



**United Nations
Division for the Advancement of Women**

Judicial colloquium on the application of international human rights law at the domestic level

Programme of Work

United Nations Office at Vienna
27-29 October
Vienna, Austria

in commemoration of the

20th anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women

and the

10th anniversary of the Convention on the Rights of the Child

Programme of Work

WEDNESDAY, 27 OCTOBER 1999

8:00 am - 9:45 am Registration of participants

10:00 am - 10:45 am **Plenary**

Chairperson: **Ms. Angela E.V. King**

Opening ceremony

Welcoming remarks by:

Ms. Angela E.V. King, United Nations Assistant Secretary-General and Special Adviser on Gender Issues and Advancement of Women

H.E. Ms. Benita Ferrero-Waldner, State Secretary for Foreign Affairs, Austria

Ms. Yakin Ertürk, Director, United Nations Division
for the Advancement of Women

11:00 am - 1:00 pm

**Plenary Introduction of Theme 1: Nationality, Marriage and
Family Relations**

Keynote Presentations:

* **Ms. Christine Chinkin**, Professor of International Law, London
School of Economics: Nationality

* **Mme. Emna Aouij**, Présidente de la Cour des Comptes, Tunisia:
Marriage and family relations

1:00 pm - 3:00 pm Lunch (own account)

3:00 pm - 5:30 pm Three parallel working groups

(Note: One working group will be held with interpretation in English-French-Spanish; one working group will be held with interpretation English-Spanish; and one working group will be in English only)

*(Note: Individual presentations in working groups should **not exceed 10 minutes**. Following the scheduled presentations, some 30 minutes will be allocated for working group participants to contribute from their own experience in the area under consideration. This will be followed by a discussion of common trends and issues faced by the judiciary. The last 45 minutes of time in the working groups should be used to discuss opportunities, as well as possible strategies open to judges and magistrates for more creative and widespread use of international human rights norms contained in the CEDAW and CRC Conventions at the domestic level, in both common and civil law systems.)*

Working Group One (English-French-Spanish)
Conference Room III

Facilitator: **The Hon. Ms. Teresa Doherty**, former Judge of the National Court and Supreme Courts of Justice, Papua New Guinea

Resource person: Mme. Emna Aouij

Presentations:

- * The Hon. Mr. Francis Nyalali, Chief Justice of Tanzania (customary law rules concerning the selling of clan land - Ephrahim v. Pastory)
- * The Hon. Ms. Gwen Phillips, Magistrate, Fiji (application of customary law rules in Fiji, and the Pacific region)
- * The Hon. Ms. Elizabeth Gwaunza, Justice, the High Court of Zimbabwe (inheritance rights of women under customary law)
- * The Hon. Ms. Florence Array, Chief Justice of the Court of Appeal, Buea, Cameroon (family relations)
- * The Hon. Mme. Conceptia Ouinsou, President of the Constitutional Court of Benin (inheritance rights)
- * The Hon. Mr. Krishanajung Rayamahji, Judge, Supreme Court of Nepal (unmarried women's inheritance rights)

Working Group Two (English-Spanish)
Conference Room II

Facilitator: **Ms. Sreelaksimi Gururaja**, UNICEF

Resource person: Ms. Jane Connors, DAW

Presentations:

- * The Hon. Mr. Michel Bastarache, Supreme Court of Canada (children's rights in the framework of the Canadian Charter of Rights and Freedoms, with reference to s. 15)
- * The Hon. Ms. Marta Battistella de Salaberry, Ministro Tribunal de Apelaciones de Familia de Primer Turno, Uruguay (best interest of the child - parental rights)
- * The Hon. Ms. Stella Arach-Amoko, Judge, High Court of Uganda (rights of children)
- * The Hon. Ms. Ameurfina Melencio-Herrera, Chancellor, Philippine Judicial Academy (best interests of the girl child and rules of the Court)

Working Group Three (English only)
Conference Room VII

Facilitator: **The Hon. Mr. Ephraim Georges**, High Court of Justice, Antigua

Resource person: Ms. Christine Chinkin

Presentations:

- * The Hon. Ms. Katherine O'Regan, Judge, Constitutional Court, South Africa (Judges' consideration of international law in the interpretation of the Bill of Rights)
- * The Hon. Ms. Unity Dow, Justice of the High Court of Botswana (nationality questions - Attorney General of Botswana v. Unity Dow)

* The Hon. Mr. Anthony Gubbay, Chief Justice of Zimbabwe (residency questions - Rattigan and Ors v. Chief Immigration Officer and Ors)

5:30 pm - 6:00 pm Reports back to plenary from working groups

6:30 pm **RECEPTION hosted by the State Secretary for Foreign Affairs of Austria, H.E. Ms. Benita Ferrero-Waldner**
(Palais Dietrichstein, Festsaal, 2nd Floor. Address: Minoritenplatz 3.)

