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Comparative study on women judges' associations across the OSCE region

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I. Introduction

OSCE participating States have made commitments related to gender, diversity and justice. In Athens (2009) participating States committed to undertake specific measures to achieve the goal of gender balance in all judicial and executive bodies. In Moscow (1991) they committed to ensuring that judges are properly qualified, trained and selected on a non-discriminatory basis. While liaising with stakeholders in the region, ODIHR has identified that the establishment of associations of women judges is a sustainable and culturally appropriate means for promoting gender equality, the empowerment of women in the judiciary and gender-sensitive justice systems. This comparative study, which aimed to provide a basis to prepare and inform a roundtable webinar for women judges in Central Asia in April 2021, gathers information on the main features and relevant governance structures of existing women judges’ associations in order to provide a helpful basis for the establishment of such associations in Central Asia and elsewhere. Examples of good practice are identified to serve as useful guidance for women judges. Interviews with representatives of national associations offer first-hand insight into the practical considerations involved in the establishment process.

The methodology for the study relied on desk-based research supplemented by semi-structured, discussion-based interviews. Most of the referenced information was collected from the websites, newsletters and reports of women judges’ associations. This was supplemented with data gathered through interviews with association representatives. Representatives also provided written comments. Interviews were centered on the following topics:

- Mission statements of women judges’ associations;
- Legal regulations with regard to the establishment of associations;
- Options of regulating the statutes of women judges’ associations;
- Governance structure of women judges’ associations;
- Relationship/co-operation with general associations of judges and lawyers;
- Options on how to regulate and manage the membership in women judges’ associations (conditions for membership, membership fees, whether membership is open to men judges);
- Strategic priorities of women judges’ associations and format of related decision-making;
- Challenges faced over the course of establishing an association and subsequently, and how to overcome them;
- Activities, including mentoring systems in the judicial profession for women judges (good practices and challenges), who undertakes such activities and in which areas the associations consider activities to have had the biggest impact;
- Experiences with regard to barriers to, and discrimination against, women in the judicial professions;
- Existence of regional women judges’ networks.

This report is structured around these topics and is set out as follows: strategic priorities of women judges’ associations (Section II); tackling gender discrimination during establishment (Section III); legal regulations – establishment of associations (Section IV); statute regulation

(Section V); governance structure (Section VI); funding (Section VII); co-operation with other organizations (Section VIII); membership (Section IX); and key recommendations (Section X).

II. Strategic priorities of women judges' associations

The strategic priorities of many women judges' associations are made clear through mission statements available on their websites. More in-depth information as to changing priorities and points of emphasis has been gathered through liaising with association representatives.

Setting out the scope of activities to be conducted clearly in an association's foundational document, such as a constitution or a statute, helps to clarify the scope of an association's activities, which focus largely on awareness-raising of certain causes, rather than specific methods of adjudicating cases.

A. Mission statements

The Association of Women Judges in Bosnia and Herzegovina cites the following as its mission:

- more efficient work of the judiciary;
- affirmation of laws on the protection of human rights and the prohibition of discrimination;
- professional training of judges and exchange of experiences locally and internationally;
- increased membership of the Association from all courts in Bosnia and Herzegovina (gender equality in judicial positions).¹

This combination of express references to gendered issues as well as a broader commitment to upholding human rights and justice for all groups is common among women judges associations.

For instance, the **Association of Women Judges of Spain** arose from the need to inform, raise awareness and sensitize the public in general and judges in particular about the urgent need to defend the human rights of all, but especially of women and girls, with the aim of helping to improve their standard of living and the promotion and defense of women's rights, given the existence of gender inequality and violence against women and girls.²

This mission is shared by the **Kyrgyz Association of Women Judges**, which aims to improve access to justice for women as well as minors and other vulnerable groups.³ The Kyrgyz Association's stated goals also encompass contributing to strengthening the rule of law, raising the status of judges in the Kyrgyz Republic and contributing to creating conditions for full respect for human rights.⁴ With relation to the aims of the Association, a Kyrgyz woman judge has noted that, in Kyrgyzstan, "the question of advancing women in the judicial profession is not as acute of an issue as in others. Women are quite active in public and political life, and in particular in the justice system. But the issue of domestic violence in the

¹ "About us", Association of Women Judges in Bosnia and Herzegovina, <<http://www.uzsbih.ba/about-us>>.

² "Estatutos", Association of Women Judges of Spain, <<http://www.muieresjuezas.es/estatutos/>>.

³ Kyrgyz Association of Women Judges website, <<http://kawj.kg/#>>.

⁴ *Ibid.*

family and that of gender inequality in society more generally are significant problems for us.”⁵

An association’s activities thus do not need to focus specifically on the issues faced by women judges themselves; rather, they can more broadly address gendered issues within society in accordance with what the members of the association feel requires the highest level of attention.

The mission of the **Canadian Chapter of the International Association of Women Judges (CCIAWJ)** is expressly focused on the rights of women and enhancing the work of women judges nationally and internationally in pursuit of equality, judicial independence, and the rule of law. Aims include:

- ensuring that the justice system promotes and protects the rights and interests of women;
- implementing and encouraging strategies to achieve general equality in the justice system;
- addressing issues related to the improvement and advancement of human and civil rights;
- assisting women to participate meaningfully in the justice system;
- supporting programs and activities to discourage violence against women and children;
- encouraging co-operation and collaboration between women judges across all countries;
- promoting the appointment of women judges at all court levels;
- providing a clearinghouse and resource center to disseminate information affecting women judges;
- co-operating and working with other provincial, territorial, national and international associations and governments on issues of interest to women judges and women in Canada.⁶

The **UK Association of Women Judges (UKAWJ)** is similarly focused on women’s rights and is organized for the purpose of promoting greater understanding and better resolution of legal issues concerning women and women judges. In particular, it seeks:

- to encourage co-operation and collaboration among women judges;
- to contribute to the understanding and resolution of legal issues facing women;
- to increase understanding of the broad range of social, economic, psychological and cultural factors that influence women affected by the court system;
- to increase understanding about women judges, their numbers, the processes by which they are selected and the barriers which may interfere with their selection, with a view to achieving a judiciary that more accurately reflects the population it serves;
- to increase understanding of human rights law and the role of the judiciary in implementing that law to promote and protect the rights of women on an equal basis.⁷

For the **Italian Association of Women Judges (ADMI)**, the decision to create an autonomous association aside from the National Association of Magistrates (ANM) in Italy responded to

⁵ “Advancing the role of women in the Kyrgyz judiciary”, IDLO, 16 December 2016, <<https://www.idlo.int/fr/news/highlights/advancing-role-women-kyrgyz-judiciary>>.

⁶ “President’s Message – What is the CCIWJ?”, International Association of Women Judges, Canadian Chapter, <<https://iawjcc.com/>>.

⁷ “Our constitution”, UKAWJ, Section 2.1, <<https://www.ukawj.org/join-us>>.

the need to create a common space for reflection on the role of the woman judge. As such, ADMI's Statute sets out, among the main objectives, the promotion of the professionalism of women judges to guarantee citizens' rights and for the better functioning of justice, as well as the study and elaboration of legislative proposals in order to fully implement the principle of equality between men and women. It also expressly provides for the promotion of cultural exchanges with women judges from other countries, in recognition of shared challenges.⁸

B. Activities

The activities of associations examined for this study are largely educational in focus. The main goals are to spread awareness of particular issues affecting women as well as vulnerable groups in society more broadly. Associations do not intervene or issue opinions on particular cases, or lobby for specific outcomes in cases.

For example, while the **Association of Women Judges in Bosnia and Herzegovina** provides training on laws relating to sexual harassment,⁹ there is no indication that anyone outside of the organization has alleged that the Association's members are more likely to treat defendants harshly in such cases as a result of their membership of the organization. The Association also contributes to international reporting on reform challenges in the judiciary before the UN Human Rights Council.¹⁰

A further example of associations pursuing broader goals without arguing for case-specific outcomes can be seen in the US-based **National Association of Women Judges (NAWJ)**. Although, immediately upon its formation, NAWJ called for the appointment of a woman to the US Supreme Court,¹¹ in line with policy and ethical constraints, NAWJ does not endorse individual judicial candidates.¹² Thus while the general goal of equal representation of women in the judiciary was pursued, the Association did not promote a particular outcome – in this context, the appointment of a specific judge.

The **Hungarian Association of Women Judges** runs major events aimed at increasing judicial knowledge of the issues surrounding domestic violence. The main goal is education – the Association was formed in recognition of the need for reform of domestic violence laws. To this end, the Association seeks to inform judges about international research and practice. The Association hopes to eventually initiate research, in co-operation with other organizations, on domestic violence and discrimination, and offer opinions about legal drafts.¹³

⁸ Written comments provided by ADMI, 26 October 2020.

⁹ Majda Halilović and Heather Huhtanen, "Gender and the Judiciary: Selected findings and recommendations on the implications of gender within the judiciary of Bosnia and Herzegovina", Atlantic Initiative/DCAF, 2014, <https://www.files.ethz.ch/isn/179052/Gender_and_the_Judiciary.pdf>.

¹⁰ "Small grants for AWJinBiH", Association of Women Judges in Bosnia and Herzegovina, <<http://www.uzsbih.ba/annual-assembly-of-the-association-of-women-judges-in-bih>>.

¹¹ "Counterbalance", NAWJ, Vol. 27, No. 1, 2006, p. 2, <https://www.nawj.org/uploads/files/counterbalance/cb27_1.pdf>.

¹² "Counterbalance", NAWJ, Vol. 24, No. 2, 2003, p. 22 <https://www.nawj.org/uploads/files/counterbalance/cb24_2.pdf>.

¹³ Agnes Galajda, "The Hungarian Association of Women Judges", WSCF Europe, 26 July 2012, <<http://wscf-europe.org/mozaik-issues/mozaik-26-stop-being-silent/the-hungarian-association-of-women-judges/>>.

