

***Without equality there can be no democracy.***

**Eleanor Roosevelt, U.S. diplomat and reformer (1884-1962)**

Women comprise more than half of the world's population. Yet when it comes to rule of law, they are nearly invisible. Women only comprise 16% of legislatures and parliaments worldwide.

This inequity represents a violation of international human rights law and is a root cause of the subjugation of and discrimination against women across the globe.

As more and more countries transition to democracy -- 30 new countries have been formed in the past 15 years -- women are seizing the opportunity to take their rightful place in the governance of their homeland. Sounding a distinctly feminist message, they are making the world aware that global insecurity caused by civil war, corruption and poverty have come at the hands of men. Women are beginning to emerge from the shadows, voice their opinions, demand new ways of thinking and inspire other women to take part in making decisions that shape the legal, political, social and economic fabric of their lives.

International laws mandate equal representation for women in government. Women's organizations in transitional democracies are asking the global human rights community for assistance in using international law to secure their future. They are seeking the legal tools and knowledge necessary to break the historically male stranglehold on national legislatures, cabinets, courts and other government entities.

**The Global Justice Center**

The Global Justice Center (GJC) is a unique non-governmental organization dedicated to enforcing the affirmative rights of women to political representation. Our mission: to leverage the power of women to be the active makers and enforcers of public policy and law and equal partners in all government and judicial bodies. Our vision: a world where the definition of democracy presumes that women are legally entitled to be partners in decision-making processes in government, parliament, cease-fire negotiations, peacekeeping forces, war crimes tribunals, constitution-drafting committees, judicial bodies and non-governmental organizations.

The GJC promotes its vision through aggressive enforcement of international human rights law, as enshrined by the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and Resolution 1325 of the United Nations

Security Council. Working side-by-side with women leaders in transitional democracies or conflict areas, the GJC staff educates and trains these emerging leaders to use international law to enforce their right to political power and inclusion in government entities. The GJC also advises non-governmental organizations on legal means to change national laws to reflect international standards and render illegitimate and illegal historical and cultural norms and laws which prevent women from taking an active role in government, or which violate women's human rights in any way.

### **Key Achievements**

In 2005-2006, its first year in operation, the GJC played an important role in preparing activists and organizations in Burma and Iraq to use international law as a means to heighten the involvement of women in government and seek justice for crimes committed against them. Pilot projects were developed and are currently being implemented in these two countries because of the unique opportunities they present in advancing women in democratic development. Burma and Iraq also afford the GJC an opportunity to work with non-governmental organizations that have a broad membership base, strong leadership and potential for international growth.

**In Burma**, the GJC has joined forces with the Women's League of Burma (WLB), an umbrella organization of 12 women's groups representing various ethnicities within Burma, to ensure that women are adequately represented from the outset in the democratically-elected government currently operating in exile. Educating both the members of the WLB and Burma Lawyer's Council on CEDAW and other international human rights law and conventions, the GJC is providing these women activists with the knowledge and resources they need to participate effectively in the constitution drafting process. As a direct result of the GJC's intensive, hands-on training in Thailand and in the U.S, WLB members successfully advocated for the inclusion of a 30% quota for women in the Draft Constitution for a Democratic Burma, presented at the 2006 constitutional convention in Thailand.

*Our discussions at the FDCC (constitution drafting committee – 13 men, two women at Women's League of Burma's insistence) wouldn't have been as good as they were, if it were not for the Global Justice Center's crash course on constitutions. We were so prepared and presented all the relevant articles and defended our positions. No other organization was as prepared as we were, and we blew them away and this time many men couldn't just dismiss us.*

Katherine Yee Htun, Women's League of Burma



WLB's Noe Noe Htoi San (left) and GJC's Janet Benshoof lead a session during a constitution drafting conference in Chiang Mai, Thailand in January 2006.

Additionally, the GJC:

- Produced a briefing paper entitled *The Effect of International Law on the Women of Burma's Right to Representation on the Constitution Drafting Committee and within the Federal Government*, and
- Conducted research which was used by the WLB as the basis for a three-day seminar entitled *Importance of a Gender Perspective in the Constitution Drafting Process*.

Counsel and guidance on international human rights law provided by the GJC to the WLB also resulted in new dialogue on justice for women victims of rape in Burma. The GJC informed the WLB and other groups of the implications of Resolution 1325 of the United Nations Security Council, which gives Burmese women the opportunity to seek intervention by the International Criminal Court or United Nations Security Council as avenues for justice. The WLB used the international law as the basis for calls to action by the Security Council.

The GJC pilot project in Burma has met with enthusiastic response from many of Burma's leaders in exile, including Nobel Peace Prize Winner Aung San Sui Kyi.

**In Iraq**, the GJC was invited by the Women's Alliance for a Democratic Iraq (WAFDI) to help ensure that women have a decision-making role in drafting the new constitution, and that they not be overshadowed by a concern for inclusion of all minorities and ethnicities in the process. With the knowledge gained from training by the GJC, WAFDI touted Iraq's legal obligation, as a signatory to CEDAW, to include women in the constitution drafting process. Together with the GJC and a coalition of other Iraqi organizations, WAFDI successfully advocated for the inclusion of gender provisions meeting international standards in the new Iraqi constitution.

