

GQUAL

YEAR END REPORT
2019

GQUAL

[GQUAL](#) is a global campaign launched with the objective to achieve gender parity in the composition of international tribunals and monitoring bodies. The Campaign's focus is to ensure the consideration of gender parity in national and international selection procedures, and to disseminate timely information on vacancies, as well as new research on the impact and role of women in international justice. By building a global network of supporters and stakeholders, the Campaign also serves as a thriving platform for the coordination of local and international advocacy.

To date, GQUAL has successfully drawn global attention to the need and importance of women's equal representation in international justice and the relation that exists between the lack of women in these bodies and the legitimacy and impact of international justice. It has also highlighted how under representation is linked to broader structural discrimination faced by women. The campaign has contributed to highlight the urgent need for better procedures, both at the international and national level, that ensure transparency and participation in the selection of candidates and that prioritize competence, independence, and gender balance as fundamental criteria.

CEJIL has hosted and promoted this campaign since its creation, and its Executive Director, Program Director for the Southern Cone and Bolivia and Communication's Director are members of the Secretariat, in charge of steering the campaign.

WOMEN'S UNDERREPRESENTATION AND REASONS FOR CHANGE

[Data available on GQUAL's website](#) demonstrates that the underrepresentation of women exists across almost all international bodies in charge of imparting international justice.

Since its launch, GQUAL monitors the composition of 88 international bodies. This adds to a total of 589 positions, of which 35% are occupied by women. This percentage drops substantially if bodies usually associated with "women's issues" – like CEDAW, the Working Group on Discrimination against Women, or the Committee on the rights of the Child – are excluded. Data collected by the campaign shows that States have a direct impact on these results, since they often nominate and elect more men than women to these positions.

In addition, since GQUAL started monitoring the situation, we have seen that, while balance often improves, it almost never reaches parity, and increases are usually not sustainable, frequently admitting regressions to low levels of representation.

GQUAL considers this is a serious matter that should and could be corrected with concerted action from different key stakeholders. Decisions made by international tribunals and bodies affect every person and every State institution. They affect the relations between nations, the future of the environment, the scope and protection of human rights, among other issues. It is in and on itself unjustifiable that women, who make up more than half of the world's population, are not adequately represented in most of these decision-making bodies.

In addition, the campaign argues that the lack of representation of women in international bodies has at least four serious impacts:



- It affects women's right to non-discrimination and to political participation, since it limits their ability to participate in equal footing with men in all aspects of public life, especially in decision-making and leadership positions.
- It diminishes the legitimacy of international bodies, since equal participation is an essential component of democracy and sustainable development.
- It affects the impact of international bodies, since a critical mass of women brings important, diverse, and unique perspectives into the decision-making process, resulting in more meaningful and sustainable decisions. This is recognized, for instance, in Resolution 1325 of the UNGA, on Women, Peace and Security.
- It limits opportunities to address and eradicate gender-based violence and discrimination from our societies. In this sense, as recognized by the Sustainable Development Goal Agenda, women's equal participation in decision-making and leadership is a precondition to achieve this urgent goal. Women need to be part of all instances where laws, practices and cultures are shaped in order to be able to change those that affect their rights.

GQUAL STRATEGIES AND ACHIEVEMENTS IN 2019

GQUAL's strategies and roadmap are established in its two core constitutional documents: the [GQUAL Declaration](#), adopted in 2015, and [the Action Plan](#), adopted on 2017¹. Based on these strategies, during 2019 GQUAL focused its work on the following objectives:

1. AMPLIFY KNOWLEDGE AND NETWORK

GQUAL aims to raise awareness about the underrepresentation of women in international justice; disseminate information on its causes, impact, and possible solutions; and create a platform where advocacy can be coordinated. Ultimately, GQUAL also intends to inspire more women to become candidates for international positions. To promote this objective in 2019 GQUAL implemented the following actions:

We updated the GQUAL Ranking and the graphics on geographic representation, which shows the number of nationals each country has on international bodies and the gender balance in each case.

- GQUAL [Ranking](#)
- [Regional Groups](#)

We continued to monitor, update and report on the [current composition](#) of international bodies, as well as on available positions through our [GQUAL's Jobs Board](#).

