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THIRD WORLD FORUM ON WOMEN, LAW, AND DEVELOPMENT:

PROJECT REPORT

AND

PLAN FOR FUTURE ACTIVITIES

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INTRODUCTION

The Third World Forum on Women, Law and Development (WLD) brought together women from across the Third World to share concrete strategies which they have used to raise women's legal status. As part of the July, 1985 NGO Forum in Nairobi, Kenya, the WLD Forum contributed to an assessment of the accomplishments and obstacles of the UN Decade for Women and to an articulation of concrete strategies for overcoming those obstacles. Most significantly, the WLD Forum highlighted the importance of the law in either facilitating or hindering the participation of women in development processes and in so doing contributed a new tool to women's struggles for equality and participation in Third World development.

The Forum project approach was to focus on action strategies developed and implemented by Third World women to confront and overcome legal constraints. Beginning from their experiences and encouraging a deepening of analysis and dialogue among them, the WLD project engaged Third World women in a process of identifying in practical terms how the law can serve as an instrument for raising their legal status and increasing their exercise of civil and political rights. In so doing the project helped to:

1. Broaden, systematize, and document understandings about:
 - a) the relationship between the law--formal and customary--and the socio-economic development process as it affects women;
 - b) successful strategies to improve women's legal status which in turn impact on women's participation in development processes;
2. Form a network among culturally and geographically diverse women's organizations and agencies which have developed or plan to develop action-oriented programs to improve the legal status of women as a strategy for improving the socioeconomic status of women.
3. Help local women's organizations develop their own action-oriented strategies and programs.
4. Focus world attention on this issue and heighten general awareness of the significance of the legal status of women in the development process.

In working toward these goals, the Forum project included a series of activities--only one of which was the actual Forum in Nairobi. The following report describes and summarizes the pre-Forum activities of outreach, preparation of case studies, and Forum design and planning. In addition, it describes the actual forum and summarizes each of the 17 WLD workshop sessions. Finally it discusses the recommendations of the participants for future action and outlines a plan for achieving them.

I. PREPARATION

The preparation of the WLD Forum, which took place between September 1983 and June 1985, was divided into four major phases: 1) outreach; 2) development of analysis and documentation; 3) selection of case studies and forum design, and; 4) material and logistical preparation. It is important to note that these activities were "preparatory" only in relation to the Forum. Each was an important activity independently, that is, not only for the success of the WLD Forum, but for stimulating research and action on the themes which the Forum intended to explore.

A. Outreach

Outreach efforts, which began in the fall of 1983, were aimed at identifying legal strategies developed and implemented by Third World women. Outreach was considered a critical part of the project since the substance of the Forum dialogue would be based on these strategies and their "implementers" would become the WLD Forum presenters. Moreover, it was important for networking purposes to identify groups interested in developing similar programs or strategies. Thus, three types of organizations were targeted as potential participants in the WLD project: (a) those with experience with "formal" legal programs for women in their countries; (b) those without experience in formal programs but with other experiences in confronting legal constraints; and finally, (c) those without experience but who wished to learn and to develop their own programs. In the process of outreach the project developed an up-to-date inventory of Third world legal programs for women, identified interested groups and individuals, and invited them to participate in WLD activities.

There were three aspects to outreach with the following outcomes:

1. **Identification of projects or groups working toward raising the legal status of women in the Third World.** The outreach

list was compiled through the collaboration of international organizations, church groups, funding sources, etc. Over 200 Third World groups were contacted.

2. **Inventory of potential groups interested in participating in project activities as resources or participants.** A survey was mailed to all groups on the "outreach list." Through this and other means, the critical organizations were identified.
3. **Contact (in written form and where possible personally) with these potential participants** (over 150 groups and individuals) to inform them of the project and to assess their interest.

B. Development of Analyses and Documentation

Because the Forum was to be action-oriented, that is, focused on actual experiences of organizations in developing programs and strategies to raise the legal status of women, it was felt that maximizing the lessons learned from experience would be essential. To do so, the WLD project provided a mechanism and a framework for program implementers to analyze their own experiences and to articulate their insights in a practical format. The analyses and descriptions of strategies which resulted from this process ultimately defined the structure and substance of the actual Forum discussions. Thus, the "development of documentation" phase became the heart of the WLD project in relation to both process and substance. First, it engaged women in organizations around the world in a process of reflection and analysis with the purpose of articulating and sharing insights and approaches. Second, it produced the written materials that were essential to the Forum and to the publication of subsequent materials intended to reach a wider audience.

The major activities related to the preparation of substantive materials on women, law, and development issues were as follows:

1. **Design of WLD Workbook, to guide the preparation of case studies** and papers by participants. The design and methodology of this workbook was itself the result of dialogue and consultation with the participants. The workbook contained:
 - * an overview of the Forum project: the background, objectives, and rationale;
 - * a conceptual framework: key definitions, concepts and issues; and

* guidelines for preparing the case studies:
format and focused questions to guide
analysis.

2. **Consultative field trips to Asia, Africa and Latin America.**
This fieldwork, carried out by the Program Director between
April and October 1984, included the following activities:

- a. Establishment of direct contact and negotiation of appropriate levels of participation and commitment among:
 - women and organizations who had expressed interest in participating in WLD Forum project activities,
 - appropriate government agencies,
 - research institutes and universities.
- b. Provision of guidelines and/or training in case study methodology in order to develop substantive analyses of WLD program experiences and to articulate insights about strategies for the Forum.
- c. Identification of two persons per region (Asia, Africa and Latin America) to function as WLD "Regional Liaisons" with the participating organizations of that region. These 6 women later became members of the WLD Planning Committee.
- d. Consultative meeting/workshop in most countries visited were held with all interested parties or participants to plan the preparatory process and coordination in the country.

Countries visited:

ASIA: India, Sri Lanka, Nepal, Thailand, Indonesia, and the Philippines.

LATIN AMERICA: Colombia, Ecuador, Peru, Bolivia, and Chile.

AFRICA: Nigeria, Kenya, Tanzania, Zimbabwe, and Botswana.

3. **Preparation of Case Studies on Strategies.** The participating organizations prepared case studies using the guidelines provided in the "WLD Workbook." The workbooks were mailed to the participants in September 1984. A steady flow of case studies began to arrive in October and continued up to the Forum itself, totaling 70 (27 from Asia, 14 from Africa, and 29 from Latin America).

