

With the International Association of Women Judges (IAWJ) and sponsored by the Department of American States, nearly 400 judges, social workers, lawyers, and police officers received training on human trafficking from 2011 to 2014.

From September 2014, the CHAIFEJ undertook fieldwork called Caravan Monthly, consisting not only of promoting the law in 2014 against human trafficking but particularly of raising public awareness on the damaging effects of juvenile domesticity and the impacts of education on human trafficking. Eighteen caravans are planned, one for each court of first instance of which eight have already been carried out.

This year we received an award from the Haitian Prime Minister and one from World Vision International. This proves that Haitian women judges are leading the fight against human trafficking in Haiti.

CHAIFEJ now has five department locations: West, North, Artibonite, South, South Eastern and individual members in the departments of the Centre, the Grand Anse and Nippes.

Very soon CHAIFEJ will organise a mid-term evaluation of these activities and wants to host the 2020 congress in Haiti.

Norah A Jean François
Judge of the Court of Appeal
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 harmonise 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 organisational and administrative structure of the courts and another law on the legal status and remuneration of judges. From this time, the judiciary has been organised 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 labour 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 2,823 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 organisations. 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 DC 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 them 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 organising 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 (organised 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. Organised 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 Organisation of Migration and other NGOs. (December 2004, organised by ONCJ, financed by IOM, 40 participants).

- Three-day training for judges on domestic violence, organised by the NaNe Association under the EC Daphne programme (September 2005, organised by ONCJ, training sponsored by NaNe for 20 judges).

- One-day conference on new instruments in criminal procedure, WJOJC 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, organised 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 programme. 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, tasks 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 specialised cases, there are no specialised 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 recognise that this is a real social problem. They think - in general - that women do not tell the truth and that NGOs sensationalise 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 organisations that research domestic violence and discrimination.

Our programmes and further plans

This year we organised two professional conferences and a two day training Program.

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 programme.

We would like to learn and recognise 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 organising 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, eg women police officers and women lawyers.

Judge Agnes Galajda
President of HAWJ
Metropolitan Court of Hungary
In 2005, Justice Ruma Pal, a revered former Justice of the Supreme Court of India, kindly invited Justice Manju Doel Goel and myself, Gita Mittal, the only two women then on the Delhi High Court, to tea with Susan Essermann, a member of the IAWJ’s Board of Managerial Trustees. It is no exaggeration to say that my life was decisively transformed by that meeting.

Unfortunately, although women are a significant presence in the Indian judiciary, we have been unable to establish a national association that would allow us to exercise our collective power. Nevertheless, I have used the knowledge and experience gained as an IAWJ member to spread the Association’s message amongst India’s women judges as well as to judges in different parts of the South Asian region. Today, women judges from different parts of India are IAWJ members.

Cherished memories of my experiences at the IAWJ’s 2006 8th Biennial Conference in Sydney, Australia, remain especially vivid since the women judges there from every level of the judiciary had little hesitation in sharing their knowledge and exchanging points of view.

Having been appointed to the bench in 2004 after 23 years of law practice, I was relatively new to the deeply entrenched hierarchy in India’s judicial system. However, I returned home from the Sydney meeting with a strong message that each judge is a judge regardless of what her jurisdiction may be. This is a message that I now try to transmit to my colleagues in every judicial setting. When speaking with magistrates and civil judges who sit on lower courts, I assure them that they are legally empowered to decide cases that come before them. I emphasise that every judge has a singular contribution to make which may affect people’s lives in significant ways. Thus, every judge has a profound responsibility to dispense just decisions.

As an IAWJ member, I have had the opportunity to interact and exchange ideas with judges throughout the world. These encounters reveal the highly visible impact of religion, culture, tradition and social diversity on the approach that each judge takes to the matters that come before her. It has opened my eyes to the complexities inherent in our delivery of justice; led me to question my own subjective attitudes toward cases that come before me, and consider the impact such factors may impose on my judicial sisters.

For example, the experiences of Justice Shiranee Tilakawardane from Sri Lanka, or those of women judges in Fiji or Afghanistan, have given me a greater understanding of how difficult judging is in violent situations. I also am more keenly aware of the special vulnerability of women judges in such contexts. I now recognise not only my own privileged position, but also am aware of the burdens of adjudicating violent crimes.
Evidence of the unique leadership role of judges can be found in actions taken by Judge Norajean Francois in Haiti following the devastating earthquake in her country. At the IAWJ’s 10th Biennial Conference held in Seoul, South Korea in 2010, she gave a vivid account of the Haitian judges’ experience, explaining that the political hierarchy had collapsed so that she and other judges were catapulted into leadership roles quite apart from their judicial experience. I realised because judges are trained in the methodology and art of making decisions, they are natural leaders in society.

My affiliation with the IAWJ also has led me to consider the disproportionate impact of violence and adversity on women. Having been invited to speak on this subject at the 2012 London Biennial Conference, my research brought home the severe impact of incarceration on women prisoners, many of whom are abandoned by their families because of their prison sentences.

Discussions at IAWJ meetings about the use of sexual violence as an instrument of power to dominate and suppress women and terrorise entire communities, was an eye opener for me. In particular, Justice Navenethan Pillay, the first woman president of the International Criminal Tribunal for Rwanda, issued a landmark decision in which she categorised the large scale rape of women in targeted communities as genocide. Her decision in this matter led to my understanding that women have been subjected to sexual violence to weaken, humiliate and subjugate disadvantaged societal groups.

I have learned much and benefited greatly from the lectures and writings of many IAWJ members including Justice Claire L’Heureux-Dube’ Canada, Former IAWJ President Eusebia Manuo (Tanzania); Justice Susan Glazebrook and Chief Justice Sian Elias (New Zealand), Florence N M Mumba (Zambia); Jane Mathews (Australia); Arline Pacht, (IAWJ founding President) and Vanessa Ruiz (USA); Magistrada Elena Highton de Nolasco (Argentina) and Justice Peggy Pi-Hu Hsu (Taiwan), among others.

Indeed, my interactions with these women, and discussions with judges and experts in various legal fields the world over have led to my spearheading the development of a “Vulnerable Witness Court Room” project in the Delhi courts. This specialised programme allows victims of sexual offences (and others) to be deposed or testify in a special facility that is designed to prevent them from being re-traumatised by having to recount their experiences in open courtrooms with others present.

The IAWJ’s support to women who find themselves in difficult situations empowers and emboldens them to seek justice. For example, the IAWJ’s initiatives with respect to human rights training for Afghan women judges and enhancing women’s ability to access internationally accepted norms of equality are unparalleled. I have benefited from such initiatives and used the lessons learned in training sessions when addressing issues involving violence against women.

By serving as a Delhi-based judge, I fortunately have been able to arrange tours for IAWJ visitors to the Parliament and the Supreme Court in New Delhi, India’s capital, as well as visits to my own court and my home. Chief Justice Beverley McLachlin of Canada’s Supreme Court; Baroness Brenda Hale, the Supreme Court of UK; Chief Justice Georgina Wood (Ghana); Deputy Chief Justice Kalpana Rawal (Kenya) as well as a group of judges from Canada have paid official visits. Some other IAWJ members who have visited Delhi and been my guests include Justice Annabelle Bennett (Federal Judge, Sydney, Australia); Justice Susana Medina (Argentina); Justice Leslie Alden, former IAENWJ President; Germana de Oliveira Moraes (Brazil); Soma Naidoo (South Africa); Lisa Kianoilinna (Finland); and Justice Desiree Bernard (Gyana).
Visits of IAWJ members to my home also provided unique opportunities for me to organise meetings over high tea to which all woman judges in Delhi were invited. Since 2006, I have been privileged to organise four such social events attended by Justice Pillay; Justice Annabelle Bennett (Federal Court, Sydney); Judge Marzia Basel (Afghanistan); Chief Justice Graciela Dixon (Panama); Judge Leslie Alden (former IAWJ President); Suzana Medina (Argentina); Marianne De Rooj (Netherlands); and with GLOW participants Hon Sanji Mmasenono Monageng (Botswana), Hon Janet Nosworthy (Jamaica), Justice Sushila Karki; and Sharada Shreshtha (Nepal) as well as with other judges from Afghanistan, Bangladesh and Nepal. The entire IAWJ team including Executive Director Joan D Winship; Senior Programme Officer Nancy Henderson, Human Rights Education Director Anne Goldstein and Programme Assistant, Stefania Yanachkov also have been present at one such event.

The special gathering for the GLOW programme participants also was attended by Justice Ranjana Desai and Justice Gyanusudha Mishra, (the only two women judges on the Supreme Court of India at that time), as well as Justice Meena Gomber (Rajasthan High Court) and Justice Anita Chaudhary (from the High Court of Punjab & Haryana). In addition, several of my sister judges on the Delhi High Court, and almost 200 women judges from the District courts were in attendance.

These events and interactions have been vital, not only for the learning generated and the inspiration derived from engaging with such thoughtful role models, but also in building solidarity within the community of women judges in India.

This piece about the IAWJ impact would be incomplete without reference to the endearing friendships with women judges across the globe. It is through these invaluable connections that we can become a powerful force that will transform the trajectory of justice beyond merely the pale of legislative technicality. To this collective vision, let us pledge our energies and substantial talents.

Woman judges who are nurtured, strengthened and supported by their experiences as IAWJ members, will be prepared to take bold steps in the pursuit of justice even under adverse and turbulent circumstances.

Justice Gita Mittal
Reasons for ADMI’s Creation

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 professional experience, and enable a proper evaluation of women magistrates’ contribution to the interpretation and application of the law.
- To propose legislative amendments that fully implement sexual equality.
- To promote meetings between women magistrates in Italy and 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 was rigidly male. In effect, we wanted to influence the “status quo” and mind-set which had never before been discussed publicly. In fact, the limited degree to which protective legislation was applied revealed that it was insufficient and, therefore, necessary to go beyond formal equality between men and women. To this end, we believed it was necessary and proper to ensure “positive action”, that is, action to eliminate de facto discrimination in order to implement laws assuring equal opportunity.

ADMI’s First Twenty Years (1990-2010)

On IAWJ’s twentieth anniversary which coincided with ADMI’s first 20 years, past president Justice Graziana Campanato recalled the history of and rationale for our Association’s multiple objectives: both those to which we aspired and those we actually achieved, as she explained in the following:

*In 1991, ADMI presented some proposals for the reform of employment conditions applicable to women magistrates to the Consiglio Superiore della Magistratura (CSM), the body which is constitutionally authorized to govern the judiciary. 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

Pursuant to its interest in obtaining positive action, ADMI’s proposal was to be implemented in accordance with the following plan: first, a planning phase, second, an analytical stage to help clarify the conditions applying to women within the magistracy, finally, an implementation phase to be followed up by an evaluation of the programme’s effectiveness. In phase one, a committee, composed of 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.

