

May 23, 2019

Excellencies

Ms. Kadra AHMED HASSAN (Djibouti)

Mr. Abbas Kadhom Obaid AL-FATLAWI (Iraq)

Ms. Oxana DOMENTI (Republic of Moldova)

Mr. Alejandro DÁVALOS (Ecuador)

Mr. Ernesto Massimo BELLELLI (Italy)

Dear members of the Consultative Group of the Human Rights Council,

We write on behalf of [GQUAL](#), a global campaign seeking to achieve gender parity in international tribunals and monitoring bodies.

We would like to encourage you, in your capacity as new members of the Human Rights Council Consultative Group (CG), to adopt “Guidelines on Gender Parity” to inform the selection process of Special Procedure mandate holders.

This would not be the first time that members of the CG adopt these measures. In June 2015, the CG adopted “Guidelines on Gender Parity” to address gender disparity in the Special Procedure mandate holder selection process. The Guidelines recommended the establishment of gender targets that the CG would take into account for the approval of the short lists of candidates to be interviewed and the one presented to the President of the HRC for appointment.

The current underrepresentation of women in the Special Procedures undermines the legitimacy and impact of these mechanisms. Without adequate gender balance, the Special Procedures fail to be truly representative, and to adequately reflect the values of equality and non-discrimination. The CG has a fundamental role and the opportunity to change this.

According to the Office of the High Commissioner for Human Rights (OHCHR), as of April 2019, women represented 45% of mandate holders. This figure drops to 36,25%, however, if we exclude the mandates that are strictly related to women’s rights and have been historically assigned to women, such as the *Working Group on the Issue of Discrimination against Women in Law and in Practice*, the *Special Rapporteur on Trafficking in Persons, especially Women or Children*, or the *Special Rapporteur on Violence against Women*. According to data compiled by

the GQUAL Campaign, there are 15 mandates out of a total of 56 that have never been held by a woman, including some with decades of existence, such as the Rapporteurs on torture, freedom of expression, and health. Women are also acutely underrepresented in several working groups, including the Working Group on Enforced or Involuntary Disappearances and the Working Group on Experts of People of African Descent.

The impact of the Guidelines approved by the CG in 2015 is well documented. The reports of the CG from the 29th, 30th, and 31st sessions of the HRC each made explicit mention to the Guidelines when outlining the selection process for Special Procedure mandate holders. In those sessions, the CG considered applications for 11 Special Procedure positions, plus 2 positions to the Expert Mechanism on the Rights of Indigenous People (EMRIP), a subsidiary body of the HRC. The 29th, 30th, and 31st sessions resulted in about 45% female appointees to Special Procedure mandates, and two more women were proposed by the CG and appointed by the HRC to the EMRIP. Overall, these sessions led to 56% female appointees.


We further note that, in its reports from the 38th, 39th and 40th sessions, the last CG acknowledged the importance of the 2015 Gender Parity Guidelines, and considered them in the interviewing process of candidates for mandate holders. As a result, 58% of the appointees in those sessions were female. However, the last CG explicitly decided not to adopt similar guidelines for the term of its mandate. We would like to request the current CG to officially adopt them as a policy that guides the selection process of mandate holders, so that gender balance cannot only be achieved but also sustained.

The Guidelines adopted by the CG in 2015 also addressed the concern of insufficient women candidates by including specific requests to the OHCHR Secretariat to extend the deadline for nominations when not enough eligible women applied to the available positions. We consider this an excellent precedent to increase gender parity amongst Special Procedure mandate holders and avoid all male lists of candidates.

Experience shows that progress in gender parity does not preclude the possibility of regression. Thus, to ensure a sustained improvement in gender balance in the Special Procedures, it is of utmost importance that the current membership of the CG for the period March 2019-March 2020 adopts a similar gender policy to the 2015 Guidelines and recommends future members to maintain it. Additionally, the CG should include into the guidelines steps to reverse the situation of core mandates that have never been held by women. In those cases, a special provision should be included indicating that when a similar qualified man and woman are competing for the appointment, a woman should be selected.

Based on the above, we encourage you to adopt Gender Parity Guidelines, take decisive actions to ensure gender parity in the Special Procedures in the upcoming appointments, and ensure that progress is sustained in the future.





Sincerely,

The GQUAL Secretariat:

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GQUAL