We updated **promotional materials** for the campaign:

- [Spanish](#)
- [English](#)

We made, participated and published **statements**, such as:

- [Call to action](#) and a social media campaign on International Women's Day

¹ The Declaration, which establishes the Campaign's core strategies to achieve gender parity, has been signed by more than 1.000 prominent people from more than 90 countries, including Heads of States, international judges and members of international bodies; as well as prominent lawyers, diplomats, and activists. In addition, in October 2017, the Campaign convened a [global conference](#) in The Hague to celebrate its two-year anniversary. The conference consolidated the multi-stakeholder network that has been supporting the Campaign since its inception, provided the opportunity to share and discuss new research, and resulted in the approval of an Action Plan to guide the Campaign's steps moving forward. The Action Plan identifies concrete measures that State representatives, international judges, members of international organizations, and civil society can take in order to increase female representation in international bodies. The Action Plan has been endorsed by representatives of Costa Rica, Chile, and Uruguay; Bar Associations; international judges; and civil society organizations.

- [Open Letter](#) with other organizations on measures adopted by States to limit funding to Treaty Bodies.
- Campaign's [Newsletter](#)

We organized and participated in different events, including:

[Side event during the Commission on the Status of Women](#) (#CSW63) at the UN headquarters in NY along with the International Development Law Organization and the International Association of Women Judges. The event, called “Women Delivering Justice: Investing in Women Justice Professionals for the Achievement of the 2030 Agenda”, allowed us to interact with members of the Working Group on Discrimination against Women, judges and activists from different countries and amplify the discussion on the links between preventing gender violence, achieving the sustainable goal agenda, and having adequate representation of women at national and international bodies. [Link to video](#)



[Event organized](#) by the Commission of Juridical and Political Affairs of the Organization of American States (OAS) to discuss good practices for the nomination and elections of members to the Inter-American Commission of Human Rights and Court and consider the text of a resolution to be discussed by the OAS General Assembly. Viviana Krsticevic, Executive Director of CEJIL, represented the campaign, including recommendations to increase female nominees.

[Side Event](#) during the 41st Human Rights Council (HRC) session in Geneva, organized together with the International Bar Association Human Rights Institute (IBAHRI), and Women@theTable. The side event, titled “Gender Parity in UN human rights bodies and mechanisms” included the participation of Baroness Helena Kennedy, Director of IBAHRI, Verónica Birga, Chief of the Women’s Human Rights and Gender Section of the Office of the High Commissioner for Human Rights, Diego Ruiz Gayol, Permanent Mission of México to the United Nations in Geneva and Claudia Martin, member of GQUAL Secretariat.



Participation in an event organized by the Office of the High Commissioner for Human Rights during the 42nd HRC Session. The [panel discussion was part of a series of Meeting organized annually by the OHCHR on Accelerating Gender Equality](#). The objective of this session was to discuss the recently adopted [HRC Resolution A/HRC/41/L.6](#), which – in a particular section - addresses gender balance in international court and was promoted and drafted by the GQUAL Campaign. The debate focused on steps the HRC could take to increase gender representation.



RESEARCH :

- We continued to partner with the Center for Human Rights of the Universidad de Buenos Aires, and [published a follow up report](#) to the one published in 2015 with supporting evidence about the lack of adequate selection procedures at the national level and the tendency of States to nominate more men than women to international positions.

2. HELP DEVELOP INTERNATIONAL STANDARDS, AS WELL AS GOOD PRACTICES FOR NATIONAL AND INTERNATIONAL SELECTION PROCEDURES THAT INCLUDE GENDER AS CRITERIA FOR THE SELECTION OF CANDIDATES .

Legal standards are important tools to mobilize change and to help conceptualize the importance of women participation in international justice. Since launching the Campaign, GQUAL has advanced an interpretation of [article 8 of CEDAW](#) that establishes the international obligation of States to promote gender balance at the international level. This interpretation is consistent with the understanding of the scope of the article by the CEDAW Committee, which has agreed to include questions on compliance with this obligation during States' review processes. At the same time, in partnership with Berkeley Human Rights Clinic, GQUAL has studied the legal basis for this obligation under international law and practice.

GQUAL uses these standards and best practices to push for the adoption or the improvement of mechanisms and guidelines at the international level that ensure gender balance is considered in the selection procedures of specific bodies.

To promote these strategies in 2019 GQUAL implemented the following actions with successful results:

ADOPTION OF HRC RESOLUTION ON GENDER BALANCE IN UN BODIES :

Since the beginning of 2019, GQUAL worked with the UN Working Group on Discrimination against Women and the Government of Mexico to develop a draft resolution to be submitted to the Human Rights Council. The draft resolution sought to address the lack of gender balance in UN bodies and trigger a process for the identification of good practices and the development of recommendations and guidelines.

