

# The Time is Now

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—UNIVERSAL DECLARATION OF HUMAN RIGHTS, 1948

"We must believe that any society that does not believe that any society can make lasting progress if it does not harness the energies of both men and women...."  
—SECRETARY-GENERAL JAVIER PEREZ DE CUELLAR, MARCH 1982

"Investing in women is not only the right thing to do. It is the smart thing to do."  
—SECRETARY-GENERAL BAN KI MOON, MARCH 2008

"The future of the planet depends on women."  
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# The Global Justice Center (GJC) is a non-profit legal organization establishing equality as foundational to human rights and the rule of law.

## The quotes on the cover

**“We must not rest until women everywhere can enjoy equal rights and equal opportunities with men.”**

SECRETARY-GENERAL TRIGVE LIE, OCTOBER 10, 1946

**“The inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”**

UNIVERSAL DECLARATION OF HUMAN RIGHTS, 1948

**“I do not believe that any society or any organization can make lasting progress if it does not harness the energies of both men and women and enlist their equal participation.”**

SECRETARY-GENERAL JAVIER PEREZ DE CUELLAR, MARCH 1982

**“Procuring the equality of women and men, in law and in fact, is the great political project of the twentieth century.”**

SECRETARY-GENERAL BOUTROS BOUTROS-GHALI, SEPTEMBER 1995

**“The future of the planet depends on women.”**

SECRETARY-GENERAL KOFI ANAAN, JUNE 2005

**“Investing in women is not only the right thing to do. It is the smart thing to do.”**

SECRETARY-GENERAL BAN KI MOON, MARCH 2008

## About our logo



Our logo represents the inequality between the percentage of women in the world's population and their corresponding representation in governments worldwide. The right side is 51% blue, indicating the percentage of women in the world's population.

The global average for women in government, however, is a mere 16% , illustrated by the percentage of blue on the left. Our goal is to one day eliminate this gap by enabling women to take their rightful places in government bodies worldwide. Only then will we have true representative democracy, and only then will women be able to fully exercise their human rights.

*This report was published in November 2008. December 2008 donations and activities will be reflected in the Global Justice Center's 2009 Annual Report.*

# The Time is Now...

...to encompass the world first proclaimed sixty years ago in *The Universal Declaration of Human Rights*: a world of “freedom, justice, and peace.” In 2008, gender equality remains fundamental to the creation of this world. We envision a world where women actively make and enforce public policy and law, a world in which women’s rights are inseparable from human rights and a world in which international law is actively enforced. The time is now for such a world...the time is now to work with global leaders on the strategic and timely legal enforcement of international equality guarantees.



## Global Justice Now

Times of instability and conflict imperil global security, but they also trigger transitions that create unique space for the restructuring of government institutions. During these transitions, new constitutions are drafted, new governments are established, and new laws are passed. How would our world be transformed if these new structures and policies were truly to embrace the equality of women? International law has recognized that sustainable peace and security can only be attained if women are equal participants and stakeholders in decision-making processes. The time is now to realize this new vision of human rights.





FROM LEFT: Olivia Kraus listens to Sara Elgieli from NIDAA: The Sudanese Development Call Organization at SC 1325 Conference in Sweden; An Iraqi Judge lights a candle in the Hall of Remembrance at the US Holocaust Memorial Museum; Burmese monk calls for justice at the UN in honor of the one year anniversary of the Saffron Revolution; Janet Benshoof and Hon. Ruth Bader Ginsburg speak to the IHT at the US Supreme Court ; tJiyan Aziz accepts award from GJC; Janet Benshoof, Andrea Friedman and U Aung Htoo of the Burma Lawyers' Council meet with UK Parliamentarians.

## *In partnership with local actors, we seek to:*

- Challenge the entrenched political and cultural norms that perpetuate male-dominated decision-making bodies and constrain women;
- Use human rights and international law as tools to restructure societies in ways that enable women to take their rightful place in national and transitional justice processes;
- Identify activists, leaders, judges, and policymakers and train them in the affirmative use of women's human rights and international law as tools for constructing new democracies, governments, and transitional bodies;
- Transform the operational definition of democracy to one that is truly representative; and
- Create a world where women actively make and enforce public policy and law, a world in which women's rights are inseparable from human rights and a world in which international law is actively enforced.



# From the President...

JANET BENSHOOF, PRESIDENT AND FOUNDER

**T**he Global Justice Center came of age in 2007–2008, and is now well positioned for 2009. We started in 2005 with an audacious vision—that equality rights could be pushed center stage by strategically enforcing international law in emerging legal regimes. We dedicate this report to our founding chair, Michael Sandler, who died early in 2008, but whose belief in this vision and our ability to carry out this work lives on in the Global Justice Center.