Topics ranged from "Combating the Misinterpretation of the Islamic Law" (Pakistan) to "Changing the Socio-labor Conditions of Domestic Workers" (Colombia) to "Crimes of Honor" (Lebanon). (List of case studies is attached.)

C. Selection of Case Studies and Forum Design

This phase of activities centered on the WLD Planning Committee meeting, which was held at OEF International's offices in Washington D.C. from February 17 - 23. The work of the Committee focused exclusively on structuring the WLD Forum, i.e. its design and content. Decisions had to be made regarding: the general themes of the 5-day Forum, the content of the specific workshops, and the organizations and/or individuals who would present their case studies in the workshops.

The meeting was attended by:

Radhika Coomaraswamy, Sri Lanka
Ranjana Kumari, India
Terry Kantai, Kenya
Luisa Campos, Dominican Republic
Sonia Davila, Bolivia

First, the group reviewed the case studies received from organizations throughout the Third World in order to become familiar with the gamut of legal programs and strategies being employed by women. In doing so, they carefully noted both commonality among the programs (any emerging patterns of strategies and methods, constituencies, legal issues addressed, etc.) as well as any distinct characteristics of each (which might provide valuable insight for other groups).

Second, the committee articulated an organizing principle of the WLD Forum to guide its pending decisions and plans. Based on its review of the case studies, it agreed upon the following principle:

EMPOWERING WOMEN TO MAKE THE LAW RELEVANT AND REAL IN THEIR LIVES.

Third, they proceeded to make "structural" decisions, particularly those regarding design and format of the Forum. They decided to structure the Forum around themes which surfaced from the case studies. These themes would be discussed in large plenary sessions, while specific legal issues, which fell under these, were designated as workshop topics for discussion within smaller groups. The themes and workshop topics were:

1. **State, Law and Development** -- understanding the character of law in a given state and assuring the state's adequate response to the needs and demands of women with special reference to:
 - * constitutional issues,
 - * development policies,
 - * land,
 - * labor, and
 - * family.

2. **Custom, Law and Ethnicity** -- bringing to light and resolving the contradictions that exist between state law, custom and customary law, especially:
 - * custom and customary law and
 - * religion, law and women's rights.

3. **Violence and Exploitation** -- identifying and confronting the ways in which society legitimates violence against women, particularly:
 - * rape, prostitution and domestic violence,
 - * exploitation in the workplace, and
 - * human rights violations.

4. **Strategies for Collective Action** -- exemplary strategies for collective action subdivided according to the level of action:
 - * grassroots collective action strategies
 - * national collective action strategies

Fourth, the committee selected case studies to be presented in the Forum. Selection was made according to four considerations (listed below), the first two of which represented characteristics of legal programs which were considered exemplary. The third and fourth categories, though not of a programmatic nature, were deemed equally important considerations in the selection of case studies.

1. **Clearly elaborated designs**, which include one or more of the following components:
 - * eliminating discriminatory legislation and policies
 - * educating and sensitizing women and the public on legal issues affecting women, on women's rights, on the possibilities and limitations of the law
 - * defending rights, making justice accessible, developing alternative legal resources

2. **Dynamic processes**, such as:
 - * Participation of low-income women in the strategy
 - * Use of networking and creation of a catalytic effect
 - * Use of empowering processes
 - * Focus on relevant issues
 - * Contribution to theory and practice

3. **Geographic Balance**, i.e., distribution among regions of:
 - * Asia and the Pacific
 - * Africa and the Middle East
 - * Latin America and the Caribbean

4. **Individual Scholarship**, i.e., individuals who have contributed to an understanding of law and social processes and could provide insight on strategies.

D. Material and Logistical Preparation for the Forum

The primary material to be compiled before the Forum was the Case Study Summary Book. This involved reviewing, summarizing and translating all the case studies to be presented at the Forum. (Of the 60 studies to be presented, 32 had been submitted to us prior to the Forum.) In addition, the brochure was designed and printed, as well as a commemorative poster, all of which were available at the Forum in Nairobi.

The bulk of staff time from the close of the Planning Committee meeting until the Forum was spent on: 1) locating funds to enable the selected participants to attend the Forum (airfare, hotel expenses and per diem) and; 2) coordinating the logistics for each individual, including securing airline and hotel reservations, calculating exact costs, and negotiating payment arrangements with funders (each grantor/grantee relationship had its own requirements). Ultimately, all but one of the selected resources had secured funds and were able to attend the Forum.

II. THE FORUM

The 5-day Third World Forum on Women, Law and Development took place between July 12 and 19, 1985. In addition, a day-long orientation workshop with the participants prior to the beginning of the Forum was held on July 9th. At that time, last minute adjustments were made to the program to accommodate additional women who had previously submitted case studies and managed to attend the Forum with resources of their own. This workshop also offered all the participants the opportunity to meet one another prior to the actual Forum. In all, there were 60 women who made presentations in the WLD Forum and who represented 32 Third World countries. These 60 presenters were evenly divided among Asians, Africans, and Latin Americans.

The NGO Planning Committee in New York, which had been very supportive of the WLD Forum throughout the planning stages, assured us of space and facilities. The WLD Forum was fortunate, therefore, to have been assigned space in one of the central buildings of the Nairobi Campus where the NGO Forum was held. The WLD plenary sessions were held in large auditoriums with simultaneous translation in 5 languages. Only the smaller workshops posed a problem since the rooms were too small for the number of people who wished to attend, and their duration was half the length of time we had requested.

As stated earlier, the Forum was structured around four themes which emerged from the case studies and which have been the focus of Third World women's struggles for their rights. Each theme was broken down into sub-topics for smaller workshop discussions. Notes on workshop discussions were compiled at the close of each day and organized in the form of a report, which was then presented in the following morning's plenary session. Substantial time was allotted for response to the reports, and any suggested changes, elaborations, clarifications or retractions which reflected the feelings of the majority of the participants were incorporated into the final report.