ADMI also sees itself as a study group.¹⁴

To promote its aims, the **UKAWJ** may:

- hold, arrange or assist in meetings, judicial exchanges, conferences or seminars;
- promote or arrange mentoring schemes for full and part-time judges and judicial officers;
- promote, sponsor or engage in study and research;
- publish or assist in the publication of educational materials for judges, lawyers, policy makers and members of the public on these and related topics;
- do all things necessary and/or proper to accomplish these and similar purposes.¹⁵

For example, its 2019 open lecture series marked the centenary of women's entry to the legal profession in the UK. The lecture series consisted of discussions between judges and academics exploring the work and jurisprudence of each participating judge, who was invited to reflect on her career and consider the role of gender in her contribution to the law.¹⁶

Every few years, the **UKAWJ** has a different theme that is used to promote its activities. The Association's Executive Committee usually decides on the theme and the corresponding 2-3 years' activities, with the annual conference constituting the main focus.¹⁷ The most recent theme was on women, migration and the law, with the 2021 Annual Conference planned to focus on women in the workplace.¹⁸

Conference topics of the **Kyrgyz Association of Women Judges** are selected by its Supervisory Board.¹⁹

The US-based **National Association of Women Judges (NAWJ)**'s strategic plan is created with the input of members. On the basis of survey results, a cross-section of its membership meets ahead of the annual conference to develop a strategic plan to guide the Association for the next 3-5 years. Input from "rank-and-file members, brand new members, and the Resource Board, as well as from the leadership" is seen as ensuring "a bright future for NAWJ."²⁰ Developing a mentorship program for new members and offering professional development opportunities form part of the NAWJ's strategic priorities.²¹ Membership in NAWJ is seen by members as an important way of providing support and mentoring to other women in the profession,²² while also offering unique career opportunities.²³

CCIAWJ's selection of activities seeks to involve the wider membership, with the Project Committee reviewing proposals, as of April 2021, for new initiatives that will further the

¹⁴ "Linee programmatiche dell'ADMI", ADMI, <http://www.donnemagistrato.it/home/dettaglio/giudice_donna/Dicembre_2008/linee_programmatiche_per_ladmi.htm>.

¹⁵ UKAWJ Constitution, *op. cit.*, note 7, Section 2.2.

¹⁶ "Events", UKAWJ, <<https://www.ukawj.org/events-and-training>>.

¹⁷ Interview with UKAWJ Committee Member, 16 September 2020.

¹⁸ "2021 Annual Conference", UKAWJ, <<https://www.ukawj.org/annual-conference-2019>>.

¹⁹ "О нас", Kyrgyz Association of Women Judges, <<http://kawj.kg/577-2/>>.

²⁰ "Counterbalance", NAWJ, Vol. 24, No. 3, 2003, p. 5, <https://www.nawj.org/uploads/files/counterbalance/cb24_3.pdf>.

²¹ "National Association of Women Judges: Strategic Plan 2019 – 2024", NAWJ, <https://www.nawj.org/uploads/files/long_range_plan/nawj-strategic-plan-2019-2024.pdf>.

²² "Counterbalance", NAWJ, Vol. 24, No. 1, 2005, p. 15, <https://www.nawj.org/uploads/files/counterbalance/cb26_1.pdf>.

²³ *Ibid*, p. 17.

association's mandate within the constraints posed by the Covid-19 pandemic.²⁴ CCIAWJ has produced a handbook for judges called the "Child Witness Handbook", covering the unique aspects and requirements of child witnesses in a courtroom.²⁵ Previous conference themes for the CCIAWJ have included "Emerging Issues: Why Gender Equality Still Matters" in partnership with the National Judicial Institute. Relevant topics examined were: 1) the sentencing of female offenders and the judge's role in the sentencing hearing in the context of race and aboriginal identity; 2) the changing face of the Canadian family, the evolution of the law in response to claims based on gender equality, and the impact of diverse faith-based and cultural norms; 3) credibility assessment and instructions in sexual assault trials as well as the judge's trial management role; and 4) damage awards and how to properly evaluate the gender assumptions implicit in determining an award.²⁶

The **Kyrgyz Association of Women Judges** engages in a wide sphere of coordinated activities. For example, its project on "Accessibility of Justice for Persons with Disabilities" resulted in the preparation of documents including research on legislation in the field of access to justice for people with disabilities, an overview of judicial practice, as well as draft laws and regulations that were submitted to the Government and the Supreme Court. A training module on the access to justice of persons with disabilities was also developed, targeted at lawyers, judges and prosecutors, which was disseminated to training centers and partners. Consultations were held with five human rights organizations working in this area and a memorandum of co-operation was concluded with them.²⁷ The Association also publishes reports on topics related to its strategic goals. This has included the preparation of a report on the study of judicial practices in the matter of crimes against women and girls in the Kyrgyz Republic, as part of a UNDP project on "Preventing Gender-Based Violence in Kyrgyzstan."²⁸

The **Association of Women Judges of Spain** similarly keeps track, and provides analysis of, legislative changes that have the capacity to affect either directly or indirectly the guardianship and exercise of the rights of women, children and teenagers.²⁹ For example, a working group within the Association has prepared detailed proposals for amending the draft Organic Law on the Comprehensive Guarantee of Sexual Freedom.³⁰ The Association also hosted a webinar on the draft Organic Law for the Comprehensive Protection of Children and

²⁴ International Association of Women Judges, Canadian Chapter, *op. cit.*, note 6.

²⁵ Cheryl L. Daniel, "History", International Association of Women Judges, Canadian Chapter, April 2001, <<https://iawjcc.com/about-us/>>.

²⁶ "Emerging Issues: Why Gender Equality Still Matters: Draft Agenda", The Canadian Chapter of the International Association of Women Judges/National Judicial Institute, 10 July 2007, <<http://www.nji.ca/nji/UserFiles/File/Agenda%20July%2010.pdf>>.

²⁷ "Завершенные проекты", Kyrgyz Association of Women Judges, <<http://kawj.kg/%d0%b7%d0%b0%d0%b2%d0%b5%d1%80%d1%88%d0%b5%d0%bd%d1%8b%d0%b5-%d0%bf%d1%80%d0%be%d0%b5%d0%ba%d1%82%d1%8b/>>.

²⁸ "The Kyrgyz Republic Association of Women Judges Report on the Study of Judicial Practices in the Matter of Crimes Against Women and Girls in the Kyrgyz Republic", IAWJ, 2 July 2020, <<http://www.iawj.org/the-kyrgyz-republic-association-of-women-judges-prepared-a-report-on-the-study-of-judicial-practices-in-the-matter-of-crimes-against-women-and-girls-in-the-kyrgyz-republic/>>.

²⁹ "Informe de Mujeres Juezas al Anteproyecto de Ley Orgánica de Garantía Integral de la Libertad Sexual", Association of Women Judges of Spain, 21 March 2021, <<http://www.mujeresjuezas.es/2021/03/21/informe-de-mujeres-juezas-al-anteproyecto-de-ley-organica-de-garantia-integral-de-la-libertad-sexual/>>.

³⁰ "Propuestas de Enmiendas al Proyecto de Ley Orgánica de Garantía Integral de la Libertad Sexual", Working Group of the Association of Women Judges of Spain, 22 March 2021, <<http://www.mujeresjuezas.es/wp-content/uploads/2021/03/informe-Mujeres-Juezas-AP-LO-Libertad-Sexual-1.pdf>>.

Adolescents against Violence, analyzing the proposed regulations and exploring possible areas for improvement.³¹

Creating visibility is a key goal for associations and is vital to the attainment of their strategic aims. It therefore often forms part of their activities.

For instance, as a result of its “Gender and the judiciary” project, the **Association of Women Judges in Bosnia and Herzegovina** launched a newsletter on the Association’s activities and ran numerous seminars and workshops aimed at strengthening the skills of its membership and discussing different topics.³² The Association employs these further methods to increase its visibility:

- its website;
- running activities that are open to non-members in order to strengthen and raise awareness among women judges in Bosnia and Herzegovina about the importance of the Association’s activities;
- interactions and communication amongst national judges and connecting with other professional associations (associations of judges, prosecutors and judicial associates);
- connecting with judicial academies in the region and more widely;
- connecting with local and international NGOs;
- co-operation with embassies in Bosnia and Herzegovina.³³

Public outreach aims to highlight the role and impact of women judges and thus forms a vital part of an association’s activities.³⁴

The **NAWJ** cites website improvements as being key in this respect and in attaining its aim of becoming a well-known judicial think tank.³⁵ Its newsletter is used as an important public relations tool, giving an “overall and appealing view” of the Association.³⁶ A survey conducted by NAWJ showed that over 91% of respondents read the newsletter.³⁷ In addition, the Association focuses on creating appealing judicial education materials. This includes online learning as well as shorter modules that can fit into established state and federal judicial conferences, which help to bring awareness of the Association’s goals to a wider audience.³⁸

The **Albanian Women Judges Forum** aims to act as a visible platform for women to exercise judicial leadership and effect change in how the courts perform; its main goals are to implement key projects to address issues such as barriers to access to justice and domestic violence.³⁹

³¹ “The Association of Women Judges of Spain (AMJE) Hosted a Webinar on ‘Childhood Law Under Examination’”, IAWJ, 6 November 2020, <<http://www.iawj.org/the-association-of-women-judges-of-spain-amje-hosted-a-webinar-on-childhood-law-under-examination/>>.

³² “‘Gender and the judiciary’ project”, Association of Women Judges in Bosnia and Herzegovina, <<http://www.uzsbih.ba/gender-and-the-judiciary-project>>.

³³ Association of Women Judges in Bosnia and Herzegovina, *op. cit.*, note 1.

³⁴ “Counterbalance”, Vol. 24, No. 3, 2003, *op. cit.*, note 20, p. 5.

³⁵ “Counterbalance”, NAWJ, Vol. 25, No. 1, 2004, p. 5, <https://www.nawj.org/uploads/files/counterbalance/cb25_1.pdf>.

³⁶ *Ibid.*

³⁷ “Counterbalance”, Vol. 24, No. 3, 2003, *op. cit.*, note 20, p. 5.

³⁸ “Counterbalance”, Vol. 25, No. 1, 2004, *op. cit.*, note 35, p. 5.

³⁹ “USAID Facilitates Formation of Albanian Women Judges Forum”, USAID, 22 October 2018, <<https://www.usaid.gov/albania/news-information/news/usaaid-facilitates-formation-albanian-women-judges-forum>>.

Creating visibility is also important in order to build awareness of an association's goals among its possible future members.

CCIAWJ runs an annual event called "An Evening with Women Judges".⁴⁰ Since 2015, the CCIWJ has selected ten Canadian law schools per year in which to host the event. Female law students are invited to dine and speak with a distinguished panel of women judges. One student attendee has reflected that "[t]he relaxed setting allowed for students to ask a wide variety of questions and provided the opportunity for students to engage meaningfully with the judges. Each judge graciously spoke with candour about her experiences as a law student, lawyer, and judge."⁴¹

In light of the Covid-19 pandemic, the **Association of Women Judges of Spain** has created resource pages⁴² and YouTube videos⁴³ touching on areas that have affected women during the state of emergency, including gender-based violence, non-payment of pensions and coercion on social media.⁴⁴ Keeping track of developments capable of impacting women's rights and ensuring help is provided in accessible, public-facing formats thus forms an important element of the Association's ongoing work.

