



MINISTÉRIO DA JUSTIÇA, ASSUNTOS CONSTITUCIONAIS E RELIGIOSOS
CENTRO DE FORMAÇÃO JURÍDICA E JUDICIÁRIA- CFJJ

**Women and Justice in Africa:
A transformative people-
centered approach**

Side Event at TICAD 8

26 August 2022



CENTRO DE FORMAÇÃO JURÍDICA E JUDICIÁRIA

Por Uma Formação Jurídica e Judiciária de Excelência



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
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Embaixada da Suíça em Moçambique



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TALKING POINTS

1. INTRODUCTION
2. THE IMPORTANCE OF GENDER DIVERSITY WITHIN THE JUDICIARY?
3. THE WAY IN WHICH GENDER EQUALITY CAN BE REALIZED WITHIN THE JUDICIARY?
4. WHAT NEEDS TO BE DONE TO PROVIDE WOMEN JUSTICE LEADERS A SAFE ENVIRONMENT TO ADVANCE GENDER JUSTICE AND GENDER EQUALITY AIMS?
5. RECOMENDATIONS



HISTORICAL BACKGROUND ON WOMEN IN THE JUDICIARY

POST-COLONIAL PERIOD TO 1978

Bases for Establishment of a New Judicial Organization (Law No. 12/78, of December 2)

Principles corresponding to the Revolutionary and Popular Democracy phase anchored in the Constitution (valorization of the role of Women in the Liberation Process);

3 Women Judges and 3 Women Prosecutors (Total of 30 Professional Judges and Prosecutors)

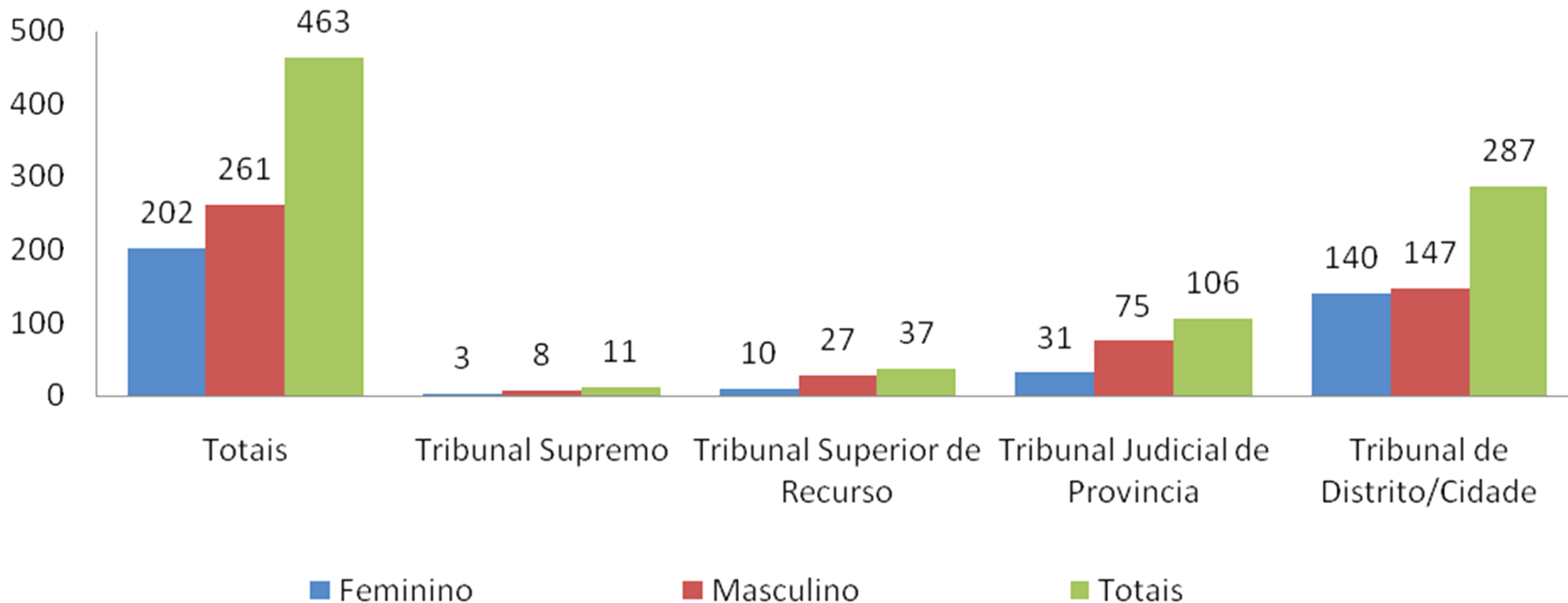
From 1997 to 2019 (Decree 37/97 of October 21 creates the CFJJ) with the support of the **UNDP**

