
JUSTICE FOR WOMEN BY WOMEN: CHALLENGES AND OPPORTUNITIES FOR WOMEN'S PROFESSIONAL PARTICIPATION IN THE JUSTICE SECTOR

March 18, 2014, 1:15 PM – 3:00 PM
United Nations Headquarters, New York
Conference Room 6, North Lawn Building (NLB)



The Round Table was organized by the International Development Law Organization (IDLO) with the Permanent Mission of Italy to the United Nations with the support of the Permanent Mission of the Islamic Republic of Afghanistan to the United Nations and the Supreme Court of Mexico.

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ROUNDTABLE
JUSTICE FOR WOMEN BY WOMEN

Challenges and opportunities for women's professional participation in the justice sector

March 18, 2014, 1:15 p.m. to 3:00 p.m.
Commission on the Status of Women
Conference room 6, NLB (North Lawn Building)
United Nations Headquarters, New York

PROGRAMME

OPENING REMARKS:

- **H.E. Sebastiano Cardi**, Permanent Representative of Italy to the United Nations
- **H.E. Zahir Tanin**, Permanent Representative of Afghanistan to the United Nations
- and a welcome message on behalf of **Phumzile Mlambo-Ngcuka**, Executive Director of UN Women

PANEL SESSION

Moderated by **Margery Kraus**, CEO, APCO Worldwide

- **Irene Khan**, Director-General, IDLO
- **Maria Bashir**, Chief Prosecutor General, Herat Province, Afghanistan
- **Anne Waiguru**, Ministry for Devolution and Planning, Kenya
- **Olga Sánchez Cordero**, Justice of the Supreme Court, Mexico

CONCEPT NOTE

“We recognize the importance of ensuring that women, on the basis of the equality of men and women, fully enjoy the benefits of the rule of law, and commit to using law to uphold their equal rights and ensure their full and equal participation, including in institutions of governance and the judicial system, and recommit to establishing appropriate legal and legislative frameworks to prevent and address all forms of discrimination and violence against women and to secure their empowerment and full access to justice”.

Declaration of the High-Level Meeting of the General Assembly on the Rule of Law at the National and International Levels, 2012

The present roundtable – organized as a side event during the 58th Session of the Commission on the Status of Women by the Government of Italy and the International Development Law Organization (with the co-sponsorship of the government of Afghanistan and of the Mexican Supreme Court) – is intended to contribute to the Commission’s consideration of the “challenges and achievements in the implementation of the MDGs for women and girls and its review of women’s and girls’ access to education of decent work”. It will explore the key contributions that women justice professionals can make to sustainable development, combating poverty, advancing inclusive growth and addressing gender based violence. By bringing together different stakeholders, it will seek to show how women’s participation in the legal professionals is not only an important aspect of gender equality in education and employment, but can also make a crucial contribution to progress in post-conflict countries such as Afghanistan, contributing to the achievement of a more equitable and more sustainable development path, and producing significant benefits for governments, communities and individuals. Based on a vision of the importance of women’s participation in the justice sector, it will focus on the role that women legal professionals play in promoting the rule of law and particularly furthering women’s access to justice.

WOMEN PROFESSIONALS IN THE JUSTICE SYSTEM

“The principle of equality of women and men has been affirmed in the constitutions and laws of most countries and in all international instruments. Nonetheless, in the last 50 years, women have not achieved equality, and their inequality has been reinforced by their low level of participation in public and political life. Policies developed and decisions made by men alone reflect only part of human experience and potential. The

just and effective organization of society demands the inclusion and participation of all its members.”

UN CEDAW Committee, General Recommendation 23 (1997)

Globally, women professionals are significantly underrepresented in justice sector institutions. This was highlighted in the April 2013 UN Human Rights Council Report of the Working Group on the issue of discrimination against women in law and in practice, which noted that in all regions there are substantively less women in the police, prosecution services, and judiciary. The Working Group Report noted that this was particularly apparent in national judiciaries:

“In the judicial branch, women account for only 27 per cent of judges worldwide... There is wide divergence among States as regards the numbers of women in the judiciary... even in countries that have a higher representation of women in the judiciary, the numbers of women decrease at higher levels. There are few women in the highest courts, including supreme courts, and rarely are the Presidents women. In most religious courts women are excluded from holding office.”