To implement 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 locations within their judicial districts. Alternatively, they should be awarded priority points for their assignments according to their children’s ages. These same rules should be applied when they seek transfers. In addition, periodic professional refresher courses were proposed for all magistrates. While such courses were available to both men and women magistrates, they would be especially beneficial to women judges who are compelled to take leave from work for maternal reasons during the formative years of their professional careers.

The CSM accepted ADMI’s first proposal, and on 22 October 1992, established a committee to study equal opportunities. The CSM’s Vice President presided over the committee that was composed of three its members, three women magistrates who were ADMI members, an expert nominated by the National Committee of the Employment Ministry and three women magistrates representing the National Association of Magistrates composed of both men and women.

Maternity Leave

Among the many issues the Committee addressed were those concerning maternity leave for women working in the judiciary which were especially important because it was cited as the primary reason for the delay and malfunctioning of justice. However, data collected in this regard proved that claims blaming women for delay were totally groundless. Consequently, the law currently in force was amended to add a list of substitute judges and prosecutors to replace colleagues on maternity leave. This remedy would allow the judicial system to operate more efficiently, thereby better serving the interests of women and the public as a whole.

In 2001, ADMI’s proposal was accepted and the new law established a pool of magistrates, attached to the Court of Appeal, who could substitute for men and women magistrates who were absent by reason of maternity, illness or other related reasons. In this way, women magistrates succeeded in individualizing and overcoming difficulties that citizens encountered in the administration of Italy’s judicial system. At the same time, ADMI ensured that maternity would not be a negative factor limiting the careers of women magistrates.

The CSM adopted another ADMI proposal that gave additional points to women with children up to three years old when seeking their first work place assignments or transfers in subsequent years. Still another initiative gave preferential treatment to women applying for professional training courses organised by the CSM on a regular basis. ADMI also requested that a greater number of women be nominated to lecture in courses given by the CSM and sit as members on the commissions that administer public competitions for those who wish to join the judiciary.
Survey of Labour Conditions

The Committee also carried out a wide-ranging survey on labour conditions of women working in the judiciary by means of a questionnaire given to all judges and prosecutors in Italy. The answers to this questionnaire confirmed that women were represented in a fully balanced way whenever appointments were based on objective criteria (as is the case of public examinations), whereas they were inadequately represented when subjective factors were involved as in nominations, elections, or when a woman was required to make a choice that entailed sacrifices affecting her family.

The Rome Conference

In 1994, ADMI, with IAWJ support, organised the Association’s second international biennial conference in Rome. During the Conference, United States’ delegates explained the use of protective orders issued by courts to safeguard victims in cases involving family violence. Shortly thereafter, ADMI proposed legislation providing for similar measures in cases involving violence between family members. In 2001 the Italian Parliament approved a new law based on ADMI’s original proposals.

Governance of the Judiciary

ADMI is concerned that few women are members of the CSM, a constitutionally established body, whose authority extends to employment, nominations, transfers, advancement and discipline of judges. The Parliament elects one-third of CSM’s members from law school university professors and lawyers, while the balance are elected by all members of the judiciary. The President of the Republic serves as CSM Chairperson.

Because this important institution largely consists of men, the CSM is deprived of women’s contributions which ADMI regards as a serious limitation, especially when taking into account that the number of women judges increased from 2,000 in 1989 to 4,000 in 2009. Recently, ADMI proposed that the Associazione Nazionale Magistrati (ANM) modify its statute to provide for the election of a specific percentage of women candidates to the CSM governing body. However, this proposal was rejected.

Women’s Role in the Judiciary

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

Moreover, ADMI members on the Supreme Court have created a jurisprudence of equality in many fields, especially in family matters. Thus, the Supreme Court plays a leading role in the judiciary. However, the declining difference in the ratio of men to women in the judiciary has not resulted in a comparable decline in access to leading positions, which still are largely held by male colleagues. ADMI members assume that the difficulties affecting women judges are similar to those encountered by women in other fields; that is, because in varying degrees, women are still expected to comply to a great extent with fixed behavioural models within the family and society. Consequently, whether equal opportunities exist for men and women judges remains an open issue, notwithstanding some advances in formal and factual equality. ADMI now is trying to establish equal opportunity committees in all Courts of Appeal and the Supreme Court.
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 organised 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 12 June 2003, ADMI organised a conference in Rome concerning the reform of juvenile courts while that matter was being debated in Parliament.

Throughout these years, ADMI has 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 organised conferences in which students participate. We were present at a conference on the theme “Safety, Justice, the International Dimension of Italy.” We also interacted with women in diplomatic and prefectural career paths at that conference. In May 2007, three ADMI members attended a conference organised by the CSM dealing with equal opportunities and in July of that year, members attended another conference sponsored by the International Labor Committee which 30 newly appointed Egyptian women magistrates attended. ADMI continues to publish its newsletter “Giudicedonna”, which has a distribution of 11,000 copies.

Inspiring Others

ADMI’s achievements have inspired other judicial organisations, 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 organisations and institutions. It is a unique women judges association in Italy with members holding prominent positions on their courts and at the Supreme Court.
From 2010 to 2015

In the last five years, themes such as gender differences and discrimination have become part of the discourse between ADMI and members of the self-governing CSM Council. Similarly, ADMI has continued to obtain consent to designate its own members to serve on the Equal Opportunity Committees that operate in all Italian Courts of Appeal and the CSM.

In addition, over the last five years, ADMI members have promoted the organisation’s values while attending cultural activities and maintained an active presence at meetings and conventions organised by universities and private associations throughout the nation.

Other important events should be noted, such as a conference on Life and Death (Rome 2011); the convention on “The Condition of First and Second Generation Immigrant Women in Italy (Brescia 2002); “Disciplinary Law In The Judiciary” (Rome, Corte Cassazione 2012); “Gender Violence and Violence Witnessed By Minors” (Rome, Brescia and Bergamo, 2013 and then Venice 2014); Family and Juvenile Law” (Roma and Verona, 2013); “The Organisation of Judiciary Offices” (Roma, Corte Cassazione 2013); “Gay Couples’ Rights and Minors With Same Sex Parents” (Brescia, 2014); “Infibulation and Contrast to Genital Mutilation” (Brescia, 2015); and lastly, in 2015, a meeting at the Corte di Cassazione in Rome, assessing Between Equality and Difference: Where Are We?”, a title that recalls ADMI’s first convention held in 1991, 25 years ago.

ADMI and the ANM’s Comitato Pari Opportunità (Equal Opportunity Committee), organised a convention that took place on 27 September 2013, to celebrate the fiftieth anniversary of women’s admission to the judiciary. Eminent spokespersons, including three woman ministers, the minister of justice, professors, jurists and politicians addressed a large audience that also included high state authorities.

Further, ADMI has met women judges from a number of other countries. In 2015, alone, we attended meetings with judges from Morocco (Reggio Emilia, April 2015) and Argentina (Rome, September 2015). ADMI’s President and some of its members also have participated in IAWJ Biennial Conferences in Panama City, Panama, Seoul, South Korea, London, United Kingdom and Arusha, Tanzania.

This year, in order to breathe new life into our association, ADMI completely rerouted its direction with a new president and new directive council. Intent on reaching out to find new members, we hope to remedy the last few years of stagnation, abstention and the retreat from “associationism”, which afflicted our country and ADMI, as well.

ADMI also cooperated with Professor Annamaria Isastia, a history professor at the University La Sapienza in Rome, who wrote about ADMI’s history in a book entitled “Donne in Magistratura.” (2013). In 2014, as part of its effort to halt the spread of gender violence and its impact on minors, ADMI contributed to the opening of the first public “Sportello Violenza” (ATM Violence) at the Palace of Justice in Brescia. A second “Sportello Violenza” opened this year in Perugia’s Palace of Justice.

In addition, ADMI has modernized its logo, and web site found at www.donnemagistrato.it. ADMI also has created a Twitter page (@DonneMagistrato) and this past February revived publication of its newsletter, now in web format at www.giudicedonna.it.
ADMI’s President also presented a paper at an important meeting about judicial associations at an ANM Extraordinary Assembly in the Suprema Corte di Cassazione on 9 November 2014. The paper is available on its website.

In June of this year, ADMI firmly opposed the Nuovo T U -Testo Unico Dirigenza (New T.U. Consolidated Leadership), contending that it discriminates against the few women judges who perform executive functions in Italy. ADMI wrote to the CSM governing body, to the President of the Republic who presides over it, to all councillors and to the Ministry of Justice, stating the reasons for our dissent. The letter, which may be found on ADMI’s website, has received attention from the national press.

Currently, arrangements are underway for an important conference to take place in the fall of 2015 at the Consiglio de Stato in Rome with the participation of the ANM (CPO), the administrative judiciary, and the accountant judiciary (CPO) where executive and semi-executive positions will be considered. Finally at year’s end, ADMI will celebrate its first 25 years of activity at a meeting focusing on “women and science” and concluding with a big party in Rome.

**Future Goals**

Because the CSM has far-reaching control over matters affecting the judiciary, ADMI will urge that gender quotas be set to overcome a longstanding dearth of women in positions of authority. Today, women comprise approximately 50 per cent of the judiciary in a universe of 9,000 judges. In the near future, women will constitute the majority since in the last three competitive state exams they totalled 65 per cent of all designated judges. Significantly, in 2012, the Associazione Nazionale Magistrati modified its statute so that 30 per cent of its women candidates can be elected to the governing council. ADMI hopes to obtain at least an analogous result.

ADMI also will seek to further implement equality principles in the nation’s judiciary, in its jurisprudence and in the administration of justice. Moreover, ADMI looks forward to expanding its contacts with other IAWJ national associations by hosting a regional meeting.

**Carla Lendaro, President**
Associazione Donne Magistrato Italiane
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 10 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 10 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 10th annual meeting of the U.S. National Association of Women Judges was held in Washington DC, 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 19 March 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 childcare, 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 10 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 Nodo, 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.

Madam Justice Noda Aiko
Former Chief Justice of Sapporo High Court
President of Japan Association of Women Judges
Kenya Women Judges Association

Origins

The journey began in 1989 when Hon Lady Justices Nambuye and Aluoch attended the US National Association of Women Judges in Washington. A further conference in 1992, held in San Diego, US was attended by Hon Lady Justices, Owuor, Aluoch and Nambuye.

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. Since 1993 the association has grown from three judges to a strong body of 100 members, incorporating women who are judges, magistrates and registrars and even two men, as honourary members. In 2005 the Association’s constitution was amended to include women magistrates and lawyers.

Activities

KWJA has participated in and organised many activities and projects since its inception. Among its major achievements is the formation of the Family Division of the High Court. The Association organised 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.

