

Congress in cooperation with WOMEN LAWYERS IN FINLAND



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THE FUTURE OF EUROPE: Enlargement

**Establishment of
Women Lawyers Associations
in the New EU Member States**

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Dear Colleagues,

In the name of the European Women Lawyers Association I would like to welcome you all to our 4th congress here in Helsinki.

I am especially glad that we have a lot of different legal professions represented here: so for example judges, academics, attorneys/ barristers/ solicitors, ombudsmen, members of parliaments, ambassadors, officials, general counsels, advisers, representatives of social partners, representatives of the Council of Europe, the European Commission, representatives of UNIFEM, of bar associations and of NGOs, journalists, and also law students- the future of our profession!

We also have many representatives of WLA here: the presidents of the two International WLA, FIDA- Federación Internacional de Abogadas and FIFCJ, le Fédération Internationale des Femmes des Carrières Juridiques, the presidents or representatives of WLA from Austria, Finland, France, Germany, Ireland, Italy, German-Polish WLA, Norway, Spain, Catalonia, Switzerland, and the UK.

Especially delighted are we that we can welcome here colleagues from Albania, Bulgaria, Estonia, Malta, Lithuania, Poland, Serbia and Montenegro- as the topic of our congress is the Future of Europe: Enlargement. EWLA would appreciate very much to establish close contacts with the Eastern European Countries.

As we have just heard in the panel discussions before, we have a lot of common goals and a lot we share.

Last but not least I want to thank the Finnish WLA, and especially our Board member from Finland, Leena Linnainmaa, for the excellent organization of the congress. Without their efforts this congress would not have been possible at all.

Let me start with a quote:

“I am appealing neither to conscious nor dignified feelings, I won't talk about grand principles of equality and justice, about importance or need for equality, or about the fact that these inevitably result in equal rights etc. for women. That should be obvious to anyone with a sufficiently developed and cultured mind. Whoever has not yet got to this point needs education, not proof.”¹

This quote is taken from the book “For women's rights” (O prawa dla kobiet) of L Petrazycki of 1919! And indeed, we are here not concerned with the proof of equality

¹ This quote is taken from the book “For women's rights” (O prawa dla kobiet) of L Petrazycki of 1919; cited in: Malgorzata Fuszara: Women Lawyers in Poland under the Impact of Post-1989 Transformation, in: Ulrike Schultz and Gisela Shaw (eds): Women in the World's Legal professions, Hart Publishing 2003, ISBN 1-84113-320-5, p. 371- 399 (371).

but with the education of ourselves, our female and male colleagues and the society at whole in our countries, to achieve full gender equality in all fields.

So let me turn to the topic of my speech here today: the Establishment of Women Lawyers Associations in the New Member States.

WHY do we need women lawyers associations after all?

I will focus on **4 aspects**:

1. Why do we need a women **LAWYERS/ JURISTS** association?
2. Why do we need **WOMEN** lawyers associations?
3. Why do we need **NATIONAL** women lawyers associations?
4. Why does **EWLA** promote the establishment of Women Lawyers Associations, especially in the New Member States and other parts of Europe?

At the moment we know about Women Lawyers Associations in Russia, Bulgaria, Turkey, and a German- Polish WLA.

On October 4th 2002 has been founded the Budapest Bar Association Woman Lawyers Group in the presence of about 100 female advocates.

Looking at the 15 EU member states, most have WLA, but some states not: Sweden, Denmark, Belgium, and The Netherlands. Also Norway and Switzerland have a WLA.

1. So why do we need a women **LAWYERS/ JURISTS** association?

In all states exist associations of the different legal professions, but only very few have associations for all legal professions- to my knowledge it is the case only in Austria, Germany and Switzerland: they have a so- called Jurists Day (Juristentag) meeting bi-annually.

- (1) The advantage of uniting all legal professions in one association gives the statements of such an association a huge added value as the implicate a better understanding of the legal implications of a certain issue, as it has been checked by all legal professions- the view of a judge might differ from that of a attorney or a state official.
- (2) Where do you have a more informal opportunity to network and exchange with jurists of other legal professions? In most of the cases you do it within your own profession.

2. Why do we need **WOMEN** lawyers associations?

- (1) Networking among your profession is of growing importance in a more and more globalized world.
Women are in general less represented in lawyers/ jurists associations than men. This is mainly due to family obligations.

An exception is Slovenia as I learned recently, where more than half of the Slovenian Bar consists of women advocates.

Women have to catch up here urgently.

- (2) Experience has shown that women's associations are much more vigilant in monitoring the gender mainstreaming of policies and legislation on local, regional, national, European and international level.
- (3) Especially for students and young women lawyers it is very encouraging to meet women lawyers who have advanced in their carrier in kinds of legal professions or even outside the legal sphere- where do you find so many good examples of different carriers of women lawyers in one association?

3. Why **NATIONAL** women lawyers associations?

- (1) The national legislation and the implementation of it has to be monitored under the angle of gender, also, but not only when implementing European and international law.
- (2) Despite of all the common rules within the EU we have or will have, a wide range of special features of the national legal systems remains- and should remain! As Ole Lando, professor, head of the so. called Ole- Lando Commission on the Unification of European Civil / Private Law said at the European Jurists Day in Athens in May this year: "A Hurra to the differences"! Europe's different cultures are one of the treasures we have to protect.

4. Why does EWLA promote the establishment of Women Lawyers Associations, especially in the New Member States and other parts of Europe?

- (1) The understanding of each other across Europe is essential. EWLA is a platform for exchange, knowledge transfer, depicting of national best practices and better understanding.
- (2) Many projects of the European Commission EWLA could apply for require a truly European representation – members in all European member states as well other European states are therefore of utmost importance.
- (3) With the enlargement of the EU also the Board of EWLA has to be enlarged: each member state has a seat in it, and we would like to have all seats taken!
- (4) We might have soon a new constitution for Europe. It is very important that gender issues are not neglected in it and that the implementation in all member states is monitored under this aspect, too. Who should be a competent organization to do it if not the women lawyers associations together with EWLA?

5. The examples of national women lawyers associations are encouraging: let me refer to the German WLA which I know best for an example:

The DJB took an active part in the **reform of family law**, especially divorce and its legal consequences,
in **parental care**,
in improving the **legal status of illegitimate children and their mothers**,
in **allowing women to keep their family name** all through their lives,
in attaining justice for women as concerns **social security and old age pensions**
as well as in **tax legislation**.

As concerns **abortion law** the DJB submitted to the public its own draft providing for free choice within the first three months of pregnancy.

The DJB was champion in the **fight for part-time work for judges and civil servants**.

At present the DJB works on:

the **legislation for nonmarried couples and similar permanent partnerships**,

a modernisation of social security and old age pensions for married women,

and a **harmonisation of old age pension between both parts of Germany after reunification**.

The DJB stand for:

a **quota system to bring about equal opportunities** for women and

a **recognition of the extra burden borne by mothers and fathers by raising children**.

improving the situation of the aged as well as for

fighting the increasing violence of all kinds especially when women, children and the aged are victimised.

Conclusion:

Coming back to the quote of the Polish colleague from 1919: there is still a lot we have to educate about!

I thank you all for your attention and wish us very fruitful discussions.