Working closely with WAFDI leaders, the GJC helped:

- Educate women in Iraq about quota systems that have been written into constitutions of newly formed democracies. Iraqi women successfully argued for a 40% quota for women in Parliament, much greater than the 14% of women who currently participate in national legislative and judicial bodies in the U.S.;
- Expedite approval of WAFDI's tax exempt status in the U.S. in order to actively fundraise and build capacity;
- Develop a blueprint for a new, neutral organization to promote women's involvement in the political process in Iraq; and
- Draft resolutions and statements that were presented to the United Nations Commission on the Status of Women, United Nations Security Council, the European Union and the U.S. Department of State on the mandates of international law as they pertain to women's rights.

At the urging of Iraqi women's groups, the GJC conducted a ground-breaking human rights training for 70 judges on the Iraqi War Crimes Tribunal, charged with prosecuting Sadaam Hussein and members of his regime for crimes against the Iraqi people. These judges, some of the most influential in Iraq, will be the first to interpret Iraqi law since Sadaam Hussein. They have already approved a domestic Tribunal statute based on international law that creates an opportunity to pave the way for the enactment of more progressive laws by Iraqi courts.



Janet Benshoof (back row, third from left) and Basma Fakri, WAFDI President (back row, fifth from left) met with Iraqi women legislators and activists in Baghdad's Green Zone, March 2006.

With initial funding by the Soros Open Society Institute in New York, and research and counsel by student teams at Harvard and Stanford Law Schools, GJC President Janet Benshoof demonstrated how the Iraqi Tribunal could build on recent actions by other tribunals, specifically those in Rwanda and the former Yugoslavia, and set a legal precedent in the Middle East recognizing sexual violence during war as a war crime. The goal of this and future trainings is to persuade the Iraqi Tribunal to adhere to international law by which Iraq is bound, replace contradictory provisions of the discriminatory domestic penal code and revolutionize how crimes against women are being resolved.

As a result of the GJC trainings, the Iraqi Tribunal will be better positioned to:

- Create an opportunity for justice for women in Iraq for the atrocities committed by the regime of Saddam Hussein;

- Provide an unprecedented opportunity for public acknowledgement of crimes of sexual violence against women and, for the first time ever, a legal avenue of justice for victims in Iraq; and
- Create what could be the first step to changing a culture throughout the Middle East that condones crimes against women, including honor killings.

*Janet Benshoof and her team at the GJC were very instrumental in educating WAFDI members on legal issues related to human rights and women's rights. They provided WAFDI with a wealth of skills, vision and confidence to bring about a reality for Iraqi women that we never thought possible, and our gratitude for this cannot be overstated. Their selfless dedication in helping Iraqi women is priceless.*  
Basma Fakri, WAFDI President

**In the U.S. and throughout the world**, the GJC continually seeks opportunities to educate and garner support for its work with women in transitional democracies. The GJC participates in many forums and workshops, leading discussions on how to use international legal tools to promote women's rights to equal representation in government.

### **Moving Forward**

In less than one year, the GJC has become an established non-governmental organization with a solid infrastructure, growing base of funding, strategic partnerships and programs that are breaking new ground in international women's rights. Moving forward, the GJC will continue its efforts in Burma, training women on how to use CEDAW and Resolution 1325 United Nations Security Council to ensure increased representation of women at all decision-making levels in national, regional and international institutions and in mechanisms for the prevention, management, and resolution of conflict. Multiple trainings are planned for the judges of the Iraqi War Crimes Tribunal. Anticipated growth at the GJC will enable the organization to respond affirmatively to the many requests for trainings from women's organizations in other areas in conflict or in countries transitioning to democracy.

As we continue to grow, the GJC will use what we learn from our pilot projects in Burma and Iraq to develop new programs for the many countries that will sow the seeds of democracy in the years to come.

### **Janet Benshoof, GJC President**

The GJC was founded by international human rights activist Janet Benshoof, a highly regarded lawyer who has successfully defended people's rights to free expression, freedom of religion, freedom from discrimination, and freedom to reproductive choice and privacy. She has litigated constitutional cases in more than

40 states in the U.S. and in the Supreme Court. As president of the GJC, Ms. Benshoof works with women leaders in transitional democracies to enforce the international legal guarantees for women's political and legal rights.

Ms. Benshoof directed the American Civil Liberties Union Reproductive Freedom Project from 1977-1992. She is founder and past president of the first international human rights organization specializing in legal reform of reproductive/privacy laws, now the Center for Reproductive Rights. Under her leadership, the organization obtained consultative status to the United Nations, established legal projects in more than 40 countries, and won major constitutional cases in the U.S. Supreme Court. She is chair of the Gender Justice Advisory Board, a trustee of Women's Link Worldwide, and consults with other international human rights organizations.

The National Law Journal has repeatedly selected Ms. Benshoof as one of the "100 Most Influential Lawyers in America." She has been widely published in law journals and other respected publications, and has provided commentary to major news media outlets on a regular basis. She has taught international human rights law and gender at Harvard and Bard College.

A MacArthur Foundation fellow, Ms. Benshoof graduated from the University of Minnesota and received her Juris Doctor from Harvard Law School.

### **Contact the Global Justice Center**

For further information, please email the GJC at [info@globaljusticecenter.net](mailto:info@globaljusticecenter.net).