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 standardise 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.
The Committee also carried out a wide-ranging survey on labour conditions of women working in the judiciary by means of a questionnaire given to all judges and prosecutors in Italy. The answers to this questionnaire confirmed that women were represented in a fully balanced way whenever appointments were based on objective criteria (as is the case of public examinations), whereas they were inadequately represented when subjective factors were involved as in nominations, elections, or when a woman was required to make a choice that entailed sacrifices affecting her family.

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.

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.
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**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:
The Committee also carried out a wide-ranging survey on labour conditions of women working in the judiciary by means of a questionnaire given to all judges and prosecutors in Italy. The answers to this questionnaire confirmed that women were represented in a fully balanced way whenever appointments were based on objective criteria (as is the case of public examinations), whereas they were inadequately represented when subjective factors were involved as in nominations, elections, or when a woman was required to make a choice that entailed sacrifices affecting her family.

- 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 centres; and
- Redefining the ‘pauper’ definition as indicated in the Civil Procedure Act and improve the mechanisms that can cater for the poor litigant.

**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 Children 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 the 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; and
- 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; and
- 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 Mobilise 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 organisations 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; and
- Enhancing the institutional systems and strengthening the secretariat with more personnel.
Conferences

In 1992 Hon Lady Justices; Nambuye, Owuor and Aluoch participated in the IAWJ International Conference in San Diego. By 1996 members of KWJA were part of the global congregation of women judges who attended the international Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) in Manilla.

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

In August 2009 KWJA members attend the IAWJ Africa Regional Conference in Arusha, Tanzania. Two years later, in April 2011, a delegation of KWJA members attend the IAWJ Africa Regional Conference in Livingstone, Zambia. Twenty-five KWJA members attend the 12th IAWJ Biennial Conference in Arusha, Tanzania in May 2015.

The Biennial Regional SAC-IAWJ Conference held in Pretoria, South Africa in 201 was attended by approximately 200 women judges, magistrates, academics and other practitioners of law and development from many African countries. KWJA send a delegation of 13 members who participated and presented papers at the conference.

Edith Kiragu
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 1st 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’. Seventy-nine women judges from various provinces took part.

On 28–29 October 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.
On 28 – 29 October 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.

On 26 – 27 October 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 programme 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.

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 16 June 2006, the Korean Chapter held a seminar on ‘Mind Control of the Leaders’. One hundred and twenty women judges gathered to hear the lecture of Doctor Chang-Soon Yang. On 19 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 30 March 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 8th Biennial conference of the IAWJ held in Sydney. She became the vice-president of IAWJ at the 9th Biennial Conference held in Panama. Furthermore, in 2007, at the Board of Directors and Executive meeting, the Korean Chapter was chosen to host the 10th 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 globalisation of the Korean judiciary by mutual exchanges with judges from all over the world. The Chapter will constantly try to develop educational programmes in order to improve the abilities and the leadership of women judges in Korea.

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.

Nak-Hee Hyen
Women Judges Association of Malawi

Background

Women Judges Association of Malawi-WOJAM is a corporate body with a legal status of a registered Trust under Section 3 of the Trust Incorporation Act. In 2009 retired Chief Justice Honorable Justice Anastasia Msosa (SC), Justice of Appeal Dr Jane Ansah (SC) and Justice Esme Chombo initiated the idea of forming a national association and by December 2011, the organisation was incorporated and launched. The Association’s registered office, Internal Procurement Committee and Secretariat are located in the Tikwere House (Community Service Directorate) in Lilongwe. WOJAM’s membership includes all women judicial officers with an open door policy for male judicial officers.

WOJAM governance structure includes a Board of Trustees with six members and an Executive Committee with seven members who serve five year terms all of whom are esteemed judges. The Honourable Chief Justice A K C Nyirenda, SC, JA serves as WOJAM’s patron. The Association functions throughout the country but its work is in accordance with Malawi’s four judicial regions. The National Committee sets policy and offers strategic direction. WOJAM is fortunate to rely in great measure on its volunteer members.

Objectives

WOJAM’s philosophy is deeply rooted in judicial activism aimed at assisting the vulnerable in Malawi. The main objective of this Association is to bring the courts to the people and the people to the court while upholding the rule of law. WOJAM’s goal is to provide effective and efficient legal and judicial service. In implementing its activities, WOJAM promotes transparency and accountability by having periodic external auditing of its project accounts. In addition, WOJAM members promote, respect and uphold their oaths of office through adherence to principles of professionalism. Accordingly, WOJAM encourages its members to demonstrate high levels of integrity.

WOJAM major objectives as set forth in Article 2 of its Constitution are:

- To promote the appointment and recruitment of women into the judiciary and particularly the appointment of greater number of women judges;
- To develop, strengthen and protect the principles of the rule of law and the quality of all before the law and in particular to promote and encourage gender equality in all matters relating to the administration of justice;
- To promote research for purposes of keeping under review all aspects of discrimination on gender bias and to work actively for the eradication of all forms of discrimination against women in the administration of justice;
- To promote by means of fair administration of justice matters of family unity, child survival and development;
- To promote public awareness of all issues relating to fair administration of justice to protect the sanctity of the family unit;
- To engage in research, judicial exchanges and training programs which contribute to effectively written judgments and the understanding and resolution of critical legal issues;
- To encourage cooperation and collaboration between women judges of all nations;
- To support the International Association of Women Judges, Commonwealth Judges and Magistrates (CMJA), Magistrates and Judges Association of Malawi (MAJAM) in its activities and any other Association of like interest;
- To generate funds and other resources necessary for pursuing the Association’s objectives; and
- To do all such things as are incidental or conducive to the attainment of the above objectives as well as to ensure the independence of the judiciary in the country.

**WOJAM’S work**

Since its inception the Association has concentrated on capacity building for its members as well as the judiciary in general. WOJAM strongly believes that training not only members but all cadres of judicial officers enhances the cause of justice but also contributes to encouraging gender development.

**Summary of WOJAM’s activities**

The Association has engaged in a number of activities to empower the rural masses in order to ensure that those who claim rights obtain effective and proper assistance. These activities have included training of judicial officers about marital rape and reproductive health rights. The Association has held court hearings at Maula Prison in Lilongwe, Chichiri Prison in Blantyre and Mzuzu Prison in Mzuzu. The Association also has conducted court hearings in Mtandire and Mgona in Lilongwe due to the increasing number of defilement and incest incidents. Since the Association strives to have females who are well equipped educationally and materially, it has been conducting a number of mentorship programs in Secondary Schools and villages (Mangochi Secondary School, Zingwangwa and St. Mary’s Secondary Schools). The Association has participated in submitting a report as part of the Malawi Universal Periodic Review to the United Nations Committee that addresses compliance with the Convention on the Elimination of Discrimination against Women’s (CEDAW) Shadow Report.

In order to reach large sectors of the population, WOJAM produced IEC materials in four languages, namely: English, Chichewa, Chitumbuka and Chiyao on four thematic areas: sexual offences, wills and inheritance, gender based violence and trafficking in persons.

In February 2014 we held a gala dinner in honour of the first female Chief Justice of Malawi, Anastasia Msosa.

**Jean Rosemary Mthiko Kayira**
Communication and Liaison Officer
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 per cent 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 organisations 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 organisations 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 T S 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 organisation 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 programmes 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 globalisation 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 organisations, 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 9th Biennial Conference of IAWJ in Panama City, Panama, 25-28 March 2008. It was a great pleasure and honour 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 organisation 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.

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 offices, state organisations and law enforcement agencies and to organise activities to strengthen the role in women lawyers in society.
In 2007, we celebrated our 15th anniversary. One of our activities was to organise 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 organised and implemented human rights Programs, especially dealing with children’s and women’s rights, with the support of international donor organisations.

Some examples of projects and programmes 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.

Kh Enkhzaya
Executive director of the MWLA
The Netherlands and the IAWJ

Introduction

In 2002 a delegation of Mongolian judges travelled to the Netherlands to take part in a judicial exchange programme that was designed to help the judges of both countries understand the practices, procedures and problems of each other’s courts. As part of this experience the Mongolian delegation visited the District Court in Amsterdam. Believing that a visit to the Netherlands is incomplete without a visit to a Dutch home, my husband and I invited five Mongolian women judges to join us for dinner at our home. It was a wonderful, exhilarating evening and we very much enjoyed the opportunity to interact with colleagues from another country. When one of the women suddenly asked me if I was a member of the International Association of Women Judges, I was silent having never heard of this Association. The Mongolian visitors quickly displayed the IAWJ’s web-site and urged me to become a member as soon as possible. Taking their advice, I became the first IAWJ member in the Netherlands. Now, we have fewer than 20 members, most of who work in the international courts in The Hague. It cannot be said that IAWJ membership is widespread in my country. This is surprising since, of the 2,359 judges in the Netherlands in 2014, 1,328 or 56 per cent of the entire judiciary are women.

Women Judges in The Netherlands

In November, 1947, Johanna Hudig was the first woman to be appointed to the judiciary in The Netherlands, thereby curtailing debate about women’s essential nature. Prior to that time, women’s ability to serve as judges was seriously debated in the legal world. It was argued that women are more emotional than men which could influence their objectivity in a case. It also was claimed that women would be more lenient than men in sentencing. In 1921, a famous professor of Law in the Netherlands wrote an infamous letter to the Supreme Court in which he stated that women were seldom successful in practicing law because they were so mediocre. Today, more than half of Netherland’s judges are women. In fact, judging is a common profession for women throughout continental Europe where in many such countries they constitute more than a majority. This might explain why membership in the IAWJ in this region is not yet extensive.

Challenges Facing Women Judges

Notwithstanding the number of women judges in The Netherlands; indeed, in all of Europe, challenges still confront them. One such problem is women’s slow progress in obtaining leading positions in the judicial hierarchy. In 2015, only 20 per cent of Netherland’s Supreme Court members are women. In 2014, four women were presidents of district courts. When one of these four stepped down in 2015, only three of a total of 18 court presidents were women. It is remarkable that as of 2015, no higher court, including the Supreme Court, has had a woman president. Women in leadership roles comprise only 17 per cent of the judiciary; with most of them serving in lower courts.
In research conducted by the European Commission in 1999, judges, public prosecutors and lawyers (advocates) gave two main reasons for the dearth of women judges: by far the leading reason cited by both judges and public prosecutors was women’s relatively recent ascent to a judicial career. Women’s alleged lack of career aspirations also was cited for the modest number of women seeking judicial leadership positions: in other words, it was assumed that women deliberately choose non-competitive career paths because they are more compatible with and realistic for family life. Many of these comments were closely linked to the difficulties women encounter when trying to perform two jobs, that is, professional and family obligations occurring simultaneously that compel women to choose between them. These same explanations are offered in the Netherlands for the under-representation of women at the leadership level in the judiciary.

