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# **Women in Leadership and Law**

*Barriers, Solutions and  
the Role of Philanthropy*

Realizing the United Nations  
Call for Gender Equality (SDG 5)

**THURSDAY, 22 SEPTEMBER, 2022**

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Despite the enormous opportunity that would flow from unshackling half the population of the world, funding for justice related projects only comprises 1% of total aid worldwide; of this, only 5% is allocated to projects with gender equality as their main aim. At the same time, funding for women's rights organizations is drastically eclipsed by funding devoted to projects that seek to roll back on women's rights.



# Overview

On Thursday 22nd September, during the United Nations General Assembly, Co-Impact and the Clooney Foundation for Justice, and alongside Melinda French Gates and the Bill & Melinda Gates Foundation, gathered a high-level group of invited guests, funding and program partners to participate in a discussion on gender equality and women in leadership in the law.

UNGA week is intense and overwhelming. It's easy to feel frustrated by the slow rate of progress, and to lose hope at the scale of the challenge. **This gathering served to remind everyone that there is hope** - and that if we have the fire in our bellies and come together as a community, and collaborate, together we can create just and inclusive societies that benefit everyone.

*“The world will only change and become what we know it should be when we all get to where we know we should be; when women have a voice and power and are in all of the most powerful positions in the land in every single country.”*



# Why women in leadership?

Olivia Leland, Co-Founder and CEO of CO-Impact said,

*“You can’t have systems change without gender equality and you can’t have gender equality without women in leadership.”*

Indeed, Co-Impact’s research demonstrates that women in leadership matters; that true systems change cannot be achieved without gender equality and gender equality itself cannot exist without women in leadership. **Changing systems means thinking about who has power, whose voices are heard, who makes decisions. And that means women need to be represented in leadership roles to make decisions and have influence.** In addition, women in leadership roles gives everyone an opportunity to experience gender equality. Men and boys get a chance to re-think the roles women can play in society. Women and girls can aspire for more in their lives. Evidence shows the role women’s leadership plays in shifting negative social norms and the intergenerational positive effect. For us at Co-Impact, systems change and women’s leadership are integral pillars needed to advance gender equality at scale and in irreversible ways.

**Women’s leadership in the law is key in terms of how policies are made and drives the advancement of gender equality; women lawyers around the world have been the driving force behind the most important legal advances for women.** To transform institutions and systems, to change social norms and deliver change at scale takes time, and we need to lay the pathways for millions of women to become, thrive and reach their fullest potential as leaders.

Melinda French Gates, Co-Chair and Board Member of the Bill & Melinda Gates Foundation, reflected on the impact of the COVID-19 pandemic, recent global affairs and the well documented backsliding of progress towards gender equality that has resulted - and her determination that we make women in leadership the absolute central issue of all of our work.

*“The world will only change and become what we know it should be when we all get to where we know we should be; when women have a voice and power and are in all of the most powerful positions in the land in every single country.”*

**We cannot afford for women to simply be the recipients of policy; women need to be the ones making the policy.** Women lawyers, judges, and lawmakers bring a unique perspective that can help produce more equitable decision-making, lead to progressive laws and jurisprudence, and can help expand access to justice for women and girls. In addition, the legal profession serves as a natural trajectory for entering into a career in politics - and we also need more female prime ministers, finance ministers, and presidents, and in parliaments around the world.

## “THE AGENDA IS WOMEN AND IT’S WOMEN AND GIRLS.”

However, the majority of the world’s people live in abject poverty and women and girls continue to be subjected to discrimination, oppression, injustice, abuse, exclusion and inequality. Amal Clooney, Co-Founder of the Clooney Foundation for Justice, reminded us that whilst the majority of countries have enshrined women’s rights and the right to equality in their respective constitutions, the realization of these rights and the progress towards the achievement of gender equality has been slow and incremental.

**The challenges faced by young women lawyers are immense, fueled by outdated gender stereotypes.** Starting in childhood, the issues holding back gender equality are deeply systemic and hold back women from entering into institutions, thriving in their roles and rising to leadership positions. If a young girl is married off at 12 and then expelled from school for falling pregnant, her chances of becoming a leader are obviously slim; if women cannot get out of an abusive marriage, if they can’t have equal rights to property and to work, how do we expect the next generation of gender justice champions to launch their careers? Far too often, even when women are able to beat the odds and rise to positions of leadership, their success is met with backlash, harassment, and even violence.





**650**  
MILLION GIRLS  
ARE MARRIED  
BEFORE 18  
YEARS OLD.

CHILD MARRIAGE  
RATES EXPECTED  
TO DOUBLE BY 2050  
IF CURRENT RATES  
CONTINUE.

