

The Mission of the Global Justice Center is to work with women leaders on the strategic and timely legal enforcement of international equality guarantees.

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Dear GJC Friends and Supporters,

In March we were busy running back and forth to the UN for the 54th Commission on the Status of Women (CSW). In this issue of **GJCNews**, we want to share with you our staff's stories from those amazing two weeks and introduce you to some of the incredible women leaders we look forward to collaborating with as we continue to use the law to enforce the rights of women around the world.

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Going Up Against the Gag: Talking About the Helms Amendment at the United Nations by *Kristina Kallas and Akila Radhakrishnan, GJC Law Fellows*



GJC Law Fellow Kristina Kallas hard at work on Helms

For months we've been waist-deep in research on [the Helms Amendment to the Foreign Assistance Act](#). The Helms Amendment prohibits U.S. federal funding from providing or "motivating" abortions abroad. Although the "motivating" provision, which we call the "Helms Gag," has been in effect since 1973, it's so vague and broad that governments and organizations getting funding from the U.S. simply don't talk about abortion at all in order to make sure they are in compliance. Of course, this has a huge impact on the global discussion about women's and reproductive rights.

We dedicated most of our year to developing legal arguments to address the Helms Gag. Kristina took the year off from big firm life to volunteer her legal skills, and Akila brought an arsenal of international

law knowledge fresh out of her internship at the ICTY.

CSW provided an opportunity for us to get our heads out of the Foreign Appropriations Act and meet our clients: women from countries where the Helms Gag can mean life or death. Their rights under [CEDAW, ICCPR, and the Geneva Conventions](#) are not being enforced domestically and the Helms Gag impedes their organizations and governments from advocating for change.

And yet, in a range of discussions at CSW on women's rights, redress for rape victims in conflict, [CEDAW](#), and democracy building, speakers from organizations that receive USAID funding *made no mention of abortion*.

In one Q&A, we asked the speaker if the Helms Amendment kept him from speaking about abortion. His answer was that the Gag Rule had been repealed and that there were no more problems. We used his statement as an opportunity to explain and distinguish the Helms Gag. President Obama lifted the "[Global Gag Rule](#)," a foreign aid restriction on foreign NGOs' use of private funds, but those NGOs, governments, and even the UN remain censored by the Helms Gag, which was the legal justification for the Global Gag Rule.

We aren't stopping there. On April 19, 2010, we sent a [submission](#) to the UN Human Rights Council for its review of the United States, challenging the censorship of abortion speech as a violation of international humanitarian law and human rights, including free speech. The U.S. is being reviewed by the Council in November, so expect to hear more from us as we continue to investigate the money trail blazed by the Helms Gag. At least \$49 billion have been gagged this year, and it could be far more.

The Global Justice Center's goal this year is to get President Obama to issue an executive order providing an exception to the Helms Gag that will allow U.S. aid recipients to provide women rape victims in conflict with information about safe abortions. This will put an end to the discriminatory treatment given to tortured women and girls in places such as Sudan, the Democratic Republic of Congo and [Burma](#).

At CSW, we introduced an audience of women's rights activists to the most wide-reaching censorship law in the world. The Helms Gag erodes the [gender equality guarantees of CEDAW](#) and undermines the positive impact foreign aid should have. Given the complete lack of information on the Helms Gag in the foreign assistance community, we can't talk about it enough.

We hope you'll help us tell everyone- isn't free speech the best?

Read the GJC's submission on the Helms Gag to the UN Human Rights Council for its review of the United States [here](#).

Transforming the Face of Leadership: Meeting Women Parliamentarians from the Democratic Republic of the Congo

by [Gina Cohen](#), Staff Attorney

Last month two female Members of Parliament from the eastern Democratic Republic of the Congo sat in the GJC's conference room and told us about the women in their constituencies who are sustaining their communities in the face of unimaginable hardship. They described the escalating use of [rape as a weapon of war](#) and how victims never see any type of redress.

Their powerful account of targeted brutality made all of the articles and reports that I read as part of my daily work painfully real. I tried to comprehend what these MPs face in acting as the elected representatives of a war-torn community and as a mouthpiece for all those that are silenced. I sat stunned and in awe of these stoic and courageous women who have made it their mission to empower others and seek justice.



*Gina and GJC Burma
researcher Phyu Phyu Sann
at CSW*

These MPs were so inspired by how the GJC uses international law as a tool to [enforce accountability](#) that they requested to meet with us to gain a better understanding of how our approach could be implemented in the DRC. They told us that they had never heard anyone talk about rape as a weapon of war in the way that the GJC did. They felt strongly that the women in the eastern DRC needed to be trained on International Humanitarian Law and how to enforce their civil and political rights, because if women could not access positions of power there would never be any type of lasting peace or stability in their country.

We were first introduced to these Congolese MPs at a meeting we co-hosted with [Parliamentarians for Global Action](#) during CSW. The event convened female parliamentarians from countries as far-ranging as Sweden, Afghanistan and my home country of South Africa. During the day-long conversation on using legal tools to enforce equality, parity and criminal accountability, these women articulated the structural and cultural discrimination that they had overcome in their quest to gain political power and the challenges they face in trying to ensure that half of the population they represent does not get ignored.

It was so powerful to step away from the somewhat academic nature of the work that I do, developing legal arguments on quotas and equality provisions, and actually meet the gutsy and brilliant women who are using these laws to transform the lives of their constituents and change the face of leadership globally.

Read GJC President Janet Benshoof's article in *On the Issues* magazine on using the law to ensure women have access to political power [here](#).

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Video: International Tribunal on Crimes against Women of Burma

On March 2, 2010, the [Nobel Women's Initiative](#) and the [Women's League of Burma](#) held an international tribunal on crimes against women of [Burma](#). Watch the [video of testimony](#) from women of Burma who shared their personal stories of surviving human rights violations and crimes under military rule in Burma.

[Read the Tribunal judges' recommendations](#), including a call to the UN Security Council to refer the situation in Burma to the International Criminal Court.

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The Global Justice Center ● 25 East 21st Street, 10th Floor, New York, NY 10010
Tel: 212-725-6530 ● Fax: 212-725-6536 ● www.globaljusticecenter.net

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