Summary of the WLD Forum Sessions

Inauguration:

- * Chairperson, Justice Annie R. Jiagge, Ghana
- * Welcome by Terry Kantai, Kenyan delegate to UN Conference
- * Inaugural Address by Justice Effie Owuor, Kenya
- * Keynote Address by Dr. Nawal El Saadawi, Arab Women's Solidarity Union, Egypt

State, Law and Development workshops:

(overview presentation made by Justice A. R. Jigge, Ghana)

Constitutional Issues

presenters: Milu Vargas, Asociacion de Mujeres Nicaraguenses Luisa
Amanda Espinoza, Nicaragua
Silvia Pimentel, Juridic, Economic, and Social
Sciences Center, Brazil
Sara Rioja, Derechos Iguales para la Mujer Argentina,
Argentina
Rani Jethmalani, Supreme Court Advocate, India

There was general agreement that throughout the Decade, the principle of "equality" between men and women was formally enacted as a constitutional provision in many Third World countries. However, women's rights generally have remained on paper, formal and meaningless. The presenters described strategies which they have used successfully in making equality "real and relevant" to women in their countries. In Nicaragua, women, having played an active role in that country's social liberation, have lobbied for just laws through large public meetings. In Brasil, women have pressured legislative bodies as part of the country's overall struggle for democracy. In India, "open letter jurisdiction" inspired women to put pressure directly on the courts, and in Argentina, women rallied behind the newly-ratified Convention for actual implementation of the equality clause.

Development

presenters: Rosemary Awino, Partnership for Productivity, Kenya
Nani Yamin & Saparinah Sadli, Institute for
Consultation & Legal Aid, Indonesia
Lilia Rodriguez, Centro Ecuatoriano para la Promocion y
Accion de la Mujer, Ecuador

The different presentations and country experiences described a similar phenomenon: economic development programs generally have been discriminatory towards women because they assume men are the heads of households and the primary producers in society. Women have therefore been excluded from economic modernization, often being denied access to technical skills and credit facilities. Presenters discussed their attempts to remedy this imbalance, by pressuring development organizations. However, most participants agreed that economic development alone will not necessarily lead to women's empowerment, but rather should be part of a multi-pronged strategy which includes consciousness-raising and organizing as well.

Land

presenters: Hawa Sinare, Women's Research & Development Project,
Tanzania
Alba Alonzo de Quesada, Federacion de Asociaciones
Femeninas Hondurenas, Honduras
Teresa Fernandez, PILIPINA, Philippines
Balghis Badri, Afhad University College, Sudan

The case studies presented document strategies targeting primarily family and inheritance laws, which, reflecting traditional patterns of landholding and property, ensure that women do not receive their due share. Participants agreed that modernization has been another obstacle for women in this area, particularly African women, since it is they who have been primary producers in the agricultural sector. As their land is being nationalized or sold to large companies, women have organized themselves to secure their property rights and defend their livelihood. In the Philippines, women have used squatting as a means of pressuring authorities into recognizing their right to land ownership. In Honduras, they have worked on changing the agrarian reform laws to be more favorable to women.

Family

presenters: Elizabeth Dasso, Peru Mujer, Peru
Rosa Paredes & Delfina Ortiz, Centro al Servicio de la
Accion Popular, Venezuela
Mothokoa Mamashela, Faculty of Law, University of
Lesotho
Priscilla Kuye, Nigerian Institute of Advanced
Legal Studies, Nigeria
Joyce Kazembe & Marjon Mol, Centre for Applied Social
Sciences, Zimbabwe
Silu Singh, Women's Legal Services Project, Nepal
Mere Pulea, Vanuatu National Council of Women, Vanuatu

Like many women's organizations, those represented on the above panel have focused on family law, as it encompasses many issues of particular importance to women, such as marriage, divorce, inheritance, maintenance and child custody. Some of the strategies discussed focused on pushing for amendments regarding succession, marriage and legal age of majority, as in Zimbabwe and Vanuatu. In other countries where progressive family laws have been passed, such as Peru, Nepal and Nigeria, women have concentrated on legal literacy programs to educate women about their newly acquired rights. Participants agreed that legal literacy is a major goal of Third World women, since it equips them to defend their own rights, thus eliminating the need to depend on lawyers, who have traditionally had a monopoly on law.

Labor

presenters: Shirin Aumeeruddy-Cziffra, La Commission des Femmes,
Mauritius
Magdalena Leon de Leal, Asociacion Colombiana para el
Estudio de la Poblacion (ACEP), Colombia
Ela Bhatt, Self-Employed Women's Assn. (SEWA), India

Each of the presenters stressed that lack of organization among women workers has resulted in their being subject to many forms of labor exploitation. Groups working on this issue have found that although the occupations which women tend to hold are located at the lowest level of the wage structure, women are reluctant to organize themselves for better working conditions, for fear of losing their jobs. Women working in the informal sector, such as domestic laborers or street vendors, have the least protection in terms of labor rights. Certain organizations have been successful in encouraging women in such occupations to mobilize or unionize, such as ACEP in Colombia, which works with domestic workers. In India, SEWA has helped women vendors, who represent an important part of that nation's social and economic structure, to use their collective strength to articulate their demands to the State, which then responded by setting up facilities corresponding to their needs.

Custom, Law and Ethnicity workshops:

(overview presentation made by Radhika Coomaraswamy, International Centre for Ethnic Studies, Sri Lanka. Response given by Rashida Patel, All Pakistan Women's Association.)

Custom and Customary Law

presenters: Asma El Dareer, Sudan
Mariflor Parpan, Philippines
Athaliah Molokomme, Faculty of Law, University of
Botswana
Savitri Goonesekere, Open University, Sri Lanka
Dr. Tai-Young Lee, Legal Aid Center for Family
Relations, Korea

Experiences in North Africa and Asia have shown that the resurgence of religious fundamentalism and ethnic revivalism throughout those regions has major implications for women in those societies. Women there have found that both phenomena often contribute to the duality in legal systems by contradicting and taking precedence over state law, which makes it difficult for women to defend their rights under state or general law, particularly in areas of personal relationships and family. In addition, ethnic minority women do not wish to divide or dilute their group identity, as is the case in Sri Lanka, for example. It was agreed that special strategies are needed to help these women defend both their ethnicity and their womanhood, strategies

which advocate rights of women and allow for cultural and religious diversity. Many participants felt that women should strive for the enactment of uniform civil codes based on common values of justice and equality.