Human Rights Council, “Report of the Working Group on the issue of discrimination against women in law and in practice”, para. 22, A/HRC/23/50, 19 April 2013

During the September 2012 High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels, IDLO pledged:

“... to undertake a global survey of the role of women in justice sector institutions and to analyze the legal barriers to women’s access to justice, with a timetable geared to the elaboration of the post-2015 Development Agenda. We will work to ensure that women’s increased participation in the justice system and legal reforms to enhance women’s rights are accorded due priority in that Agenda.”

IDLO’s decision to quantify women’s professional participation in national justice systems and to examine the barriers women face in entering and working in justice sector was premised on the belief that, apart from being an intrinsic issue of fairness, the increased presence of women professionals in the justice sector can positively contribute to improved access to justice for women.

By drawing attention to the number of women professionals in the justice sector, as well as the barriers they face in seeking to enter and participate in the sector, IDLO intends to encourage national governments and the

international community to direct more resources and energies towards meeting the needs of women professionals.

To highlight good practices in fostering the adoption of gender perspective in adjudication, the *Protocol for Judicial Decision-Making with Gender Perspective: making rights equal*, issued by the Supreme Court of Justice of **Mexico**, will be also presented during the roundtable. This Protocol explains how to implement international human rights treaty law as binding law and outlines methods by which adjudicators can improve their awareness of women's rights under the law and can build their capacity to employ a gender perspective when deciding cases.

Kenya will share the experience, led by the Ministry of Devolution and Planning, of improving the gender mainstreaming targets its new Constitution sets out, including through the review of relevant laws and court procedures for gender justice dispensation.

CHALLENGES AND OPPORTUNITIES FOR WOMEN'S PROFESSIONAL PARTICIPATION IN THE JUSTICE SECTOR IN AFGHANISTAN

The transition phase towards which Afghanistan is currently moving is an important moment for women play to cement their role in their country's reconstruction, beyond health and education. Although there is widespread agreement that this is critical, the challenge of ensuring that women's views are both heard and incorporated into the transition process cannot be underestimated. IDLO's first study in furtherance of its 2012 pledge before the UNGA has been

conducted in Afghanistan, a country where IDLO has been working closely with the justice sector since 2002.

The resulting report, *Challenges and Opportunities for Women's Professional Participation in Afghanistan's Justice Sector*, gives an overview of the state of play with the representation of Afghanistan's women in the legal area. It details the obstacles – social, academic, cultural – to be overcome; and reaffirms that justice for women also means justice by women.

The report highlights that women's professional participation in Afghanistan's justice sector is essential for the country's sustainable development and to improve access to justice in the country. Compiling data from 2010, 2011 and 2013, the report points to some of advances being made on women's participation in the sector, and to the obstacles that remain to be addressed to accelerate progress. The focus group discussions with female Shari'a and law students poignantly reveal the challenges women face both in the classroom and in terms of promotion as they seek to enter and excel in the profession.

The roundtable will provide the opportunity for the launch of this report, made possible by a generous contribution by the Government of Italy. The protection of women's rights, the improvement of the condition of women in Afghanistan and the institutional development needs of the justice sector have been a main focus of the Italian Development Cooperation Strategy and Assistance in the context of its long term engagement for the reconstruction of Afghanistan.

REMARKS BY AMBASSADOR SEBASTIANO CARDI PERMANENT REPRESENTATIVE OF ITALY TO THE UNITED NATIONS

Excellencies, Distinguished Minister, Dear Friends,

I am honored to welcome you today to this side event on women's participation in the justice sector, with a focus on the situation of Afghanistan. This was the subject of a recent publication by IDLO financed by the Government of Italy, so I would like to begin by thanking Director-General Irene Khan for this very interesting report and for the Organization's precious collaboration.

This event could not of course have been organized without the active involvement of the Government of Afghanistan. This is why I am so pleased that my colleague Ambassador Tanin is here with us today. At the same time, I wish to thank Anne Waiguru, Cabinet Secretary of the Ministry of Devolution and Planning of Kenya, and Olga Sánchez Cordero, Minister of the Supreme Court of Mexico, who will highlight good practices of their Countries in fostering the adoption of a gender perspective in the judiciary system. I am also grateful to the representatives of UN Women and of the Rule of Law for their presence here today.

