



Global Justice Center

Human Rights Through the Rule of Law

“There is only one thing that makes a dream impossible to achieve: the fear of failure”

-Paulo Cohelo

Dear Friends and Colleagues:

The Global Justice Center staff nears 2008 with a renewed commitment to our strategic approach to enforcing international law. *Why?* Because we have seen that the impossible can be done.

The moral and financial support of our donors in 2007 enabled us to make significant strides towards our vision of global justice. We refuse to write off such places as Iraq and Burma, with their seemingly intransigent problem of conflict and human rights abuses. As I explain in this letter, these countries offer small but critical windows of opportunity to embed international law. The Global Justice Center is now working on five continents to see that our local partners can seize these opportunities to promote equality, peace and justice.

I am writing to thank our 2007 donors and enlist new friends to support our human rights work in 2008. Why should you support the Global Justice Center? Just review the highlights of our 2007 work and the many ways in which the GJC has offered new ideas and strategies for confronting the seemingly impossible challenges we face today. The Global Justice Center is a value investment in global justice.

They Said it Couldn't Be Done...

The Iraq High Tribunal recognizes the international legal right to gender justice...

They said it couldn't be done, but in 2007, the Iraq High Tribunal issued its opinion in the Anfal Trial, which recognized, for the first time, that Kurdish women had suffered crimes of sexual violence as a part of the genocidal campaign in the late 1980s. The 900-page opinion, released in fall



Janet Benshoof, President of the GJC, and L. Dwelling and Lwaye Aye Nang, of the Women's League of Burma, speak at "Ending Impunity, Forging Accountability: Implementation of SC Resolution 1325 in Myanmar." (October 2007)

“People will only feel equality and justice when our judicial system and the courts support the rights of all individuals - especially women - legally, equally and professionally on all issues they face, inside or outside the family.”

-Foreign Minister Bakir, addressing the Kurdish judges attending the GJC Training in Kurdistan (December 2, 2007)



Janet Benshoof honors Jiyan Aziz Gardee, the civil attorney who represented the female Anfal victims. (December 2007)

2007, encompassed many of the topics covered during the historic GJC trainings of Iraqi judges and civil society leaders in March and November 2006. The *Anfal* opinion included the testimony of Kurdish women survivors of rape and recognized that their rapes and other forms of sexual violence were part of the genocidal campaign. It even included language from the *Amicus Brief* submitted by the GJC to the *Anfal Trial Chambers* in May 2007.

In 2007, the GJC helped Iraqi women to take advantage of a unique opportunity to raise important issues about gender justice in the Middle East through the Iraq High Tribunal. The *Anfal* opinion is precedential in Iraq and the Middle East, where there is no regional human rights court and few opportunities to bring the issue of violence against women into safe, public venues. The Iraq High Tribunal provides a forum where women can come forward together to discuss the collective crimes committed against them and creates an opening in the dialogue on women's rights.

There is hope for women's rights in Iraq because of the brave Iraqi women and men who are jeopardizing their lives to pursue justice. The GJC is helping Iraqi women, and judges and prosecutors of the Iraq High Tribunal, to make sure that Iraqi women are included in this process. *And they said it couldn't be done...*

A Democratic Government in Kurdistan Setting New Standards for Women's Rights in the Middle East...

They said it couldn't be done, but on December 2, 2007, the Foreign Minister of Kurdistan stated that "the KRG calls for equal and full participation of women in all fields of life, especially in the judiciary and law," in his opening speech for the GJC training on international law and women's equality in Kurdistan.

Earlier this month, the GJC conducted six days of training in Erbil and Suleimaniya with members of the Kurdish Regional Government, Kurdish women leaders, and regional judges. Among these trainings was a one-day workshop in Suleimaniya on gender and international law that the entire city council of Kirkuk traveled to attend! These meetings and workshops paved new roads for democratic leadership and respect for human rights, and particularly women's equality rights, in the Middle East.

The trainings in Kurdistan began with an invitation from a fe-



Janet Benshoof and four of the widows who testified in the al-Anfal trial meet in Kurdistan, Iraq. (December 2007)

Equality Alert!