**1 IN 3**  
WOMEN  
WORLDWIDE  
HAVE BEEN SUBJECT  
TO PHYSICAL OR  
SEXUAL VIOLENCE.

**MORE THAN**  
**40 OUT OF 55**  
AFRICAN UNION  
MEMBER STATES  
HAVE  
DISCRIMINATORY  
LAWS ON  
INHERITANCE OR  
OTHER ECONOMIC  
RIGHTS.

In Tanzania, one in four girls is either pregnant or married or both during their adolescent years. Whilst policy reforms have been made, the practice of expelling girls from high school if they're pregnant or married continues, meaning that one quarter of the adolescent girls in Tanzania automatically have their opportunities stunted forever.

In South Africa, one of the things a woman going into law school is likely to hear is "I can get you into that class but I need something from you" with the expectation of the exchange of sex instead of money. Female judges, whether in the Philippines, Mexico, or El Salvador, are also experiencing this type of corruption.

In Pakistan, only 4% of high court judges are women and gender-based violence has no redress because there are not laws to address domestic violence or intimate partner violence. The first female Supreme Court justice, Ayesha Malik, was recently elected but had an incredibly hard journey to get to this position; there were protests in the streets trying to stop her from becoming a justice of the Supreme Court. Until the judiciary is truly representative, we will continue to have laws that cause women to suffer.

- In the UK, where over 60% of women enter into the UK legal profession, only 39% become barristers, 34% become judges, and 33% become private equity partners.
- In the US, women comprise 51% of law school graduates, but only 22% of equity partners. Women are often paid less from the outset, leading to a 78% gender pay gap at the equity partner level. Only 34% of state judges and 30% of federal judges are women; not to mention, 78% of federal judges are white.

Globally, Europe leads the way in terms of the proportion of female judges, with an average of 54%, followed by the Americas with 51%. In contrast, across Africa and Asia, women account for only 30% and 29% of the total, respectively. **At the international level, a meager 3.7% of women have reached the ranks of judges at the International Court of Justice over its 77 year lifespan.**

Bias is pervasive within the legal system at all levels. These translate into policies, practices, and procedures within the court system and keep women from entering the legal system, advancing and thriving.

*Equality exists as a pyramid; it exists at the very lowest level but not at all at the top.*

The universality of the barriers that women face are clear: sexual harassment, unequal pay and even being questioned about being paid when her husband is earning money. The issues that women are facing in Africa are the same issues women are facing in the US, in Europe and elsewhere.<sup>1</sup>



1. For more information, you can read our research in the our Review: "Women's Professional Leadership in Law and Economics" on our website at: <https://www.co-impact.org/gender-fund-research/>



# Guest Speaker *Melene Rossouw*

**Melene Rossouw, guest speaker, lawyer and human rights activist, established the Women Lead Movement in 2017.**

The Movement mobilizes citizens, young and old, to petition and advocate against discriminatory laws, policies and practices that directly and indirectly seek to undermine, marginalize, and exclude women and girls from equally participating and being represented in social, political, and economic life. Melene's story, whilst remarkable, reflects the systemic and socio-cultural challenges and barriers faced by women all around the world. In Melene's own words:

"I did not become a genderized activist overnight, neither did I have that catalytic special moment that thrust me into activism. Mine was a gradual process of transition driven by a deep sense of responsibility and influenced by what was happening around me and to a considerable extent things that happen to me. Being born Black, female and into poverty is not necessarily the ideal combination of factors that would place you on a trajectory towards success. In fact, all indicators show the exact opposite. But I defied the odds and ensured that I made every opportunity count. The price for failure I could not afford and therefore failure could not and will not be an option. Everything I pursued had to be done with a double dose of grit, courage, determination, and perhaps even a sprinkle of luck from my ancestors. But my story is not the story of the majority of women, Black women in particular, born into poverty because not all of us can define or defy the immense odds stacked against us or overcome the man-made barriers designed to keep us disempowered.

By the age of 30, I've already obtained two law degrees. I was admitted as an attorney in the high court of South Africa; I served the constitutional court as a legal researcher to Justice Albie Sachs in the year that he retired from the bench in 2009 and later Sisi Khampepe. And I also assumed three senior leadership positions in the national government, one of which being in the office of the President of South Africa.

As I navigated these leadership positions in the proverbial corridors of patriarchy, politics, and power, I was not spared the experience of gender discrimination, gender stereotyping and bias merely because I was an educated woman. I was not spared the experience of microaggression, harassment and covert hostility and I was certainly not spared the experience of not receiving equal pay for equal work, regardless of whether that we had the same job title and experience. Because as women, we enter this unequal system that has been geared and designed to perpetuate gender discrimination, injustice and inequality.