**“With challenges come opportunities to use law to change the face of peace, justice, and security.”**

Our first big project in partnership with Iraqi women aimed to ensure that the Iraqi High Tribunal Judges both addressed gender crimes and applied international legal standards in trying the crimes of the Ba’athist regime. The positive outcomes to our judicial trainings included empowering the only woman Tribunal Prosecutor to successfully encourage the testimony of Kurdish women rape victims while protecting their privacy. In 2007, the Anfal decision not only used international law on gender crimes for the first time in the Middle East, but also convicted the highest ranking officer ever of genocide with rape as an underlying crime.

Our partnership with the Burma Lawyers’ Council in August 2007 to bring the ruling junta in Burma to the ICC has been a catalyst

changing the dialogue on Burma to one of ending impunity; the Women’s League of Burma and all other prominent exile groups have since come on board the GJC/BLC joint strategy of pursuing a Security Council referral to the International Criminal Court. This project provides us further opportunity to develop the legal enforceability of the sections of Security Council Resolutions 1325 and 1820 that relate to women’s right to criminal accountability for gender crimes in conflict.

These are challenging times in global economy and international politics, but with challenges come opportunities to use the law in new ways to change the face of peace, justice, and security. Please continue to support our work and together we can change the world. What else will?



## ...and Chairperson

ANNE FIRTH MURRAY, BOARD CHAIR

**I feel a great sense of honor and responsibility to be serving as board chair of the Global Justice Center. I also feel sad to have assumed the position upon the death of Michael Sandler, whose contributions to the GJC were legion.**

Michael was a lifelong advocate of human rights and deeply committed to the empowerment of women around the world. He was a lawyer, investment guru, lover of the arts, and dear friend of Janet and the Center. His contributions to the GJC—including photographs he took in his native South Africa which line the GJC office walls—continue to breathe life into our organization.

As a New Zealander and a woman, I am excited to be a part of an organization that focuses on international human rights, especially women's rights. It is an exciting continuation of my work at Stanford University teaching international women's health and human rights

and at The Global Fund for Women as the Founding President. At the Global Justice Center, we work to see women take their rightful places in the leadership of their countries. We work to see an end to sexual violence against women. And when those crimes occur, we work to ensure that women can safely provide testimony to bring to justice those responsible. We work to make full access to justice and the political process for all people worldwide a reality, not just a dream. In these ways, we honor the life and work of Michael Sandler.

We dedicate this annual report to Michael Sandler with respect and admiration.

**“At the Global Justice Center, we work to see women take their rightful places in the leadership of their countries.”**

From left: Andi Friedman with women from GJC partner organization, Forum of Women's NGOs in Kyrgyzstan; Janet Benshoof presents on SCR 1325 and the Rome Treaty at “Burmese Women's Rights and International Law”; GJC staff host Iraq High Tribunal Judge Basil at the GJC office; Zulma Miranda presents on international law and access to justice for women in Bogotá; Abby Goldberg and Cheery Zahau of the Chin Women's Organization review talking points for the B8 event in Delhi.



# OUR APPROACH Linking Local Partners with Transnational Legal Strategies

**T**he Global Justice Center's transnational approach is to connect the advances realized through our work with local partners to a coordinated global legal strategy. Working with women leaders and decision-makers, GJC experts develop legal and advocacy strategies while building the capacity of a new cadre of leaders.

We prepare both men and women leaders in unstable states to seize the critical window of opportunity created when governments are in transition and to implement women's legal right to full participation in governance. It is during these times, when leaders of emerging states know the world is watching, that we can use our international legal toolbox—international treaties, UN resolutions, and tribunal case law—to make gender equality a legally enforceable component of justice, peace, and security.

Our efforts, however, do not take place in isolation. All of our training, research and advocacy is integrated into a broader vision that is deployed everywhere the GJC works. Thus, the legal advances being implemented by GJC partners create new precedents and advance equality in a way that can be used by advocates in the international human rights and legal communities around the globe.

The time is now to advance a global agenda for realizing equality through the rule of law.

**“The work on the ground is integrated into a broader vision that is deployed everywhere the GJC works”**

**T**he legal enforceability of fundamental human rights identified in the Universal Declaration of Human Rights in 1948 has developed significantly over the past sixty years. The Nuremberg trials of Nazi war criminals in the 1940s set in motion a new era of international justice. Sixty years later the establishment of International Criminal Tribunals for the former Yugoslavia and Rwanda built on the Nuremberg advances and catalyzed the creation of the first permanent International Criminal Court in 2002. Our work builds on these global legal trends. For instance, the GJC helped the Iraq High Tribunal (IHT) use legal precedents established by previous war crimes tribunals to ensure that Kurdish women victims could access new international rights. Global precedents bring new opportunities to further argue for the development of transnational approaches for enforcing human rights and investing in the development of an international legal order. The time is now to take hold of these opportunities for global justice using our cutting edge legal tools and strategies.



