

Steps to Achieve Gender Parity in International Justice

Report of the UN Human Rights Council Advisory Committee A/HRC/47/51

In the 41/6 Resolution adopted on July 2019, the UN Human Rights Council (HRC) expressed concern because women are still underrepresented in human rights bodies and mechanisms. As a result, the HRC requested its Advisory Committee ("Committee") to submit a report with recommendations.

The report "Current levels of representation of women in human rights organs and mechanisms: ensuring gender balance" was submitted in May 2021, following a consultation process with contributions from different stakeholders, including States, civil society and academic institutions.



This is the first UN report that deals with the causes and consequences of women underrepresentation in international justice and proposes recommendations to overcome



What is the problem?

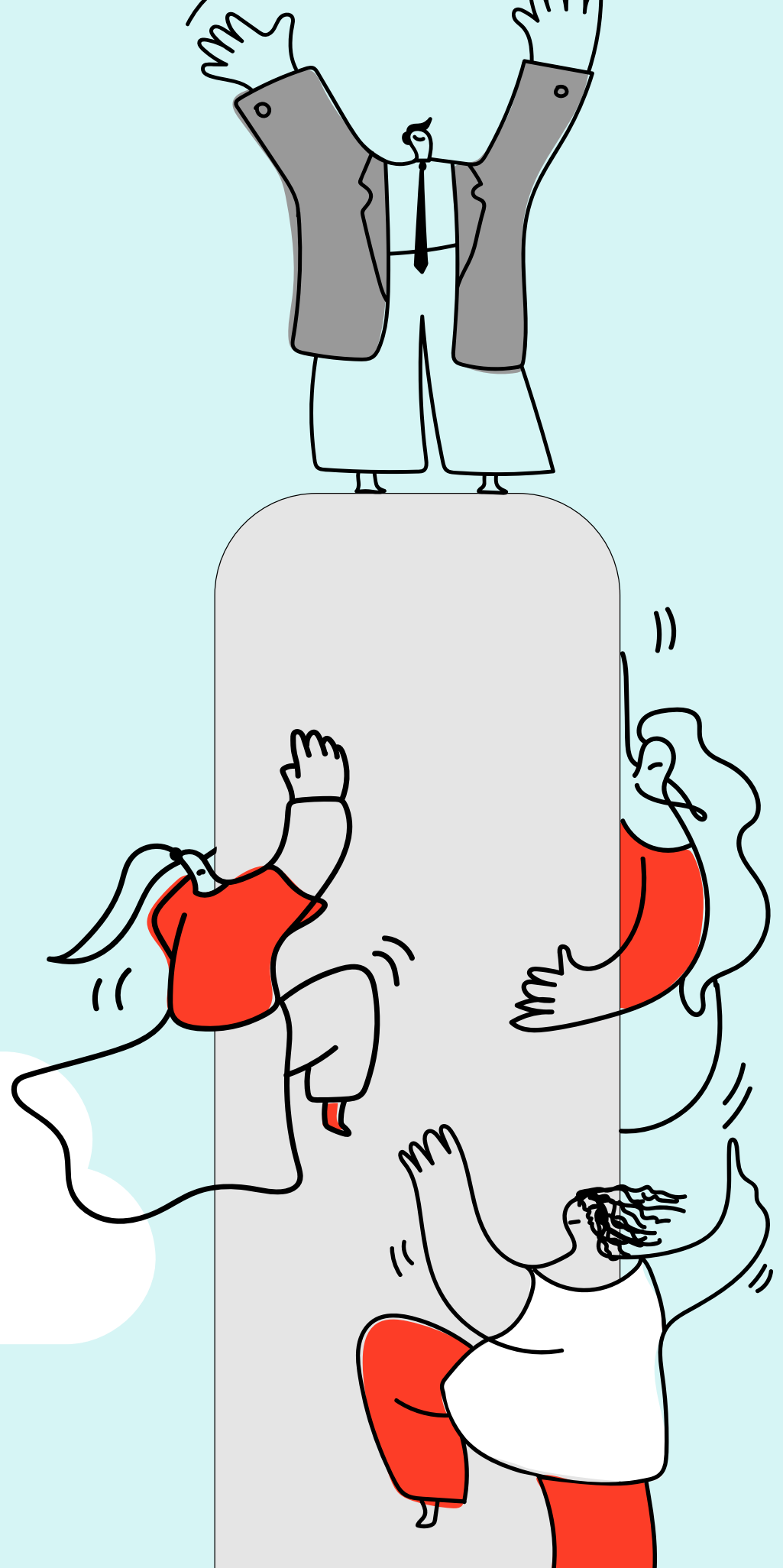
According to the Committee, women are underrepresented in the UN Treaty Bodies, Special Procedures and the Committee itself. Moreover, women's representation is usually concentrated in bodies or mandates specifically dealing with the protection of women's and children's rights.