Our mission therefore, ladies and gentlemen, is not only to work towards the achievement of gender equality, but ultimately gender justice where all genders can define and shape policies and decisions that directly impact their lives as society. I really do believe that through collaboration and focus investment that we can and will achieve this."

Melene ended with a quote from Judge Albie Sachs: ""All revolutions are impossible until they happen and when they happen it becomes inevitable."



*The natural response of leadership initiatives is to focus on supporting women individually – on building skills and capabilities, providing scholarships, mentorships, and access to opportunities. Whilst this is necessary, relevant and valuable, Co-Impact's focus is on addressing the root, institutional and systemic barriers holding women back from entering and thriving in positions of leadership.*

## WHAT ARE CO-IMPACT'S PROGRAM PARTNERS DOING TO ADVANCE WOMEN'S LEADERSHIP AT SCALE?

Having co-founded the **Clooney Foundation for Justice**, and having spent decades defending the rights of women in her legal practice, Amal Clooney realized that more needed to be done to provide legal assistance and support to women and girls, at scale, and so the **Waging Justice for Women Initiative** was formed, to challenge discriminatory laws and advocate for change through the courts, increase accountability for gender-based abuse, promote women's leadership in law, and create new opportunities for the next generation women lawyers to lead systemic change.

With support from Co-Impact, as well as advocating for women in leadership in the law, the initiative will fund fellowships within local women-led organizations and work with them to overturn unfair laws, and establish legal aid clinics in Malawi to provide free legal support to women who need help to access justice and use the law to bring about systemic change.

As the only global network of women judges, the role of the **International Association of Women Judges (IAWJ)** is to bring together women who have become the leaders in their field - whether it's a deputy chief justice in South Africa or the first Pakistani Supreme Court Justice - to finding solutions together. IAWJ provides mentorship, supports women who are in the pipeline, and then supports them on the ground to create and enable programs of policies and procedures (and within their court systems) that will help them thrive. Whether it's nomination processes or policies that support childcare, IAWJ helps all judges, particularly women, move further into leadership roles.

Women are underrepresented in bodies and mechanisms imparting international justice, deciding on war and peace, the scope of rights, environmental and criminal accountability, and on many other crucial issues. The underrepresentation of women diminishes the legal process, the decisions, the institutions, and the principle of equality buttressed by the international legal frameworks.

In the **GQUAL Campaign**, we've seen the power of laws and institutions changing as critical to truly shifting countries and processes. And that's because sometimes legal claims can be very powerful for constituencies, for policy makers, and for judges. GQUAL aims to improve

*“Philanthropy is to women's organizations what oxygen masks are on a plane.”*

the underrepresentation of women in critical parts of the international legal and political field by achieving gender parity in the composition of international tribunals and monitoring bodies. The initiative funded by Co-Impact proposes to achieve this work in Chile, Brazil, Mexico, Peru, Costa Rica, and Argentina, and two countries in Africa.

And finally, through Co-Impact's support, **The Institute for African Women in Law** seeks to launch the Women's Excellence in Law and Leadership (WELL) initiative, which will focus on capacity strengthening of women in law in Ghana, Senegal, and South Africa so they can enter and thrive in positions of leadership across academia, the bar, the bench, women in government agencies, women human rights defenders, and develop a pipeline program for law students.

Once girls can see and hear stories of women succeeding as leaders - and seeing successful women leaders and actions - they, too, know such a path is possible for them. Women leaders are role models for other young women and girls, but they also show women what gender equality looks like in action and the roles women can play. Having women in leadership positions inspires and changes what we think is possible; it changes the conversation, and it lays the pathways and possibilities for many.

*“Sometimes when you get women at the highest level of international justice, it triggers a discussion of why are they there? Is it important? Why not in the high courts of our own countries? And it creates a space to trigger initiatives, discussions that move the agenda”*

The **Bill & Melinda Gates Foundation** has committed \$2.1 billion to organisations globally. Melinda French Gates established the gender equality division, which is committing \$230 million to women in leadership over the next 10 years. Even so, funding overall is not equal to the scale of the problem. Partnerships are essential for moving the work forward; a supporter of Co-Impact since its inception, Melinda French Gates expressed her enthusiasm for Co-Impact's work and as a place where the Bill & Melinda Gates Foundation have been able to pool resources with others and her desire to do more to fund all of the different efforts that need to happen around the world.