OVERVIEW OF KEY INTERNATIONAL LEGAL TOOLS FOR ADVANCING WOMEN'S RIGHTS			PARTIES AS OF SEPT. 2008	YEAR ENTERED INTO LAW
	<b>UNIVERSAL DECLARATION OF HUMAN RIGHTS</b>	Founding document of the United Nations, adopted by the General Assembly, it establishes equality as the foundation of human rights, stating in the preamble, "the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world".	UN MEMBER STATES (192)	12/10/1948
	<b>BEIJING DECLARATION AND PLATFORM FOR ACTION</b>	The result of the 1995 Fourth World Conference on Women in Beijing; an agenda for women's empowerment; aims to remove all the obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making.	UN MEMBER STATES (192)	9/1995
INTERNATIONAL TREATIES AND CONVENTIONS ON HUMAN RIGHTS AND HUMANITARIAN LAW	<b>GENEVA CONVENTIONS AND ADDITIONAL PROTOCOLS I &amp; II</b>	Central documents in international humanitarian law, or the law of war, regulate conduct during international and internal conflict. Article III, common to all four conventions, is considered customary international law and along with Protocol II addresses conflict of a non-international character. Sexual and gender based violence is addressed only minimally in the text, but other aspects of the Conventions have been interpreted to include it.	194	10/21/1950
	<b>INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR)</b>	Protects civil and political rights including non-discrimination and equality before the law; can be used to argue for equality of power in politics as well as to respond to gender based violence through guarantees to the right to life, the right not to be subject to torture or cruel, inhuman, or degrading treatment or punishment.	162	3/23/1976
	<b>INTERNATIONAL CONVENTION ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR)</b>	Protects economic, social and cultural rights including the right to work, social security, education, health, an adequate standard of living, and the right to participate in cultural life; can be used to argue for equality in economic, social and cultural life through guarantees to the right to self-determination and equality before the law.	159	1/2/1976
	<b>THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) AND THE OPTIONAL PROTOCOL</b>	Considered the international bill of rights for women, addresses fundamental rights for women. State parties are obligated to bring their domestic laws into accord with the Convention as well as take temporary measures to redress past discrimination and must report to the CEDAW Committee every four years. The Optional Protocol to CEDAW gives individuals and groups the right to bring complaints directly to the Committee and has 90 state parties.	185	1979
	<b>THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT</b>	The treaty establishing the International Criminal Court, the Rome Statute provides the most advanced codified international law on gender crimes, both in substance and procedure, including near-parity for judges	108	6/2002
UN SECURITY COUNCIL RESOLUTIONS	<b>1325 &amp; 1820 ON WOMEN, PEACE AND SECURITY</b>	Specifically address the impact of war on women, and women's contributions to conflict resolution and sustainable peace; mandates equal participation in all aspects of conflict prevention and resolution, as well as an end to impunity for sexual violence and gender-based crimes in conflict.	UN MEMBER STATES (192)	10/31/2000 AND 6/19/2008
	<b>1674 ON THE PROTECTION OF CIVILIANS IN ARMED CONFLICT</b>	Endorses the Responsibility to Protect (R2P) Doctrine, which affirms that the international community has a responsibility to protect the world's populations from war crimes, crimes against humanity and genocide, thus providing a legal and ethical basis for international humanitarian intervention; specifically mentions importance of addressing gender-based and sexual violence.	UN MEMBER STATES (192)	4/26/2006

# Our Partners

**T**he Global Justice Center believes that collaboration is essential to realizing our vision of human rights and gender equality through the rule of law. Our primary project partners are local groups to whom the GJC provides expert international legal counsel. In addition, we strengthen our impact by collaborating with human rights groups, NGOs, and universities. We are proud to count among our partners:

## NGO Working Group on Women, Peace, and Security

The NGO Working Group on Women, Peace, and Security was formed in May 2000 to advocate for a UN Security Council resolution on women, peace, and security. Following the unanimous adoption of UNSCR 1325 in October 2000, the group now devotes its energies to bringing about the resolution's full implementation.

## Kurdish Women's Rights Watch

Kurdish Women's Rights Watch, based in the UK, is dedicated to supporting women's rights in the Kurdish community. Its aims are to raise awareness of the human, social, and civil rights of Kurdish women, monitor violations of Kurdish women's rights, and promote the health, education, and social well-being of Kurdish women.

## Forum of Women's NGOs of Kyrgyzstan

The Forum of Women NGOs of Kyrgyzstan focuses on consolidating and strengthening the women's movement in Kyrgyzstan and developing a democratic society. By working with a network of women's organizations, activists, and leaders, the Forum promotes gender equality and women's empowerment and strives to increase women's participation in public life.

## Corporación Humanas

Corporación Humanas (Humanas) is a women's rights organization with offices in Colombia, Chile, and Ecuador. Its focus is gender justice and human rights in Latin America.

A member of the Working Group: Women, Gender for Truth, Justice, Reparation, and Reconciliation, Humanas seeks to ensure gender parity in the application of the Justice and Peace Law in Colombia.

## Women's Link Worldwide

Women's Link Worldwide, with headquarters in Colombia and Spain, is an international organization promoting gender equality through legal means. It works to advance women's rights through the implementation of international human rights law, the use of tribunals, and strategic litigation.