Treaty Bodies

Only the CEDAW Committee, the Committee on the Rights of the Child, the Subcommittee on the Prevention of Torture, and the Committee on the Rights of Persons with Disabilities achieved or were above parity levels.

The other 6 Treaty Bodies failed to reach 31% of female representation, with the Committee on the rights of Migrant Workers as the most significant example with just 14% of female representation.

At present, the figures are rather similar. The Committee on Migrant Workers is below 21% of female representation and the Committee on Economic, Social and Cultural Rights is below 28%.



Special Procedures

Of the 297 existing positions since 1980, only 107 have been held by women (36%).

At present, participation has increased and women hold 50% of the positions. Nonetheless, representation decreases to 41% if mandates related to women rights are excluded, and there are 11 mandates that have never been held by women.

HRC Advisory Committee

As of October 2021, with 8 women among its 18 members (38.9%), this body had the highest representation of women in its history.

At present, the Committee holds 7 women and 8 men.

How does the underrepresentation of women impact international justice?

According to the Report, the lack of gender equality in representation:

Violates the right to equality and nondiscrimination, political participation and equal opportunity in employment.

Decisions taken in these spheres have a great impact on national politics and daily life. Women must have the real possibility to participate under equal conditions.

Limits the efficacy and impact of international bodies and organizations.

The lack of adequate gender balance affects the legitimacy of the bodies and mechanisms and the perception that society has of them. It also impairs the implementation of the decisions.

Restricts the range of issues and perspectives considered by the body.

UN bodies risk overlooking matters that should be part of their political and legal agenda and properly accounting for the lives and experiences of women.

What are the main challenges to reach gender parity?

According to the Report, there are challenges both at national and international level:

At the national level

Lack of formal, open, transparent, and public procedures for selecting candidates that promote gender balance as a criterion for the selection of candidates.

Lack of information on available vacancies and on the requirements to access these positions.

Lack of opportunities for civil society organizations to participate in the selection process.

Existence of gender stereotypes that influence candidate selection and could prevent women from accessing these positions.

At the international level

Gender balance is rarely given proper or mandatory consideration when electing candidates for the positions, especially in the bodies whose members are chosen by the exchange of votes among States.

Processes are not always transparent.

The unpaid nature of many positions is a barrier for women who are unable to afford unpaid employment.

Which actions could help overcome this issue?

The Report includes recommendations for key players: the States, the HRC and the Office of the United Nations High Commissioner for Human Rights.

States should:

- **At national level:** Identify more female candidates. Promote formal, open, transparent, and participatory selection processes that include gender as a specific criterion. Generate more information on vacancies and nomination decisions.
- **At international level:** Vote considering gender parity and report on the measures implemented to follow these recommendations.
- Promote processes that guarantee gender parity while negotiating and drafting treaties, statutes, mechanisms or guidelines.