I will leave it to our Senior Advisor of the Task Force on Afghanistan of the General Directorate for Development Cooperation, Mr. Filippo Alessi, to describe Italy's activities in the context of our long-term commitment to the reconstruction of Afghanistan. I would just like to add a few words about Italy's dynamic role in the promotion of women's rights and gender equality. As an example this such dynamism, this is the third of the three side-events Italy has organized during this year's session of the Commission on the Status of Women. The previous two regarded female genital mutilation and the situation of women in Libya.

We are at a crucial moment in the history of women's rights, for looming on the horizon are both the twentieth anniversary of the adoption of the Beijing Declaration and Platform for Action and the deadline for the achievement of the Millennium Development Goals. In this context, Italy is firmly convinced that the Post-2015 Development Agenda must address the challenge of gender inequality through a "transformative standalone goal," while monitoring its implementation across all relevant dimensions of the Agenda.

At the same time, Italy continues to be firmly committed to preventing and combating all forms of violence against women. This includes the fight against all harmful traditional practices, such as female genital mutilations - which is a human rights violations and jeopardizes the health of thousands of women throughout the world every day - and early and forced marriages, a worldwide problem with inescapable implications for gender equality, sexual health and reproductive rights, education, and violence.

Dear friends,

Last year in Italy we celebrated the fiftieth anniversary of women's entrance into the judiciary. According to the most recent data, more than 40% of Italy's judges are women, more or less the same percentage as women lawyers. As the title of our side event underlines, in order to have justice for women we need to promote justice by women. I therefore look forward to our discussion, which I hope will provide us with useful indications on how to increase not only the quantity but also the quality of women's presence in the justice sector.

Thank you very much.

REMARKS BY AMBASSADOR ZAHIR TANIN PERMANENT REPRESENTATIVE OF AFGHANISTAN TO THE UNITED NATIONS

Excellencies, ladies and gentlemen, distinguished participants,

First, I would like to thank the International Development Law Organization (IDLO) for organizing this important event. The IDLO has been a leading partner of the Afghan government in justice and legal reform since 2001, and I admire their excellent training programs for Afghanistan's justice professionals. Thank you also to Ambassador Cardi, for his participation in this event, as well as our other distinguished panelists and participants.

Three decades of violent conflict and civil war deprived thousands of Afghans access to justice and encouraged a climate of impunity for the most heinous crimes. Women suffered doubly in this context - first as victims of these egregious offenses, and second because they were offered no legal redress for the crimes they suffered.

Rights have expanded significantly for all Afghans since the fall of the Taliban, and particularly for Afghan women. Major achievements include a constitution that guarantees equal rights for women, and the establishment of a specific Ministry of Women's Affairs. Judicial reform has been a national priority, with women's access to justice seen by my government as a major step towards gender equality and improving the situation of women in the country.

Still, women face numerous barriers in equal access to justice in Afghanistan. Not only do they face the same general constraints common to both genders like weak physical infrastructure and security issues, they also face problems specific to women. For example, they often lack financial resources or information about the law more so than their male counterparts.

The government of Afghanistan recognizes that one of the best ways to ensure equal access to justice for women is the presence of female judges. To this end, the government has launched several initiatives to ensure women's access to justice (with the support of IDLO) including legal aid, access to services like shelters, and encouraging girls to study to become lawyers. Now female judges make up 10% of total Afghan judges, up from 3% five years ago. This number is still far too low, but it represents progress.

The task of rebuilding the country, including its educational and judicial system is incredibly difficult. But the Government of Afghanistan is committed to promoting the equality of women across life in Afghanistan and upholding the rule of law, under which all are equal.

Thank you, and I look forward to hearing more from our expert panelists.

REMARKS BY IRENE KHAN IDLO DIRECTOR-GENERAL

IDLO'S PLEDGE

In September 2012 at the High Level Meeting of the 67th Session of the United Nations General Assembly on the Rule of Law at the National and International Levels, IDLO pledged to “work to ensure women’s increased participation in the justice system”

WHY?

Because our work on gender equality and legal empowerment of women over many years has shown that in many countries justice by women produces better justice for women.

Improving women’s ability to work in justice institutions ensures

- › Ensures democracy and equality of opportunity in the workplace
- › Ensures that the specific interests of women are represented and advanced in justice institutions
- › Provides better access to justice and fair outcomes for women, not because women are inherently more just than men but because in many traditional societies women are better able to seek justice when they deal with women lawyers, judges, court officers or prosecutors.