The **Kyrgyz Association of Women Judges** also creates judicial education materials, such as a training module for judges on crimes against women and girls.⁴⁵ The **Association of Women Judges in Bosnia and Herzegovina** has also been active in this sphere, with several judges, prosecutors, attorneys, and court associates noting that they were aware of laws relating to sexual harassment as a result of attending the Association's training.⁴⁶

The creation of a strong support network for women in the judicial profession is commonly raised as one of the most significant activities of women judges' associations. Having a support system provides personal as well as professional benefits. This is apparent through personal testimonials of women judges:

After realizing the importance of strengthening the position of female judges in Bosnia and Herzegovina's judicial system, I became a candidate for the High Judicial and Prosecutorial Council (HJPC), as a Croat representative, in 2010. Association members supported me in their courts and promoted my candidacy among their colleagues. This was even true of individuals who did not know me personally. The

⁴⁰ "An Evening with Women Judges from the Canadian Chapter of the IAWJ", IAWJ, 22 March 2019, <<http://www.iawj.org/an-evening-with-women-judges-from-the-canadian-chapter-of-the-iawj/>>.

⁴¹ Jennifer Sokal, "Women Judges Inspire Law Students: An Evening with Women Judges 2019", University of Manitoba News, 1 March 2019, <<https://news.umanitoba.ca/women-judges-inspire-law-students/>>.

⁴² "Cuidando de nuestros derechos: Cuestiones legales durante el Estado de Alarma", Association of Women Judges of Spain, 14 April 2020, <<http://www.mujeresjuezas.es/2020/04/14/cuidando-de-nuestros-derechos-cuestiones-legales-durante-el-estado-de-alarma/>>.

⁴³ "AMJE Asociación Mujeres Juezas de España", YouTube, <<https://www.youtube.com/channel/UCecbmvDnPHrJQtcfMe0GC5w>>.

⁴⁴ "Derecho penal y estado de alarma", Association of Women Judges of Spain, <<http://www.mujeresjuezas.es/covid-penal/>>.

⁴⁵ "Завершенные проекты", Kyrgyz Association of Women Judges, *op. cit.*, note 27.

⁴⁶ Halilović and Huhtanen, *op. cit.*, note 9.

support of the Association members was a critical factor in my election and I succeeded in becoming a member of the HJPC.⁴⁷

Being the only woman judge or one of a small number of women judges on a bench can be very lonely and having a network of other women can be a great source of collegiality and support.⁴⁸

US judges have reported strong affiliation with the **NAWJ** as a key factor in successfully being appointed to prestigious positions.⁴⁹ The **UKAWJ** is considered particularly useful for women who are judges in areas of law where the number of women judges remains low.⁵⁰

III. Tackling gender discrimination during establishment

Both desk-based research and interviews with association representatives showed that while discrimination against women in the judicial profession is prevalent and often forms a key motivation for establishing an association, it has not posed a significant barrier to setting up and maintaining the surveyed associations. Although there is backlash from certain quarters, the work of associations is independent (with no identified reports of external interference) and yields highly positive outcomes for women judges. The main obstacle appears to be apathy on the part of other judges, or a lack of understanding as to why women judges' associations are necessary, which create difficulties in maintaining an engaged membership (addressed in [Section IX.B](#)). However, associations have found numerous ways to overcome this issue.

The **NAWJ** began when “what few women judges there were in 1979 got together as much out of desperation as any other reason. [They] were isolated, disrespected, frightened and eager for understanding and help.”⁵¹

The **Kyrgyz Association** was initiated when 27 women judges gathered to discuss the creation of such an association. The International Development Law Organization (IDLO) and the US Department of Justice's Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) sponsored the program. At the meeting, women judges shared positive impressions from the NAWJ and the International Association of Women Judges (IAWJ) conferences that they had previously attended. The judges suggested that an association could be the right forum in which to raise the profile of work on domestic violence, family, juvenile, and social issues. Attendees agreed to draft a resolution and to solicit the interest of all judges.⁵²

The **All-Ukrainian Association of Women Judges** experienced some pushback from other (male and female) judges during its establishment. Some judges said they did not understand the need for the Association and queried whether women judges are really different to male judges.⁵³

⁴⁷ “Newsletter 02/12”, Association of Women Judges in Bosnia and Herzegovina, February 2012, p. 3, <<https://atlanticinitiative.org/wp-content/uploads/2018/06/Bilten2.pdf>>.

⁴⁸ “Counterbalance”, Vol. 24, No. 1, 2005, *op. cit.*, note 22, p. 2.

⁴⁹ “Counterbalance”, NAWJ, Vol. 26, No. 2, 2005, p. 2, <https://www.nawj.org/uploads/files/counterbalance/cb26_2.pdf>.

⁵⁰ Interview with UKAWJ Committee Member, 16 September 2020.

⁵¹ “Counterbalance”, Vol. 26, No. 2, 2005, *op. cit.*, note 49, p. 1.

⁵² “Enthusiasm for Creating a Women Judges' Association”, U.S. Embassy in The Kyrgyz Republic, 29 December 2014, <<https://kg.usembassy.gov/enthusiasm-creating-women-judges-association/>>.

⁵³ Interview with founder of the All-Ukrainian Association of Women Judges, 20 August 2020.

The **UKAWJ** has faced some hostility from certain women judges who had successful careers who didn't want to be seen as any form of "special pleading".⁵⁴

All Canadian women judges were invited to attend the Canadian Bar meeting to discuss the formation of a Canadian Chapter of the IAWJ. Ahead of the meeting, some responded that "they did not favour an association of women judges." These respondents were invited to attend the meeting and express their views. In a letter advising of the date and place of the meeting, Madam Justice L'Heureux-Dubé, in response to those who "did not favour an association of women judges", wrote:⁵⁵

I simply underline that, if a Canadian Chapter of the International Association of Women Judges is set up, it creates no obligation whatsoever on the part of any Canadian woman judge to join the chapter. For those of us who wish to have some contact with women judges throughout the world, it may be a useful channel, perhaps even an important one, to exchange ideas and information and to have some input in the direction of the IAWJ. However, it should be clear that Canadian women judges as a group are not creating a separate entity from our male colleagues simply by belonging to a Canadian chapter of the IAWJ. This is neither the purpose nor the intent.

At the meeting, it was decided that a Canadian Chapter of the IAWJ should be formed.⁵⁶

While most associations have not found it necessary to explicitly address criticisms, the experience of the **CCIAWJ** offers a successful example of a way to tackle animosity or hesitance amongst judges, in cases when it is felt that such views should be addressed from the outset in order not to stifle membership numbers. The letter is available on the CCIWJ website, thereby increasing its visibility and centrality to the Chapter's mission.

Making such statements available on associations' websites and circulating them through newsletters can help to increase awareness of an organization's long-term goals amongst the target audience.

IV. Legal regulations – establishment of associations

All surveyed associations have been set up as non-profit organizations.

The first step in establishment is vital because everything that follows depends on it.⁵⁷ It would be helpful to anyone thinking of forming an association to be in touch with existing organizations (whether regional or not) in order to get advice in terms of programming and to exchange ideas on activities. It would also be helpful to reach out to the IAWJ.⁵⁸

At the inaugural meeting of the **UKAWJ**, a caretaker committee was set up which drafted a constitution and handled the practicalities ahead of the first annual general meeting. At that

⁵⁴ Interview with UKAWJ Committee Member, 16 September 2020.

⁵⁵ Daniel, *op. cit.*, note 25.

⁵⁶ *Ibid.*

⁵⁷ Interview with founder of the All-Ukrainian Association of Women Judges, 20 August 2020.

⁵⁸ Interview with UKAWJ Committee Member, 16 September 2020.

meeting the constitution was approved and the officers and committee elected.⁵⁹ At the inaugural meeting of the **Albanian Women Judges Forum**, twenty-six judges, including five Chief Judges, participated in the Forum's first meeting and voted to proceed with formalizing the Forum as a legal entity.⁶⁰

The primary objective of the **CCIAWJ's** inaugural meeting was the formalization of the Chapter's structure. Judge Susan Devine presented a draft constitution, discussion ensued and the following consensus was reached:

- there was to be an Executive of five people;
- there would be a Board of Directors composed of at least one director from each Province and Territory up to a maximum of 24 directors including the Executive Director;
- terms of office for the directors were to be three years and would be staggered and a director was to be elected for a maximum of two terms;
- the election of directors and the Executive Director would take place at the Annual Meeting;
- a nominating committee would propose a list of names for the Board of Directors and the Executive Director which would be presented at the Annual Meeting, and names could also be added from the floor.⁶¹

Hiring a qualified person to assist in the establishment process is recommended. The founder of the **All-Ukrainian Association of Women Judges** raised the issue of judges struggling to find the time to comply with very strict legal requirements for the submission of organizational accounts and other administrative, regulatory and legal requirements. Since setting up an association is a voluntary role, judges must ensure that they have the time and ability to comply with legal requirements. This is where hiring a staff member is of great help.⁶² To this end, the **Kyrgyz Association of Women Judges** employs an accountant and a programs specialist⁶³/project assistant.⁶⁴

The **NAWJ** also relies on strong administrative assistance – the Association “cannot function properly without competent and loyal staff.”⁶⁵ While a **UKAWJ** Committee Member noted that it is important to be careful and realistic about the possible time commitments of members of an association where each member has another demanding full-time role, this does not mean that it is not possible – it is merely important to be careful about how much time people are expected to give.⁶⁶ In this regard **ADMI** has urged members to be more proactive: “[l]et's divide the tasks so that not everything weighs on the President, the Vice President and the councilors.”⁶⁷

⁵⁹ “Our history”, UKAWJ, <<https://www.ukawj.org/join-us>>.

⁶⁰ USAID, *op. cit.*, note 39.

⁶¹ Daniel, *op. cit.*, note 25.

⁶² Interview with founder of the All-Ukrainian Association of Women Judges, 20 August 2020.

⁶³ “О нас”, Kyrgyz Association of Women Judges, *op. cit.*, note 19.

⁶⁴ “Годовые отчеты: Отчет о проделанной работе исполнительного органа ОО «Кыргызская ассоциация женщин – судей» за период октябрь 2018 по ноябрь 2019 гг.”, Kyrgyz Association of Women Judges, <<http://kawj.kg/%d0%b3%d0%be%d0%b4%d0%be%d0%b2%d1%8b%d0%b5-%d0%be%d1%82%d1%87%d0%b5%d1%82%d1%8b-2/>>.

⁶⁵ “Counterbalance”, Vol. 26, No. 2, 2005, *op. cit.*, note 49, p. 3.

⁶⁶ Interview with UKAWJ Committee Member, 16 September 2020.

⁶⁷ ADMI, *op. cit.*, note 14.

An organization's ability to fulfill its goals will therefore strongly depend on the number of members it attracts and, in particular, how many of those would be in a position to assist with the essential administrative tasks that must be completed before any activities can commence.