## Women's Alliance for a Democratic Iraq

The Women's Alliance for a Democratic Iraq is an international nonpartisan and nonprofit women's rights organization dedicated to a free and democratic Iraq. Its vision of equality is grounded in the values of the UN Charter and the Universal Declaration of Human Rights, among other human rights statutes.

## Women's League of Burma

The Women's League of Burma is an umbrella organization comprised of 12 women's rights groups in exile from Burma, dedicated to women's empowerment, human rights, and democracy. The League's aim is to enable women's participation in all spheres of life in Burma and, in particular, in the country's national movement for peace, democracy, and reconciliation.

## Burma Lawyers' Council

The Burma Lawyers' Council (BLC), an independent organization, was formed in a liberated area of Burma in 1994. Its objectives are to: educate the public; restore and improve basic human rights in Burma; assist in the drafting and implementing of a constitution for Burma; and participate in the emergence of a civil society in Burma.



# OUR GOALS Access to Political Power

**T**he time is now for women to have equal political power. The Global Justice Center is working to eliminate the alarming disparity in access to political power for women in Kyrgyzstan and other parts of Central Asia by advocating that the government has a responsibility to enforce SCR 1325 and other binding international legal guarantees of equality. By 2007, Kyrgyzstan had fallen from a relatively high number of women in political decision-making positions to none at all. This mirrors the dramatic decline of women in Parliament and other high level political positions throughout the region. Why this trend? For the most part, isolated states are uninformed about evolving legal standards.

**A**s a member of the NGO Working Group on Women, Peace and Security, GJC lawyers designed and led three trainings in five Central Asian countries in 2007. The trainings focused on each country's responsibilities under international law, particularly SCR 1325, to ensure parity in all aspects of conflict resolution, peace-building and transitional government. As a direct result of the trainings, SCR 1325 was added to the Kyrgyzstan National Action Plan on Gender and the participants made the connection between legal mandates for gender equality under CEDAW and their responsibilities in implementing 1325.

In 2007, the GJC established an ongoing partnership with the Forum of Women NGOs in Kyrgyzstan to support the work of the Forum, including its "50 Women for 50 Campaign" designed to address the lack of political representation of women in Kyrgyzstan. Nurgul Djanaeva, Founder and President of the Forum of Women's NGOs in Kyrgyzstan, received outside funding to travel to New York and work at the GJC for four months in 2008. At the GJC, she researched and analyzed international legal tools to apply to her work on political power for women in Kyrgyzstan.

GJC's work with the Forum demonstrates the power of incorporating a transnational legal strategy into our advocacy approach. Nurgul

utilized her extensive networks throughout Asia to garner support for the GJC Burma Campaign calling for the prosecution of the ruling junta in Burma for sexual violence against women. She also tapped into GJC's networks to assist her in drafting legislation on violence against women in Kyrgyzstan, which she presented to Parliament upon her return.

The time is now for women in Kyrgyzstan to obtain access to political power to reverse the trend of exclusion under an increasingly male-dominated and fundamentalist government. In this way, we can help the Kyrgyz people in promoting sustainable and equal decision-making, and as a result, a more peaceful and secure society for themselves, their neighbors and our world. Countries such as Kyrgyzstan cannot be considered new "democracies" if they fail to include women.

**"Countries such as Kyrgyzstan cannot be considered new 'democracies' if they fail to include women."**

## READ MORE AT

[www.globaljusticecenter.net/publications](http://www.globaljusticecenter.net/publications)

- "Women in Democracy," GJC Enews, July 2007.
- "CEDAW Casebank"
- "Moving from Equal Opportunity to Equal Power," Training materials from the Peace by Piece Conference, June 2008.
- "Using International Law to Advance Women's Equality in Iraqi Kurdistan," December 2007
- "Global Justice Center Legal Tools"