*“If you see an empowered woman, you also can have the dream to be empowered.”*



## WHAT DO WE NEED TO RESOURCE, SUPPORT AND EXECUTE AT SCALE?

- **We have the research and the data, we now need to show that data** – on the number of women in leadership positions, the issues women are facing, the places in which women are underrepresented. We need to educate everyone about the systemic, patriarchal, institutional, cultural, social, political, colonial processes that have led to this underrepresentation of women.
- **We need to understand which solutions are the right ones**, and whether we are moving in the right direction.
- **Men are important.** As individuals, as institutional leaders and need to sit with women at the table, and help enlist the systems around us; if we have to change systems, we have to have the support of men, as allies, with everyone working hand in hand.
- **Institutions need to prioritize equality** – for example, by changing their processes and criteria for nominating judges for international tribunals.
- **We need coalitions of actors to come together and work on the solutions together.** Change is not a process that happens alone - you need the community and networks to foster, nurture and share ideas with and from others. We know the systemic barriers and how to address them, but we need to collaborate; we each bring different resources, expertise, networks, strengths as well as connections to architects of change.
- **Women need the resources to act on their power; both capital and human.** Not simply funding, but better-quality funding – that is long term and flexible: the oxygen for others to help pilot the plane for other girls and women.
- **In the moment that we are in, there are headwinds, but there is also a collective responsibility that all of us can take at this midpoint in the Sustainable Development Goals if we all come together and collaborate.** We need to hold each other accountable for the systemic change that we want to create in this world.

“When we sit in spaces where no woman has been before, just by virtue of being there, women change the conversation.”

Given the gathering took place in the Nelson Mandela room of the Ford Foundation building, it's apt we conclude with Melene Rossouw's powerful call to action:

*“Nelson Mandela understood that mere solidarity was not enough to achieve gender equality, but that it would require concrete strategies, robust and responsive laws and policies, a genuine commitment and to collaborate and to act as well as focused resource investment. The lawyer in Mandela knew that the law is a powerful tool to guarantee the rights of women and where those rights are not realized or respected to enforce and uphold those rights through the judicial system. The activist in Mandela understood that democracy and gender equality were far from separate issues. And that the quality, and the substance of any country's democracy would be measured by where the women have been emancipated from all forms of oppression. It is therefore incumbent on all of us to accelerate, support and sustain efforts to achieve gender equality and justice. Because if not us then who?”*



## Co-Hosts

**Amal Clooney**

*Co-Founder and President,  
Clooney Foundation for Justice*

**Olivia Leland**

*Founder and CEO, Co-Impact*

## Keynote Speaker

**Melinda French Gates**

*Co-Chair, Bill & Melinda Gates Foundation*

## Moderator

**Yasmin Madan,**

*Director Philanthropic Collaboration,  
Co-Impact*

## Special Guest Speaker

**Melene Rossouw**

*Co-Founder and Executive Director,  
Women Lead Movement*

Melene Rossouw is a South African human rights activist and a lawyer. In 2017, she co-founded the Women Lead Movement, an organization that aims to empower and inspire women to lead social change in their communities through human rights and leadership training programs. Her goal is to use her skills and experience to lead social, political and economic empowerment initiatives in local communities, with the aim of educating and empowering women and girls to lead social change at the local level and to advocate for women's rights and gender equality. Melene is a lawyer and graduated from the University of the Western Cape with a Bachelor of Laws in 2003 and a Master of Laws in 2012. In 2009, she worked as a legal researcher at the Constitutional Court of South Africa and the Western Cape High Court. In 2010, she served in the South African Presidency and a year later became spokesperson for the country's Minister of Tourism. In 2014, she became special advisor to the Minister of Sport.

## Panelists

**Jarpa Dawuni**

*Executive Director, African Women in Law*

Associate Professor of Political Science at Howard University, Washington D.C. A qualified Barrister-at-Law before the Ghana Superior Courts of Judicature. Her primary areas of research include judicial politics, women in the legal professions, gender and the law, international human rights, women's civil society organizing, and democratization. She is the founding Director of the Howard University Center for Women, Gender, and Global Leadership established in 2020. In 2020 she was the recipient of the Women in Law Academia International Award from the Women in Law Initiative, Austria. In 2016, she received the President Obama White House Presidential Award for her service on the Board of ARA-W. She is a Fellow at the Center for Democratic Development (CDD) Ghana. She is the founder and Executive Director of the non-profit Institute for African Women in Law (IAWL) which focuses on enhancing the capacity of women in the legal professions in Africa and the Diaspora. She served on the board of the West Africa Research Association (WARA) and the African Research Academies for Women (ARA-W). Dr. Dawuni belongs to several professional bodies and is currently the Co-Convenor of the Gender and Judging Collaborative Research Network of the Law and Society Association, Co-Convenor of the Women's Caucus of the African Studies Association, and the Co-Convenor of the Women and Gender Studies Collective at Howard University.