V. Statute regulation

Most of the associations surveyed adopted the format of a constitution or statutes/bylaws as their foundational framework. The choice of format does not entail significant implications since all documents share certain commonalities – the setting out of their aims, activities, membership conditions, and governance structure. Several also provide for the possibility of amendment to the initial document.

The clear establishment of strategic priorities from the outset creates a strong foundation for an association's operations and ensures founding and subsequent members share in its aims and priorities. The possibility to amend or add to foundational documents may be useful in progressing an organization's aims, but these initial documents should ensure that any changes can only be made in a democratic way.

In accordance with the **UKAWJ**'s constitution, "[a]mendments to this constitution shall be by resolution passed by no fewer than two-thirds of those members present and voting at a General Meeting. Such a resolution shall not be considered unless: (a) notice of intention to move the resolution has been submitted in writing to the Executive Committee; (b) such a resolution be proposed by at least three members; (c) notice of such a resolution be given to all members not less than seven days before the General Meeting."⁶⁸ The quorum of an Annual General Meeting is five members present.⁶⁹

The **NAWJ** allows for the introduction of new bylaws.⁷⁰ Any such amendments require a quorum of the General Assembly or equivalent body.

Proposed amendments to, or repeal of, the **NAWJ**'s bylaws must be notified to each member in good standing 30 days before the Annual Meeting at which such proposals are then voted on.⁷¹ The bylaws can be amended or repealed, or new bylaws may be adopted, only at an Annual Meeting at which a quorum is present and by the vote of the majority of the members actually present at the Annual Meeting.⁷² A quorum for the purpose of transacting any business at an Annual Meeting consists of 20% plus one of the voting members in good standing attending the meeting.⁷³

Within one year of obtaining approval to form a local district chapter, the members of the **NAWJ** within the designated geographic area can submit proposed bylaws for approval by the Board. Any subsequent amendments to the bylaws of a local district chapter must also be

⁶⁸ UKAWJ Constitution, *op. cit.*, note 7, Section 9.1.

⁶⁹ *Ibid*, Section 6.2.

⁷⁰ NAWJ Bylaws, Revised 9 October 2016, Article XIV, Section 2, available at <https://www.nawj.org/uploads/files/governing_documents/bylaws.pdf> accessed 24 September 2020.

⁷¹ "Bylaws", *op. cit.*, note 70, Article XIV, Section 1.

⁷² *Ibid*, Article XIV, Section 2.

⁷³ *Ibid*, Article V, Section 5.

approved by the Board of Directors.⁷⁴ In addition to these possible modifications to its bylaws, the Association's Conflict of Interest Policy may also be amended over time. The Board of the **NAWJ** authorizes and oversees a periodic review of the administration of the Conflict of Interest Policy. The review considers the level of compliance with the Policy, its continuing suitability, and whether it should be modified and improved. The review may be written or oral.⁷⁵

The General Assembly of the **Association of Women Judges of Spain** may also modify its statutes,⁷⁶ provided there is a qualified majority of present or represented active members, which occurs when the affirmative votes exceed half of all the active members in attendance and represented with the right to vote.⁷⁷

VI. Governance structure

The process of establishment of women judges' associations requires important decisions about the governance structure to be made from the outset. In particular, it is crucial to determine the types and scope of governing roles.

For example, it is important to identify the people who will represent the association when fulfilling the administrative, legal and regulatory duties relating to registration. Members of the **All-Ukrainian Association of Women Judges** voted on the decision of who would act for the Association in this respect.⁷⁸

Within the **Association of Portuguese Women Judges**, the management is responsible for the social, administrative and financial management of the association, and for representing the Association in and out of court.⁷⁹ The Association comprises the general assembly, the management and the fiscal council. The mandate of the members of the governing bodies is three years.⁸⁰ The General Assembly is made up of all members in full enjoyment of their rights. The competence of the general assembly and the manner of its functioning are established in the Civil Code. The board of the general assembly is composed of three associates, a president and two secretaries, who are responsible for directing the meetings of the assembly and drawing up the respective minutes.⁸¹ The board, elected at the general meeting, is composed of seven members. The fiscal council, elected at the general meeting, is composed of three members. The supervisory board is responsible for overseeing the administrative and financial acts of the management, supervising its accounts and reports, and giving an opinion on acts that entail increased expenses or decreased revenues. The form of its functioning is established in the Civil Code.⁸²

The **Association of Women Judges of Spain** also includes a general assembly, as well as a board of directors. The General Assembly is the supreme body of the Association, made up of

⁷⁴ *Ibid*, Article XII, Section 2.

⁷⁵ "Conflict of Interest Policy", NAWJ, <https://www.nawj.org/uploads/files/governing_documents/nawj_conflict_of_interest_policy.pdf>.

⁷⁶ Association of Women Judges of Spain, *op. cit.*, note 2, Article 18(h).

⁷⁷ *ibid*, Article 17.

⁷⁸ Interview with founder of the All-Ukrainian Association of Women Judges, 20 August 2020.

⁷⁹ "Estatutos da AJP – Associação das Juízas Portuguesas", Association of Portuguese Women Judges, <<https://www.juizasportuguesas.org/estatutos/>>, Article 6.

⁸⁰ *ibid*, Article 4.

⁸¹ *ibid*, Article 5.

⁸² *ibid*, Article 7.

all members, which adopts its agreements either by the majority principle or the internal democracy of active members. The ordinary General Assembly must be convened at least once a year to examine and approve the annual settlement of accounts and the budget. An extraordinary session is convened when so agreed by the Board of Directors and when requested by half plus one of the active members.⁸³ The President is tasked with, among other duties, the legal representation of the Association, calling and presiding over the meetings of the Board of Directors and the General Assembly, and applying, receiving or making effective the aid, subsidies or sponsorships that come from public organizations or private entities.⁸⁴ The Vice-President is empowered to substitute the President in case of the latter's absence or illness.⁸⁵ The Secretary receives and processes membership applications, keeps an inventory of the Association and custody of the Association's documents and files, and maintains records of activities.⁸⁶ The Treasurer is in charge of the funds belonging to the Association and prepares all budgets, balances and inventories.⁸⁷

Within the **Kyrgyz Association of Women Judges**, all issues are decided at an annual general meeting (AGM). The Association's governance structure consists of a supervisory board of nine people who conduct the general management of the organization, headed by a chairperson, elected at an AGM for a period of three years. The executive director is appointed by the supervisory board for a period of three years.⁸⁸ There is also an inspection body.⁸⁹ There are five Committees, on Senior Citizens, Minors, Migrants, Persons with Disabilities, and Women.⁹⁰

The **NAWJ** operates 29 committees, including on bylaws, ethics, international outreach, judicial independence, projects, resolutions, strategic planning, and women in prison.⁹¹ Subcommittees and special committees may be created as authorized by the President or the Board of Directors from time to time.⁹² All non-voting members have the right to be appointed to serve on any committee except the Executive Committee.⁹³ The President-Elect must have served a term as Vice President, Treasurer or Secretary, or as Chair of the Projects Committee, the Resource Development Committee or the Finance Committee. The Nominating Committee presents a nominee for each position. In addition, the bylaws state that: “[a]

⁸³ Association of Women Judges of Spain, *op. cit.*, note 2, Article 14.

⁸⁴ *Ibid*, Article 26.

⁸⁵ *Ibid*, Article 27.

⁸⁶ *Ibid*, Article 28.

⁸⁷ *Ibid*, Article 29.

⁸⁸ “Устав Общественного объединения «Кыргызская ассоциация женщин-судей», Kyrgyz Association of Women Judges, 21 February 2015, <<https://kawj.kg/wp-content/uploads/2019/09/%D0%A3%D1%81%D1%82%D0%B0%D0%B2-%D0%9E%D0%9E-%D0%9A%D1%8B%D1%80%D0%B3%D1%8B%D0%B7%D1%81%D0%BA%D0%BE%D0%B9-%D0%90%D1%81%D1%81%D0%BE%D1%86%D0%B8%D0%B0%D1%86%D0%B8%D0%B8-%D0%B6%D0%B5%D0%BD%D1%89%D0%B8%D0%BD-%D1%81%D1%83%D0%B4%D0%B5%D0%B9.pdf>>.

⁸⁹ “Структура ОО «Кыргызской ассоциации женщин-судей», Kyrgyz Association of Women Judges, <<http://kawj.kg/wp-content/uploads/2019/12/%D1%81%D1%82%D1%80%D1%83%D0%BA%D1%82%D1%83%D1%80%D0%B0-%D0%BD%D0%BE%D0%B2%D0%B0%D1%8F-%D0%BA%D0%BE%D0%BD%D0%B2%D0%B5%D1%80%D1%82%D0%B8%D1%80%D0%BE%D0%B2%D0%B0%D0%BD.pdf>>.

⁹⁰ “Комитеты”, Kyrgyz Association of Women Judges, <<http://kawj.kg/%d0%ba%d0%be%d0%bc%d0%b8%d1%82%d0%b5%d1%82%d1%8b/>>.

⁹¹ “Bylaws”, *op. cit.*, note 70, Article XI, Section 1.

⁹² *Ibid*, Article XI, Section 2.

⁹³ *Ibid*, Article III, Section 6.

nomination for each officer's position also may be submitted in writing to the Nominating Committee, by petition of no less than nine voting members of the organization, at least sixty days prior to the Annual Meeting."⁹⁴ The President is the principal executive officer of the organization and supervises and controls all of its business and affairs, as well as presiding at all meetings of members and of the Board of Directors. The President appoints chairpersons, vice chairpersons and members of all committees. The President is also the spokesperson for the organization and is chiefly responsible for dealing with the public, including the media.⁹⁵ The President-Elect serves as liaison to the Resource Board and performs all the duties of the President in the absence or disability of the latter.⁹⁶ The two Vice-Presidents each constitute a separate office: the Vice-President Districts are responsible for overseeing all district matters, while the Vice-President Publications oversees all publications, including the Association's newsletter.⁹⁷ The Secretary is responsible for all correspondence on behalf of the organization not otherwise within the duties of other officers.⁹⁸ The Treasurer keeps charge of all operating funds of the Association, keeps books of account, and renders reports as requested by the Board of Directors, Executive Committee, or as required by law.⁹⁹

The **ADMI** governance structure consists of the General Assembly, Chairman and Board of Directors, Treasurer and local delegates. The shareholder meeting decides on the future activities of the Association, providing precise indications to the Board of Directors. The Board of Directors, composed of seven active members, elects the President; it has the task of implementing the shareholder resolutions, as well as organizing and promoting the Association's activities. The Treasurer handles all accounting activity, and local delegates manage relations with the judges of the offices of the judicial districts.¹⁰⁰

The **UKAWJ**'s officers consist of a Vice President, a Secretary and a Treasurer, each of whom hold office for a period of up to three consecutive years but are eligible for re-election.¹⁰¹ The Association's affairs are directed by an Executive Committee of no fewer than six and no greater than twelve members. Each member of the Executive Committee is elected for a term of up to three consecutive years but is eligible for re-election.¹⁰² When electing officers and the Executive Committee, the Secretary of the UKAWJ invites nominations from all members. Nominations must be made in writing by at least one member and be signed by the person nominated indicating his or her willingness to serve. Elections take place at the Annual General Meeting or an Extraordinary General Meeting, or by ballot of the membership which can be conducted via email.¹⁰³ The main work of the UKAWJ Executive Committee involves planning events, including the annual conference, as well as managing membership, communicating with members and handling finances. There is also a sub-committee focused on international work.¹⁰⁴

⁹⁴ "Counterbalance", NAWJ, Vol. 25, No. 2, 2004, p. 16, <https://www.nawj.org/uploads/files/counterbalance/cb25_2.pdf>.