# OUR GOALS **Access to Justice**

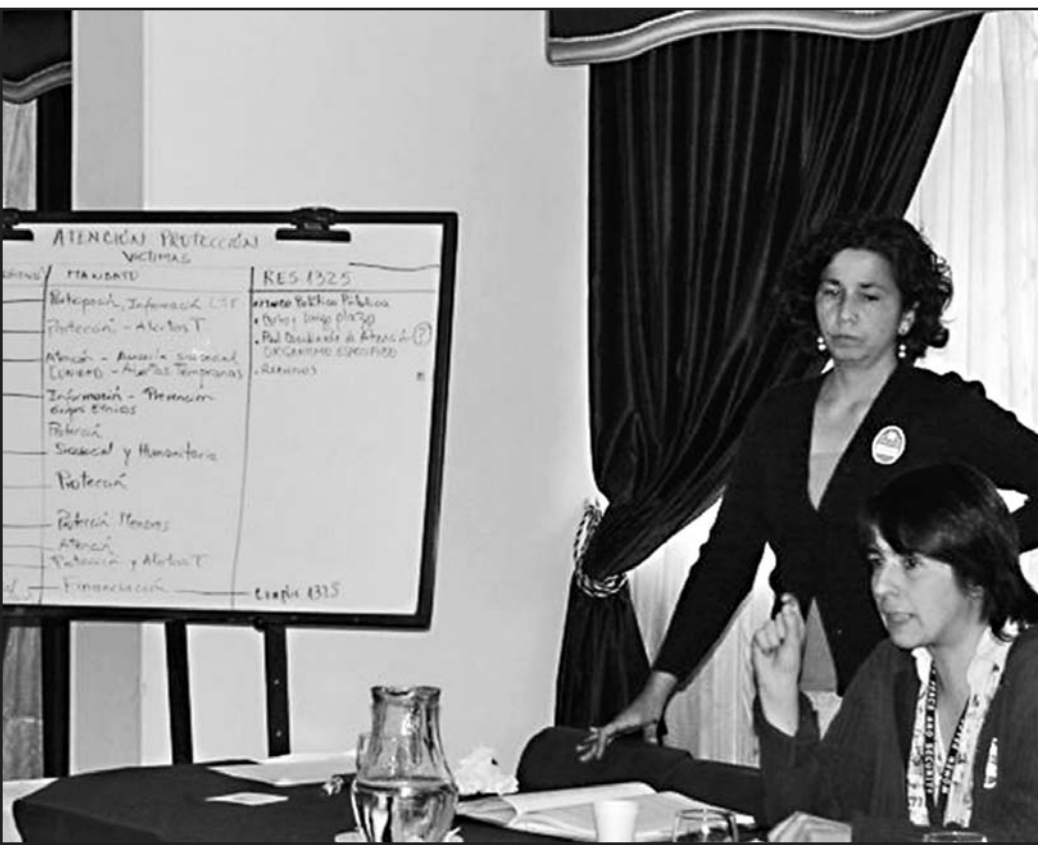
**T**he time is now for all members of the human family to have equal access to justice. Our work in Colombia and Sierra Leone are examples of how the GJC works to eliminate the obstacles that block women's access to judicial systems.

In 2007 and 2008, the GJC expanded its work to Latin America and West Africa, responding to requests for international legal expertise. Colombian NGOs asked the GJC to develop strategies to ensure women's participation in the demobilization and tribunal processes under the Justice and Peace Law (JPL). In Sierra Leone, GJC legal expertise was used to analyze possible connections between the international justice process at the Special Court for Sierra Leone and the domestic legal reform taking place around issues of human rights and gender equality.

The GJC was invited to Colombia to conduct trainings on international law and gender jurisprudence for Corporación Humanas and the Working Group: Women, Gender for Truth, Justice, Reparations, and Reconciliation (composed of 6 civil society organizations) in prepara-

tion for their submission of thematic reports to the Colombian government on women's access to justice under the JPL. By the end of the session the participants had a critical new perspective and developed arguments regarding the rights of victims of sexual violence to redress, reparations, security and justice under international law. The women had identified governmental stakeholders and other actors responsible for implementing the JPL and developed a plan of action that strategically uses international laws, such as SCR 1325 and the ICC, to advocate for women's access to justice and equal rights. The GJC has since returned to Colombia to further this work with various civil society organizations, the judiciary, and parliamentarians to ensure that the transitional justice process is implemented in conformance with international law on gender equality.

The JPL, passed in 2005, is the most recent attempt at conflict resolution by the government of Colombia and followed the state's ratification of the Rome Treaty (ICC) in 2002, which requires domestic laws be complementary to ICC standards for criminal prosecution of heinous crimes. The JPL seeks both to demobilize armed factions and establish tribunals to fulfill victim's rights to accountability for crimes covered by the ICC. Further, the law as it



**LEFT:** Women leaders at GJC training in Colombia develop strategy to use 1325 to advocate for women's access to justice; **OPPOSITE:** Stephanie Morin meets with Umu Hawa Tejan-Jalloh, Chief Justice of the Supreme Court in Sierra Leone



stands is failing to comport with key enforceable international laws by neglecting to establish a mechanism to assist women victims affected by widespread and systematic sexual violence and to recognize that criminal justice is an essential part of an integrated response to massive human rights violations.

The JPL is one of the first domestic war crimes/peace laws in the post-ICC world and failure of the law to encompass and promote international legal equality guarantees would undermine the integrity of the JPL itself, encourage the invocation of ICC jurisdiction, alienate women from being stakeholders and deprive victims of both peace and justice. This failure would be a step back for justice globally. Therefore, the GJC seeks to work with our Colombian partners to reframe the justice and peace process in Colombia to comport with international equality standards so that it can be used as a regional and global model.

In Sierra Leone, a GJC expert legal researcher and fellow conducted nearly 60 interviews during summer 2008 with members of the Sierra Leone Supreme Court, Parliamentarians and many other women leaders, government officials, and legal experts. The Sierra Leone team evaluated what gaps and opportunities exist in Sierra Leone for integrating international law on gender equality—such as UN Security Council Resolution 1325, the Solemn Declaration on Gender Equality in Africa, and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa—into domestic systems building on work taking place at the war crimes tribunal created as part of the country's transitional justice process.