Religion

presenters: Rashida Patel, All Pakistan Women's Assn., Pakistan
Sigma Huda, Bangladesh National Women Lawyers Assn.,
Bangladesh
Nirmala Salgado, International Centre for Ethnic
Studies, Sri Lanka
Ranjana Kumari, Center for Social Research, India

Participants agreed that religion, as a spiritual humanistic force, is not necessarily oppressive to women. However, religious interpretation and custom in certain localities have led to oppressive conditions for women living within particular religious traditions. The presenters described how women's groups in their countries have begun to organize effectively within religious traditions to forestall the repeal of just laws, (as in Pakistan, where family law has been threatened with repeal as a concession to fundamentalism) and to raise awareness of the true nature of rights to be enjoyed by women if the spirit of religion were accepted without distorted interpretation by man. They have done this by taking their battle to the courts, as in Pakistan, or by popularizing the issues of social justice, as in Bangladesh. In India, a state committed to "secularism", women have been pushing for a uniform civil code.

Violence and Exploitation workshops:

(overview presentation made by Soledad Perpnan, Third World Movement Against the Exploitation of Women, Philippines)

Rape, Prostitution and Domestic Violence

presenters: Terry Kantai, Kenya Assn. of Social Workers, Kenya
Soledad Perpnan, Third World Movement Against the
Exploitation of Women, Philippines
Roxana Vasquez, Flora Tristan, Peru
Marta Uribe, Casa de la Mujer, Colombia
Laure Moghaizel, Institute for Women's Studies in
the Arab World, Lebanon
Zine Chitepo & Mary Tandon, Women's Action Group,
Zimbabwe

Presentations revealed that domestic violence tends to be underplayed because in most societies the patriarchal family is deemed sacrosanct and intervention by forces outside this unit is unacceptable. Society's condoning of such violence leaves women with little support and few means of counteraction. In addition, penal codes are outdated and do not reflect new types of violence

directed against women, such as custodial rape, where the victim is supposedly under the protection of the law. Strategies discussed included pushing for changes in the laws so that they more adequately reflect contemporary reality and striving for the establishment of "battered homes" as a refuge for victims of rape and domestic violence. Prostitution is now a major problem in many countries where, due to economic deprivation, many women are resorting to exploiting their sexuality. In the Philippines and Thailand, for example, women have turned to working for organized "sex tours." Women's groups in those countries are attempting to counter that by counseling women on the dangers involved and by discussing other possibilities of employment.

Workplace Exploitation

presenters: Justice Welsh, Mozambique

Jing Porte, Committee for Asian Women, Philippines

Julieta Montano, Oficina Juridica para la Mujer,
Bolivia

Amartiwi Saleh, Legal Aid Institute, Indonesia

Presenters described the growth in Free Trade Zones and other economic developments which have resulted in women becoming the new industrial proletariat of the Third World. They are factory workers, laboring long hours for low wages. They are prevented by law or coercion from organizing themselves through unions. Participants agreed that unionizing these women is an important task for the upcoming decade, as well as providing some sort of international regulation to prevent exploitation of unskilled women workers who leave their home countries to seek work elsewhere (for example, women from Indonesia and Sri Lanka leaving to find work in Saudi Arabia). These women are often at the mercy of labor brokers who provide little or no protection, and often abuse their "clients", physically and otherwise. It was agreed that future strategies should encourage women workers to see their struggle as linked to the labor's struggle, and to fight for changes in labor legislation which will protect their interests as well as those of the larger working class.

Human Rights

presenters: Fabiola Letelier, Comite de Defensa de los Derechos del Pueblo. Chile

Luisa Campos & Mildred Beltre, Centro Dominicano de

Asesoría e Investigaciones Legales, Dominican Republic

Ayala Rocha, Centro de Defensa Dos Direitos Humanos,
Brazil

Presenters described situations in many Third World countries where women live in extremely repressive "national security states" which are politically oppressive and deny them a voice with which to speak out against injustice. Those women who do

speak out, risk imprisonment and torture. While the problem of torture is receiving worldwide attention, its effect on women is not fully addressed. Women's organizations in Chile, Brazil and the Dominican Republic have focused on showing solidarity and support for women prisoners of conscience. The participants agreed that the next decade should witness the establishment of an International Commission on Women's Rights to bring about international pressure in cases of human rights violations against women. Also, presenters agreed that women have realized that organizing around legal rights serves to raise general human rights awareness and leads to political activism.

Collective Action Strategies: Grassroots and National levels

"grassroots" presenter: Lucia Carrion, Centro Ecuatoriano de Planificacion e Estudios Sociales (CEPLAES), Ecuador

panelists: Terry Kantai, Kenya
Dr. Tai-Young Lee, Korea
Justice Welsh, Mozambique

"national" presenter: Ranjana Kumari, Mahila Daxata Samiti, India

panelists: Sonia Davila, Bolivia
Rashida Patel, Pakistan
Priscilla Kuye, Nigeria

Strategies presented in these two panels tended to adopt a multi-pronged approach to improving women's legal status. Presenters discussed programs in their countries which combine components such as: 1) legal education (e.g., producing booklets on women's rights, using mass media to educate women about their rights, training paralegals to work at the community level); 2) legal services (e.g., setting up legal aid clinics to provide free legal advice and to involve the client in her own problem-solving); 3) legal reform (e.g., conducting national campaigns and other types of demonstrations to focus public attention on the need for effective legal remedies, lobbying lawmakers, using media to mobilize support for changes in the law). All the panelists stressed the need to link together grassroots activities and national activities, for either can be rendered ineffective without the support and dynamism provided by the other.

Forum Publications

Since Nairobi, the WLD Forum Report and Recommendations have been printed, translated (into Spanish) and distributed to almost 1000 individuals and organizations. In addition, the case studies and other papers received for the Forum are in the process of

being prepared for publication. These preparations are expected to be completed by early 1986.

Survey, Feedback & Evaluation

Following Nairobi, a survey was sent to the participants to elicit feedback on the WLD Forum (see Appendix B). The survey's emphasis was on assessing the Nairobi experience in function of the future direction of the WLD Program. Even though the final report and recommendations were reached by consensus and reflect the will of all the participants, it will be useful to determine whether and how the process used throughout the phases of preparation and during the Forum, was helpful to each participant in her work.

Unfortunately, the results of the survey are not yet complete and cannot, therefore, be included in this report. However, enclosed are statements from letters received from participants after the Forum (see Appendix C). As the letters indicate, the Forum triggered a great deal of renewed interest and spirit around issues concerning women and the law. For example, one Indian participant explained that upon her return to India, she and other Indian women immediately planned a 2-day workshop on "Relevance of Law for Women: an Introspective and Future Perspectives," which explored the issues raised in the WLD Forum in Nairobi. Another participant from Ecuador wrote that, after Nairobi, she and her organization were working on incorporating legal counseling and training as a central component into an upcoming program which will involve women belonging to a federation of 32 neighborhoods in Quito.