⁹⁵ "Bylaws", *op. cit.*, note 70, Article X, Section 1.

⁹⁶ *Ibid*, Article X, Section 2.

⁹⁷ *Ibid*, Article X, Section 3.

⁹⁸ *Ibid*, Article X, Section 4.

⁹⁹ *Ibid*, Article X, Section 5.

¹⁰⁰ ADMI, *op. cit.*, note 8.

¹⁰¹ UKAWJ Constitution, *op. cit.*, note 7, Section 4: Officers.

¹⁰² *Ibid*, Section 5: Management.

¹⁰³ *Ibid*, Section 7: Election of officers and executive committee.

¹⁰⁴ "Newsletter", UKAWJ, June 2018, <<https://www.ukawj.org/events-and-training>>.

VII. Funding

Most associations of women judges rely mainly on membership fees to run their activities. Where external donations are made, these stem largely from international aid agencies or other such organizations. Owing to ethical considerations, funding from other types of groups is accepted with caution by several associations. While such ethical concerns are not unique to women judges' associations and apply equally to general associations of judges, several organizations have specific policies relating to this issue, which are set out below. Examples of relationships with diverse funding bodies are provided to give an idea of where funding can be sustainably sourced. Accepting funding from bodies that share the goals of an association can help to alleviate ethical concerns regarding external funding. In addition, at least one organization notes that relatively small amounts of financial and in-kind support can enable its programs.¹⁰⁵

The **UKAWJ** has no external funding, independently paying for conference subscriptions and generally covering conference costs. The Association does not actively seek out external funding because of concerns that donations would be used, or might be seen as being used, as an attempt to influence judges. It would not automatically reject any proposals that were made, but would nonetheless be cautious about accepting.¹⁰⁶

The **Kyrgyz Association of Women Judges** accepts external funding solely within the framework of the implementation of projects of international organizations (such as the UNODC) that support its statutory goals and objectives.¹⁰⁷ For example, the International Development Law Organization (IDLO) and the U.S. Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) provide active support for the national and international activities of the Kyrgyz Association.¹⁰⁸

The **NAWJ** shares concerns about ethical restraints on the ability of judges to seek new streams of revenue.¹⁰⁹ Members value the ethical and other concerns of judges being considered within the Association's structure and activities since this "[frees] judge members to concentrate on substance."¹¹⁰ The Association has a clear Conflict of Interest Policy which sets out a duty to disclose any conflicting affiliations. This is a further way of alleviating ethical concerns relating to an organization's funding. After an affiliation disclosure by a director at a Board meeting, the director leaves the meeting while the implications of the affiliation are considered and voted upon. The remaining Board members then determine if a conflict of interest exists. In the case of a director, if it is determined that a conflict exists, the director shall not vote in connection with any transaction involving the affiliated person. After disclosure of the facts regarding the transaction, and after any discussion with the director, she or he shall leave the Board meeting while the determination of a conflict of interest is discussed and voted upon. The remaining directors follow the procedures set out in the

¹⁰⁵ "Counterbalance", Vol. 25, No. 2, 2004, *op. cit.*, note 94, p. 5.

¹⁰⁶ Interview with UKAWJ Committee Member, 16 September 2020.

¹⁰⁷ "Годовые отчеты: Отчет о проделанной работе исполнительного органа ОО «Кыргызская ассоциация женщин – судей» за период октябрь 2018 по ноябрь 2019 гг.", Kyrgyz Association of Women Judges, *op. cit.*, note 64.

¹⁰⁸ "Advancing the role of women in the Kyrgyz judiciary", IDLO, 16 December 2016, <<https://www.idlo.int/fr/news/highlights/advancing-role-women-kyrgyz-judiciary>>.

¹⁰⁹ "Counterbalance", Vol. 25, No. 2, 2004, *op. cit.*, note 94, p. 5.

¹¹⁰ "Counterbalance", Vol. 25, No. 1, 2004, *op. cit.*, note 35, p. 16.

Conflict of Interest Policy in order to decide whether to enter into the transaction and, if so, to ensure that the terms of the transaction are reasonable.¹¹¹

In addition to more traditional funding streams, the **NAWJ** has created and suggested to its members innovative ways of attracting funding:

- Its Scales of Justice decorative Pin which costs 85.66 EUR, of which 42.82 EUR is a tax-deductible donation to the NAWJ.¹¹²
- Law firms who have made substantial three-year pledges to the NAWJ are asked to appoint a representative to serve on the Resource Board,¹¹³ thereby solidifying the funding basis as well as the relationship with the firms.
- Sponsored events which generate vital income.¹¹⁴
- Charitable giving during a member's lifetime as well as provisions to be made in wills.¹¹⁵
- Publishing a charitable giving brochure explaining the various ways to contribute, and the benefits to the donor.¹¹⁶
- Making experts available for consultation with members.¹¹⁷
- Seeking volunteers from a financial services company to assist the Association in developing capacity to accept charitable giving.¹¹⁸

The approach to funding of the **Association of Women Judges of Spain** is enshrined within its statutes. It limits subsidies, donations or any other type of aid to those which originate from public administrations, companies or public entities of all kinds or, where appropriate, from national, European or international associations, without the intention of profit, which are linked to the purposes of the Association. Exceptionally, donations are accepted from private entities, individuals or companies that, due to their trajectory and activity, express an unequivocal commitment to the purposes of the Association. Said donations require the unanimous approval of the Board of Directors.¹¹⁹

The **Association of Women Judges in Bosnia and Herzegovina** has received funding from USAID, embassies in Bosnia and Herzegovina, UNDP, and the Dutch Government.¹²⁰ The "Gender and the judiciary" project was launched with the support of the Atlantic Initiative and DCAF, the result of which was the launch of the Association's Newsletter and numerous seminars and workshops aimed at strengthening the membership's skills and discussing various topics.¹²¹

¹¹¹ "Conflict of Interest Policy", *op. cit.*, note 80.

¹¹² "Counterbalance", Vol. 24, No. 3, 2003, *op. cit.*, note 20, p. 14.

¹¹³ "Counterbalance", Vol. 26, No. 2, 2005, *op. cit.*, note 49, p. 5.

¹¹⁴ *Ibid.*

¹¹⁵ "Counterbalance", Vol. 25, No. 2, 2004, *op. cit.*, note 94, p. 5; for instance: charitable giving through life insurance (which can provide a very large gift in proportion to the amount of tax-deductible premiums paid), outright transfers of cash, stock, bonds, real estate and collectibles (with the full value, not just costs, tax-deductible), gifting dividends from a stock/mutual fund portfolio (tax-deductible up to 50% of adjusted gross income), gifting a residence while retaining the right to live there (which can qualify for income and estate tax deductions), will provisions, several types of trusts, retirement plans, and charitable gift annuities.

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*

¹¹⁸ *Ibid.*

¹¹⁹ Association of Women Judges of Spain, *op. cit.*, note 2.

¹²⁰ "Donors", Association of Women Judges in Bosnia and Herzegovina, <<http://www.uzsbih.ba/donors>>.

¹²¹ Association of Women Judges in Bosnia and Herzegovina, *op. cit.*, note 33.

The USAID Justice for All Project facilitated the inaugural meeting of the **Albanian Women Judges Forum**: “[w]ith USAID support, the Forum will implement key projects to address issues such as access to justice and domestic violence, conduct strategic planning, and seek affiliation with the IAWJ.”¹²²

CCIAWJ’s main source of income stems from membership fees. Annual expenses for bursaries, scholarships and subsidies exceed the revenue brought in.¹²³

VIII. Co-operation with other organizations

Links with other organizations, in particular other associations of women legal professionals, and in some cases with government bodies, were reported as both common and productive. These links tend to have the most beneficial impact on an association’s activities where they are enshrined either within the organization’s governance structure or where other means of formalizing co-operation are used.

The **Kyrgyz Association of Women Judges** has formalized links with other organizations, for instance, by signing a Memorandum of Cooperation with five leading national organizations that work within the sphere of women’s leadership.¹²⁴ A Memorandum of Cooperation was also signed with the Ministry of Education and Science of the Kyrgyz Republic,¹²⁵ showing that formalized partnerships with government bodies are possible.

The building of relationships with other organizations may also be enshrined within an association’s official governance structure. As such, the Board of Directors of the **NAWJ** includes the role of Delegate to the American Bar Association (ABA) House of Delegates. This individual must be a former officer of the NAWJ, and current member of the ABA.¹²⁶ The Board of Directors also includes a representative to the IAWJ. Both positions are elected by members at the Annual Meeting in odd numbered years for a two-year term; this is enshrined within the NAWJ Bylaws.¹²⁷ The Bylaws also provide that the President “may appoint a liaison to the ABA Commission on the Status of Women in the Profession, and to such other organizations and entities as share the organization’s mission.”¹²⁸

Coordination with other associations that, in different areas of society, are involved in the defense of human rights in general and of women and girls in particular, is also written into the statutes of the **Association of Women Judges of Spain**. National and international co-operation in the scientific and professional fields and the maintenance of relations with other associations, including the possibility of federation, membership and integration, is also encouraged.¹²⁹ For example, the Association has signed a declaration entitled “Professionals for equality and against gender violence,” together with professionals from the fields of law,

¹²² USAID, *op. cit.*, note 39.

¹²³ “Accent: The Newsletter”, International Association of Women Judges, Canadian Chapter, April 2016, p. 2, <<https://iawjcc.com/wp-content/uploads/2016/04/Women-Judges-Newsletter-April-2016-English-FINAL.pdf>>.

¹²⁴ “Завершенные проекты”, Kyrgyz Association of Women Judges, *op. cit.*, note 27.

¹²⁵ *Ibid.*

¹²⁶ “Bylaws”, *op. cit.*, note 70, Article VI, Section 1.