In both Colombia and Sierra Leone, the GJC legal team is developing arguments utilizing international legal advances that can be applied globally. In Colombia, the GJC is developing arguments based on the principle of complementarity, which states that the ICC can only prosecute a case if the country involved is unwilling or unable to prosecute. The specter of



**“The specter of prosecution by the ICC is a powerful advocacy tool for ensuring that domestic prosecution takes place .”**

prosecution by the ICC is a powerful advocacy tool for ensuring that domestic prosecution takes place and is up to international standards. In Sierra Leone there is currently no link between the workings of the Special Court and the robust domestic law reform taking place. The GJC sees this as an opportunity to bring together two areas of legal development in a way that can benefit both Sierra Leoneans and Colombians as well as be a model for domestic impact of international transitional justice processes in countries emerging from conflict.

The time is now for the women of Colombia, Sierra Leone, and all women, to obtain equal access to justice.

## READ MORE AT

[www.globaljusticecenter.net/publications](http://www.globaljusticecenter.net/publications)

—“Facilitating Collaborations in Darfur: Organizations Working Within Darfur; Sudan, on Sexual Violence and the Role of Law.”

—“Advancing the Legal Enforcement of SCR 1325

—“The Security Council as Gatekeeper to Justice”

# OUR GOALS Ending Impunity, Advancing Peace and Security

In a new and interconnected world with predominantly internal conflicts, the meaning of peace and security has shifted from an issue of national sovereignty and the security of nations, to a commitment to the human security of individuals. Security in this new framework is created by rule of law, not rule of might. In places like Burma, however, where impunity reigns and individuals cannot rely on the rule of law to protect them, violence and instability prevail.

**“A threat to peace and security anywhere is a threat to humanity everywhere.”**

There is substantial evidence that the State Peace and Development Council (SPDC), the ruling military regime in Burma, has been committing international crimes against its own people for almost 50 years. Burma is ranked lowest in global indices on repression, genocide, human rights abuses and political terror. In August 2007, the GJC established a partnership with the Burma Lawyers' Council (BLC) and began a campaign to seek a Security Council referral of the situation in Burma to the International Criminal Court. The GJC and BLC believe that both rule of law and equality must be present for peace to be sustainable, and neither one is attainable without accountability for criminal violations perpetrated by the regime. By providing the people of Burma with a mechanism for attaining justice, the GJC and BLC are

working to lay the groundwork for long-term stability in Burma, Asia and globally.

The GJC argues that the Security Council has an obligation under Resolutions 1325 and 1820 on women, peace and security to enable the women of Burma to achieve equal access to justice for systematic sexual violence. An ICC referral based on the Security Council's obligations under Resolutions 1325 and 1820 would have enormous transnational impact, sending a global message that sexual violence as a method of warfare will not be tolerated.

Since the ICC campaign's launch, the GJC has witnessed a transformation in the dialogue on Burma in support of an ICC referral. In the first year of the campaign, human rights organizations, parliamentarians and the largest coalition of pro-democracy groups from Burma have all joined the GJC and BLC in calling for criminal accountability. In May 2008, following meetings between the GJC, BLC and EU Parliamentarians, the European Union drafted a resolution that used the GJC's language calling for an ICC referral of the military regime.

This momentum toward ending impunity must not be stopped until the people of Burma, and all people, have justice.

A threat to peace and security anywhere is a threat to peace and security everywhere. The time is now to send a signal to dictators around the world that the international community will not permit impunity for heinous crimes.

## READ MORE AT

[www.globaljusticecenter.net/publications](http://www.globaljusticecenter.net/publications)

—“Request for the United Kingdom to Propose a Security Council Resolution Referring the Burma Situation to the International Criminal Court”

—“The Junta's Criminal Constitution” Janet Benshoof and U Aung Htoo, *Far Eastern Economic Review*, May 5, 2008

—“Supplementary Legal Points of Order: Security Council Resolutions 1325 and 1820 and their Application to the CEDAW Committee's Review of Myanmar/Burma during the 42nd Session,” October 2008

—“Prosecuting Perpetrators of Grave Crimes Inflicted on the People of Burma,” Janet Benshoof, LawKaPala, *Legal Journal of Burma*, August 2007.

# OUR GOALS **Judicial Entrepreneurship**

**T**he Global Justice Center (GJC) focuses on judiciaries around the world because they are key to the interpretation of international law. Judges can be leaders in advancing women's rights, using the law to change cultural, ethnic, and religious practices that discriminate against women.

**T**he encouragement of judicial entrepreneurship is a fundamental aspect of the GJC work with the Iraq High Tribunal (IHT). At the 2006 GJC and Women's Alliance for a Democratic Iraq (WAFDI) training on Women's Rights and International Law, IHT judges heard from Iraqi women leaders and other experts on the importance of justice for sexual violence. The groundbreaking Anfal decision recognized that sexual violence can be a form of torture and an instrument of genocide. Not only was this a landmark victory for Kurdish women, but the process created a cadre of Iraqi jurists, trained on issues of gender and international law, dedicated to advancing justice for women.

