

On the founding of a European Women Lawyer's Association

Women lawyers from all European Union member states and beyond are joining forces in a European Women Lawyers' Association. The formation of an organisation by women legal experts is perhaps nothing new, but viewed in historical perspective it is certainly not something that can be automatically taken for granted. Until well into the 20th century women were excluded from political involvement, participation in the legislative process, the study of law, and the exercise of legal professions, or at the very least were hindered in their participation in these processes. The system of law and the application of law in the courts were fully developed in terms of content and structure before it became possible for women to address theoretical and practical questions of law. As such, it may come as no surprise that with regard to the law and the effects of the law unmistakable deficits existed (and continue to exist) for women. This is seen in particular with regard to the inequality constituted by unpaid and paid work, the lack in many cases of social security for women, the nearly unbroken phenomenon of violence against women and children, their sexual exploitation and transnational trade in women and children. The question arises in this context as to whether the current understanding of obligations on the part of governments to protect basic rights is sufficient to actually guarantee living conditions in keeping with human dignity or approximately equal opportunities for all persons.

Women in legal professions have a special responsibility towards society. They are excellently qualified to analyse legal and political systems from a critical perspective with regard to gender issues. What is involved here is analysing contents, structures, and effects of the law in terms of their influence on women, on the one hand, and men, on the other, and revealing the differences. A further aim is to reveal that the standards of current law are often based on masculine paradigms and interests in life and, further, to reveal the only apparent objectivity of the law and the fact that the application of the law is abstracted from real life. As such, taking women as the point of departure for legal work and referencing it to specific experiences of women in life is the first step towards creating a more just society with regard to gender equality.

With the founding of a European Women Lawyers' Association an organisational framework is now to be created for permanent networking and cooperation of committed women lawyers and those who want to assume this role. Target groups are women lawyers and women lawyers' organisations in all member countries of the European economic area. Interested persons from other European countries can take part in EWLA activities as associated members. Women's organisations whose purposes are not specifically related to law and other organisations whose purposes are not specifically related women's issues can attain observer status in EWLA.

This network is to serve the following objectives: An exchange of information and ideas in all political and legal areas, but in particular in those areas which affect women significantly such as work, income, protection against violence,

basic rights, etc. First and foremost this should serve the purpose of mutual support in national and international political projects.

Above and beyond this EWLA wants to exert influence on the development of European law. A single European legal area must take into account views and problems specific to women, something of major importance with regard to enlargement of the European Union to the east. Questions as to equal job opportunities for all EU citizens or the fight against trade in women need to be treated as priorities. EWLA will submit proposals in this regard and issue position statements. All women are to be supported in promoting their rights on the basis of information, projects, and campaigns. To the extent possible EWLA will support test cases on up to the level of the European Court of Justice.

A further area is the analysis of the distribution of financial resources. The objective here will be, in particular, to advocate fair participation by women and men in national and European budgets, funds, and programmes. The use of the economic strength of the EU member states in connection with the award of public contracts and subsidies is to be expanded for the promotion of gender equality and other social purposes. In connection with these projects, strategies (in some cases new strategies) are to be developed for exerting influence on European institutions and decision-making processes.

As such, the objective is also to use EWLA as a pressure group aimed at promoting factual equality of women and men. Formal approaches in this regard can be found in Articles 2 and 3 of the Treaty establishing the European Community, which defines the equality of men and women as a Community task and through which the Community is obliged to work towards the elimination of inequalities and to promote the equality of women and men in all its activities. Last but not least EWLA is to serve as a lobby and representation for women in legal professions with a view to being able to better protect common interests and provide a pool of women experts when there is a need for expert opinions or persons to fill positions at the national and international levels.

The programme for the conference held in Berlin in March 2000 was formulated with this in mind. Key issues were discussed and initial contacts and networking of women from all the EU member states and beyond took place there.