In addition, the WLD Forum received much press coverage in the Nairobi newspapers and the NGO Forum newspaper (a packet of press articles were sent to you earlier). Attached is a piece on the WLD Forum which appeared recently in the magazine, Connexions (See Appendix D).

III. FUTURE ACTIVITIES

A. Forum Recommendations

Workshop and plenary discussions revealed that women throughout the Third World wage similar struggles for their rights, and that combining efforts is a critical step toward overcoming obstacles and truly achieving empowerment. Forum participants agreed that the WLD Program should continue beyond Nairobi as a vehicle for their collective action. Specifically, they recommended:

1. Establishing an International Commission on Women's Rights aimed at:
 - consolidating the network of women's groups throughout the Third World to promote the exchange of information and experiences on women's struggle for their rights.
 - researching areas of special interest to women in different parts of the world,
 - drafting model legislation in areas of specific concern to women (for example, family law).
2. Implementation of a "Know Your Legal Rights" Campaign to empower women through a functional understanding of their rights.
3. Convening of a series of regional conferences to continue the efforts of the Nairobi Forum and to refine the strategies and methodologies which surfaced there.
4. Establishment of an Emergency Committee of Third World Women for expressing concern and mobilizing world opinion against any violations of the civil, legal, and human rights of women in Asia, Africa, and Latin America.

Taking these recommendations as the will of the WLD participants, the WLD Planning Committee met immediately after the Forum to further shape the next phase of the WLD Project. The most effective way, the Planning Committee felt, to implement these recommendations would be to institutionalize the Third World Forum on Women, Law, and Development at the international, regional and local levels.

They agreed that institutionalization should occur initially at the regional level through the establishment of regional WLD

"institutes," or some structure that would give institutional continuity to the work and interest that was stimulated by the initial Forum process and program. It would be through the leadership, organization and direction provided by these institutes, that the concrete fulfillment of the goals and objectives of the program would be achieved. Subsequently, and as a result of the regional effort, the International Commission would be explored and an appropriate mechanism for it established.

The Planning Committee took this approach because they felt strongly that an effective International Commission ought to reflect the interests and needs of the participating organizations and they feared that this would not be the result were it to be organized prematurely or from the top down. Rather, they felt it should rest on the work of the regional WLD organizing efforts which would catalyze the energies of the participants and provide a mechanism for the implementation of an effective, long-range program. Moreover, the process of implementing the international "Know Your Rights" campaign and the regional conferences--the initial tasks of the regions--would lead to further clarity about how to structure the International Commission and link it organically to work going on at the regional, national and local levels.

Finally, the Committee members felt that since the exact nature of the Emergency Committee was not clearly specified, it would be necessary to convene a group of those most interested in working on this concept to spell out the nature and structure of the committee.

B. Plan for Implementing Recommendations

Objectives

To achieve the WLD goal of "Empowering Women to Make the Law Relevant and Real in their Lives," the specific objectives of "institutionalizing" the Third World Forum on Women, Law, and Development are:

1. To enhance the ability of groups in the Third World attempting to raise the legal status of women to understand and analyze the root causes of the problem.
2. To improve local groups capacities to design legal programs that include components and processes which lead to the empowerment of women.

3. To strengthen local groups abilities to implement strategies aimed at mobilizing women to make the law relevant and effective, specifically: lobbying for change, monitoring compliance, accessing legal structures such as courts and legislative bodies, and raising awareness among women about the law, etc.
4. To expand the influence of individual local programs by structurally linking their efforts at the national, regional and international levels.

Implementation Mechanisms

These objectives will be achieved through the following means:

1. The Organization of WLD Networks in Asia, Africa, and Latin America into an appropriate institutional format. (It is assumed that appropriate regional sub-groupings will be explored as part of the process.) While the exact nature and structure of these organized networks will be delineated as part of the process, they will share common minimal functions outlined below as a general guide. They include:
 - a. Consolidation and expansion of the networks of WLD groups within the region and activate regional communication mechanisms;
 - b. Coordination of efforts at further clarifying empowering strategies, specifically:
 - 1) the kind of processes (legal and organizational) that lead to empowerment;
 - 2) the meaning of "mobilization" and how to do it;
 - 3) the specific techniques and methods that are effective in raising awareness, offering services, monitoring compliance and affecting policy or changing legislation;
 - 4) the kind of constraints that are faced by women in mobilizing and how to overcome them.
 - c. Assistance to local groups in developing or improving their legal programs and strategies;
 - d. Dissemination of information on on-going research and activities by groups in the regional network;

- e. Design of appropriate strategies for coordinated efforts at the regional level; and
 - f. Research on issues of particular relevance to the region as deemed necessary.
2. Regional Conferences The content of these conferences will be drawn from the themes which emerged from the Nairobi Forum (state, law, and development, custom, law and ethnicity, violence and exploitation, and strategies for collective action.) The conferences will build on these themes and deepen their content at a regional level. While the initial idea for these conferences was articulated in the general terms of "exchanging information" among the groups of the WLD regional networks, the conferences will specifically:
- a. Explore the relationship between the the problems encountered in the law and their affects on women;
 - b. Assess efforts going on at the regional and local levels for overcoming these problems or constraints;
 - c. Refine the strategies and methods being implemented in the region;
 - d. Provide input for future regional activities.
3. An International Campaign aimed at empowering women throughout the Third World by developing a functional knowledge of their rights. This campaign will popularize the language of the law by using the mass media and other strategies to demystify law and make it more accessible to the people and will incorporate the concept of "alternative law," in order to maximize women's rights and respond to their reality and experiences. The campaign will acquire its design from the work of the regional institutes and will be implemented by local groups throughout the Third World.
4. An International Commission on Women's Rights, explored, designed, and finally established as a culmination of the above set of activities. The structure and format of this Commission will be elaborated throughout this process. Building on the work of the Regional Institutes, it will most likely have similar functions, but will be international in scope.

Implementation Phases

It is proposed that this project be implemented in three phases for each region: 1) regional consolidation; 2) implementation of regional plans of action; and 3) evaluation and readjustment. At the completion of these phases in each region, an additional step, the structure and definition of the International Commission will be completed.