Role of the IAWJ in International Tribunals in The Hague

In the history of the IAWJ, one must certainly pay attention to the important role the IAWJ has played in promoting women judges to positions on the International Courts, such 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, a city of peace and justice in The Netherlands. In 2001, the IAWJ-IWJF joined other NGOs as signatories to a letter sent on 8 March to UN Secretary General Kofi Annan. The letter urges the Secretary General to postpone the elections of nominees to the ICTY and 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 regard to gender neutral elections for judicial positions on the ICC. On 1 July 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 a seminar in October 2002 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, seven of whom were women. They were inaugurated on 11 March 2003 in a ceremony at The Hague. The election of seven 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 three of the newly-elected judges were IAWJ members.

Now, in 2015, more than 10 IAWJ members have served as international judges in the courts in The Hague; that is in the ICC, the ICTY, the Special Court for Sierra Leone and the Special Court for Lebanon. With support from the Netherlands Female Leadership of Women (FLOW) Fund, the IAWJ asked women judges serving on international tribunals to share their stories and their reflections on life, law and gender. Their accounts may be found on the IAWJ website (www.iawj.org), and the Association intends to add many more such stories over time, documenting the many “firsts” that women judges have achieved and recording their stories in their own words.
Sextortion

The relationship between the IAWJ and the Netherlands entered a new phase in 2009. In that year, the IAWJ launched an exciting programme 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 building. This programme was funded through a new three year grant to the IAWJ from the Netherlands government’s MDG3 Fund. It was IAWJ’s first major grant from a European donor.

From 2009 until 2012 the IAWJ and its partner associations of women judges in Bosnia and Herzegovina, the Philippines, and Tanzania have worked to address a pervasive, but often hidden, phenomenon that the IAWJ has named sextortion. Sextortion is a form of sexual exploitation and corruption that occurs when people in positions of authority, whether government officials, judges, educators, law enforcement personnel, or employers, seek to extort sexual favours in exchange for something within their power to grant or withhold. In effect, sextortion is a form of corruption in which sex, rather than money, is the currency of the bribe.

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 sexualised 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 marginalised women and girls and a means of marginalising 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 are rarely identified or prosecuted.

During the course of the programme, made possible by the generosity and vision of the government of The Netherlands, women judges engaged in research and prepared reports about sextortion in their countries; held seminars and workshops to educate the justice sector and key stakeholders about sextortion; developed and disseminated sextortion toolkits and brochures; engaged in public education about sextortion, both at the country level and in international fora; and participated in a final, wrap-up consultation and symposium on sextortion for the judiciary and the international community in The Hague. Building on the work of its three partners, the IAWJ developed an international Sextortion Toolkit and brochure, which were distributed to the 600 judges attending the IAWJ Biennial International Conference in London in 2012.

As a result of this programme, IAWJ has named sextortion and developed a legal, analytical, and practical framework for understanding, documenting, and combating it. The challenge is to build upon the foundation laid by the sextortion programme and find ways to raise awareness about sextortion, so that countries around the world can take steps to shame the perpetrators and provide justice for the victims.
Global Leadership of Women (GLOW)

In 2013, the IAWJ started another two year programme, funded by the Ministry of Foreign Affairs of the Royal Government of the Netherlands. The Global Leadership of Women (GLOW) programme draws on and amplifies the leadership of women judges who sit on international tribunals and domestic courts in West Africa and South Asia. The focus of the programme was on improving the justice system’s response to issues of sexual violence. It seeks to distil some of the lessons learned by women judges serving on international tribunals and make their wisdom and experience more widely available to judges and other end users in the targeted countries. In addition, the story of women judges’ leadership on the international tribunals is in danger of being lost. This project seeks to preserve the historical record by creating web-based and video materials documenting the leadership of women judges. The IAWJ launched GLOW in February 2013 with a consultation in The Hague that brought together judges from international and national courts from countries in West Africa (Cameroon, Ghana, and Nigeria) and three in South Asia (India, Nepal and Bangladesh). Together, they reflected upon lessons learned vis-à-vis three topics: (1) legal doctrine, especially concerning “consent” to rape; (2) procedural and evidentiary rules in sexual violence cases that are potential models for domestic courts; and (3) culturally-specific ways in which sexual assault victims are stigmatised.

After the initial consultation, the IAWJ held two regional conferences, one in India for South Asian judges and another in Ghana for West African judges, to deepen the conversation begun in The Hague and expand the network of GLOW participants. At the IAWJ’s 12th Biennial International Conference where 600 women judges from around the world met in Arusha, Tanzania, in May 2014, a programme on the GLOW programme was a big hit with participants. The international judges and judges from the six countries participated in November 2014 in a final wrap up session in The Hague. Thanks also to the help of the Netherlands Council for the Judiciary and the Supreme Court, that both offered meeting facilities, The Hague has become a very pleasant second base for IAWJ in those five years of programming funded by the Netherlands.

Global community

In conclusion, I should like to return to the Mongolian women judges who visited Amsterdam in 2002. We did not keep in touch. But my female colleagues were right: IAWJ members work hard 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.

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 into 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 one of two women on that Court, the other being Justice Susan Glazebrook.

Until recently, all four heads of Bench were women. Apart from the Chief Justice, Justice Ellen France is the President of the Court of Appeal and Judge Jan-Marie Doogue the Chief District Court Judge. Justice Helen Winkelmann was the Chief High Court Judge until her appointment to the Court of Appeal.
In the next court in the hierarchy below the Supreme Court; that is, the Court of Appeal, currently (in 2016) three out of a total of ten judges are women. On 5 August 2015, for the first time, appeals were heard in the Court of Appeal by a bench of three women judges. In the High Court there are 11 women judges out of 38 and one woman associate judge out of seven associate judges. In the District Court (including the Environment Court) out of a total of 158 judges, currently 53 are women. A number of retired women judges still sit in a temporary capacity on that Court. In the specialist Employment Court, there are five permanent judges, only one of whom is a woman.

There are 11 Māori Land Court judges, three of whom are Māori women. Judge Caren Fox is Deputy Chief Judge of that Court. Māori Land Court judges also sit as Māori Appellate Court judges and for the first time, in February 2016, the coram of that Court was made up of three Māori women judges.

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. The Treaty was signed in 1840 by representatives of the English and over 500 Māori rangatira (chiefs), of whom 13 were women. 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.

As Māori are the indigenous people of New Zealand, it is important to acknowledge that across all Courts there are a total of 11 Māori women judges. Māori now comprise about 15 per cent of the population but this figure is projected to rise to 17 per cent by 2021. Currently the total population of New Zealand is 4.6 million. 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). A fluent Māori language speaker, Judge Williams was a significant role model, whose loss is still keenly felt. She was of Ngāi Tūhoe descent. We also take this opportunity to pay tribute to Dame Augusta Wallace, our first woman judge, who died in 2008. 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. She was followed by Judge Annis Somerville and Judge Nicola Mathers. Our current President is Judge Mary O’Dwyer. The Association holds meetings at least annually with keynote speakers. 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 for all New Zealand judges 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 1st 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. Successive Chief District Court Judges have been particularly supportive of the Association in this regard and have helped to facilitate our annual meetings. The Association was able to send a good contingent of representatives to Sydney in 2006 and Panama in 2008, Seoul in 2010, London in 2012, Tanzania in 2014 and we will also be well represented in Washington in 2016.

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. Our Chief Justice, Dame Sian Elias, was the keynote speaker at the Sydney conference in 2006. Justice Susan Glazebrook served a two year term as Board Member of the IAWJ from 2006 and is currently due to finish a second term in Washington. A number of our other members have been involved with chairing sessions or speaking at the IAWJ conferences, including Chief District Court Judge Jan-Marie 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.

From 9 to 12 May 2013, the Asia-Pacific region of the IAWJ held its regional conference in Auckland, New Zealand, hosted by the (NZAWJ). The theme of the conference was taken from a Māori proverb (the indigenous people of New Zealand): Mā te rongo, ka mōhio; Mā te mōhio, ka mārama; Mā te mārama, ka mātau; Mā te mātau, ka ora: Through resonance comes cognisance; through cognisance comes understanding; through understanding comes knowledge; through knowledge comes life and well-being.

The conference was a resounding success with a total of 151 delegates from 20 jurisdictions, including Argentina, Australia, Brunei, Timor-Leste, India, Korea, Nepal, New Zealand, Papua New Guinea, the Philippines, and from the Taiwanese Chapter. We were particularly pleased to welcome six delegates from Afghanistan, generously funded by USAID. Donations from conference attendees and the scholarship funds of the NZAWJ and the Australian Association of Women Judges also enabled us to sponsor the attendance of delegates from Bangladesh, Cambodia, Papua New Guinea and Samoa, the Solomon Islands and Timor-Leste. The topics covered at the conference included the approach to family violence; trafficking; sextortion; and alternative court structure, including for indigenous peoples. Keynote speakers included Justice Teresita Leonardo De Castro, Justice Teresa Doherty and Justice Shiranee Tilakawardane.
The traditional IAWJ silent auction was held at the conference dinner. Delegates were able to bid on a wonderful array of items from around the region. The auction raised almost $5,000, which will be used by the NZAWJ to fund attendance at future conferences for those who would otherwise be unable to attend.

After the conference, court tours were organised. In Auckland, delegates toured the High Court and the District Court and there was an opportunity to observe the courts in action. Delegates also visited a specialist child interviewing facility. In Wellington, delegates visited Parliament Buildings where they were lucky enough to meet the Rt Hon John Key, Prime Minister of New Zealand and the Hon Judith Collins, Minister of Justice (who had spoken on Global Alliance Against Child Sexual Abuse Online during the conference). Delegates also toured the New Zealand Supreme Court, the Wellington High Court and the District Court and were presented with an interactive session on judicial education by the New Zealand Institute of Judicial Studies.

A special further two day education Program for the Afghani women judges was organised after the Wellington court tour. The judges visited the Public Defence Service to learn about the work of the Service and the structure of the New Zealand criminal justice system. They then toured the District Court with a senior member of the Service to see the criminal system working in practice. The following day they visited Women’s Refuge and learnt about its work. Women’s Refuge is an organisation which aids women and children who have been subjected to family violence.

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.
The Association has its own waiata that was 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 reflects the place the group comes from and their common background. Some of the most commonly performed waiata in Aotearoa/New Zealand were written by women, and it seemed appropriate that the Association of Women Judges in Aotearoa have a special waiata of its own.

One of our important ongoing projects is to collect oral histories of women in the judiciary. We were fortunate enough to get funding from the New Zealand Law Foundation and the Ministry of Culture and Heritage to employ professional historians (Megan Hutching and Pip Oldham) to interview 17 women judges (both serving and retired and including heads of bench), as well as (retired) male judges who had been involved in some of the early appointments of women judges. Dame Judith Potter and Justice Susan Glazebrook have been trained in interview techniques by one of our historians and have interviewed six more retired women judges. A preliminary paper on the first set of interviews has been written by former Supreme Court clerk, Elizabeth Chan (“Women Trailblazers in the Law” (2014) 45 VUWLP 407-436) and she is currently working on an article covering the rest of the interviews to date. We were fortunate to be able to interview Dame Augusta Wallace, our first woman judge, before her death in 2008.