**Christie Jones**

*Executive Director,  
International Association of Women Judges*

A multilingual expert on gender and race equity in human security, Ms. Jones received a Master of Philosophy degree from George Mason University's Carter School for Peace and Conflict Resolution where her research focused on gendered and racialized violence; peacebuilding in marginalized communities; and the role of minoritized civil society groups in peacemaking. In 2018, she was named the school's James H. Laue Memorial Endowed Scholar. Ms. Jones also holds a Master of Science degree in Peace Operations Policy from George Mason and is an alumna of Bennett College, where she earned a Bachelor of Arts in Political Science. The daughter of an American diplomat, she was raised in Latin America, the Caribbean, Southeast Asia, and Western Europe.

**Viviana Krsticevic**

*Executive Director,  
Center for Justice and International Law*

The Executive Director of the Center for Justice and International Law (CEJIL), a non-governmental organization that promotes human rights throughout the Americas through the use of international law and the Inter-American System for the Protection of Human Rights. Viviana has litigated numerous leading cases on behalf of victims of human rights violations before both the Inter-American Commission and Court of Human Rights. She has helped shape international human rights standards in key areas – including accountability for gross violations, violence against women, slavery, environmental and social rights – through her litigation, advocacy, and writing. Viviana is also a founder and member of the Gqual Campaign, an initiative to promote gender parity in international representation. Additionally, together with other regional and international experts, she is developing La Esperanza Protocol, which aims to protect human rights defenders via the effective criminal investigation of the threats that impede their work.

**Anita Zaidi**

*President, Gender Equality,  
Bill & Melinda Gates Foundation*

Anita Zaidi is the president of the foundation's Gender Equality Division. In this role, Anita oversees the foundation's efforts to achieve gender equality by integrating gender across the foundation's global work and investing in women's economic empowerment, women's leadership, and removing the barriers for women and girls to thrive. The mission of the Gender Equality Division is a world in which women and girls have equal opportunity. Anita also serves as the foundation's director of the Vaccine Development & Surveillance, and Enteric and Diarrheal Diseases programs. Since joining the foundation in 2014, she has led a team focused on vaccine development for people in the poorest parts of the world, surveillance to identify and address causes of death in children in the most under-served areas, and significantly reducing the adverse consequences of diarrheal and enteric infections on children's health in low and middle-income countries. Through this role, Anita champions innovative work on behalf of low-income women and children, including the creation of the Women Leaders in Global Health program—now called WomenLift Health—to promote diversity in global health leadership. She also works closely with the foundation's Maternal Newborn Child Health Discovery & Tools program.

# The Co-Impact Gender Fund

The Gender Fund is Co-Impact's second fund, aiming to raise and grant US \$1 billion and provide predominantly women-led locally-rooted organizations, in Africa, Asia and Latin America, with large-scale, long-term, and flexible funding.

## ABOUT THE FUND

The Gender Fund is Co-Impact's second fund, aiming to raise and grant US \$1 billion and provide predominantly women-led locally-rooted organizations, in Africa, Asia and Latin America, with large-scale, long-term, and flexible funding.

This method of funding is integral to creating more just and inclusive systems and shifting harmful gender norms that prevent progress. The Fund's design and development was informed through consultation with our program partners, the gender community, as well as our funders, advisors, and other experts.



**If you'd like to learn more about the Gender Fund, please contact**

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## The Fund's Objectives are...

- To transform systems to be more just and inclusive so that at least 100 million people will have better healthcare, quality education, and the opportunity to thrive – regardless of their gender, class, ethnicity, or race.
- To advance women's power, agency, and leadership, so there are more women leading at all levels -from the household and community to institutions and government – influencing decisions that affect their communities and society.
- To shift harmful gender norms that prevent progress.

## The Fund Supports...

- Systems change to achieve gender-equitable outcomes in health, education, and economic opportunity
- Institutional change to advance women's leadership in the fields of law and economics
- Dismantling structural barriers and discriminatory gender norms holding women and girls back
- Advancing women's and girls' voice, power, and agency
- Amplifying scale and impact by investing in and advocating for evidence-informed solutions

## The Opportunity

The possibility of change today is limited because women are not at the table, not involved, and not heard. The Fund focuses on women's leadership so that women are not only the beneficiaries of programs but become equal drivers of these initiatives. This means equal representation, inclusion of lived experience, and diverse perspectives informing policy, programs, and funding.