- 1) Balanced entrance exams
- 2) Equal criteria in the recruitment and selection process (Public competition, attendance of a specific course and merit-based graduation)

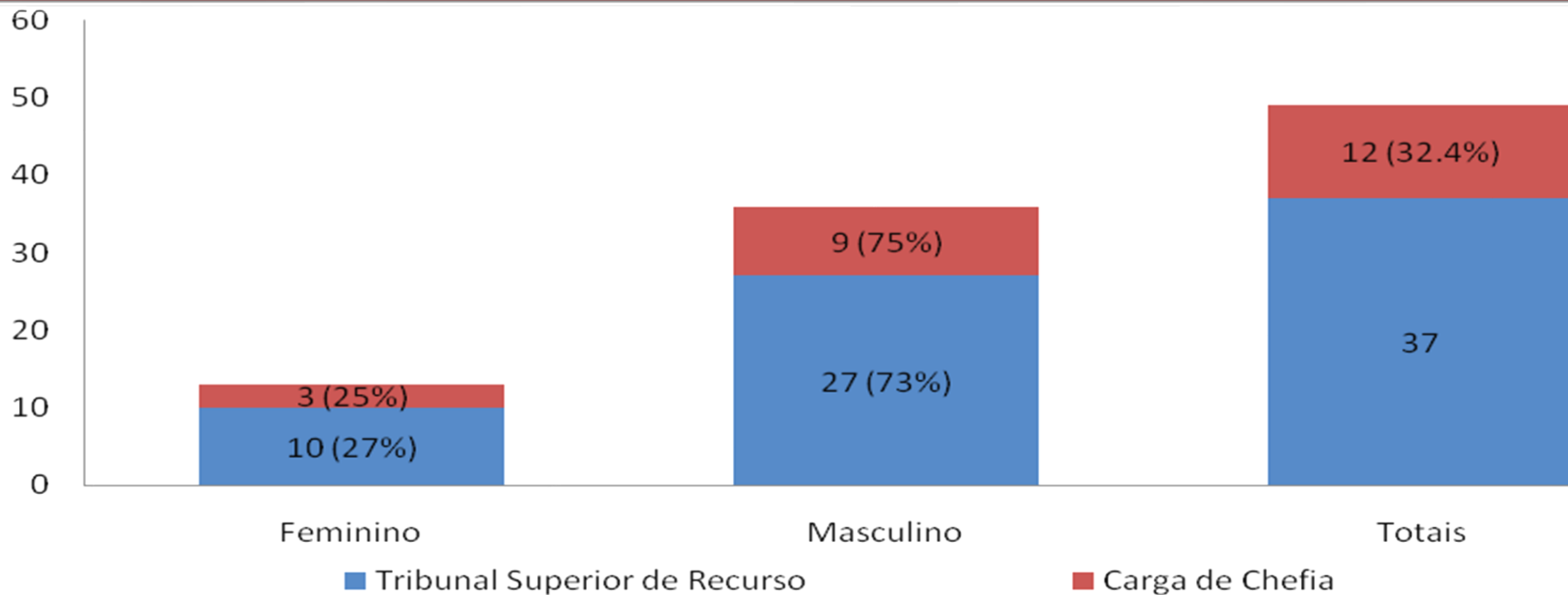
civil
law
system



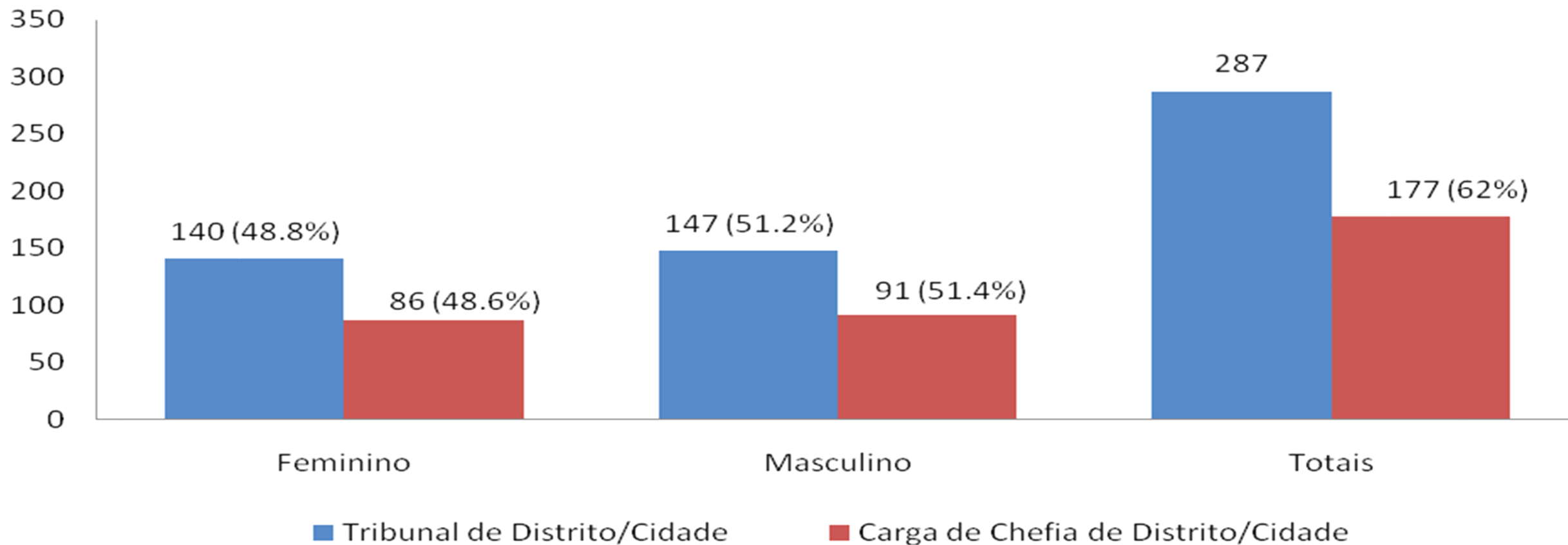
GENDER EQUALITY OF PROFESSIONAL JUDGES (2022)- ALL INSTANCES



Gender equality of professional judges by level of court occupying judgeships- SECOND INSTANCE



Gender equality of professional judges occupying judgeships- FIRST INSTANCE



THE IMPORTANCE OF GENDER DIVERSITY WITHIN THE JUDICIARY?

1. Key governance issue related to fairness, transparency and the effective rule of law:

- ❑ diverse judicial workforce can bring different voices and perspectives to the bench;
- ❑ strengthen the integrity of the judiciary, promoting citizens' trust in justice services;
- ❑ help eliminate gender stereotypes and increase women's willingness to enforce their Rights;



THE IMPORTANCE OF GENDER DIVERSITY WITHIN THE JUDICIARY?



- ❑ Gender perspective brings more reflective of the **composition** of the **society**. It integrates varied social contexts and experiences that need to be included, recognized and valued;
- ❑ Women judges contribute to **improve access to justice for women**, by supporting women's specific justice needs across a range of issues;
- ❑ Female judges are less susceptible to **corruption and political pressure** and contribute to increasing the independence and integrity of the judiciary as well as the quality of judgments.
- ❑ Women's role is crucial on **evaluating the evidence** in certain cases such as sexual violence;



REALIZING GENDER EQUALITY WITHIN THE JUDICIARY: POLICIES AND PROGRAMMES

- Adopting a comprehensive gender policy;