THURSDAY, 28 OCTOBER 1999

Chairperson: **Ms. Thuwayba Bint Ahmed Al-Barwani**

10:00 am - 12:30 pm
Plenary Introduction of Theme 2: Violence against Women

Keynote Presentations:

* **Mr. Claudio Grossman**, Professor of Law, American University, and Special Rapporteur of the Inter-American Commission on Human Rights on the Status of Women in the Americas: Violence against women - domestic violence

* **Ms. Navanethem Pillay**, President of the International Criminal Tribunal for Rwanda: Violence against women - State-sponsored violence

12:30 pm - 1:00 pm Final communiqué - Preliminary discussion

1:00 pm - 3:00 pm Lunch (own account)

3:00 pm - 5:30 pm Three parallel working groups

Working Group Three (English-French-Spanish) **Conference Room III**

Facilitator: **The Hon. Ms. Lilian Hofmeister**, Substitute Justice, Constitutional Court of Austria

Resource person: The Hon. Ms. Navanethem Pillay

Presentations:

* The Hon. Mr. Khandker M. Hasan, Judge at the Supreme Court of Bangladesh (judicial custody - "safe custody")

* The Hon. Ms. Leonor Jimenez, Judge, Guayaquil, Ecuador (Court action on violence against women)

* The Hon. Ms. Odette Murara, President of the Court of Appeal, Rwanda (genocide committed by minors)

* The Hon. Ms. Petra Smutny, Judge, Austria (trafficking in women)

Working Group Two (English-Spanish) **Conference Room II**

Facilitator: **The Hon. Mr. Reynato Puno**, Associate Justice, Supreme Court of the Philippines

Resource person: Ms. Jane Connors

Presentations:

* The Hon. Mr. Tassaduq Hussain Jillani, Judge at Lahore High Court, Pakistan (right to marry)

* The Hon. Ms. Catherine Fraser, Justice, Supreme Court of Alberta, Canada (question of consent in rape - Ewanchuk)

* The Hon. Ms. Maria Cristina Parra, Jueza Superior de Familia Y Menores, Venezuela (Constitutional Court declaring void articles of Criminal Code)

Working Group Three (English) **Conference Room VII**

Facilitator: **Ms. Yakin Ertürk**, Director, UN Division for the Advancement of Women

Resource person: Dean Claudio Grossman

PRESENTATIONS

* The Hon. Mr. Nasir-ul-Mulk, Judge at Peshawar High Court, Pakistan ("honour" killings)

* The Hon. Mr. A.K. Badrul Huq, Judge, Supreme Court of Bangladesh (violence against women)

* The Hon. Ms. Anita Usacka, Judge, Constitutional Court of Latvia (legislation on violence against women in Latvia)

* Ms. Stella Dabutha, Counsellor, Botswana (legislation on rape)

5:30 pm - 6:00 pm Reports back to plenary from working groups

PLENARY

FRIDAY, 29 OCTOBER 1999

Chairperson: **Mr. Uutoni D. Nujoma**

10:00 am - 12:30 pm

Plenary Introduction of Theme 3: Work and Work-related Rights of Women and Girls

Keynote Presentations:

* **Mr. Marc Bossuyt**, Professor at the University of Antwerp, and Judge at the Court of Arbitration, Belgium: affirmative action/temporary special measures for women and girls

* **Ms. Krisztina Morvai**, Professor of Law, Eötvös Lorand University, Budapest, Hungary: women's and girls' right to work, and work-related rights.

12:30 pm - 1:00 pm Judicial training in international human rights law for women - the example of the International Women Judges' Foundation

Presenter: **The Hon. Ms. Arline Pacht** (ret.), Director, IAWJ, IWJF

1:00 pm - 3:00 pm Lunch (own account)

3:00 pm - 4:30 pm Parallel working groups

Working Group One (English-French-Spanish)
Conference Room III

Facilitator: **The Hon. Ms. Mella Carroll**, Justice, High Court of Ireland
Resource person: Mr. Marc Bossuyt

* Ms. Laarif Hamida, General Attorney, Tunisia (work-related rights)

* Ms. Jenny Goldschmidt, President of the Equal Treatment Commission of the Netherlands (work-related cases decided by the Commission, and by the Netherlands' Courts)

Working Group Two (English-Spanish)
Conference Room II

Facilitator: **The Hon. Ms. Elizabeth Muyovwe**, Judge, High Court of Zambia
Resource person: Ms. Krisztina Morvai

Presenters:

* The Hon. Ms. Sujata V. Manohar, Justice of the Supreme Court of India (sexual harassment- Vishaka and other examples)

* The Hon. Ms. Consuelo Ynares-Santiago, Associate Justice, Supreme Court of the Philippines (discrimination in the work place, sexual harassment, etc.)

4:30 pm - 4:50 pm Reports back to plenary from working groups
PLENARY

4:50 pm - 5:30 pm Review and adoption of the final communiqué

5:30 pm - 6:00 pm **Closing ceremony**

Closing remarks: **Ms. Yakin Ertürk**, Director, DAW

NOTE: Plenary meetings take place in Conference room III

Working group meetings take place as follows:

* **Working group one: Conference room III**

* **Working group two: Conference room II**

* **Working group three: Conference room VII**