In December 2007, the GJC led a series of trainings in Iraqi Kurdistan for women leaders and regional judges on international law for legislative and constitutional reform. All of the judges from the region were in attendance and the Kurdistan Regional Government (KRG) used the training to reinforce its commitment to equality. The KRG Foreign Minister's public statement, "people will only feel equality and justice when our judicial

## READ MORE AT

[www.globaljusticecenter.net/publications](http://www.globaljusticecenter.net/publications)

— "The Anfal Decision: Breaking New Ground for Women's Rights in Iraq"

— "Gender Equality and the Rule of Law: The Role of the Judiciary in Changing Discriminatory Norms – A Case Study of the Iraq High Tribunal," Olivia Kraus, Andrea Friedman, and Malaak Abdejaber, *The Rights of Women in Islam and Muslim Societies*, April 2007.

system and the courts support the rights of all individuals – especially women," showed the possibility for advancing equal power structures in Kurdistan. Before these judges and government officials, the GJC honored Jiyan Aziz Gardee, the lawyer for the courageous Kurdish women who testified before the IHT.

In January 2008, the following month, the GJC arranged for a delegation of these judges to meet with Supreme Court Justice Ruth Bader Ginsburg, to whom they pledged to further advance equality. The judges then visited the National Holocaust Memorial Museum and lit candles in the Hall of Remembrance with Iraqi Jews, recognizing the parallels between the Holocaust and the Anfal campaign. These experiences challenged the judges to think about the global impact of the law and their own roles as leaders of change.

The time is now to invest in gender equality through the judiciaries around the globe.

**"The IHT issued (the) Anfal Decision in Fall 2007, recognizing for the first time in an Iraqi court that rape was a form of torture."**





# OUR GOALS A US Foreign Policy that Advances Equality Worldwide

**F**or too long US foreign policy restrictions have impeded the development of equality law globally. As we enter a new administration and what could be a transformative era for the US, the time is now to bring our domestic and foreign policy in line with international law.

**“A ratified, implemented and reservationless CEDAW in the US is critically needed for women everywhere.”**

In 2007 and 2008, the Global Justice Center brought a new voice to US Foreign Policy, including the debate on the US ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). While almost all UN member states have signed and ratified CEDAW, the US has not yet ratified the treaty due to concerns over its implications for reproductive rights. The current version of CEDAW before Congress is tainted by eleven “reservations, understandings, and declarations” (RUDs) which were appended to the treaty in 1994 and 2002. These qualifiers remove core legal protections from women, including the right to challenge discriminatory maternity benefits policies and punitive criminal abortion laws. If ratified, these reservations would be instantly leveraged and used as a legal precedent by anti-abortion and anti-women activists globally.

Surprisingly, there is still a push from female and liberal legislators and NGOs to ratify this version of the treaty in support of women, without realizing the damaging implications of these reservations. They understand how the treaty has been already used to gain historic landmark decisions for equality, including the decriminalization of abortion in Colombia, but have not been informed of how the US version of CEDAW would erase this progress. In 2007, the GJC wrote a letter to the 200

organizations that had signed on to a CEDAW ratification campaign to explain how the passage of CEDAW with qualifiers of this kind would undermine a vision of equality in which a women’s right to control her own body is essential. Since that time, we have learned that key groups have either withdrawn from the campaign or vocalized new concerns.

In 2008 the GJC was invited to participate as a key speaker at various formal and informal meetings of women leaders around the country to create awareness among these key decision makers of just how dangerous the US version of CEDAW really is for women around the world and here at home. These talks have led to work by many of the women we met to counter efforts in the US to ratify a compromised version of CEDAW—a complete reversal of their former political stance.

A ratified, implemented and reservation-less CEDAW in the US is critically needed for women everywhere. The US presently has one of, if not the most, entrenched divides over abortion in the world. This can be felt not only in domestic policy, but also in our impact on the advancement of women’s equality and reproductive rights abroad. US foreign policy has become unilateral and our relationships with members of the international community have reached a new low. The issue of CEDAW, which also impedes our foreign aid policy and essential humanitarian aid projects abroad could be the first action by which a new administration expresses the US desire to join and lead the international community.

The time is now to end our tradition of foreign policy that undermines women and become global leaders in the fight to create an equal world founded on the rule of law.

## READ MORE AT

[www.globaljusticecenter.net/publications](http://www.globaljusticecenter.net/publications)

—“United States Implementation of U.N. Security Council Resolution 1325: Gaps and Challenges”

—Global Justice Center White Paper Series: “New Visions for International Law and U.S. Foreign Policy”





FROM LEFT: McKensy Smith asks the New York B8 audience to sign the petition to the Security Council for justice in Burma; Phyu Phyu Sann asks ICC Prosecutor O'Campo about Burma and the ICC.