Another major project is to increase the diversity of the judiciary. For example, women currently make up some 48 per cent of the legal profession (albeit not well represented at the higher levels) but only some 32 per cent of judges are women. We have run seminars for women lawyers to encourage them to consider judicial careers. These seminars generated a great deal of interest and were very well received.

Another project we are pursuing 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 are also currently investigating the possibility of setting up a trust to provide scholarships for women students of law.

Through members’ donations and fund raising, we have developed a fund that will enable us to assist women judges in the Pacific. We funded one judge from the Solomon Islands to attend the Seoul conference and are hoping that we can fund a number of judges from the Pacific to attend our next annual general meeting.

Finally, we are investigating the setting up of a trust for the education of women prisoners and the families of both male and female prisoners. There will obviously be conflict of interest issues to address and so we will likely approach retired women judges to act as trustees.

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. It was updated in 2016 by Justice Susan Glazebrook.
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National Association of Women Judges, Nigeria

Twenty-five years strong

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 organisation 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 Miriam Aloma Mukhtar was elected the first Vice President while Justice Rose Ukeje was elected as a member of the Board of Directors.

NAWJN ratified the IAWJ Constitution at its exploratory meeting held on 25 May 1991 and was formally inaugurated on 18 October 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 objectives of the NAWJN include:

- To ensure that our courts are representative of the society they serve in order to preserve their legitimacy.
- To reflect our society’s and the Nigerian constitutional commitment to the rule of law, equality and access to justice for all.
- To encourage new perspectives in the daily dispensation of justice by providing judicial education on cutting edge issues of importance.
- To develop judicial leadership, utilise available human resources and exchange information on issues of critical concern to woman thus uprooting gender bias from our judicial system.

Twenty five women judges joined the NAWJN at the inaugural meeting as founding members. Since then, the membership has grown to over 300 members. Nigeria can claim to have one of the largest number of women judges in the African Region. NAWJN produced the first female Chief Justice of Nigeria in 2012. We have presently three women Justices of the Supreme Court and 29 women Justices of the Court of Appeal. Several are Chief Judges of the various States. At the inception of NAWJN there were no women justices of the Supreme Court.

The Presidents of NAWJN have been Hon Justice Aloma Mariam Murktar GCON (Chief Justice of Nigeria, Rtd); Hon. Justice Atinuke Ige Justice, Court of Appeal (LATE); Hon Justice Zainab Adamu Bilkachuwa CFR, (President, Court of Appeal); Hon Justice Rose Ukeje (Chief Judge Federal High Court, Rtd); Hon Justice Clara Bata Ogunbiyi JSC; Hon Justice R P I Bozimo OFR (Chief Judge, Delta State (Rtd), now Administrator, National Judicial Institute), Hon Justice Binta Nyako-Judge, Federal High Court. Current President and Hon Justice Helen Moronkeji Ogunwumiju, Presiding Justice, Court of Appeal.
Workshops and seminars

The NAWJN has organised several workshops and seminars for judges. One of these was modelled on the IAWJ’s Jurisprudence of Equality (JEP) Project. The seminars were organised to teach members to achieve gender-sensitive judicial interpretations and applications of the provisions of the 1999 Nigerian Constitution (as amended) and other legislation. NAWJN has also organised various conferences and successfully executed the sextortion Program all over the country to propagate the jurisprudence of sextortion as an indictable offence punishable under our laws. As is said on the IAWJ website sextortion is a form of sexual exploitation and corruption that occurs when people in positions of authority seek to extort sexual favours in exchange for something within their power to grant or withhold.

The NAWJN has presently embraced the GLOW - Global Leadership of Women Program of the IAWJ. The intervention by NAWJN is to propound new jurisprudence in the dispensation of justice in relation to the offences of rape, defilement, kidnapping and abduction. The new jurisprudence learnt from the judges of the International Criminal Courts on how to create a victim friendly court and enhance liberal interpretation of evidential rules in these cases are taught to ALL judicial officers, men and women all over the country by NAWJN GLOW Ambassadors. An inclusive policy was launched and workshops in all the six geopolitical zones in Nigeria were organised. These workshops aimed at teaching police officers, who investigate rape, defilement, abduction and kidnapping, the proper procedure, as well as teaching law officers how to properly prosecute these offences. There was involvement of community leaders (Obas, Emirs, Chiefs, local women groups) to break the culture of silence, which escalates the occurrences of these offences. We also involved civil society groups to provide support for victims and the set up of a proper inclusive Program for youth.

The NAWJN hosted the third African Regional Conference from 16 to 22 October 2005 which was well attended by representatives of national associations from a number of African countries. The NAWJN again hosted the Regional Conference in 2012. That was also well attended by many members from the African Region. Nigeria has also attended all Biennial International Conferences of the IAWJ and all the conferences in the African Region.
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 organisation 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 programmes 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 in 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 analysing 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 programme 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 honoured to host the 9th 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 organisation 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 Programme 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, labour, 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 organisations, both nationally and internationally. To this end, it has taken steps to cooperate with other organisations 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 labour.

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 organisations, 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.

*Margarita Ibets Centella G*
Founding the PWJA

In 1987, Justice Sandra Day O’Connor of the United States Supreme Court suggested to Justice Amurfnia Melenco-Herrera, then a senior member of the Supreme Court of the Philippines, that she form an organisation 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 suggestion’s merits, Justice Melenco-Herrera wasted no time in selling the idea to the Philippine delegates to the ASEAN Women Judges Conference. She envisioned an association that would work towards the appointment of more women judges, ensure their greater participation and representation in the activities and programmes of the judiciary, and provide a venue for the exchange of ideas, fellowship and the promotion of closer relationship among them.

Thus, on 5 September 1987, the Philippine Women Judges Association (PWJA) was born, with Justice Melenco-Herrera as its first President. 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; and
- To maintain professional links with women judges of other countries.
The PWJA’s Creed

In addition to the objectives stated in the Articles of Incorporation, the PWJA adopted the “Credo for Women Judges” authored by Justice Melenco-Herrera that states:

1. We believe it our sacred duty and our sworn pledge to do justice to every man at all times for clear injustice to anyone is tantamount to injustice to everyone.
2. We believe in the independence of the judiciary, the supremacy of the Constitution and the rule of law, and that 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 favour.
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 political considerations.
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 its final disposition in order to administer justice efficiently, reduce unacceptable delays, and minimize 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 in joining the universal search for innovative and alternative techniques of dispute resolution despite diversity in legal and judicial cultures, 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 recognise the true facts, to clarify the legal issues, to understand the human and national problems involved, to apply the law correctly, and be guided by one’s conscience, for only then may we be worthy to be called “Judge”.

The PWJA is justly proud of the fact that the number of women judges continuously increased. In 1987, of 1,670 seats at all judicial levels, only 155 were women or roughly nine per cent. At present, of a total of 1,859 seats, in the judicial level, 788 are women. Indeed, the percentage of lady judges has increased tremendously to 42 per cent as of November 2015. More importantly, of 15 magistrates in the Highest Court of the land, three are women, one of whom is the Chief Justice. Twenty-three women constitute one third of the total number of Court of Appeals Justices. Five of nine justices on the Court of Tax Appeals are women and four women, including its Presiding Justice, sit on the Sandiganbayan, the Anti-Graft Court. Since its creation by law, the Sandiganbayan has had six presiding justices, four of whom were women. Of the four, two, Justice Minita Chico Nazario and Justice Leonardo De Castro, served successively as Presidents of the PWJA when they were promoted to the Supreme Court.

Fifty-nine women compose half of 118 family court judges, serving with dedication, excellence and integrity as pursuant to their designation by the Supreme Court.
Contributions to the Philippine Legal System

- On 12 August 1988, the PWJA submitted a recommendation to the Supreme Court seeking the adoption of mandatory continuous trials to ensure the speedy disposition of cases to that Court. Commending the PWJA’s initiative, the Supreme Court approved the recommendation for implementation in a 3 November 1988 resolution.

- The PWJA also recommended computerising all courts, upgrading office equipment and court structures, providing steady and adequate office supplies and increasing the pay and benefits of court personnel. The Supreme Court instituted these recommendations.

- Before 1989, Philippine judges were required to wear business suits while conducting court trials. On 10 February 1989, the PWJA approved a resolution requiring that women judges wear black robes during court hearings as befits the dignity and solemnity of court proceedings. Since that time, wearing black robes during court hearings has become mandatory for all Philippine judges. Newly-appointed judges are supplied with a hammer and gavel and black robes as well.

- The Supreme Court Committee on Gender Responsiveness in the Judiciary (the CGRJ) was created on 27 March 2003 under then Chief Justice Hilario G. Davide, Jr. to ensure that gender and development principles are integrated in the judiciary’s policies, programmes, and structures. The CGRJ is presently chaired by PWJA President, Supreme Court Associate Justice Leonardo-De Castro. Under the CGRJ’s supervision, the PWJA takes an active part in providing gender sensitivity training for judges, court officials and personnel.

- The Supreme Court Committee on Family Courts and Juvenile Concerns, established on 13 August 2014, is headed by the PWJA President, with the assistance of four PWJA members and other court officials. The Committee is tasked with assessing the needs of all actors in the family and juvenile justice sector and proposing guidelines to the Supreme Court regarding resources, the environment, facilities and staff.

- To disseminate information among members of the bench and the legal community, and provide an active forum for expressing views and opinions, the PWJA launched a newsletter, an official publication, in December 1987.

- 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 geared to meeting current demands of the profession. The PWJA has conducted 18 national conventions and seminars. In the last six years, alone, the meetings addressed the following pressing issues that reflected women magistrates’ concerns:
  - 2010 – The Role of Lady Magistrates in the Protection of the Environment
  - 2011 – Stopping the Abuse of Power for the Purposes of Sexual Exploitation
  - 2012 – Women Judges: 25 Years of Upholding Judicial Independence, the Rule of Law and Women’s Rights
  - 2013 – Kababaihan Para sa Katarungan at Kalikasan (Women for Justice and Environment)
2014bb – Women Judges Keeping Up with Information Technology and Issues in International Law

2015 – Protecting the Rights of Women and Children Across the Asia Pacific Region

The PWJA chose the theme: “Women Judges: Judging with Gender Perspective” for its 2016 Annual Convention and Seminar

- Lending assistance to those in need, each year, the PWJA sets aside funds for special charitable projects such as helping victims of calamities affected by the eruption of Mount Pinatubo, the storm surge in the Visayas, and the heavy flooding caused by typhoon “Ondoy”. The Association also distributed floor mats (banig) to female inmates in jails nationwide. Women judges also visited jails within their respective jurisdictions. In 2006, the association donated a refrigerator and a television set to the inmates of the Manila City Jail. Cash donations equivalent to two houses were given to the GAWAD KALINGA housing projects for indigent families in the year 2007 and 2008.

