



FONDEN FÖR MÄNSKLIGA RÄTTIGHETER



April 27th, 2017

His Excellency Mr. Israhyananda DHALLADOO (Mauritius)

His Excellency Mr. Amran Mohamed ZIN (Malaysia)

His Excellency Mr. Jan KÁRA (Czechia)

His Excellency Mr. Giampaolo Carmelo RIZZO ALVARADO (Honduras)

His Excellency Mr. Hans BRATTSKAR (Norway)

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

On behalf of the [GQUAL Campaign](#), we are writing to you, in your capacity as new members of the Consultative Group of the Human Rights Council that assumed its functions on April 1st, 2017. The purpose of this letter is to encourage you to adopt, as a first order of business, “Guidelines on Gender Parity” for the selection process of special mandate holders.

This would not be the first time that members of a Consultative Group adopt these measures. In June 2015, the Human Rights Council’s Consultative Group (CG) adopted “[Guidelines on Gender Parity](#)”, to address the gender disparity in the special mandate holder selection process. The Guidelines recommended the establishment of gender quotas that the CG would take into account for the approval of the short lists of candidates that would be interviewed and presented to the President of the HRC.

GQUAL is a global campaign seeking to achieve gender parity in international tribunals and monitoring bodies. The underrepresentation of women in the Special Procedures is a matter of concern and the CG has a fundamental role and opportunity to change this. According to the [Office of the High Commissioner for Human Rights](#), as of December 2016, women represented 41 percent of mandate holders. Without appropriate actions, the representation of women across these bodies will not necessarily increase in either a linear nor sustainable way. Additionally, the figures change significantly if we exclude some mandates that are related to women’s rights and are historically assigned to women, such as the Working Group on the Issue of Discrimination against Women in Law and in Practice, or the Special Rapporteur on Violence against Women. Moreover, according to [information compiled by GQUAL](#) as of April 2017, 20 out of the 56 current thematic and country mandates have

never been held by a woman, including those on torture, freedom of expression, racial discrimination, and the right to health.

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 of the Guidelines when outlining the selection process for special mandate holders. In those sessions, the CG considered applications for 11 special procedure mandate holder positions, plus two 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 produced 56% female appointees.

Despite the fact that the reports of the CG for the 32nd and 33rd sessions did not make specific references to gender balance nor the Guidelines, the final outcome of the appointments at those sessions show that the CG respected the parameters of the Guidelines. As a result, women's representation among special procedure mandate holders increased slightly. In relation to the appointments at those sessions, the CG reviewed applications for 10 mandate holder positions and 6 of the mandate holders appointed by the HRC were women. As reflected in [the recent outcomes of the 34th session of the HRC](#) posted at the end of March, the representation of women continues this upward trend: 4 out of the 7 mandate holders appointed during HRC34 were women; 3 of them were appointed to the EMRIP.

Notably, following the adoption of the Guidelines, the CG has put forward increased percentages of women for both interviews and the short-list of final nominations to be considered by the President of the HRC. Before the Guidelines, women represented about 37% percent of all special procedures mandate holders. The recent increase in female applicants at each step of the selection process, and the increased percentage of female appointees, indicate the success of the Guidelines in achieving the goal of gender parity across all mandate holders, with the exception of mandates never held by women, as previously indicated.

Experience shows that advances in gender parity do not preclude the possibility of regression. Thus, to sustain existing gains, the upcoming membership of the Consultative Group should adopt the same, or a similar, gender policy with gender quotas to guide its work during the term of its mandate. Eventually, these guidelines should be included in a resolution of the HRC that could complement Resolution 5/1, by incorporating gender parity as official protocol for the special procedure selection process.

Finally, a perusal of the candidates for special procedure positions shows that in some sessions there are not enough women candidates. The Guidelines adopted by the CG in 2015 addressed this concern with specific requests to the OHCHR Secretariat, including extending the deadline when not enough eligible women applied. These requests presented to the OHCHR must also be given due consideration to ensure successful attainment of true gender parity in special mandate holder selection. We encourage the current Consultative Group to consider this aspect, should it decide to adopt a gender parity policy to guide its work in the upcoming year.

We hope that the new CG will build upon the experience and good practices of previous members, and continue working towards achieving gender parity among the Special Procedures.

Sincerely,

Marina Brilman, PhD, LL.M, The Law Society of England & Wales.

Christine Chinkin, Emerita Professor of International Law, London School of Economics.

Jane Connors, Director of International Advocacy, Amnesty International.

Josephine Dawuni, Executive Director, Institute for African Women in Law & Assistant

Professor of Political Science Howard University.

Catalina Devandas, Special Rapporteur on the Rights of Persons with Disabilities.

Alda Facio, Chairperson of the Working Group on Discrimination against women in law and in practice.

Priyanthi Fernando, Executive Director, International Women's Rights Action Watch (IWRAW) Asia Pacific.

Nienke Grossman, Associate Professor & Deputy Director, Center for International and Comparative Law, University of Baltimore School of Law.

Jenny Jansson Pearce, Secretary General, Swedish Foundation for Human Rights (MR-Fonden).

Ms. Megumi Komori, Acting Secretary-General, International Movement Against All Forms of Discrimination and Racism (IMADR).

Viviana Krsticevic, Executive Director, Center for Justice and International Law (CEJIL) & Member of the GQUAL Secretariat

Maria Noel Leoni, Senior Lawyer, CEJIL, & Member of the GQUAL Secretariat

Claudia Martin, Co-Director, Academy for Human Rights and Humanitarian Law, American University Washington College of Law & Member of the GQUAL Secretariat.

Juan Méndez, ex-UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

Alexandra McAnarney, Communications Officer for CEJIL, & Member of the GQUAL Secretariat

Alejandra Vicente, Senior Legal Advisor, CEJIL, & Member of the GQUAL Secretariat.

Cesare P.R. Romano, Ph.D., LL.M, D.E.S., Professor of Law & W. Joseph Ford Fellow Director, International Human Rights Clinic, Loyola Law School.

Regina Tames, Directora, Grupo de Información en Reproducción Elegida (GIRE).

Mark Thompson, Executive Director, Association for the Prevention of Torture (APT).