GQUAL's proposals were finally included in the resolution on the "Elimination of all forms of discrimination against women and girls" that was adopted by the HRC as Resolution A/HRC/41/L.6 (paragraphs 16,17 and 18). This is a landmark resolution that reflects the explicit concern of the HRC about the lack of gender balance in UN bodies, calls on States to develop better procedures at the national level and on the OHCHR to deepen their efforts to promote female candidacies. In addition, the Resolution calls on the HRC Advisory Board to work on a comprehensive report systematizing good practices and recommendations to increase the levels of representation of women in international bodies. The HRC mandates its Advisory Board to work in collaboration with the CEDAW Committee and the UN Working Group on Discrimination against Women, and to include the input of States and other relevant stakeholders.

The Resolutions constitutes a significant achievement for the GQUAL Campaign, as it is the first time the lack of gender parity is addressed at the high level of the HRC. It is also a unique opportunity to crystalize recommendations and guidelines on the

selection procedures that result in increased gender representation. The Advisory Council has request GQUAL's support in the development of the report, and GQUAL plans to fundraise to be able to lead this process in 2020-2021.

ADOPTION OF OAS GENERAL ASSEMBLY RESOLUTION ON CRITERIA FOR THE SELECTION OF MEMBER OF THE INTER-AMERICAN COMMISSION AND COURT:

As done in previous years, GQUAL worked in drafting and advocating for the adoption of a resolution addressing the need to improve selection procedures at the national and regional level for the election of candidates at the IA Court and Commission. The resolution, [which was approved in June 2019](#), includes a strong reference to the need of achieving better gender balance in these bodies.

Official briefings before the UN Working Group on Discrimination against Women and the CEDAW Committee

Both the CEDAW Committee and the WG are fundamental bodies in developing legal standards on the obligation of States to promote gender parity in international representation and monitoring compliance with this obligation. Since launching the campaign, GQUAL has regularly engaged with these bodies, encouraging them to include the issue in their agendas and providing recommendations on actions they can take within their mandates. In 2019:

Following several meetings and conversations with members, we were invited by the Working Group on Discrimination against Women to conduct a private briefing to the members to explore possible collaborations with the campaign. During the briefing we presented the research conducted by GQUAL about the Group's jurisprudence on issues of parity and representation. During the briefing we reached two agreements on common collaboration that will be implemented in 2020: The WG will consider working on a public statement on gender parity in international bodies.

The WG will include specific questions to be presented to States during country visits.

GQUAL agreed to provide information to the WG on gender presentation ahead of country visits.



Additionally, GQUAL was invited to [conduct a private briefing](#) to the CEDAW Committee during its June session in Geneva. This is the second briefing conducted by GQUAL and served as an opportunity to deepen the engagement with the Treaty



Body. During the briefing we presented the results of research conducted by the campaign on the Committee's jurisprudence on gender parity in international bodies, arguing that despite having important standards under article 8 of the CEDAW Convention, the

Committee still has to apply them and develop specific recommendations.

SUBMISSION WITH PROPOSALS AND RECOMMENDATIONS TO THE UN SECRETARY GENERAL IN THE CONTEXT OF THE TREATY BODY REFORM PROCESS

In 2014, through UN General Assembly Resolution 68/268, the UN opened a process to review and reform the treaty bodies, recognizing their important role in the promotion and protection of human rights and fundamental freedoms, and reinforcing the commitment to strengthening and enhancing their effectiveness. This Resolution created two main review mechanisms: biennial reports made by the UN Secretary-General on the state of the Treaty Body system, and an overall review of the effectiveness of the measures taken pursuant to Resolution 68/268.

In 2020 the Secretary General will issue a report with conclusions and recommendations for this reform, and the process involves different stakeholders, including States, the OHCHR and civil society. Following an open call made by the OHCHR to receive recommendations, GQUAL presented [a paper that focuses on the importance of reviewing nomination and selection procedures and practices and adopting measures to achieve gender parity in the Treaty Bodies](#). This paper is almost the only one that highlights the importance of this issue in the review process and will be used by GQUAL for advocacy and discussions with the different stakeholders involved for the remaining of the process.

ENGAGEMENT WITH RELEVANT STAKEHOLDERS TO PROMOTE GUIDELINES AND PRACTICES

On March 30th, GQUAL submitted a letter with specific requests to High Commissioner Michelle Bachelet to deepen the engagement with the OHCHR on the different measures the office could adopt to promote gender parity in international bodies. As a result of the letter, members of GQUAL Secretariat held a meeting with Bachelet to brief her about the campaign and open opportunities for further collaboration.

On May 23rd, GQUAL submitted a letter to the Human Rights Council Consultative Group calling on the adoption of gender parity guidelines for the selection of candidates for Special Procedures' mandates. This is an ongoing strategy of the campaign, that so far has proven successful in having the CG referring to the guidelines in their reports, and keeping a more adequate balance in the short list of candidates submitted to the President of the HRC for appointment.

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