¹²⁷ *Ibid.*, Article VI, Section 1 and Article VIII, Sections 1 and 2.

¹²⁸ *Ibid.*, Article VIII, Section 3.

¹²⁹ Association of Women Judges of Spain, *op. cit.*, note 2.

academia and journalism.¹³⁰ Uniting with representatives from other spheres is a way to pursue those goals of the Association that are shared with other groups.

CCIAWJ established a Liaison Committee early on so that the Chapter could liaise with other organizations within Canada and internationally.¹³¹

ADMI appears to have a good relationship with ANM (the National Association of Judges in Italy), writing that ANM “has often given us collaboration, has recognized the importance of our work. Now it offers us the space ... that allows us to preserve our autonomy, but also to enhance the results that can be achieved.”¹³² Specifically, **ADMI** has collaborated with the ANM on gender equality issues, including through participation in meetings and seminars for a common reflection on gender issues and actions to be taken. The forms of institutional collaboration are also significant.¹³³ For example, the research of **ADMI**, together with 57 petitioners, formed the basis of the Ferranti draft law no. 4512-2017, which aimed at improving the representation of women in the Supreme Council of the Judiciary. Following parliamentary hearings, the ANM and **ADMI** started a working table to draft an electoral law to be submitted to the Supreme Council of the Judiciary¹³⁴ aimed at rebalancing the gender representation within that body.¹³⁵

Domestically, **UKAWJ** co-operates largely with other associations of women legal professionals. **UKAWJ**'s links with international organizations are largely built at the **IAWJ**'s biennial conferences.¹³⁶ With the **IAWJ** being organized regionally, the **UKAWJ** is part of the Europe and the Middle East division. Links subsequently tend to be built with associations within those regions. Due to geographic proximity, the **UKAWJ**'s chief contact is specifically with the Irish association.¹³⁷

Attendance at roundtables and consultative meetings is good practice for building links. As reported by the **Association of Women Judges in Bosnia and Herzegovina** in relation to a roundtable entitled “Towards the achievement of gender equality in cantons of the Federation of BiH – rules, institutions, policies,” “[p]articipation in the event [was important for the Association of Women Judges in BiH [Bosnia and Herzegovina], because this is the way to expand experiences, collect useful information and increase communication with the other organizations.”¹³⁸ The Association has co-operated with USAID on improving the

¹³⁰ “Mujeres Juezas nos unimos al manifiesto «Profesionales por la igualdad y contra la violencia de género»”, Association of Women Judges of Spain, 14 March 2021, <<http://www.mujeresjuezas.es/2021/03/14/mujeres-juezas-se-une-al-manifiesto-profesionales-por-la-igualdad-y-contra-la-violencia-de-genero/>>.

¹³¹ Daniel, *op. cit.*, note 25.

¹³² **ADMI**, *op. cit.*, note 14.

¹³³ Written comments provided by **ADMI**, 26 October 2010.

¹³⁴ Carla Marina Lendaro, “The Importance of Judging with Gender Perspective: Italy”, **IAWJ**, 5 November 2020, <<http://www.iawj.org/the-importance-of-judging-with-gender-perspective-italy-by-the-hon-carla-marina-lendaro/>>.

¹³⁵ **ADMI**, *op. cit.*, note 8.

¹³⁶ Interview with **UKAWJ** Committee Member, 16 September 2020.

¹³⁷ *Ibid.*

¹³⁸ Merisa Šaljić, “Roundtable Towards the achievement of gender equality in cantons of the Federation of BiH – rules, institutions, policies”, Association of Women Judges in Bosnia and Herzegovina, <<http://www.uzsbih.ba/roundtable-towards-the-achievement-of-gender-equality-in-cantons-of-the-federation-of-bih-rules--ins>>; Merisa Šaljić, “Consultative meeting at the CPCD”, Association of Women Judges in Bosnia and Herzegovina, <<http://www.uzsbih.ba/consultative-meeting-at-the-cpcd>>.

implementation of the national Law on the Protection from Domestic Violence.¹³⁹ In addition, the Association has engaged with women politicians as part of its “Raising awareness of sextortion among women politicians” project. The organization planned three meetings between women judges from the Association and women politicians (legislative and executive branches).¹⁴⁰

It is useful to identify where bringing in knowledge and experience from other fields can help to support the work of an organization.

Some associations find building links with legal resource providers to be beneficial. For instance, the relationship of the **NAWJ** and LexisNexis as official research partners allows the NAWJ to use the LexisNexis system for research to develop new educational programs and to seek other information relevant to the Association’s mission.¹⁴¹ Other schemes help to build long-term relationships – the NAWJ’s Scholarship Program “promises to create enduring partnerships between NAWJ Districts and their local area law schools, and between NAWJ and new generations of women judges to come.”¹⁴²

CCIAWJ similarly forges strong links with law schools. The Association’s Speakers Bureau organizes events at around ten law schools across Canada every year, with the aim of bringing women judges together with law students for informal discussions. The organization’s donation to the Elizabeth Fry Project, associated with Dalhousie Law School, covered the costs associated with several applications for judicial pardons for women who had served their sentences and were seeking to reintegrate into society, but who could not afford to pay the costs of the application for judicial pardon.¹⁴³

When an association establishes a strong reputation, links are also built on account of other organizations’ wish to co-operate.

The California Judicial Education and Research (CJER) Judges College¹⁴⁴ and the National Association of Women Lawyers have sought out co-operation with the **NAWJ**.¹⁴⁵ A non-profit organization dedicated to promoting the healthy development of children from birth to age three was interested in working with the Association to educate judges nationwide about the mental health of infants and toddlers who are involved in legal proceedings.¹⁴⁶

The **Hungarian Association of Women Judges** cites close co-operation with NGOs that focus on issues of domestic violence as one of its key tasks.¹⁴⁷ The **Association of Women Judges in Bosnia and Herzegovina** has also partnered with an NGO for its project “Research of the implementation of the Law on the Protection from Domestic Violence in FBiH.”¹⁴⁸

¹³⁹ “Small grants for AWJinBiH”, Association of Women Judges in Bosnia and Herzegovina, <<http://www.uzsbih.ba/annual-assembly-of-the-association-of-women-judges-in-bih>>.

¹⁴⁰ *Ibid.*

¹⁴¹ “Resources”, NAWJ, <<https://www.nawj.org/resources>>.

¹⁴² “Counterbalance”, NAWJ, Vol. 29, No. 4, p. 27, 2009, <https://www.nawj.org/uploads/files/counterbalance/cb29_4.pdf>.

¹⁴³ “President’s Message”, *op. cit.*, note 6.

¹⁴⁴ “Counterbalance”, Vol. 24, No. 2, 2003, *op. cit.*, note 12, p. 20.

¹⁴⁵ “Counterbalance”, Vol. 24, No. 3, 2003, *op. cit.*, note 20, p. 2.

¹⁴⁶ “Counterbalance”, Vol. 24, No. 1, 2005, *op. cit.*, note 22, p. 8.

¹⁴⁷ Galajda, *op. cit.*, note 13.

¹⁴⁸ “Research of the implementation of the Law on the Protection from Domestic Violence in FBiH”, Association of Women Judges in Bosnia and Herzegovina, <<http://www.uzsbih.ba/research-of-the-implementation-of-the-law-on-the-protection-from-domestic-violence-in-fbih>>.

IX. Membership

The sections below look at various aspects of membership of women judges' associations. Section A explores membership conditions, in particular the role of men judges in the associations and different categories of membership. Section B focuses on tools for maintaining an engaged membership, a crucial goal for any association. Section C sets out the membership fees of surveyed associations, while Section D notes the existence of regional networks.

A. Membership conditions

Most associations extend membership to male judges and do not differentiate between male and female members. The **UKAWJ** reports that extending membership to male judges has never had the effect of detracting from the Association's mission.¹⁴⁹

However, some organizations make certain stipulations for male judges – for instance, although the **Association of Women Judges in Bosnia and Herzegovina** welcomes both male and female members, applications by female judges are automatically accepted while applications by men, as well as lawyers and other non-judge applicants, are reviewed by a seven-person panel.¹⁵⁰ Within the **Association of Women Judges of Spain**, positions on the Board of Directors are reserved exclusively for women.¹⁵¹

The **NAWJ** fully integrates its male members, including allowing them eligibility for the Association's prizes.¹⁵² It notes that it is “committed to diversity in its membership and welcomes both men and women, as well as judicial clerks, attorneys and law students.”¹⁵³ The inclusion of student members aims to serve two purposes: mentoring future women leaders in the legal profession, and encouraging women to pursue a judicial career. Student members can help to organize NAWJ judicial education programs in their area and networking events for young women to meet and learn from local judges.¹⁵⁴

Judicial assistants are permitted to join the **All-Ukrainian Association of Women Judges**. As many judicial assistants eventually become judges, there can be great benefit in forging links between assistants and judges. Since many judicial assistants are women, including them in the Association prepares them and makes them more confident in applying to judicial roles in future. This helps to remedy the existing situation where many women who are judicial assistants do not strive to become judges because of a number of gender-related issues, such as childcare.¹⁵⁵

All women judges can join **ADMI** as active members. Women who have particularly distinguished themselves in the study of gender issues may be granted honorary membership, which does not include voting rights.¹⁵⁶

¹⁴⁹ Interview with UKAWJ Committee Member, 16 September 2020.

¹⁵⁰ “Newsletter 02/12”, *op. cit.*, note 47.

¹⁵¹ Association of Women Judges of Spain, *op. cit.*, note 2, Article 8.

¹⁵² “Counterbalance”, NAWJ, Vol. 25, No. 3, 2004, p. 18

<https://www.nawj.org/uploads/files/counterbalance/cb25_3.pdf>.

¹⁵³ “Join”, NAWJ, <<https://www.nawj.org/join>>.

¹⁵⁴ “Counterbalance”, Vol. 27, No. 1, 2006, *op. cit.*, note 11, p. 14.

¹⁵⁵ Interview with founder of the All-Ukrainian Association of Women Judges, 20 August 2020.

¹⁵⁶ ADMI, *op. cit.*, note 8..

The **Association of Women Judges in Bosnia and Herzegovina** allows former judges (both domestic and international) to be honorable members without holding the right to vote.¹⁵⁷

An application to join the **Association of Women Judges of Spain** must be endorsed by two active members of the Association.¹⁵⁸ The Board of Directors is responsible for ratifying the admission of new members.¹⁵⁹ The Association is open to both male and female membership and consists of three categories: active, collaborating and honorary members:¹⁶⁰

- Active members: any male or female judge or magistrate, including trainee judges and judicial school students;
- Partner/collaborating members: any person interested in promoting the aims of the Association and those who are directly linked to these aims, including those involved in academia or other types of research, or those who participate directly in the judicial system, such as university professors, lawyers, social graduates, attorneys, or those who provide services in the judicial system, such as prosecutors, lawyers of the Administration of Justice, and officials and people who exercise functions for the General Council of the Judicial Power. All of these people should be on active duty, while judges and magistrates who are retired can also join as collaborating partners;
- Honorary members: any natural or legal person who has received that distinction from the General Assembly of the Association, for services provided to the Association or for the purposes and objectives they pursue.