Women lawyers and judges may understand better the situation these women victims and petitioners face. Women policy makers can better ensure that women’s views and interests are included in justice policies and regulatory frameworks. Increasing the number of women justice professionals can both encourage women to approach the justice systems and improve the quality of justice they will receive.

WOMEN IN THE JUSTICE SECTOR IN AFGHANISTAN

That is why we made our Gender Pledge at the UNGA and today, we share with you the first report resulting from that Pledge.

The report is on Afghanistan, where IDLO has been working for over a decade to help develop the justice sector. It comes at an important time as Afghanistan prepares for a

new phase in its political life and particular attention is being given to the situation of women there.

Having partnered with the Afghan government, with Afghan civil society organizations and the international community for over a decade and a half we are acutely aware of the enormous challenges of post-conflict reconstruction, weak institutions, poverty, ill health and illiteracy in Afghanistan. We also acknowledge the progress that has been made, at least in the urban areas where women enjoy relatively better access to education, legal awareness, and employment opportunities.

We have contributed to some important programs, for instance building prosecution units in the Attorney General’s Office, setting up an Afghan non-governmental legal aid service, and supporting Afghan women’s groups to run shelters for women victims of violence. We are running a large scale capacity development program for Afghan judges, lawyers, prosecutors and investigators, in which women are included. But we realize that especially in the rural areas, where the bulk of the Afghan population resides, women’s situation continues to be very precarious. Where justice is most needed, they are least likely to seek or find it.

KEY FINDINGS OF THE AFGHANISTAN REPORT

Although 85 % of women experience some kind of abuse in their lifetime only 8.4 % of judges, 6% of prosecutors and 19.3 % of lawyers are women. These figures are even lower when we move out of Kabul to the provinces. E.g. 2.8 % of prosecutors in provinces are women.

However, on the positive side, the numbers have been slowly but steadily increasing. There are more women judges, more lawyers and law teachers, more women are going into University to study law. There is also greater diversification in the types of courts where female judges are being assigned – not just family courts but also criminal and some civil courts in Kabul.

Although no woman has yet been appointed to the Supreme Court, there are now 9 women “legal advisors” in the Supreme Court, the highest position just below the Supreme Court. During my visit to Afghanistan in March 2013, the Chief Justice of the Supreme Court pointed out to me a group of highly competent waiting in the wings for appointment to the highest court of the land.

This does not negate the fact that there are many areas where progress is slow – in rural areas, in Sharia courts and Sharia law schools for instance. Not surprisingly these are areas where cultural barriers, social prejudice and legal discrimination against women are the toughest.

But this report is not just a crude head account. It tells the story – in women’s voices – of what women expect from the justice sector, how they believe they can contribute to it, and what is holding them back.

Our report supports an important finding:

The low numbers of women legal professionals – lawyers, prosecutors and judges – means that many Afghan women continue to fear, and be intimidated by the formal justice system and that in turn means that they are less inclined to report abuses or seek justice through the courts. This is especially the case when the matter is sensitive, for instance in cases of sexual violence. The cultural and religious restraints, social norms and taboos, fear of social stigma, exclusion and, at times, even threat to life become all the more difficult to overcome when there are fewer women in the justice sector itself.

On the other hand, there is some evidence that the presence of women defense lawyers correlates positively with the fairness of the trial process for women defendants. We found in our report that women defendants were too ashamed to tell male defense lawyers and male prosecutors the full facts about their case, which might have reduced the severity of the sentence handed down by the court or even provided a legal defense to the charge they were facing. To quote one woman prisoner:

“...out of a sense of shame we cannot tell men the truth about our cases. Female lawyers and judges would understand the problems facing women better. No matter how much I complained about my mother-in-law’s cruelty the male lawyers wouldn’t show mercy.”

These are not the only issues that impede women’s access to justice, there are many other factors – social, economic and cultural – but:

- › Increasing the number of professional women participating in the administration of justice, especially at the local level, could, at a minimum, contribute to the readiness of women to approach the formal justice system to seek redress for civil or criminal wrongs.
- › Increasing the number of women legal professionals, particularly in the MOJ or the AGO would help to ensure that the gender specific interests are included in justice policy and regulatory frameworks, so that institutions

can become more relevant and responsive to the needs and concerns of women.