Only 3 out of 158 Judges in Kurdistan are women. That is only 1.9 percent! And while the current government states that it believes women should be equals in the judiciary, the Kurdistan Regional Government is not abiding by international equality requirements in its recruitment of new judges. The judiciary is the branch of government responsible for enforcing rights yet it is the most archaic and discriminatory in terms of representation of women on the Bench. It is critical that we ensure that the Kurdish Regional Government can fulfill its promises of gender equality by equipping members of government to use international law and by pressuring them to comply with their public statements.



Judge Mohammed Kahlifa inscribes the GJC copy of the *Anfal* decision. (December 2007)

male parliamentarian to assist Kurdish women in the process of drafting a Kurdistan Regional constitution based on democracy, equality, and international law. Before we knew it, we were scheduled for trainings and speaking engagements with not only Kurdish Women's Rights Watch, but the Kurdish Human Rights Project. They invited me to speak at their annual conference and then, at the eleventh hour, Judge Mohammed Kahlifa came from Baghdad to meet with me in Erbil to discuss the gender advances in the *Anfal* opinion.

While honor killings and other cultural obstacles remain challenges for the Kurdistan Regional Government, the fact that hundreds of members of government - both men and women - joined me to learn about using international law to advance women's legal rights in Kurdistan offers not only hope, but a model for what can be possible.

Criminal Accountability for the Military Junta in Burma...

They said it couldn't be done, but in August 2007, the Global Justice Center and the Burma Lawyers' Council launched a joint campaign to add criminal accountability to the regional and international dialogue on Burma and to advocate that the U.N. Security Council adhere to its legal obligation to provide justice to the people of Burma.

Burma's civilians have been imprisoned in their own country by a brutal military dictatorship for almost half a century. The GJC is working with the people of Burma to use international law in their efforts to bring justice for these ongoing crimes, and to advocate for gender equality in all decision-making and governance processes.

This year, I published an article in the Burma Lawyers' Council's *"LawKa PaLa: Legal Journal on Burma"* on global advances in international law and how to seek criminal accountability in Burma. Then, in August 2007, we traveled to Thailand to conduct trainings for the Burma Lawyers' Council and Women's League of Burma on international legal options for Burma. The same day that we arrived in Thailand, the recent wave of protests broke out in Burma, raising global awareness about the ongoing struggle of Burma's people.

I have been researching the possibility for criminal accountability in Burma for years and finally, after the recent protests, what most said would be impossible has begun to receive widespread support. Human rights groups in the international community and at the Thai/Burma border have



Phyu Phyu Sann, GJC Burma Researcher, asks ICC Prosecutor O'Campo about Burma and the ICC. (December 2007)

"There is a growing consensus that lawless states are a threat to international peace and security and that the global community has a moral and legal responsibility to protect people from the heinous actions of their leaders."

-Janet Benshoof, *The Changing Landscape of International Law: The Global Responsibility to Prosecute Perpetrators of Grave Crimes Inflicted on the People of Burma*. (Legal Journal on Burma, no. 27, August 2007)



GJC Senior Council, Andi Friedman presents at "Burmese Women's Rights and International Law." (August 2007)

begun to advocate for a case to be brought before the International Criminal Court. With the help of the GJC, the people of Burma may be able to achieve criminal accountability for the military junta before the international community and justice for the people of Burma. *And they said it couldn't be done...*

Gender Parity in the Transitional Justice Process in Colombia...

They said it couldn't be done, but this year, the GJC helped to improve women's access to justice as part of the demilitarization process in Colombia. In November 2007, we launched a new project in Colombia: Special Initiative on Gender, Non-Impunity And International Law (SIGNAL). SIGNAL seeks to use international legal and strategic advocacy tools to advance the role of women in the transitional justice process in Colombia, with a particular focus on the Justice and Peace Law (JPL).

Through our work in Colombia, we are forging new frontiers in the fields of international rule of law, peace and security. We are striving to promote domestic compliance with the high standards set by the Rome Statute of the International Criminal Court (ICC). Since the ICC is inherently limited in its reach, one of its most important roles is to serve as a motivating rationale for countries to reform their domestic criminal systems. As a signatory to the Rome Statute, Colombia should be encouraged to apply and interpret the JPL in a manner consistent with the ICC. This strategy, which we are developing with our partners in Colombia, is informing the transitional justice process to ensure that women have equal rights to justice. The SIGNAL project in Colombia can serve as a model for women everywhere.