Phase 1: Regional Consolidation

The major activity of the first phase of the project will be to organize regionally for the purpose of expanding the WLD network in each region and building consensus about the regional agenda and the appropriate mechanism to give institutional continuity to the regional network. The initial aim is to consolidate three regions: Asia, Africa, and Latin America. It may be that other regional designations will be possible, depending on the structure decided during this phase, but initially the focus will be on the three regions.

During this phase, one full-time regional coordinator will take responsibility for regional consolidation. In addition, on-site assistance of the WLD staff from OEF will be provided. The major tasks during this period for each region will be the following:

- a. Expansion of the WLD network in the region.
- b. Exploration of alternative organizational formats and polling of the WLD participants to determine their preferences and needs.
- c. Convening of a Regional Planning meeting to establish the regional agenda.
- d. Development of a strategy for future economic viability.

In accord with the participatory methodology to be used, the exact content of the regional plans will be elaborated within the context of each region and respond to the interests and concerns of the participating organizations. The general goals and objectives of the WLD program, the Nairobi agreements, and the functions outlined for the regional "organizations" provide the framework for their development and operation.

Phase 2: Implementation of Regional Plans of Action

Once regional consolidation has been completed in the first region, the implementation of regional action plans will begin. In the process of carrying out its plans, each regional organization will acquire the following capabilities essential to the institutionalization of the WLD effort, particularly, the ability to:

- a. articulate plans and strategies that correspond to a common "WLD vision" while addressing issues that are particular to its context;
- b. managing its own affairs and carrying out its own plans independently and efficiently;
- c. coordinating its activities with the other regions or levels of organization.

Phase Two, which occurs between "consolidation" and "evaluation" allows time for the newly formed regional structures to begin implementation. Activities will most likely include holding workshops, designing materials for the international campaign, organizing the regional conferences, pursuing funding possibilities, providing assistance to local groups, and/or implementing other activities in accordance with their regional plans of action.

Phase 3: Evaluation and Adjustment.

After regional consolidation has been completed and implementation has begun, a period of evaluation will commence. This will focus mainly on an assessment of the appropriateness, efficiency and effectiveness of the organizational structures, communication mechanisms, and implementation of plans up to that point. The purpose of this evaluatory period is to identify where any readjustments are needed and whether need for further assistance of any sort is indicated.

Phase 4: Interregional Meeting and Establishment of the International Commission.

Toward the end of the first three phases a meeting of the WLD Planning Committee, the Regional Coordinators, and the Regional Steering Committees will be convened. The purpose of this meeting will be:

- a. to share the results of the regional conferences, specifically learnings about strategies;
- b. to assess interregional coordination and communication;
- c. to set up, if deemed appropriate, the International Commission; and
- d. to plan future activities for the commission and interregional linkages.

Throughout the first three phases, data will be assembled on the possible models for the Commission. It is assumed that the three regional evaluations and the lessons learned from experience will guide the Commission's design. The final structure of the commission, its linkages with the regional organizations, its functions and mechanisms for operation, will be specified during this meeting.

C. Methodology

The WLD Planning Committee members requested the continued assistance of the WLD staff from OEF International in designing and implementing the plan and processes described above. Specifically, OEF's role will be to provide support in developing a methodology for achieving the consensus needed to create appropriate structures for the Third World Forum on Women, Law and Development to become an autonomous and independent entity.

To achieve this organic "institutionalization" of WLD, the methodology used will be highly participatory, actively involving the women in the WLD network in the organization of the regional networks, in structuring the regional organization, in the planning and implementation of the international campaign and the regional conferences, and in the design of the International Commission. Direct involvement of participating women aims to ensure the selection of appropriate mechanisms that will be functional to the goal of empowerment. Such an approach is congruent with the Planning Committee's rationale for beginning with local and regional consolidation. Mechanisms, structures, and processes which allow the participants to both contribute and to learn within the framework established for the institutionalization of WLD will be utilized.

APPENDIX A:

WLD CASE STUDY AUTHORS & TITLES

WLD CASE STUDY AUTHORS & TITLES

The following is a list of case studies and papers which have been received from women and women's organizations throughout the Third World. Those marked with an * were presented at the WLD Forum.

LATIN AMERICAN & CARIBBEAN

Barbados

Norma Forde, University of the West Indies, "Community Legal Services - An Essential for Women."

* Dominican Republic

Luisa Campos & Mildred Beltre, Centro Dominicano de Asesoría e Investigaciones Legales, "Asesoría, defensa y educación legal a las mujeres de los sectores mas empobrecidos del país: las campesinas, las trabajadoras, e inmigrantes haitianas."

Jamaica

Myrtle Mason, Soroptomist Club of Jamaica, "Elimination of Discrimination Against Women Workers in regard to the Payment of Remuneration."

* Costa Rica

Mafalda Sibille, Fundación Acción Ya, "Organización y Puesta en Marcha de Un Programa de Información para la Mujer en Centroamérica."

* Honduras

Alba Alonzo de Quesada, Federación de Asociaciones Femeninas Hondureñas, "Asistencia Legal a un Grupo de Obreras."

* Nicaragua

Milu Vargas, Asociación de Mujeres Nicaraguenses Luisa Amanda Espinoza.

Argentina

* Sara Rioja Orellano, Derechos Iguales para la Mujer Argentina, "Contribución al desarrollo de la conciencia de los derechos de la mujer para su mayor participación en la vida política, económica, social y cultural de la República Argentina."

* Gloria Bonder, Centro de Estudios de la Mujer, "Sensibilizar a las mujeres a través de la educación y la asistencia legal."

Bolivia

* Sonia Dávila, La Coordinadora, "Estrategia de una Comisión."

* Julieta Montaña, Oficina Jurídica para la Mujer, "Informe de la Oficina Jurídica para la Mujer de Barrios Marginales y el Campo."

Brasil

* Ayala Rocha, Centro de Defesa Dos Direitos Humanos - Assessoria E Educacao Popular, "Programa de Conscientizacao, Capacitacao e Instrumentalizacao de Mulher do Meio Rural, pelos seus Direitos Trabalhistas e Previdenciarios."

* Silvia Pimentel, Juridic, Economic and Social Sciences Center, "Woman and the Constituent Assembly - Some Ideas."