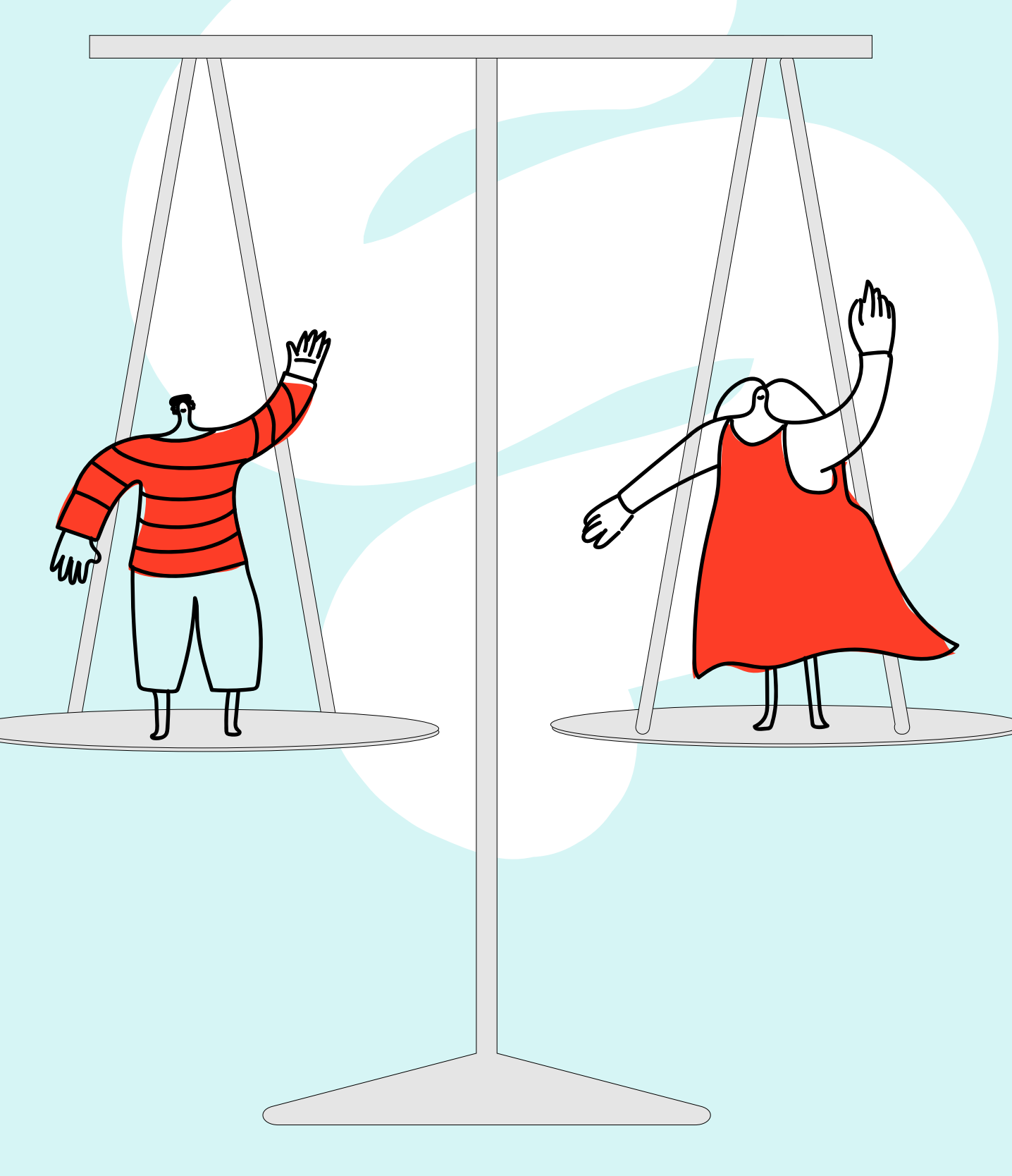
The Office of the UN High Commissioner for Human Rights should:

- Broadly disseminate announcements of vacancies, especially among women's networks.
- Produce and disseminate detailed information on gender composition of each body and present it to the States and the HRC.
- Assist States and the HRC in developing mechanisms for achieving gender parity in the nomination and election of members to human rights bodies.
- Periodically prepare a report on the existing nomination policies, practices and mechanisms, highlighting best practices.

The HRC and its bodies should:

Advance gender parity in Special Procedures.

- Producing and disseminating periodic information on gender balance and on the measures taken to overcome women underrepresentation.
- Adopting guidelines on gender parity to elaborate lists of qualified candidates.
- Taking concrete measures such as the creation of lists exclusively composed by female candidates, or the creation of women in roles historically overrepresented by men.
- Providing financial and logistic support to mandate holders.



QUAL celebrates the Report, as a roadmap leading the way to keep breaking the glass ceiling of international justice and to achieve and maintain gender parity.