Crossing Borders and Expanding Horizons

The PWJA achieved another milestone when it joined the International Association of Women Judges (IAWJ). The 3rd Biennial Conference of the IAWJ was held in the Philippines on 22–24 February 1996 during the incumbency of PWJA President, then Supreme Court Associate Justice Flerida Ruth Pineda-Romero. Seventy-nine judges from 29 countries in addition to 212 Philippine judges participated in the conference. The conference was officially opened by Justice Pacita Cañizares-Nye, then President of the IAWJ. Subsequently, PWJA Judge Rosalina Pison became the IAWJ’s Vice-President.
The Association has made its presence felt in international legal circles by attending IAWJ conferences including, those held in Ottawa, Canada on 21–24 May 1998, the Biennial Convention in Seoul, Korea in 2010, in London, United Kingdom in 2012, and in 2014 in Arusha, Tanzania, as well as the Regional Convention of the Asia-Pacific in New Zealand in 2013.

As a major activity on its 22nd year, in conjunction with the Supreme Court of the Philippines and the Philippine Judicial Academy, the PWJA hosted the Asia-Pacific Conference/Symposium of the International Association of Women Judges (IAWJ) on 4–6 March 2009 at the Manila Hotel, Manila, Philippines with the theme: “Women Judges Upholding Human and Family Rights”. The conference was attended by foreign delegates from Australia, Korea, India, Taiwan and the PWJA members.

The PWJA welcomed the opportunity to participate in the project “Stopping the Abuse of Power through Sexual Exploitation: Naming, Shaming, and Ending Sextortion” sponsored by the IAWJ with support from the Netherlands MDG3 Fund. The project was introduced in March 2009, and was successfully concluded in December 2011. Tanzania and Bosnia and Herzegovina were participated in this project. The PWJA was commended by the IAWJ for implementing the project efficiently and expeditiously. The PWJA not only provided a model toolkit, a step by step guide to help victims of sextortion seek redress, but also translated the English version of the toolkit into the different local dialects in the Philippines. In addition, the PWJA developed a training manual and module and conducted three consultation workshops in addition to seminars held in the smallest political units, the “barangays,” at the grassroots of Philippine society.

The PWJA takes pride in having hosted three important events in Tagaytay City: the meeting of the 2014-2016 IAWJ Executive Council and Board of Directors, the IAWJ’s Asia-Pacific Regional Conference in 2015, and the PWJA Annual Seminar-Convention. This Seminar was held in cooperation with, the Officers and Regional Directors of the IAWJ Board and IAWJ Chapters in the Asia-Pacific Region as well as other regions. Colleagues from Argentina, Australia, Brazil, Canada, India, Jordan, London, Netherlands, New Zealand, New South Wales, Nigeria, Palau, Surinam, Taiwan, Trinidad and Tobago, United States, and Zambia participated in these events. For the first time judges from Singapore and Cambodia participated in the Regional Conference. The Conference’s success was based in large part to the robust participation of 42 foreign delegates and 455 Judges from the National Capital Region and the Regions I to XII of the Philippines. The Asia-Pacific Region was represented by Regional Directors Justice Susan Glazebrook of the Supreme Court of New Zealand and Senior Justice Pi-Hu (Peggy) Hsu of the Constitutional Court, Chinese Taipei.
Soon to retire IAWJ Executive Director Joan D Winship and Director of Finance and Administration Jeff Groton helped organise the event and participated in its activities. The Conference focused on “Protecting the Rights of Women and Children across the Asia-Pacific Region.” These events provided the PWJA an opportunity to provide a venue for knowledge-sharing and the pleasure of sharing the Philippine’s rich culture and hospitality. To demonstrate PWJA’s unstinting support for the IAWJ, its officers and members make it a point to attend and contribute to the silent auctions at the conferences sponsored by IAWJ and its regional chapters.

The PWJA is eagerly preparing for its participation in the 2016 IAWJ Biennial Conference to be held in Washington DC from 26–29 May which will coincide with the celebration of the International Association’s 25th Anniversary. During this event, Justice Leonardo De Castro will serve as the PWJA’s President, and concurrently, as the IAWJ’s President, having acceded to a two year term at the conclusion of the 2014 Biennial Conference in Arusha, Tanzania.

The PWJA Today

The PWJA takes great pride in having created a significant niche in the judicial and legal community. Its evolution into its present commendable status would not have been possible without the leadership and dedication of its Officers, Regional Directors and Assistant Regional Directors who represent the entire judicial hierarchy throughout all regions of the country. This organisational structure contributes immensely to the PWJA’s success. Credit also must be given to the unqualified support given to the PWJA’s activities by the Supreme Court, the Philippine Judicial Academy and local governments in the Philippines. Similarly, the PWJA extends grateful thanks to the IAWJ for providing the opportunity for it to take part in its undertakings and for its trust and confidence which encourage its commitment to be an active member of the this prestigious international association. Further, the IAWJ has broadened the PWJA’s vision and perspective regarding law and justice which transcend national boundaries. As the IAWJ celebrates its Silver Jubilee, the PWJA renews its solemn pledge to always strive to be a worthy chapter of this great international organisation.

Justice Teresita Leonardo De Castro
The South African Chapter of the International Association of Women Judges (The Chapter/SAC-IAWJ) was launched on 8 August 2004 by the then President of the Republic of South Africa, His Excellency Mr Thabo Mbeki.

In October 2001, the Gender Directorate of the Department of Justice and Constitutional Development (DOJ) facilitated a Women Judges’ Workshop in Cape Town, with the idea of bringing together women judges from all over the country in order to present them with an avenue to network amongst themselves, share ideas and experiences and organise themselves in a group or entity that would enable them to be heard in decision-making processes within the judiciary, particularly those relating to the transformation of the judiciary. The workshop was attended by 19 out of the then 21 women judges, some women magistrates, government officials and members of civil society. This provided the first collective platform for women judges and a commitment was made to host an international conference for sharing of best practices. The idea to form the SAC-IAWJ was born at the resulting international conference of women judges under the theme “Women in the Judiciary Making a Difference” held at the Sheraton Hotel, Cape Town from 3-5 October 2003. This international conference was organised by the Gender Directorate of the Department of Justice and Constitutional Development, led by Advocate J Maluleke under the guidance and leadership of the late former Deputy Minister of Justice and Constitutional Development, Cheryl Gillwald. The conference was attended by women judges from eight countries.

Objectives

The main objectives of the SAC-IAWJ are:

- Advancing women’s rights to equal justice;
- Promoting women’s access to the courts;
- Increasing the number of women judges at all levels;
- Developing judicial leadership;
- Uprooting gender bias from judicial systems;
- Exchanging information on issues of critical concern to women;
- Organising and strengthening women judges associations; and
- Conducting legal research on gender equality and human rights.
The SAC-IAWJ is affiliated to the International Association of Women Judges (IAWJ), the “mother body”, which is based in Washington DC, USA. The membership of the Chapter comprises of judicial officers, defined in the Constitution to refer to both judges and magistrates. The organisation seeks to bring together women and other judicial officers in South Africa, who embrace the objectives of the Chapter regardless of their gender, race, or rank in the judiciary, with the aim of promoting solidarity among judicial officers.

Advocates and attorneys in private practice are eligible to join the organisation as Friends of the Chapter. The membership (members in good standing) of the Chapter has steadily increased and currently stands at 153.

One of the Chapter’s primary objectives is to empower women judicial officers through continued judicial education, skills development and mentoring Programs.

The Chapter also aims to promote the participation of its members in national and international conferences and training Programs, to support judicial exchanges through seminars, to promote the use of international law and International Treaties signed by our government to protect and uplift ordinary women, to pursue the ideal of justice and the Rule of Law as encapsulated in the South African Constitution, to increase judicial officers’ understanding of the broad range of social, economic, psychological and cultural factors that affect and/or influence women when they appear in courts and to promote access to justice as well as equality of all at all levels of the judiciary in South Africa.

A further objective of the Chapter is to support Programs and activities to discourage violence and abuse in our society, with particular focus on violence against women, children and other vulnerable groups.

Regional conferences are held annually by the SAC–IAWJ, while Biennial conferences, attended by all member Chapters from around the world, are held by the IAWJ, with the aim of promoting intellectual dialogue with other jurisdictions and making our justice system more relevant and accessible to ordinary people.

The Chapter recognises the importance of cooperation with Provincial, National and International associations, institutions, and organisations on issues of interest to judicial officers and women in general. To that extent it has partnered and cooperated with reputable institutions of Higher Learning such as Universities and renowned Legal Publishers for instance Juta and LexisNexis in order to achieve the above mentioned objectives.

The Chapter is a juristic person, a non-profit, non-governmental and a political organisation which is run on funds from membership fees.

**Structure**

The Chapter comprises the Executive Committee and Provincial Coordinators, who together make up the Chapter’s Council.
Patrons

In 2011, two women were overwhelmingly voted as Patrons of the Chapter: Advocate Mikateko Joyce Maluleke, an admitted advocate and a gender activist who has been supportive of all the initiatives of the Chapter. She is the person who spearheaded the formation of the SAC-IAWJ since October 2001 until its inauguration in August 2004. Our other patron is Justice Yvonne Mokgoro, a retired Justice of the Constitutional Court and passionate gender activist who has been supportive of all the initiatives of the Chapter.

Partnership with Universities

Since its establishment in 2004 the Chapter has run several empowering/developmental Programs such as Jurisprudence of Equality Program (JEP); Combating Human Trafficking; Legal & Judgment Writing and Family Law Dialogue: Developing Family Law Jurisprudence. We also have a Social Responsibility Program under which we pursue our objective to empower the youth, particularly girls, and ordinary women in society.

Since 2010, the Chapter has partnered with the Universities of the Free State, North West; Nelson Mandela Metropolitan University (NMMU), Port Elizabeth) and University of KwaZulu-Natal (UKZN). The University of Pretoria was the Chapter’s partner for the 2014 Conference and AGM.

The Department of Justice and Constitutional Development (DOJ): Gender Directorate has been a consistent partner in all our Programs and initiatives and we are grateful to them. We have also received tremendous support from the DOJ’s Regional Offices in the provinces where we held our annual conferences, in particular the Regional Offices of: North West, Eastern Cape, Free State, KwaZulu-Natal and this year, Gauteng. The Foundation for Human Rights has also been instrumental in funding two of the workshops on Judgment Writing.