- Increase the women recruitment and selection to enter the judicial functions;
- Increase the women representation in leadership roles;
- Increase the analysis of gender disaggregated data (**UNDP REPPORT**)
- Develop policies that specifically integrate a female-centred approach, taking into account the specific needs of females within the broader justice system;
- The strategic planning of the judiciary must take into account the equal participation of female judges and dedicate a specific component that deals with all transversal gender issues;
- Encourage the creation of women judicial associations among women judges and finance the activities;
- Develop a gender-oriented unit within the judiciary;
- Gender balance in the assignment of Judges;
- Gender balance in the appointment of Judges to senior positions;
- Uniform criteria for career progression.



REALIZING GENDER EQUALITY WITHIN THE JUDICIARY: TRAINING AND CONTINUOUS CAPACITY BUILDING FOR WOMEN AND MEN

- ❑ Increase the development and delivery of gender sensitive inclusive training for all judicial employees;
- ❑ Equal opportunities for women judges participation in training and involvement in the institution's activities;
- ❑ Generate tools that can help jurists (judges, lawyers, prosecutors, police) to adjudicate cases with a gender perspective, identifying and evaluating sex and gender-related human rights violations:

Examples: UNDP- CFJJ

- ✓ Development of the curriculum and training manual to integrate HR-GBV-HIV/AIDS within the Institute for training of Judges and other Judicial Officials (Initial and continuous training);
- ✓ Development of the Curriculum and training manual on Alternative sentencing for Children's in conflict with the law;



THANK YOU
ありがとうございました
OBRIGADA
ASSANTI SANA
KANIMAMBO