The membership provisions of the **Kyrgyz Association of Women Judges** stipulate that any judges, including retired judges, who share the aims of the Association and who recognize the provisions of its statute, may join the organization. Supervisory Board members vote on membership applications within 7 working days.¹⁶¹ As of 1 December 2019, the Association's 93 members were all women judges.¹⁶² In the case of withdrawal from the organization, a statement must be filed with the Supervisory Board, or membership may be terminated by the Supervisory Board in exceptional circumstances, on account of a failure to pay membership fees over the course of one year, or in the case of an early termination of a judge on non-exculpatory grounds, committing an offence that discredits the reputation of the Association. Where such grounds exist, the Executive Director, a member of the Supervisory Board or at least 1/10 members of the Association may make a submission to the Supervisory Board for the termination of the membership of a specific person. When the Supervisory Board makes a decision to terminate membership, the Executive Director notifies the individual concerned within three working days from the date of the decision. On the basis of the decision, the Executive Director excludes the person from the Association's database.¹⁶³

¹⁵⁷ "Questionnaire for the preparation of the CCJE Opinion No. 23 (2020) 'The Role of the Associations of Judges in supporting the judicial independence'", Consultative Council of European Judges (CCJE), 29 January 2020, p. 2, <<https://rm.coe.int/bosnia-and-herzegovina-en-reply/16809fa57a>>.

¹⁵⁸ Association of Women Judges of Spain, *op. cit.*, note 2, Article 7.

¹⁵⁹ *Ibid.*

¹⁶⁰ Association of Women Judges of Spain, *op. cit.*, note 2, Article 8.

¹⁶¹ "Положение о членстве в общественном объединении «Кыргызская ассоциация женщин-судей»", Kyrgyz Association of Women Judges, <<http://kawj.kg/wp-content/uploads/2019/09/%D0%9F%D0%BE%D0%BB%D0%BE%D0%B6%D0%B5%D0%BD%D0%B8%D0%B5-%D0%BE-%D1%87%D0%BB%D0%B5%D0%BD%D1%81%D1%82%D0%B2%D0%B5.pdf>>.

¹⁶² "Годовые отчеты: Отчет о проделанной работе исполнительного органа ОО «Кыргызская ассоциация женщин – судей» за период октябрь 2018 по ноябрь 2019 гг.", Kyrgyz Association of Women Judges, *op. cit.*, note 64.

¹⁶³ "Положение о членстве в общественном объединении «Кыргызская ассоциация женщин-судей»", Kyrgyz Association of Women Judges, *op. cit.*, note 161, Article 3.

Membership of the **Association of Women Judges of Spain** may be withdrawn by a member in writing to the Board of Directors: where conditions granting membership status no longer apply, for example, as a result of a professional disqualification; or by resolution of an absolute majority of the General Assembly in cases of actions that violate, or are in repeated breach of, the aims set out in the Association's statute.¹⁶⁴

None of the foundational documents of the surveyed associations set out a right to appeal a decision to deny or withdraw membership. Representatives of the surveyed associations did not flag any existing issues or disputes in this regard. Since the right to appeal will generally be regulated by the domestic legal frameworks governing non-profit organizations, it may not be considered necessary to include any specific provisions in an association's foundational documents. Nonetheless, clarifying the procedure in this respect (even if simply by referring to relevant legislation) will help to increase the transparency of, and build confidence in, an organization's processes, and is therefore recommended.

The membership of the **Association of Portuguese Women Judges** encompasses both active and retired judges.¹⁶⁵ All members of the judiciary are entitled to be members of the **UKAWJ**,¹⁶⁶ in contrast to most other national judicial organizations in the UK which are grouped in accordance with the hierarchy of the judiciary, such as the Association of Her Majesty's District Judges.¹⁶⁷ By contrast, any person who holds or has retired from a permanent, salaried or fee-paid judicial post is eligible to be a full voting member and to hold office at the UKAWJ.¹⁶⁸ Any person who supports the objectives of the Association may also be elected by the Executive Committee as a supporting member. Supporting members have no voting rights and cannot hold office.¹⁶⁹ Upon nomination by the officers, any person may be elected to honorary membership in recognition of outstanding service to any of the Association's purposes. Honorary members have no voting rights and cannot hold office.¹⁷⁰

Other associations, such as the **CCIAWJ**, adopt the membership policy of the IAWJ, which opens membership to all persons in judicial office and all persons in quasi-judicial office who are eligible for judicial appointment.¹⁷¹ A discussion was initially held as to who could join, and especially if quasi-judicial tribunals would be included. The matter was referred to the founding committee for study and a report was generated for the membership.¹⁷² This may be an effective way to address any concerns regarding membership conditions and identify any issues specific to the country in which an Association is being established.

B. Membership retention

One of the key challenges raised by several organizations is maintaining an engaged membership. This is crucial, since a higher number of members allows for increased activities

¹⁶⁴ Association of Women Judges of Spain, *op. cit.*, note 2, Article 12.

¹⁶⁵ "Apresentação", Portuguese Association of Women Judges, <<https://www.juizasportuguesas.org/associacao/#associacao>>.

¹⁶⁶ Interview with UKAWJ Committee Member, 16 September 2020.

¹⁶⁷ See other examples at "Representative bodies", Courts and Tribunals Judiciary, <<https://www.judiciary.uk/related-offices-and-bodies/representative-bodies-2/>>.

¹⁶⁸ UKAWJ Constitution, *op. cit.*, note 7, Section 3.1.

¹⁶⁹ *Ibid*, Section 3.3.

¹⁷⁰ *Ibid*, Section 3.4.

¹⁷¹ Daniel, *op. cit.*, note 25.

¹⁷² *Ibid*.

where responsibilities can be shared among members. It is also important for an Association's funding, especially when the organization does not accept external funding and relies on membership dues to fund all its activities.

*The [NAWJ], like many other nonprofit membership organizations, depends on its members for many critical functions. Such functions include: program development, organization management and oversight, funding via dues and donations, membership recruitment and organizing local activities. Without a growing and active membership base, the organization will stagnate and struggle to increase member benefits and to provide the much needed educational programs.*¹⁷³

Seeking out and responding directly to members' wishes is an important tool in engaging an association's membership.

To encourage an increase in membership numbers, the **NAWJ** identified the need to focus more attention on membership retention and recruitment. To this end, it conducted a full membership survey alerting it to the needs of its members. In response to survey answers, the NAWJ increased communication with the membership through the Monthly Update, a short newsletter emailed or faxed to all members.¹⁷⁴ To address the wish of NAWJ members to have more programs and events regionally, NAWJ's President created a Regional Conference Exploration Committee. NAWJ's Vice-President of Districts works with the District Directors to activate the districts and encourage more local meetings and activities.¹⁷⁵ Reasons why women judges do not join or, once members, do not renew their membership, include:

- The cost of membership.¹⁷⁶
- A lack of time to participate.
- No perceived benefit to joining a specialty organization.
- A view that the stated goals and purposes of an association are achievable through other organizations.

The **NAWJ** has employed a variety of strategies for increasing membership:

- Incentivizing bringing members into the Association, for example by offering scholarships for attendance at the National Conference to the District Director who recruits the most new members within a year.¹⁷⁷
- Regional Liaison officers assist in attracting more women judges to the Association.¹⁷⁸
- The NAWJ brochure is sent to new women judges and they are asked to consider joining.¹⁷⁹ NAWJ plans social events and receptions aimed at attracting newly appointed women judges to the Association.¹⁸⁰ To enable new members to become involved more quickly, they are put in contact with their District Directors soon after they join.¹⁸¹

¹⁷³ "Counterbalance", Vol. 25, No. 2, 2004, *op. cit.*, note 94, p. 15.

¹⁷⁴ *Ibid.*

¹⁷⁵ *Ibid.*

¹⁷⁶ "Counterbalance", Vol. 24, No. 3, 2003, *op. cit.*, note 20, p. 4.

¹⁷⁷ "Counterbalance", Vol. 24, No. 2, 2003, *op. cit.*, note 12, p. 12.

¹⁷⁸ *Ibid*, p. 17.

¹⁷⁹ "Counterbalance", Vol. 24, No. 2, 2003, *op. cit.*, note 12, pp. 18 and 20.

¹⁸⁰ *Ibid*, p. 18.

¹⁸¹ "Counterbalance", Vol. 27, No. 1, 2006, *op. cit.*, note 11, p. 11.

- Writing to all judges whose memberships have recently expired to try to re-involve them proved to be a successful tactic.¹⁸² This strategy has now developed into the 2019-2024 Strategic Plan's aim to continue the use of automatic renewals.¹⁸³ Automatic renewals are offered to those who join or renew online, the grace period for members to renew has been increased, and more regular email reminders are sent out when renewals are due.¹⁸⁴
- Running a survey attracted a few new members and renewals.¹⁸⁵
- Encouragement to get involved in the organization through awards given to an upcoming NAWJ leader.¹⁸⁶

The Hungarian Association of Women Judges raises low membership of the Association as an issue.¹⁸⁷

A book club, such as that set up by the **Association of Women Judges of Spain**, can help to connect the members of an organization, and serve as a place of reflection and discussion on topics of shared interest.¹⁸⁸

Keeping up to date with ongoing developments and keeping the goals of an association updated in line with changes within society and the justice system will help to maintain ongoing relevance and interest in the association for women judges from all backgrounds. Bringing current affairs, and analysis of how these impact the justice system, into the forum of events such as conferences can be an effective way of engaging an organization's membership in in-depth discussions and exchanges of views, and can help to demonstrate the ongoing benefits of an association of women judges.

An important conference theme selected by the **CCIAWJ** to celebrate its 25th anniversary was "The Modern Court: Adapting to Judging in a Complex Age." In partnership with the National Judicial Institute, the CCIWJ explored a number of emerging topics within the justice system, including: "how to deal respectfully with LGBTQ2 persons; the wearing of a hijab or niqab in courts; emerging social media trends; implicit bias; intercultural communication; judging in the new media world and what judges need to do to flourish."¹⁸⁹

NAWJ members made the following suggestions as to how the Association could expand membership, including:

- an annual membership drive;
- membership initiatives targeting specialty judges;
- members attending and speaking at selected programs, conferences, and seminars;
- securing increased media coverage for events and publications;

¹⁸² "Counterbalance", Vol. 24, No. 2, 2003, *op. cit.*, note 12, p. 20.

