

For the attention of the Consultative Group of the Human Rights Council:

His Excellency Mr. Emmanuel Kwame Asiedu ANTWI (Ghana)

Dr. LI Xiaomei (China)

His Excellency Mr. Galib ISRAFILOV (Azerbaijan)

Her Excellency Ms. Michèle TAYLOR (United States of America)

Her Excellency Ms. Patricia Ann HERMANNNS (Bahamas)

CC:

Mr. Matías Pellado, Human Rights Council Branch

Office of the United Nations High Commissioner for Human Rights

19 August 2024

Re: Adoption of Gender Parity Guidelines by the HRC's Consultative Group

Excellencies,

We write on behalf of [GQUAL](#), a global Campaign launched in 2015 that aims to achieve gender parity in the composition of international tribunals and monitoring bodies. Our focus is to ensure the consideration of gender parity in selection procedures for positions in international bodies, mechanisms and organizations, to disseminate timely information on vacancies, and to conduct research on the impact and role of women in international justice. The Campaign is founded on the shared understanding that for reasons of equality, the impact of women's participation in expanding the talent pool, the legitimacy of international bodies, and its potential impact on sustainable development and peace, women's equal participation and representation in international justice is critical.

We would like to congratulate you as new members of the Human Rights Council Consultative Group (CG), and to encourage you to leverage the unique opportunities your mandate offers to adopt and implement measures that sustain, advance, and institutionalize gender parity and representation within key Human Rights Council (HRC) mechanisms, including the Special Procedures (SP) mandates and the Expert Mechanisms.

On your capacity as members of the CG in its current cycle, you have the special opportunity to uphold the recently achieved gender parity among SP mandate holders in 2022, which has been sustained to date. This can be achieved by implementing concrete measures that not only maintain but institutionalize gender parity, while also ensuring adherence to other criteria guiding the appointment of SP mandate holders, such as independence, impartiality, competence, expertise, and geographical balance.

Indeed, as of May 2024, 63% of Special Procedures mandate-holders are [women](#), representing an unequivocal improvement from the situation that prevailed when GQUAL started its work in 2015 (with only [39,4% of women](#)). Not only women's representation has increased significantly, but also at least 14 mandates that had never been held by women before are now led by women¹. In the case of the Expert Mechanisms, [as of May 2024](#), 75%

¹ [SR on the human right to a healthy environment](#), Astrid Puentes appointed in 2024.
[SR on climate change](#), Elisa Morgera appointed in 2024.

of the members were women, and, historically, women represent 48% of all memberships. Such marked improvements in women's representation have so far been the results of dedicated, concerted efforts and actions on the part of key actors, such as the reiterated practice of successive memberships of the CG of referring to gender balance as a key criterion for the conformation of shortlists of candidates presented to the HRC President (as referred in successive Legacy Reports), and, in occasions, the decisions of HRC Presidents to prioritize from the shortlists equally qualified female candidates over male candidates in cases of notorious underrepresentation. A significant contribution underlying this sustained progress has been the recommendations developed by the HRC Advisory Committee in its [2021 report on gender balance in UN human right bodies](#) (A/HRC/47/51), which expressly recognized that the lack of gender balance in international bodies affects not only women's right to equality, but also erodes the effectiveness of the institutions and limits the range of issues and perspectives that should be part of their legal and political agenda more broadly. Since then, we have consistently noticed and applaud the practice of the CG of seeking gender balance in the shortlists and in their general recommendations.

Yet, we believe more can be done to consolidate these gains. In monitoring trends in the composition of international bodies, we unfortunately too often witness how gains towards a more balanced representation can be followed by setbacks. It is imperative that the CG remains cognizant of the fact that women's equal and meaningful participation in international mechanisms is still not a concrete reality in most circumstances and spaces. In fact, when we exclude 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*, the overall balance of women's representation in the SP declines. Additionally, at least 8 SP mandates had yet to be led by a woman, at the time of the letter. Thus, we believe that it is critical that the CG moves towards adopting specific measures that can sustain gender parity.