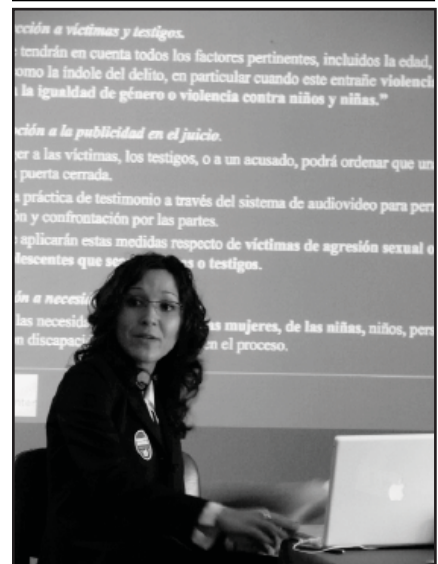
Embedding Security Council Resolution 1325 into Domestic Policy in Kyrgyzstan...

They said it couldn't be done, but after a two-day training by the NGO Working Group on Women, Peace and Security, of which the GJC was a key organizer, Security Council Resolution 1325 on Women, Peace and Security was added to the Kyrgyzstan National Action Plan for Gender.

The infusion of international law on behalf of gender equality is urgent in Kyrgyzstan, a country that currently has no women representatives in their parliament, and a growing

November 2007 Workshop in Bogotá:

The Global Justice Center workshop with the Working Group on Women, Gender for Truth, Justice, Reparation and Reconciliation in Colombia began with debate among the group's members about how to strategically design an advocacy plan to affect the transitional justice process. After the morning sessions with GJC staff, the group spent the afternoon creating a chart of all of the institutions responsible for implementing international law as part of the transitional justice process and how to use legal tools recommended by the GJC in their efforts with each institution. At the end of the workshop, the participants said that their new knowledge of international law as an advocacy tool brought them hope for achieving justice in Colombia. They told us that this was the most productive meeting the Working Group has ever had!



GJC Special Council Zulma Miranda presents on international law and access to justice for women in Bogotá. (November 2007)

problem of sexual violence, particularly bride kidnapping. The Forum of Women's NGOs in Kyrgyzstan is doing critical work to bring about change for the women in Kyrgyzstan and has asked for the GJC's support in using international law to promote parity in government and to address violence against women.

Promoting Human Rights at Home and in US Foreign Policy...

They said it couldn't be done..., but this year the Global Justice Center brought a new voice to the U.S. debate over ratification of the Convention to Eliminate All Forms of Discrimination Against Women (CEDAW), a UN treaty and binding international law that is widely considered the bill of rights for women.

The GJC made a key intervention to a campaign, led by Amnesty International, for the U.S. to ratify CEDAW. In a paper submitted to Amnesty International and the 200 organizations that have signed on to the campaign, the GJC explained what many didn't realize: that the current version of CEDAW is tainted by an "understanding" by Senator Helms that CEDAW is "abortion neutral" - that it will not impact reproductive rights. The GJC is arguing that the passage of CEDAW with an understanding of this kind would undermine a vision of equality in which a women's right to control her body is essential. Our efforts seek to prevent the U.S. from using its influence to reverse the global trend to recognize the right to make decisions about one's own body.

In many parts of the world, CEDAW has been used to overturn discriminatory abortion laws. The GJC is committed not only to advancing the use of international law around the world, but also to advancing international law at home.

Support Equal Rights and Global Justice...

In 2008, support the GJC in its work to make international human rights and gender equality a reality. It's a lofty dream, but with the right support and conviction, as we have seen in 2007, anything is possible.

Best Wishes for the New Year,

Janet Benshoof and the Global Justice Center Team



Andi Friedman with women from GJC partner organization, Forum of Women's NGOs in Kyrgyzstan. (June 2007)

"Let's join hands together in seeking justice for the victims in Burma."

-U Aung Htoo, General Secretary, Burma Lawyer's Council, in an email to the GJC.



The GJC staff host Iraq High Tribunal Judge Basil at the GJC office. (May 2007)