WHAT’S HOLDING WOMEN BACK IN THE JUSTICE SECTOR?

Almost two-thirds or 62 % of the women surveyed in the report believe that women face obstacles when working in the justice sector.

Some of the issues are not specific only to Afghanistan but all too familiar in many other developing and post-conflict countries. Others are related to the particular circumstances of Afghanistan.

- › Cultural barriers, including social pressures and negative stereotypes about women’s role in society, sexist attitudes and double standards. Employers, said the women, give preference to male candidates and treat women candidates as second choice. They face family and societal pressures which maintain that a woman’s place is in the kitchen rather than in the court.
- › Physical security, which is an issue, not only for women in the justice, but also for men. The Taliban attacked a court in Farah in western Afghanistan last year, there was a suicide attack on a bus carrying employees of the Supreme Court in Kabul and only yesterday, a judge in Herat, Abdul Latif was killed in Herat, while the chief prosecutor, Maria Bashir, a brave and outspoken woman, has been threatened and attacked. So, to the insecurity of being justice official is the added insecurity of being a woman – a double jeopardy.
- › Discrimination in legal education, especially Shari’a law. Women do not have equal access to Shari’a law education curricula and professional development opportunities, compared to their male counterparts, which have direct consequences in terms of their entry into the profession and opportunities for career advancement.
- › Practical impediments, such as the lack of safe transportation and appropriate accommodation facilities for women to attend the law school or Shari’a faculties or compulsory legal training in Kabul. The lack of physical security for women legal professionals to travel outside city centers in order to visit witnesses and / or prisons is also a practical problem.

CLOSING THE GENDER GAP

What can the government and the international community do? Our key recommendations are:

1. Take into account the specific needs of women legal professionals in Afghanistan and design programs that deal with them appropriately.
2. Put in place effective, context-specific, concrete measures to enhance participation and improve the safety of women in the justice sector: from physical measures such as safe housing and transportation to educational measures such as earmarked scholarships, curricula and training opportunities to address specific skill requirements.
3. Promote non-discriminatory access of women to legal education. Women should be able to benefit equally as men from education in Shari'a law. Furthermore, many women missed educational and professional opportunities during the Taliban era or because of family obligations. It is important to develop skills training schemes that will meet their needs.
4. Work with civil society and professional associations, especially women legal and judicial professional associations, so that women can receive the solidarity and support they need.
5. Promote role models and mentoring opportunities for women that encourage women to become legal professionals and stay in their profession.

The report we are launching today is a reminder that the rule of law cannot prevail when one half of society is excluded. Investing in the talent and potential of its female citizens will be crucial if Afghanistan is to achieve its development agenda.

Afghanistan's struggle against gender violence, discrimination and marginalization will not be won without greater investment in Afghan women – in ensuring respect for their rights, in their educational and professional opportunities and of course, in their role in the judiciary and the legal community. Some of it is about more resources, but much of it is about political will and social attitudes.

As Sima Samar, the Chairwoman of the Afghan Independent Human Rights Commission and the first Minister of Women's Affairs, says in the Afterword to the report: this report is about hope. Why?

Because this report points out the growing number of courageous women who are working in the justice despite risks, threats, intimidation and discrimination.

Because every female lawyer who joins the ranks of the profession and fights against oppression, every female judge

who challenges discrimination, every prosecutor or female police who provides support to a victim of family violence, contributes to a better Afghanistan, an Afghanistan where justice, human rights and equality prevail.

IDLO is committed to continue its work in partnership with the Government, women's groups and civil society in Afghanistan.

FROM GENDER JUSTICE TO GENDERED JUSTICE

The issues that our report highlights are not all unique to Afghanistan. They apply to many other countries. As part of IDLO's Pledge to the UN General Assembly we intend to explore, analyze and share the experiences, opportunities and challenges in different countries.

It is important to recognize that there is progress, there is good practice. New strategies are being forged, stronger commitments are being made. Our distinguished panelists from Mexico and Kenya will tell us how they are turning the tide in their countries and advancing gender equality in the justice sector and by those who work in the justice sector.

The rule of law is fundamentally about equality, we are all equal in the eyes of the law entitled to equal protection and also accountable to the law for what we do, no matter who we are. Creating and supporting a system whereby women can seek justice in certainty that they will be treated equally and that their concerns and situations is a true manifestation of the rule of law.