AFRICA & THE MIDDLE EAST

- * Botswana
Athaliah Mololomme, University of Botswana, "Custom, Law and Ethnicity and their Effects on the Status of Women in Botswana."
- * Ghana
Justice A.R. Jiagge, Ghana Court of Appeal, "State, Law and Women."
- * Kenya
Rosemary Awino, Partnership for Productivity, "Women, Law in Development."
Terry Kantai, Kenya Association of Social Workers.
Florence Butegwa, Kenya Polytechnic, "Creating an Awareness Among Kenyan Women of Their Legal Rights."
- * Lesotho
Mothokoa Mamashela, National University of Lesotho, "Legal Disabilities of Married Women in Lesotho."
- * Mauritius
Shirin Aumderuddy-Cziffra, La Commission des Femmes, "Rehausser le Statut des Mauriciennes par la Reforme des Lois et la Conscientisation."
- * Mozambique
Justice H. G. Welsh, "Exploitation and Violence Against Women - Strategies of Combat."
- * Nigeria
Jade O. Akande, Nigerian Institute of Advanced Legal Studies, "Towards Better Family Law (Enhancing Women's Legal Status)."
- * Sudan
Asma El Dareer, "Custom and Customary Laws."
Mahjouba Mohamed Salih, Sudan Legal Aid Association, "Legal Education and Services to Raise Consciousness."
Balghis Badri, Ahfad University College, "Women, Land Ownership and Development - the case of The Sudan."
- * Tanzania
Hawa Sinare, Women's Research & Documentation Project, "Women and the Law in Tanzania."
- * Zimbabwe
Joyce Kazembe & Marjon Mol, Center for Applied Social Sciences, "State, Law and Women: the Zimbabwean Case."
Zine Chitepo & Mary Tandon, Women's Action Group, "Women and Work in Zimbabwe."
- * Lebanon
Laure Moughaizel, Institute for Women's Studies in the Arab World, "Crimes of Honor."
- * Egypt
Dr. Nawal El Sadaawi, Arab Women's Solidarity Union, "Law, Patriarchy and Class" (introductory speech).

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Problems and Perspectives."

* Nirmala Salgado, International Centre for Ethnic Studies, "Custom and Tradition in Buddhist Society: A Look at Some Dasa Sil Matas from Sri Lanka in relation to the Concept of Women in Buddhism."

* Yasmin Tambiah, International Centre for Ethnic Studies, "Violence and Exploitation: an Overview."

Indonesia

* Nani Yamin & Saparinah Sadli, Institute for Consultation and Legal Aid for Women and Family, "Kampung Sawah: a Case Study."

* Amartiwi Saleh, Indonesian Legal Aid Foundation, "The Supply of Women Workers to Saudi Arabia."

Malaysia

Amarjit Kaur, University Women's Association, "Raising the Status of Malaysian Women by Using the Law."

Philippines

* Soledad Ferpiñan, Third World Movement Against the Exploitation of Women, "Confronting Prostitution and 'Sex Tours.'"

* Teresa Fernandez, PILIPINA, "Land Acquisition Strategies Involving Women."

* Mariflor Parpan, "Custom and Customary Law."

* Jing Porte, Committee for Asian Women, "Women and Labor."

Korea

* Dr. Tai-Young Lee, Korea Legal Aid Center for Family Relations, "Custom and Law Revision in a New Era."

* Dr. Young Hai Park, Sookmyung Women's University, "Amendment of the Family Law and Women's Movement in Korea."

Fiji

* Mere Pulea, Vanuatu National Council of Women, "Women's Participation in the Development of a New Family Law: a Novel Approach in a Newly Independent Pacific Nation."

APPENDIX B:

WLD QUESTIONNAIRE

Questionnaire on WLD

The WLD Forum Preparatory Process

1. Did you prepare a case study? Yes ___ No ___
2. Did you prepare a different type of paper (theoretical or on status of women?) Yes ___ No ___
3. Did you use the WLD Workbook to help prepare the paper? Yes ___ No ___
4. Did you find it useful in developing your paper? Yes ___ No ___
5. Did you prepare the paper by yourself or with others? _____
6. Did you develop any new insights about your own work as a result of preparing your paper? Yes ___ No ___
7. Was the topic you were asked to prepare a study on, the one you would have preferred? If not, which topic would you have chosen for your presentation? Yes ___ No ___
8. Did you find the communication with WLD staff to be adequate preparation for the Nairobi Conference? Yes ___ No ___
9. Did the WLD newsletter, Communique, serve your interests? Yes ___ No ___
10. If OEF made your travel arrangements, were they adequate? Yes ___ No ___
11. Did you meet the WLD Director when she travelled to each region? Yes ___ No ___
12. If so, was that contact useful? How? Yes ___ No ___

The Forum Itself

1. Did you agree with the objectives of the WLD Forum? (to explore relationship between law and development, and strategies to improve women's legal status; to develop network among Third World women employing such strategies; to contribute to the development of these strategies; to heighten global awareness of the significance of women's legal status) Yes ___ No ___

2. What other objectives would you have added? Please list below:
3. Did you agree with the focus on "strategies"? Yes ___ No ___
4. Did you find the selected themes of the Forum appropriate? Yes ___ No ___
5. Were there any you think should have been included that were not? If so, which ones? Please list: Yes ___ No ___
6. Did you find the international character of the Forum useful? Yes ___ No ___
7. Would you have preferred a regional interchange only? Yes ___ No ___
8. Were the presentations generally of interest to you? Yes ___ No ___
9. Which ones did you find particularly useful? List below:
10. Were the discussions generally of interest to you? Yes ___ No ___
11. Given certain constraints which were beyond our control (time, space, translation), could anything have been done to make the discussions better? Describe: Yes ___ No ___
12. Did you prefer the plenaries or the small group discussions? SG ___ PL ___
13. What did you feel you learned from the Forum? Describe:

14. What did you hope to learn that you did not learn?

15. What did you like best about the WLD Forum?

16. What did you like least about the WLD Forum?

17. Is the WLD Forum report a useful frame of reference in your work?

Yes ___ No ___

Post-Forum

1. Did your theoretical understanding of the problems facing women expand as a result of the Forum?

Yes ___ No ___

2. Did you develop new ideas about how to concretely and practically implement new strategies, techniques or approaches?

Yes ___ No ___

3. Did you make any modification or addition to your program/strategy based on your learnings at the Forum?

Yes ___ No ___

4. Did you initiate any new efforts as a result of the Forum?

Yes ___ No ___

5. Are you in contact with anyone you met through the WLD Forum?

Yes ___ No ___

Future Activities (please refer to the summary of proposal)

