

Oral Statement: Half-day general discussion on the equal and inclusive representation of women in decision-making systems

Chairperson, Excellencies, Ladies and Gentlemen,

We are pleased to address you on behalf of **GQUAL**, a **global campaign** that aims to achieve **gender parity** in the composition of international tribunals and monitoring bodies. In 2015, the GQUAL campaign was borne out of the realization that while **international adjudicatory and monitoring bodies** make key decisions for societies and individuals in our interconnected world, **women continue to be woefully underrepresented** in the vast majority of them. The reality of this underrepresentation has an overwhelmingly **negative impact on the right to equality and on the legitimacy and effectiveness of international justice**.

The Campaign commends the Committee's decision to address the issue of **women's equal and inclusive representation in decision-making systems** during today's discussion. We believe that the Committee, through its **future General Recommendation**, is ideally placed to refine the understanding, and promote the effective implementation of, **States' obligations under Article 8 of the CEDAW Convention**—which encompass **the rights of women**, in all their diversity, to **full and equal access to represent their governments at the international level** and to **participate in the work of international recommendations**.

In particular, we **urge the Committee** to take this unparalleled opportunity to:

- (1) Affirm and define the scope of women's right to equal representation in the work of international tribunals and organs;
- (2) authoritatively clarify that States have a fundamental **obligation**, under Article 8 of the Convention, to **guarantee that gender parity is achieved in the composition of all international positions**, including necessarily **international tribunals** and other monitoring and adjudicatory bodies; and
- (3) define that **gender parity**—meaning, a **50:50 standard**, whereby **no less than 50% of any given body consists of one gender**—is the **appropriate measure** for equality in representation under the Convention.

In this respect, we recall **the Committee's own past practice**, including in respect of urging States to use the **Beijing Declaration and Platform for Action** in their implementation of Convention obligations; and by way of its past **pronouncements** that in order to achieve broader representation in public life, women must have **full equality** in the exercise of political and economic power, and must be **fully and equally involved** in decision-making at all levels, both nationally and internationally. In this sense, we highlight the Committee's consistent references to the fact that the advancement of women's status and position in decision-making systems can and must be achieved through the

introduction of “**temporary special measures** when they can accelerate processes and also by the introduction of permanent measures **ensuring parity.**”

Additionally, we would like to draw the Committee’s attention to the relevant 2021 report of the Human Rights Council’s Advisory Committee, which outlines the fact that Article 8 obligations under the Convention, interpreted in light of the **overarching obligations arising from Articles 2, 3, and 24 of the CEDAW Convention**, and of the **fundamental principles of equality and non-discrimination** that are fundamentally enshrined in international law—entail that **States must ensure:**

- i) **formal equality**, through the adoption of legal measures to guarantee equal representation for women at the international level;
- ii) **substantive equality**, by ensuring that the recruitment and nomination processes take gender into account; and
transformative equality, by eliminating “gender stereotypes that form the basis for the continuing underrepresentation of women and the structural obstacles that originate from them,” for example by addressing the stereotypes that silo women into so-called “women issues,” including those related to family, children, and health, among others.

It is in this context that the GQUAL Campaign requests this Committee to **assess women’s underrepresentation in international decision-making** by **monitoring** the implementation of Article’s 8 obligations, in accordance with the reporting procedure under Article 18.

Accordingly, we are convinced that the Committee can continue to play an important role in guiding States towards taking **proactive steps and specific measures**, at both the domestic and international levels, **to tackle the underrepresentation of women in international courts and organs**, , including for instance:

- by developing through the future General Recommendation **authoritative pronouncements and standards** with regards to the right protected under Article 8 and the corresponding States’ obligations to **guarantee gender parity in the composition of all international tribunals, organs, and mechanisms;**

- by monitoring and promoting compliance of these obligations through its **Concluding Observations** and all other **monitoring, reporting, and interpretive functions**, including by presenting specific questions to States on the topic;
- by providing guidance to States on the specific measures they should implement, including by developing national selection procedures that are transparent, participatory and parity oriented, by incorporating gender parity as a criteria in their voting practice, and by promoting international legal standards and guidelines through their role as members of international organizations and bodies;
- by **addressing barriers** that women encounter in **selection processes** to international positions;

In conclusion, we believe that **the time is now** for the Committee **to deliver on this unparalleled opportunity** to define the scope of the right protected under Article 8 of the Convention and refine States' obligations on equal representation of women in international decision-making; as well as to **supervise States' compliance** with those obligations, in order **to bring about a substantive and sustainable change in women's representation in international courts and bodies.**

The GQUAL Campaign looks forward to engaging with the Committee in this work, over the coming months and years.

We thank you for your attention.

The GQUAL Secretariat

About GQUAL

GQUAL is a global Campaign to overcome the underrepresentation of women in international courts and monitoring entities and achieve gender parity.

International courts and monitoring bodies are trusted with some of the most important and impactful decisions of our time, including how we protect the environment, how we deal with migration and refugee situations, how we regulate trade and business, and how we define the scope of our human rights. Women, who represent more than half of the world's population and make up a multifaceted group of people with relevant skills, qualifications, and talents, should not be absent from these decisions. Their absence diminishes the legal process, the quality and complexity of the decisions, the legitimacy and impact of the institutions, and the principle of equality buttressed by



the international legal frameworks. Decisions taken by diverse and representative tribunals are based on more complex assessments of the problems and, therefore, have the possibility to better address them. At the same time, women's participation in leadership positions and in key decision-making spaces is a necessary step for structural institutional changes needed for more equal societies, where women and men can enjoy their rights and contribute to society without discrimination and violence.

GQUAL aims to achieve and consolidate gender parity in international justice. To do so, the Campaign aims to permanently change the rules that currently determine who is nominated and elected for these positions by incorporating gender parity as an objective and criteria, and by helping to conceptualize gender parity as the fundamental measure for equality that is protected under the prohibition of discrimination and that should apply to all spaces of decision making. At the same time, GQUAL seeks to encourage more women to aspire to these positions and to strengthen their chances of success in accessing and implementing them. To this end, GQUAL provides tools, develops information, builds synergies, and creates opportunities to strengthen women's networks in ways that can contribute to the broader feminist and human rights movement in fighting against the discrimination that still prevents women's access to key decision-making positions.

More information: www.gqualcampaign.org / @gqualcampaign