Building on the experience of the Millennium Development Goals, the discussions on the post-2015 Development Agenda is prioritizing gender equality.

Experience shows that there can be no gender equality unless women can access justice and dispense justice. Equal participation of women is fundamental to democracy and inclusive societies which in turn bring better development dividends.

Gendering justice will enhance justice for all.

REMARKS BY THE HONORABLE OLGA SÁNCHEZ CORDERO JUSTICE OF THE SUPREME COURT OF MEXICO

Good afternoon.

I would like to thank the Italian Government as well as the International Development Law Organization for their kindness in inviting me to this roundtable.

I feel very honored to share the table with the two Ambassadors and with these world-leading women.

The question addressed by this roundtable is: to what extent does the presence of women in the judiciary improve women's access to justice?

From my personal experience as a Justice of the Supreme Court for almost twenty years, I can assure you that the presence of women in this position explains the recent ruling that: judging with a gender perspective is a constitutional obligation for every single judge in my country.

This binding criterion emerges from a long and focused effort towards gender mainstreaming that has occurred in the Mexican Federal Judiciary for several years now.

Let me tell you the story of such a struggle while we watch this powerful display of photographs of a mural at the Supreme Court in Mexico, which shows the flaws of the justice system.

As a woman and a believer in fairness, I have worked to advance the human rights of women, since the very moment I took office as a Justice.

I understand that the privileged position that I hold comes as a result of the struggle of many women inside and outside the judiciary.

A struggle that I have been able to continue in the Court.

This is why I have firmly opposed the judicial criteria that discriminate against women.

For example, I wrote the unanimous Supreme Court ruling which stated that forced sexual intercourse within marriage constitutes the criminal offence of rape.

With this landmark decision, the Mexican Supreme Court finally overruled an obsolete precedent, which had stated that marital rape constituted, the offence of an "undue exercise of a right".

I also voted in favor of abortion rights, affirmative action for women and for adequate prosecution of violence against women.

With regards to abortion rights, we upheld the constitutional right to legal abortion up to 12 weeks in Mexico City.

This decision was highly opposed by conservative groups.

In addition, we created a high-level governing body in the Judiciary that supervises the efforts to introduce a gender perspective in internal policies such as preventing sexual harassment and improving women's job opportunities.

But most importantly, I have committed myself to ensuring that a gender perspective is mainstreamed in adjudication.

This is, in my opinion, the main duty of a Justice and the real way to advance women's rights and stimulate profound changes in their lives.

I am positive that the attainment of women's fundamental rights requires that all Judges understand the gender perspective, and how to include it in the process of adjudication.

Judges should understand that the law is not neutral: it causes different results in women and men according to their ethnic, social, cultural, political and economic circumstances.

Judges should avoid gender stereotyping, as it is a terrible way of discrimination against women.

This is very difficult to achieve since our natural tendency is to immediately apply prejudice against women.

These personal convictions led me to promote the adoption of a Protocol entitled "Decision-Making with a Gender Perspective", published by the Mexican Supreme Court, which I present today as a judicial best practice.

This Protocol relies on gender equality rights as defined and protected by international human rights law and jurisprudence.

The Convention on the Elimination of All forms of Discrimination Against Women, and its Committee's recommendations are an important part of the law and the precedents on which this Protocol is based.

THE RULE OF LAW AS A DRIVER OF INCLUSIVE OPPORTUNITIES

This is why many countries might use this protocol as a model.

Although legal proceedings may differ from one country to another, the main legal principles that rule such proceedings remain mostly the same from one jurisdiction to another.

The Protocol explains to the adjudicator how to mainstream the right to gender equality in legal proceedings.

The Protocol requires Judges to avoid gender stereotyping by understanding the facts and evaluating the evidence within the context of a given case.

For example, the Protocol shows the adjudicator how to assess the testimony of a rape victim and to avoid revictimization by disregarding irrelevant facts for the case, such as her past sexual behavior.

It also helps the judge to consider the special circumstances and the particular procedural guarantees when a disabled, indigenous woman, for example, is facing an indictment.

For these reasons, this Protocol has become a valuable tool for judges in Mexico.

I really hope you will find it applicable, and that women from all over the world will benefit from the work of other women in decision-making positions.

The Protocol is available online at the web page now on display and in hard copy at the entrance of this room.