The programmes that the Chapter embarked more intensively on were:

- Combating Human Trafficking,
- Legal/Judgment Writing and
- Mentoring Programs for Judicial Officers

Programmes

The Chapter’s successes in the past nine years lie in our training/empowerment Programs set out hereunder:

**Jurisprudence of Equality Program (JEP)**

The programme is the brainchild of the International Association of Women Judges (IAWJ). It is aimed at educating and capacitating judicial officers to respond appropriately to the oppressive discrimination and violence that is experienced by women and girls. One of the goals of JEP is to provide judges with the information and analytical tools that they need to incorporate human rights and gender equality into judicial decision-making in order to protect and promote women’s rights. It also aims at capacitating judges to invoke international human rights instruments, especially those to which South Africa is a state party, in resolving cases of domestic violence and discrimination, as well as violence against women, even where there is no domestic legislation to cover such cases.
In 2004, the Chapter hosted the launch of a Train the Trainer workshop of the Southern Africa Jurisprudence of Equality Program (JEP) facilitated by the IAWJ mother body. The countries that were part of the launch and the Train the Trainer workshop were Botswana, South Africa, Zimbabwe and Zambia.

The Chapter then in 2005/2006 developed a draft Training Manual which the IAWJ as the custodian of this Program must first approve before it can be adopted. In our view it would benefit other Chapters, especially the Chapters in the African Region which are similar to the South African system.

**Legal and Judgment Writing**

We have run two very successful workshops in Gauteng and Western Cape in which delegates from all nine provinces participated.

This Program was presented by a combination of University Professors and our own Senior Judges including ex-Constitutional Court Justices, Albie Sachs and Kate O’Regan, Supreme Court of Appeal judges, Belinda van Heerden and Ronnie Bosielo, as well as Judges of the South Gauteng High Court, Judges Victor; Saldulker; Tsoka; Claassen and Spilg. All these Programs were informative and equipped judicial officers with the tools and skills to better perform one of their core functions – writing judgments.

**Combating Human Trafficking**

The State Department of the United States awarded a Grant of $200 000 to the SAC-IAWJ in May 2009 to conduct a series of Workshops on Combating Trafficking in Persons. The training commenced in November 2009 and was completed by March 2011.

In total, approximately 300 South African judicial officers and six judges from neighbouring SADC countries, namely Lesotho, Tanzania, Botswana and Zambia attended the various workshops and benefited from the training. With regard to the Trainers, we exceeded the expectations of the Funder and managed to train 30 judicial officers (nationally) as Trainers, four of whom are judges. We made oral submissions to the Parliamentary Justice Portfolio Committee on the Trafficking In Persons Bill during 2011.

The Combating Human Trafficking workshop format and Program content was essentially the same for all the workshops, the only differences being in the choice of presenters representing the different stakeholders.

The Chapter developed a Resource Manual which involved lengthy and painstaking work. Approximately 650 copies of the Manual were printed and are currently being distributed to members and others who attended the various workshops.

It was clear from reports by the provinces and comments from the assessment of the workshops that those judicial officers who attended one or more of the workshops have been greatly sensitised and made aware of the realities of human trafficking. As the Prevention and Combating of Trafficking in Persons Act came into operation in 2013, it is now imperative to conduct further training of judicial officers in this regard.
Mentoring Program for Judicial Officers

This is our latest Program which will encourage all judicial officers to be familiar with the proper writing of judgments from entry level; develop and help each other through integral support structures including mentoring Programs and induction Programs, both at provincial and national level.

The first group of 12 members attended a five day induction Program at the South Gauteng High Court in July 2012. The second intake, which was to participate in the same Program, has been deferred indefinitely due to the unavailability of Judges of North Gauteng who were participating in a similar initiative with the Law Society of the Northern Provinces.

It is envisaged that with the partnership with UNISA in 2015, this Program will meet our objective of mentoring judicial officers and enhancing their capacity as well as the capacity of law students appointed to assist judicial officers. It is envisaged that students will be afforded the opportunity to research judgments presented at court. In doing so students will be exposed to the legal profession in a manner which further develops the students’ experience and enhances their skill from a practical point. Family Law Dialogue. (Report, 2009: Free State) In 2009, the Chapter hosted a very successful seminar on Family Law with the object of developing the jurisprudence in Family Law. This is a valuable Program in that it brings legal practitioners on the Bench and in practice together to share ideas and suggest solutions to problems in the courts.

Social Responsibility Programs: From 2005 to 2010

The Chapter participated in Cell C’s “Take a Girl Child to Work” initiative aimed at making girl children aware of the career opportunities available to them in the private and public sectors, and providing an opportunity for them to be mentored in their chosen career path. The Chapter has now committed to participating in scheduled annual social responsibility Programs which we developed, such as Mentorship Program for Young Girls between 13 and 16 years (observed in May), Youth Development Program (YDP) for Grade 12 and University Students (June), Program for Incarcerated Women, Health and Wellness for Judicial Officers particularly Women (October) & World Aids Day (1 December).

Annual General Meeting

Over and above these Programs the Chapter holds an annual conference, together with its annual general meeting (AGM) of all the members every August, in a chosen province. During those conferences we deal with international and national gender issues such as education and training of women, their empowerment and the use of the South African Constitution and international instruments to give women, children and the most vulnerable of our society better protection as enshrined in our Constitution and in all the international protocols, charters/instruments. The speakers at such conferences have included the Chief Justice of South Africa, Judges of the Constitutional Court, the Supreme Court of Appeal, academics, various government Ministers and leaders of civil society.

10th Anniversary

This year (2014), SAC-IAWJ is celebrating its 10th Anniversary. The 2014 conference under the theme “SAC-IAWJ reshaping women’s participation in advancing gender justice in the judiciary”, was dedicated to the celebration of our one decade in existence. Our President at the time, Judge Baratang Constance Mocumie, wrote about the 10 year history as follows:
It became clear that we would not achieve our objectives if we did not make a concerted effort to speak out on behalf of the multitude of women who are competent and capable of holding the office in the judiciary of the new democratic South Africa. We rose to the challenge with commitment. We made inroads by being one of the legal bodies to make representations to the Judicial Service Commission (the JSC) on the eligibility of women to be appointed at different levels of the judiciary. We entrenched judicial activism in our work and in our society through Programs educating and empowering ourselves as well as women in our society through relevant stakeholders. We participated in Parliamentary debates on Human Trafficking. We developed Training Manuals on Human Trafficking for Judicial Officers. We partnered with reputable South African institutions of Higher Learning: universities to create platforms of debates alongside world renowned and acclaimed Judges and Justices of South Africa, the African continent and the International world addressing feminist jurisprudence and writing and with a Program aimed at the eradication of all forms of gender-based violence in its harshest forms: domestic violence and sexual offences. We developed unique Programs for the Chapter to set it apart from all others in the gender field including a Program on health and wellness and mentorship of women in the judiciary and the youth. We reviewed the work of the Chapter in the past 10 years.

When I look back, I see many women members including non-members appointed to the High Courts across the country, the Supreme Court of South Africa and the Constitutional Court. All these women were nominated by us and supported for appointment to those positions by efforts and well-documented representations of the Chapter. These women have done sterling work and made us proud. We have brought into our fold men of substance who stand out of the many to uphold the objectives and views of the Chapter.

Important for our society, the Bill on Trafficking in Persons and the Sexual Offences Amendment Act were promulgated in 2013, not because of our efforts solely, but because of concerted efforts from a joined force of NGO’s who share the same passion as us to improve access to justice for all women in our society and the realisation of a violence-free society and the advancement of human rights for all who live in South Africa.

She acknowledges the sterling leadership of the SAC-IAWJ Presidents for their sacrifice, hard work, their vision and steering the course of the Chapter to where it is ie 10 years (2004-2014) in the 20 years of the South African democracy (1994-2014):

- Judge Mokgadi Lucy Mailula (2004-2006)
- Judge Rosheni Allie (2006-2008)
- Judge Kate Pillay (2008-2010)
- Judge Baratang Constance Mocumie (2010-2014)

The Future

The membership of SAC-IAWJ continues to grow, and the Chapter continues to grow from strength to strength. The strong and committed women and men who have dedicated themselves to serving the Chapter will undoubtedly take it to greater heights for many decades to come.
Taiwan Chapter of the IAWJ

Formation

It was in the 1970s, when some 10 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 proposal for 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 12 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 organisation’s first President.

Inspired by the inauguration of the IAWJ and President Arline Pacht’s leadership, and with the easing of rules governing functionaries establishing associations, 77 women judges were recruited as founding members of the Taiwan Chapter. 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 7 January 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.

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.

Our delegation at the 1994 IAWJ Conference with Arline Pacht
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 programmes 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.

**Organisation**

The Chapter is headed by a President who is elected by the Board of Directors for a two year term. Retired Justice Renee Ren-Shu Chang, founding President of the association, is the sole Honourary President of the Chapter for her significant contributions to the association.

To ensure the Chapter’s smooth operation, a Board of 15 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.

**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 analysed 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.

• By 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 10th anniversary in 2005, the Chapter’s President, Chief Judge Jiin-Fang Lin of Taipei District Court, designed the Chapter’s logo.

• 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-organisations was presented and highly welcomed by both groups. Thereafter, on February 24, 2006, the Chapter and the MWLA established official organisational 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.
• In 2006, Anne T Goldstein, IAWJ Human Rights Training Director led a seminar entitled Towards A Jurisprudence of Equality, at a programme jointly sponsored by the Chapter and the Judicial Personnel Study Center of the Judicial Yuan to explore women’s international human rights.

• By the invitation from 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 Personnel Study Center of the Judicial Yuan and relevant government agencies sponsored a 12 day trip to Taiwan for a 10 judge delegation from Mongolia to study the country’s judicial system. This programme has been repeated annually 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, Commissioner Alice Hsiu-Mei Chen of the Public Functionary Disciplinary Sanction Commission, and Judge Sheng-Huai Wang of the Taiwan High Court (Court of Appeals), have been honoured as national “Outstanding Judge/Justices of the Year” ever since the award was first bestowed in 2000.

• In November 2011, the Chapter and the Judicial Personnel Study Center jointly held a seminar on “Judges’ Dignity and Their Experiences”. The Chapter’s former Presidents Presiding Justice Lu-Shing Huang of the Supreme Administrative Court, Commissioner Alice Hsiu-Mei Chen of the Public Functionary Disciplinary Sanction Commission and Justice Peggy Pi-Hu Hsu of the Constitutional Court delivered speeches on judicial ethics, judges’ dignity, and their experiences, and exchanged opinions with participating judges. Those judges were inspired by speakers’ provoking thoughts and helpful experiences.

• In April 2013, the President of the CWJA with two CWJA members visited Taiwan. The Chapter’s former President Peggy Pi-Hu Hsu hosted a dinner party for them, and they exchanged opinions and experiences with members of the Chapter.

• In September 2013, the Deputy Chairman of the Constitutional Court of Mongolia Navaanperenlei Jantsan and his three colleagues paid a visit to the Chapter and exchanged opinions and experiences with members of the Chapter.