¹⁸³ "National Association of Women Judges: Strategic Plan 2019 – 2024", *op. cit.*, note 21.

¹⁸⁴ "Counterbalance", NAWJ, Vol. 31, No. 6, 2013, p. 34

<https://www.nawj.org/uploads/files/counterbalance/cb31_6.pdf>.

¹⁸⁵ "Counterbalance", Vol. 24, No. 3, 2003, *op. cit.*, note 20, p. 4.

¹⁸⁶ *Ibid*, p. 2.

¹⁸⁷ Galajda, *op. cit.*, note 13.

¹⁸⁸ "Bienvenidas al club de lectura", Association of Women Judges of Spain, 10 March 2021,

<<http://www.mujeresjuezas.es/2021/03/10/bienvenidas-al-club-de-lectura/>>.

¹⁸⁹ "Canadian Chapter of the International Association of Women Judges Celebrates their 25th Anniversary", IAWJ, 24 June 2019, <<http://www.iawj.org/canadian-chapter-of-the-international-association-of-women-judges-celebrates-their-25th-anniversary/>>.

- establishing a speakers' bureau;
- clarifying how much value members receive for their membership fees.¹⁹⁰

C. Membership fees

Membership fees are listed below alongside references to fees (where this information was available) for general judges' associations and basic judicial salaries to contextualize the fees.

- **Association of Women Judges in Bosnia and Herzegovina:** 2.56 EUR per month, or 30.70 EUR per year.¹⁹¹ The basic annual salary for judges of the court of Bosnia and Herzegovina is 23,329.22 EUR.¹⁹²
- **Association of Portuguese Women Judges:** initial fee of 20 EUR, 30 EUR annual fee.¹⁹³ General Portuguese judge association fee: quarterly payment of 48 EUR.¹⁹⁴
- **NAWJ** has varying annual fees for different types of membership: Life Member – 2,569 EUR (one-time only fee, can be made in three annual installments); Sitting Judge – 209.80 EUR; Associate Member – 188.46 EUR; Retired Judge – 188.46 EUR; Amicus Judicii – 188.46 EUR; Law Clerk – 68.53 EUR; Law Student – 47.11 EUR; First Time New Member Special – 111.36 EUR.¹⁹⁵ A portion of the fees goes to the IAWJ.¹⁹⁶ The salaries of federal district, circuit and associate judges are, on average, 183,079.81 EUR, 194,162.74 EUR, and 224,671.04 EUR respectively.¹⁹⁷
- **Kyrgyz Association of Women Judges:** 32.47 EUR entry fee, 21.65 EUR annual membership fee. Payment method and amount may be amended at an AGM.¹⁹⁸
- **UKAWJ:** 65.66 EUR immediate payment and then from 1 January annually. Fees determined at Annual/Extraordinary General Meeting.¹⁹⁹ United Kingdom Association of Fee Paid Judges (general judge association): 27.36 EUR.²⁰⁰ The salary of district judges is 124,576.68 EUR and 155,272.87 EUR for circuit judges.²⁰¹
- Annual membership fees to **CCIAWJ:** 80.12 EUR.²⁰² Of this fee, 21.05 EUR is paid to the IAWJ to fund their operations.²⁰³ Annual membership of the Canadian Superior

¹⁹⁰ "Counterbalance", Vol. 24, No. 3, 2003, *op. cit.*, note 20, p. 5.

¹⁹¹ Association of Women Judges in Bosnia and Herzegovina, *op. cit.*, note 547.

¹⁹² "Decision Enacting the Law on Salaries and Other Compensations in Judicial and Prosecutorial Institutions at the Level of Bosnia and Herzegovina",
<<http://www.ohr.int/decision-enacting-the-law-on-salaries-and-other-compensations-in-judicial-and-prosecutorial-institutions-at-the-level-of-bosnia-and-herzegovina/?print=pdf>>.

¹⁹³ "Ficha de Inscrição", Portuguese Association of Women Judges,
<<https://www.juizaspportuguesas.org/wp-content/uploads/2020/02/AJP-ficha-inscricao-2020.pdf>>.

¹⁹⁴ "Pedido de Inscrição de Associado", Union Association of Portuguese Judges,
<<http://www.asjp.pt/ficha-de-inscricao-online/>>.

¹⁹⁵ "Join", *op. cit.*, note 153.

¹⁹⁶ "Counterbalance", Vol. 25, No. 3, 2004, *op. cit.*, note 152, p. 15.

¹⁹⁷ "Judicial Compensation", United States Courts, <<https://www.uscourts.gov/judges-judgeships/judicial-compensation>>.

¹⁹⁸ "Положение о членстве в общественном объединении «Кыргызская ассоциация женщин-судей»", Kyrgyz Association of Women Judges, *op. cit.*, note 161.

¹⁹⁹ UKAWJ Constitution, *op. cit.*, note 7, Section 8.1.

²⁰⁰ "Registration and Membership", United Kingdom Association of Fee Paid Judges,
<<https://www.ukaptj.co.uk/register/>>.

²⁰¹ "Ministry of Justice Judicial Salaries from 1 October 2019", Ministry of Justice,
<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/836749/judicial-salary-schedule-oct-2019.pdf>.

²⁰² "Membership Form 2021 – English", CCIWJ, <<https://iawjcc.com/private/>>.

²⁰³ Lana Krogan, "Membership Letter 2020", CCIWJ, <<https://iawjcc.com/wp-content/uploads/2020/01/Membership-Letter-English-2020.pdf>>.

Courts Judges Association (general judge association): Regular Member – 321.18 EUR/Retired Member – 32.12 EUR/Military Judge Member – 62.24 EUR. The annual salary of federal court judges is 202,270.35 EUR.²⁰⁴

- **Association of Women Judges of Spain:** 90 EUR per year.²⁰⁵

D. Regional networks

NAWJ has a very active system of district networks, managed by District Directors and State Representatives/Deputy District Directors. A state can have more than one representative. These positions help to respond to the need, expressed by Association members, that NAWJ programs be presented on a regional or state basis for those members who are unable to attend the annual conferences.²⁰⁶ A State Representative/Deputy District Director helps the District Director plan and organize social and membership events in her area.²⁰⁷ Competitions are used as a tool to incentivize regional activities. For instance, the NAWJ set up a challenge across districts to raise funds for scholarships to invite international women judges to attend its national conferences.²⁰⁸

On the petition of 25% of the NAWJ's members from a specific geographic area, the Board of Directors may approve the formation of a local district chapter. The petition must set out the proposed purpose of the local district chapter and an outline of its intended activities during its first three years of operation. In deciding whether to accept the petition, the Board considers whether formation of the chapter will further the effectiveness of the NAWJ in meeting its purposes and whether the size and plan of the activities of the proposed chapter are reasonably likely to sustain a viable chapter.²⁰⁹ Members within the local geographic area may choose not to join the local district chapter.²¹⁰ The Board of Directors may withdraw its approval of a local district chapter when: the chapter is no longer viable because of its small size or lack of activity; the chapter violates the bylaws and/or policies of the organization; or the chapter's activities conflict with the goals and purposes of the organization.²¹¹

X. Key recommendations

As shown from the experience of the organizations surveyed in this report and through interviews with their representatives, the establishment and maintenance of women judges' associations, while raising certain practical challenges, can yield great benefits for individual judges, women judges in general, as well as court users within society. The following recommendations focus on practical steps that can be taken in order to tackle some of the challenges:

i. Strategic priorities

- The clear establishment of an association's priorities in a foundational document, such as a constitution or statutes/bylaws, creates a strong foundation for an

²⁰⁴ "Judges Act R.S.C., 1985, c. J-1", Justice Laws Website, <<https://laws-lois.justice.gc.ca/eng/acts/j-1/FullText.html>>.

²⁰⁵ Association of Women Judges of Spain, *op. cit.*, note 2.

²⁰⁶ "Counterbalance", Vol. 25, No. 1, 2004, *op. cit.*, note 35, p. 2.

²⁰⁷ *Ibid*, p. 17.

²⁰⁸ "Counterbalance", Vol. 24, No. 3, 2003, *op. cit.*, note 20, p. 11.

²⁰⁹ "Bylaws", *op. cit.*, note 70, Article XII, Section 1.

²¹⁰ *Ibid*, Article XII, Section 4.

²¹¹ *Ibid*, Article XII, Section 5.

association's operations from the outset, and ensures that founding and subsequent members share in its aims and priorities.

- Setting out the scope of activities to be conducted clearly in an association's foundational document helps to avoid external suggestions that the association is focused on the adjudication of specific cases rather than awareness-raising of broader issues.
- In addition to project work, public outreach aims to highlight the role and impact of women judges and thus forms a vital part of an association's activities.
- Keeping up to date with national and international developments and responding to current events and challenges, whether through conference discussions or issuing statements, helps to promote an association's aims and to keep its membership and society at large informed of the activities it is undertaking to promote its goals. This serves to demonstrate and thus bolster the ongoing relevance and importance of associations of women judges.

ii. Tackling gender discrimination during establishment

- Where opposition to the existence of an association of women judges arises, responding to any hostility directly may be a useful strategy in building a strong membership that is clear on the association's aims and priorities from the outset.

iii. Legal regulation

- Aspiring associations should contact local and international established associations as well as the IAWJ, which will be able to offer advice that is tailored to the particular situation.
- Staff members can be hired to assist with the administrative tasks of the organization. This is something that associations established in smaller jurisdictions may particularly wish to consider since the number of members, and thus of people to divide tasks amongst, may be smaller.

iv. Statute regulation

- The possibility of amendments to an association's foundational document should be accompanied by a quorum of the general assembly or equivalent body that is representative of the membership.

v. Funding

- Since funding sources are necessarily limited by judicial ethical constraints, co-operating with other likeminded organizations within the country and abroad is a key tool in advancing an association's aims and sharing funding burdens. To this end, formalizing links either within an association's governance structure or through ad hoc arrangements such as memoranda of understanding helps to strengthen relationships and creates more enduring collaborations.

vi. Membership

- Since balancing organization commitments with a judicial or other professional workload raises challenges, the wider the membership base and the more engaged they are, the easier it is to attain an association's aims.
- In order to attract and engage membership, the benefits of joining an association should be made clear to both new and existing members. Regular communication through newsletters and website updates not only keeps the membership informed and engaged, but also promotes the association's aims to the wider society (including future possible members).

- New women appointees to the bench should be approached directly by associations in order to inform them of the benefits of membership.
- Contact should be made with members who have not renewed their membership in order to identify any issues, for example in relation to fees, from the outset.
- While regional networks may have greater relevance for larger or more geographically dispersed jurisdictions, they play a key role in maintaining an engaged membership.