# Our Future

**T**he time is now for women. The time is now for states in transition. The time is now for global gender equality. In 2009, we look forward to facilitating long-term growth for the GJC. Here are some plans for our future:

## **SCAN – Security Council Action Network**

The Global Justice Center plans to bring together a global coalition of NGOs representing each of the permanent members and regions represented on the UN Security Council to form the Security Council Action Network, or SCAN. The SCAN member organizations will be able to respond at the national as well as international level to put pressure on the Security Council and hold it accountable for standing by its commitments to addressing sexual and gender based violence in conflict-affected regions as stated in Security Council Resolutions 1325 and 1820.

## **Convening a Brain Trust in New York City**

On June 9, 2008 we convened top lawyers with expertise on international human rights and gender equality to seek their guidance on key matters relevant to enforcing international law and securing full participation of women in their countries' legal and political structures. The Brain Trust explored the impossible, impractical, and unobtainable to determine what is possible, practical, and obtainable for the GJC and its partners, both today and tomorrow. The products of the Brain Trust will help the Global Justice Center to move forward strategically in the coming years, and in 2009 we look forward to implementing these findings in our work.

## **Momentum for Criminal Accountability in Burma**

The SPDC's violent crackdown on monk protests in September 2007 and its refusal of aid for victims of Cyclone Nargis have led to the deaths tens of thousands of innocent civilians and served as a wake-up call to the international community that the time is now to hold the SPDC accountable for crimes. The momentum of the GJC and BLC call for a referral to the ICC is going global as the campaign reaches out to allies throughout Europe and Asia.

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**Janet Benshoof and the International Burmese Monks Organization call on the Security Council to end impunity for the SPDC.**

On August 8, 2008, the Global Justice Center brought together members of the Burmese diaspora and global creative and human rights communities to announce a central message of criminal accountability worldwide. Through the use of video, petitions to the Security Council, media campaigns and online social networks, the Global Justice for Burma campaign was launched in a series of "B8 Events" on the opening day of the 2008 Olympics and the 20th Anniversary of the '88 Student Massacre. These events held in contemporary Asian art galleries and creative spaces in Delhi, San Francisco, London and New York, utilized this moment to proclaim a common message to end criminal impunity in Burma, thereby connecting the Burmese community to new audiences throughout the world. One such highlight took place in New York when Dr. Sein Wein, President of the exiled Burmese Government (NCGUB) for the first time in history emphasized the need for criminal accountability by referring the situation in Burma to the International Criminal Court.

The Global Justice for Burma campaign was made possible through collaboration with incredible partner organizations working in diverse fields that include human rights, Burma, and the mobilization of young professionals for social causes. Representatives of the International Burmese Monks Organization spoke at all of our events and the Venerable Ashin Nayaka made a powerful call for justice in an online video produced by the GJC, which continues to be viewed around the world today.

# OUR VOICE Changing the Dialogue

**K**nowing the GJC cannot change the world alone, we seek out creative opportunities to communicate our vision and make our resources and expertise available to public audiences.

## Public Education/ Speaking Engagements

Our legal perspective on women's rights and international law makes GJC a sought-after participant at high-level discussions on those issues. In 2007 and 2008, we were invited to speak at the Tides Foundation, Google Headquarters, Columbia University Law School, Harvard University Law School, Yale University, Cornell University, George Washington University, and Stanford Law School; organized roundtable discussions on UNSCR 1325 in Central Asia; spoke at a seminar organized by Sweden's Operation 1325; presented to Supreme Court judges in Nicaragua; were featured experts on panels at the Joan Kroc Institute and the Convention on the Status of Women; and GJC President Janet Benshoof spoke on a UN panel on 1325 and Burma; and was presented with the 10th Annual Edith I. Spivack Award, given by the Women's Rights Committee of the New York County Lawyers' Association.

## Media Outreach

In 2007/2008, GJC expertise was highlighted in print, radio and TV news outlets, including: *Newsweek*, *The Times of India*, the *Nation*, the *Washington Post*, *The New York Times*, *Mizzima News*, PBS, and BBC, as well as countless blogs and online publications.

## Web Site and E-Communications

Our Web site and e-news bulletins are invaluable resources for groups and individuals committed to international gender equality and justice. Our readers are women leaders, government officials and members of the human rights and legal communities. Among a host of other topics, our 2007/2008 e-news-letters featured: recognition by the Iraq High Tribunal that crimes of sexual violence are part of a genocidal campaign; GJC participation in UN Security Council open debate on UNSCR 1325; an analysis of women and democracy; attendance at experts' meeting in Dakar, Senegal; GJC 6-day training in Kurdistan on gender and international law; and a look at GJC work in Colombia. Throughout 2007/2008, we expanded our resources on each of our projects, including an online library of evidence and legal arguments for criminal accountability in Burma and updates to our Web-based CEDAW Casebank, consolidating more than 100 domestic and international cases citing CEDAW as precedent for decisions.

[www.globaljusticecenter.net](http://www.globaljusticecenter.net)





**Global  
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