1. Do you agree with the objectives of the proposal? Should there be others? What should they be?

Yes ___ No ___

2. Do you like the idea of organizing WLD along regional lines? Yes ___ No ___
3. Do you like the idea of WLD regional "institutes" or organizations? Yes ___ No ___
4. Which of their functions (see p. 2 & 3) do you consider most important? Put them in order (using letters a to f) according to your priorities.
 1. ___
 2. ___
 3. ___
 4. ___
 5. ___
 6. ___
5. Are there other functions they should have? List. Yes ___ No ___
6. How can the regional institutes or organizations best serve your needs? Please explain.
7. Are you interested in participating in a regional conference? Yes ___ No ___
8. Which themes should be addressed in the conference? Which are of greatest relevance to your region?
9. Should the regional conference focus on strategies, as did Nairobi? Which specific strategies? Please list. Yes ___ No ___
10. Is a "Know Your Legal Rights" Campaign needed in your country? What kind of shape might it take? Yes ___ No ___
11. Would you be interested in any kind of specific technical assistance to help your program? Yes ___ No ___
- research ___ other (please specify) ___
 design of programs ___
 planning ___

APPENDIX C:

EXCERPTS FROM LETTERS RECEIVED FROM
PARTICIPANTS OF THE WLD FORUM

Excerpts from letters received
from participants of the
Third World Forum on Women, Law and Development

"I think the sustained discussions on Women, Law and Development organised by OEF were one of the few highlights of the Nairobi Conference."

Ela Bhatt
General Secretary
SEWA (Self Employed Women's
Association, India)

"The (WLD) meetings provided a non-stop full program and were well organized. The rigorous exchange of information and participation were particularly beneficial to me...The range of persons chosen to participate provided an in-depth focus of the problems..."

Mere Pulea
Fiji
(presented case study of Vanuatu
National Council of Women)

"...the WLD Forum was one with a strong program orientation...all sessions took place very smoothly and could be practically participated in while opportunities were given to everyone to furnish the sessions with more information and clarifications on particularly positive things in their individual countries for the purpose of adaptation to conditions back home...Apparently the WLD Forum was one of the forums which was more prepared, and so were its participants from the participating countries..."

Nani Yamin
Director
Institute for Consultation and Legal
Aid for Women and Family, Indonesia

"I think that within the entire (NGO) Conference, our Forum was one of the best organized. I consider the participation of each of the women in our Forum to be important, as it offered us a more real vision of what's happening with women in the Third World. I am happy to know that the (WLD) Forum will not end in Nairobi, but that we will continue the discussions on the themes that we couldn't fully explore due to limitations of time, space and language."

Julieta Montano
Director
Juridic Office for Women, Bolivia

"I myself learned a great deal and feel a new impetus to try again to change the laws, after being encouraged by all the friends at the Forum."

Dr. Tai-Young Lee
Director
Korea Legal Aid Center for
Family Relations

"Our forum was such a great success...I am convinced that in years to come we will all together be able to set up some sort of machinery for NGOs which will radically change the results of the decade in various parts of the world."

Shirin Aumeeruddy-Cziffra
Member of Legislative Assembly
Mauritius

"The WLD Forum was one of the most memorable experiences of my life. I look forward to receiving any information on future plans to implement the workshop's recommendations. You will be happy to know that after returning from Nairobi, Mahila Dakshata Samiti organized a 2-day workshop on vital legal issues which had also been raised at the WLD Workshop in Nairobi...I would consider it both a privilege and a pleasure to be associated with any future activities you have in mind."

Rani Jethmalani
Supreme Court Advocate
India

"The WLD Forum was particularly enriching for me and for the work of CEPLAES. Upon my return we organized various discussions on the themes which were presented there."

Lucia Carrion
Director
CEPLAES (Centro de Planificacion
y Estudios Sociales, Ecuador)

"The (WLD) conference itself was well structured and planned, and I found the sessions lively and stimulating. The contributions made by the participants - some of them distinguished activists from the Third World - were of a very high standard of excellence. Though the focus was on strategies, the sessions afforded someone like me (who has been concerned with research on policy-making and the structure of the law and women's rights) new insights on the problem of initiating effective legal change in the Third World and in our own national context. In this sense, the comparative experience of women in Third World

countries represented at the Forum was informative, relevant and stimulated new lines of thought. I have just accepted two assignments to work on occupational health problems and legal controls in the Free Trade Zones in Sri Lanka, and a uniform Family Code Law for Sri Lanka, and I believe that the documentation and discussion that ensued from the Forum will be of great assistance in regard to both projects...I found the experience of participating in the Forum enriching too for the opportunity it gave me to hear and learn of the inspiring work done by many women activists and organizations in the region...The group discussions in the WLD Forum made me conscious of the need to find the time to involve myself in an action-strategy oriented program. It was impossible not to be inspired by the many dynamic women who have given of their time with dedication and commitment, and so initiated the kind of change that has benefitted a large number of women in their countries. I left Nairobi with a new awareness of the limitations of my own kind of work and a personal commitment to try and devote some time to a legal aid program for women in Sri Lanka."

Savitri Goonesekera
Open University
Sri Lanka

"I want to congratulate you sincerely for a job well done. The idea of getting the women to present case studies was an excellent one. It got the women lawyers to do research and make in-depth studies and analysis of the issues they chose to tackle. It was my pleasure to sit in at the group meetings and listen to the young lawyers. They were intelligent, well-informed and articulate and showed the sort of concern that often leads to dedication. Who would know that such a thing could happen? Those who argued against the idea of the International Women's Year to focus world attention on discrimination against women, when the matter was first before the Commission on the Status of Women, I am sure would regret their doubts if they saw what happened in Nairobi."

Justice Annie R. Jiagge
Court of Appeals, Ghana

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"The WLD Forum was so well organized, the participants so well chosen, and the level of the themes so wide and rich that I personally felt throughout that I was experiencing something very unique."

Sara Rioja
Legal Representative
DIMA (Derechos Iguales para la
Mujer Argentina)

"The WLD Forum will remain an important and memorable experience for me, and I am keen to be involved in the follow-up programs proposed by the participants to the Forum."

Zine Chitepo
Women's Action Group
Zimbabwe