My biggest dream is a judiciary that rules every single case with a gender perspective.

That is why I believe that it is very important to integrate more women as Judges.

My term as a Justice of the Supreme Court will soon come to an end.

In these twenty years, I have tried hard to be the voice of other women seeking justice.

I am grateful and honored to have had such an opportunity.

I would like this to be my legacy.

Thank you.

REMARKS BY GÜLDEN TÜRKOZ-COSSLETT DIRECTOR OF PROGRAMMES, UN WOMEN

Madam Chair, distinguished guests, dear participants of the panel: Ms. Irene Khan, (Director-General, IDLO); Ms. Maria Bashir, (Chief Prosecutor General, Herat Province, Afghanistan) and Ms. Olga Sánchez Cordero, (Justice of the Supreme Court, Mexico)

I am very pleased to be here today and address you on behalf of the USG and Executive Director of UN Women at this important event organized by the Governments of Afghanistan, Italy, the Supreme Court of Justice of Mexico and the International Development Law Organization (IDLO). It is timely given that it takes place during the 58th CSW on the review of the MDGs for women and girls and the on-going discussions of the post 2015 agenda and the Beijing plus 20 review. Our topic today, Justice for Women by Women, establishes once again the centrality of gender equality in the rule of law and development.

I would also take this opportunity to congratulate the IDLO for carrying out such a crucial study which will go a long way in helping us all understand how to enhance women's professional participation in the justice sector, particularly in Afghanistan.

UN Women's Office in Afghanistan and the Government of Italy have a strong partnership on this issue that dates back to 2003. Over the years, we have worked together on training of women paralegals, training of women's NGOs to support women's access to justice in local courts and development of draft legislation for the rights of women and girls.

Access to justice is at the heart of rule of law and development. Today's discussions also come at a critical juncture for Afghanistan, as Afghans prepare for their Presidential and provincial elections in April followed by the withdrawal of international forces (ISAF) and transfer of security responsibilities to national security forces. Women's participation in both these transition processes is crucial for the establishment of sustainable peace and real democracy for all Afghans.

The Afghan government, with support from the international community, has made significant efforts to strengthen the legal and institutional framework for gender equality and women's rights. These include a progressive Constitution which guarantees equal rights for women as citizens, the establishment of a Ministry of Women's Affairs and special temporary measures requiring 25% of

parliamentarians and provincial council members to be women.

These achievements have not come easily and have demanded constant and concerted efforts on the part of the government, development partners, the UN and civil society human rights/ women's rights activists.

However, as we all know meaningful access to justice requires much more than a strong legal and institutional framework all around the world. Substantive access to justice must include physical access (i.e. proximity to service, access to transit to reach services); financial access (ability to pay for legal support services required, to bear the cost of travelling to the court); and technical access (including a level of comfort with legal language and procedural requirements and women knowing about their rights and available services.

Afghanistan like many countries around the world needs women lawyers, judges and police officials to give women more confidence in the justice system and increase their access.

Only a few provinces have women judges. Only 1% of Afghanistan's police cadre are women.

Afghanistan's civil society, especially its strong women's organizations are playing a very important role in empowering women in the justice sector. I would like to note especially the work carried out by civil society organizations like the Afghan Women Judges Association (AWJA) a legal professional association formed in 2012 aiming to increase women's participation in the judiciary and promote access to justice for women and girls in Afghanistan.

As Afghanistan prepares for elections, UN Women with the support of Member States, and in partnership with the UN system, is committed to continued support to the Afghan Government and people in realizing their aspirations for peace and development and to ensure that women's rights and their participation in public life including in the justice sector are heard and that gains are not only preserved but built upon.

Thank you again for inviting UN Women to be part of this programme.

ANNEX 1

For additional information related to the event, please click on the links below.

To view Maria Bashir's video message to the event, visit our YouTube channel here:

<https://www.youtube.com/watch?v=i3jEt1jmsXA>

For the photo gallery, please visit our Flickr page: <https://www.flickr.com/photos/idlo/sets/72157642696454743/>

For the recording of the event, please click on the UN webcast page:

<http://webtv.un.org/search/csw58-side-event-justice-for-women-by-women-challenges-and-opportunities-for-women%E2%80%99s-participation-in-the-justice-system/3357954502001?term=justice%20for%20women>

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