• In January 2015, the Chapter celebrated its twentieth anniversary. The President and the Vice President of the Judicial Yuan, the Chief Justice of the Supreme Administrative Court, some Chief Judges of High Courts and District Courts and lots of the Chapter members attended this celebration. The Chapter and its members’ commitment to protecting vulnerable victims and to advancing equal justice for all were applauded by its guests. It was a joyous and meaningful event for its members.
Present Status

Currently the Chapter has 201 members, including 27 Supreme Court justices, 69 Court of Appeals judges, 65 District Court judges, two members of the Control Yuan, 16 retired judges/justices and 22 prosecutors.

The following statistics reflect the growing numbers of women judges/justices in the nation’s judiciary. In 1991 the percentage of female judges was 15 per cent. In October 2008, that number rose to 40 per cent. As of June 2015, the number has further increased to 46 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 should 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 important challenges for the members.

The major obstacle the Chapter has encountered in the IAWJ community is about the issue of our organisation’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.

In June 2008, reviewing approval for the IAWJ’s consultative status with the Economic and Social Council of the United Nations, the Non-Governmental Organisation Authorizing Committee of that Council required that among other requirements that the IAWJ must use official UN terminology for its members, to wit, Taiwan Province of China for the Chapter for IAWJ’s re-accreditation. In the Membership List posted on the IAWJ website, the Chapter’s origin was changed from “Taiwan Chapter” to “Taiwan, Province of China”, a term which has never been used by the Chapter. After learning this unjust change, members of the Chapter felt deeply offended and frustrated by it, and the Chapter sent a strong protest email to the IAWJ against this change. During the Meeting of IAWJ Executive Council & Board of Directors held on 11 May 2010 in Seoul, Regional Director Peggy Pi-Hu Hsu addressed the Board on behalf of the Chapter on the issue of the Chapter’s identification. After discussion, all of the members of the Board expressed sympathy for the situation and agreed to do its utmost to seek options acceptable to the members of the Chapter. At the 2010 Seoul Conference, the IAWJ’s Executive Director Joan D. Winship and the Chapter reached an agreement that the Chapter’s origin will be referred to “Chinese Taipei,” in alignment with the International Olympics Code, and since then, the Chapter is referred to “Taiwan Chapter of the IAWJ” on documents within the IAWJ and among its members.
Future Goals

The Chapter celebrated its 20th anniversary on 16 January 2015. Since its inauguration, the founding members have shouldered most tasks to ensure the organisation’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 endeavour, as always, to further advance women’s rights to equal justice, maintain judicial independence, and fulfil legal research objectives on issues of great concern to women judges, and to encourage members to take on leadership roles and enhance their judicial policy making abilities. In addition, the Chapter should strengthen the exchange of information and cooperation with women judges around the world. Most importantly, the Chapter will retain a vital and productive link with the IAWJ.

Justice Jiin-Fang Lin, Supreme Court

Addendum by Senior Justice Peggy Pi-Hu Hsu, Constitutional Court
Introduction

The Tanzania Women Judges Association (TAWJA) is a non-profit organisation 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 organisation. Upon return to the country quick steps were taken to form the TAWJA.
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 Programme (JEP) seminar on 27-29 March, 2001 in Dar es Salaam. The seminars and follow up workshops for the first three years of the programme 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 programme.

TAWJA co-operates with other NGOs that also advocate for equality such as the Tanzania Women Lawyers Association and the Women’s Dignity Project.

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.

Engera Kileo
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 7th 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.

NAWJ(U) consists of female judges of the Courts of Judicature, other female judicial officers and categories such as associate members, honourary 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 Programs 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 centres 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.
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.

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, programmes 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 regional conference in Abuja, Nigeria, Hon. Lady Justice LE Mukasa Kikonyogo was honoured with a leadership award.

**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 programme 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 10 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 programme entitled Jurisprudence of Equality in a Time of HIV/AIDS. The programme 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 NAWJ(U) are eternally grateful.

The success of this programme 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 programme 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 or 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.

**Henrietta Wolayo**
The United Kingdom Association of Women Judges was formed in 2003 and recently celebrated its tenth anniversary. Before 2003 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 (now the UK Supreme Court). Like all common law countries, it has long 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 overwhelmingly male, with women still forming less than 20 per cent 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’. Progress, however, has been painfully slow and there is still a very long way to go.

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 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, Brenda Hale 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 came. Carmen Argibay, Leslie Alden and Joan D Winship were there from the IAWJ. Many who were there clearly felt the need to come together, partly to discuss issues which many 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 sadly that does still happen, both from men and women). And we wanted to welcome men who were interested in what we were interested in and who supported our aims and objectives. So men can join us too and a number have done so over the years since then. We now have a male judge on our executive committee too.

We are the only British organisation which welcomes legally qualified judges from all levels of the judiciary, from the part-time fee paid judge 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 first committee members became the first serving judge to have a baby.

Annual Conferences and Meetings

Since that inaugural meeting, we have held annual conferences and many regional meetings. We have discussed such issues as 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, forced marriages, sexual assault and grooming, military justice and human rights, and equality and non-discrimination law, including equal pay. Alongside the discussion of substantive issues we also try to include some inspiration from other successful women, such as the first woman chief constable, the crime writer Val McDermid and the author, broadcaster and comedian Sandi Toksvig. We have also set up a mentoring scheme and held ‘meet the judges’ sessions to encourage women to apply for judicial posts. We are regularly invited to submit responses to consultation papers or to make representations to committees and working groups on matters affecting women judges and diversity in the legal professions.

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, Panama in 2008 and Seoul in 2010. It was then Europe’s turn to host the conference in 2012 and the London conference that year, hosted by the UK Association, was hugely enjoyable and very well received. A number of members enjoyed Tanzania in 2014 and we are all looking forward to Washington in 2016. Over the years 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

In 2014 we celebrated our 10th anniversary by selecting as our main topic, for discussion at our conferences and meetings over the next two years, the issues raised by the imprisonment of women and of women who are mothers. Our anniversary conference dinner, with the Lord Chief Justice attending as our guest, was held near Stratford upon Avon and the achievements of the Association over the past ten years were truly celebrated. We all feel that we have come a long way in those 10 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.

Rt Hon Baroness Brenda Hale of Richmond,
President

The Hon Mrs Justice Laura Cox
Vice President
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 organisation 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. This resulted in the adoption of NAWJ’s mission to promote the judicial role in 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.

Need for the organisation

Initially, there were many judges, of both genders, who questioned the need for an organisation that would mainly focus on issues of importance to women judges. But NAWJ’s founders realised the need for an organisation to address many of the problems that were unique to women judges in what was a predominantly male occupied position. As Supreme Court Justice, and a proud NAWJ member since 1979, Sandra Day O’Connor once said, “Despite the encouraging and wonderful gains and changes for women which have occurred in my lifetime, there is still room to advance and to promote correction of the remaining deficiencies and imbalances.” Today, over 33 per cent of the judges serving on the various US courts are women. The efforts of NAWJ undoubtedly contributed to this improvement.

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 (US District Court for the District of Columbia).

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 Organisation 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 Programme 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, 42 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 programmes 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 organisation’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.

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 organisations 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 organisations. 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 organisations 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.

By 1985, our organisation’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.

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 programmes 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.

Birth of IAWJ

In 1989, the NAWJ Annual Meeting was held for the second time in Washington, DC to celebrate the organisation’s 10th anniversary. Like every Annual Conference, a host of memorable programmes 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 who 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.

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”

Attorney Marvin Moskowitz, Hon Pearle Appelman New York Supreme Court Justice and Chair of NAWJ’s 23rd Annual Conference, 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.
The organisation today

Today, our organisation consists of over 1200 female and male judges who sit on state, federal, specialised, military and tribal courts, including all of the women Justices on the Supreme Court of the United States.

Since its formation, NAWJ has been dedicated to preserving judicial independence and ensuring equal justice and access to the courts for women, minorities and other historically disfavoured groups. Through cutting-edge judicial education, community outreach, leadership development and mentoring programmes, NAWJ continues to fulfil its mission of promoting the rule of law through innovative and inspired programming that promotes diverse judicial leadership, fairness and equality in the courts and equal access to justice. NAWJ provides a unique forum for members to enrich their professional lives, stay up-to-date on issues affecting the judiciary, and contribute to social justice. Additionally, NAWJ continues its vital role of mentoring and encouraging a new generation of girls and women to pursue careers in the law and in the judiciary. Our work aims to increase the number of women on the bench at all levels in order for the judiciary to more accurately reflect the role of women in a democratic society and improve the administration of justice by providing gender-fair decisions for both male and female litigants. NAWJ is also expanding its partnerships and collaborative endeavours so that NAWJ’s efforts can impact a wider audience.

Meetings

NAWJ holds a mid-year meeting in March as well as an annual conference in October and has added a number of regional meetings that take place throughout the year. These meetings occur in various locations all over the United States and provide a unique way of seeing our country as well as revisiting our friends. For example, our 2016 annual conference will occur in Seattle, Washington and will focus on the theme, “Faces of Justice.” Our 2015 annual conference was held in Salt Lake City, Utah. There, NAWJ members gathered to explore issues such as the gender bias still plaguing parts of our judiciary, challenges in custody and domestic violence cases, as well as immigration issues. Our annual conferences serve as opportunities to both raise awareness of these issues and discuss solutions and strategies for tackling them as a judicial community. NAWJ conferences not only build a special and endearing camaraderie amongst our members, but they also allow for a distinct form of professional networking – women supporting other women.
Programmes

Now membership of the NAWJ includes being active in all 14 of our districts around the country and sponsoring a variety of activities that promote the values and mission of NAWJ. Examples of some of our programmes include continued work with the Women in Prison Committee and Success Inside and Out, which provides support and assistance for women in prison as they prepare for their transition back into the community. Additionally, many districts presented NAWJ’s signature Color of Justice educational programme where judges mentor and encourage girls and minority high school students to pursue careers in the law and the judiciary by sharing their experiences in a small group settings. Districts seven and 12 sponsored MentorJet programmes, another of NAWJ’s signature programmes, which provide an opportunity for high school and college students to network with judges and legal professionals in an effort to further encourage legal careers amongst young women and other minority students. Similarly, NAWJ’s “From the Bar to Bench” targets women lawyers in an effort to advance the importance of judicial careers by explaining why and how one becomes a judge, ethical issues judges face, minority perspectives, and gender bias in the courts. Many of our members have actively participated in NAWJ’s newest civic education project, “Informed Voters Fair Judges,” which was developed to increase the knowledge our citizens hold regarding the judicial system and to promote fair, impartial courts. We also recognise the gravity of human trafficking internationally and domestically, and thus our Human Trafficking Committee has employed an education and judicial training programme to assist in addressing the complex issues which arise in human trafficking cases. Through these programmes, we not only provide an exciting opportunity for our members to be involved within the community but we advance our mission through action.

This is an adapted and updated version of the entry written for the 20 year Jubilee book by Judge Carolyn Engel Temin, the then International Director of NAWJ