In line with this, we would like to reiterate our request for the CG to adopt guidelines on Gender Parity, similar to those adopted by the Consultative Group in 2015², that can

[SR on torture](#), Alice Jill Edwards appointed in 2022.

[SR Palestine](#), Francesca Albanese appointed in 2022.

[SR Democratic Korea](#), Elizabeth Salmón appointed in 2022.

[SR on the right to privacy](#), Ana Brian Nougères appointed in 2021.

[IE on the effects of foreign debt](#), Yuefen Li appointed in 2020.

[SR on freedom of expression](#), Irene Khan appointed in 2020.

[SR on the right to health](#), Tlaleng Mofokeng appointed in 2020.

[SR on unilateral coercive measures](#), Alena Douhan appointed in 2020.

[SR Belarus](#), Anaïs Marin appointed in 2018.

[SR on freedom of association](#), Annalisa Ciampi appointed in 2017.

[SR on counter-terrorism](#), Fionnuala D. Ní Aoláin appointed in 2017.

[SR on the human rights of internally displaced persons](#), Cecilia Jimenez-Damary appointed in

2016.

² See letters sent by GQUAL to the HRC Consultative Group: [April 2017](#), [December 2017](#), [2018](#), [2019](#), [2020](#), [April 2022](#), [May 2022](#), [2023](#).

complement the CG's working methods approved by the HRC in 2020³. The 2015 Guidelines recommended the establishment of gender targets that the CG could consider for the approval of the short lists of candidates to be interviewed and the one submitted to the President of the HRC for appointment. Additionally, the adoption of such guidelines could now be inspired and based on some of the specific recommendations addressed to the Consultative Group in the HRC Advisory Committee's report, including the following:

- Implementing guidelines on gender representation so that they are considered by every composition of the Consultative Group.
- Extending the deadline for calls for applications when not enough women candidates have applied.
- Shortlisting the candidate of the underrepresented gender, where two candidates are of equal merit, unless exceptional circumstances justify shortlisting the candidate of the overrepresented gender.
- Considering, when appropriate, a women-only list of candidates for special procedure mandates that have never been held by a woman.
- Ensuring gender parity in the composition of working groups not exclusively focused on women's rights issues, including by considering women-only lists of candidates for special procedure mandates that lack parity (doing so on an alternate basis if the number of positions is uneven).
- Providing written justification where it makes a decision that results in a lack of gender parity or fails to address the gender-representation gap, in the interest of transparency and so that such impediments may be addressed in a timely manner in future selection processes.
- Continuing to list candidates' gender in its reports and provide information on how it has taken into account gender parity in selecting candidates for interviews and in drawing up shortlists for the President of the HRC.

On the other hand, in addition to considering the importance of gender criteria when sending the short lists of candidate to the President of the HRC for appointment, we note with concern that in its last composition (from 1 April 2023 to 31 March 2024), out of four members of the Consultative Group (given the absence of a member from the African group), there were three male and only one female Ambassador from the GRULAC.

According to the available data, since 2007, a total of 86 Ambassadors have served as members of the Consultative Group, three of whom held the same position during different cycles, making for a total of 89 Ambassadorial appointments to the Consultative Group. Only 17, or 19% of them, have been women.

The Consultative Group itself in its legacy letter for the cycle 1 April 2022 to 31 March 2023 and for the cycle 1 April 2023 to 31 March 2024 highlighted that "importance of ensuring a gender-balanced representation of its own composition"⁴. In addition, they referred to the

³ See: President's statement PRST OS/14/2 of 16 December 2020 on the methods of work of the Consultative Group of the Human Rights Council. Available at: <https://documents.un.org/doc/undoc/gen/g20/349/88/pdf/g2034988.pdf>

⁴ See: Enclosure Letter of the Consultative Group from the term from 1 April 2022 to 31 March 2023 with observations on their work, April 5, 2023. Available at: <https://hrcmeetings.ohchr.org/PresidencyBureau/BureauRegionalGroupsCorrespondence/Correspond>

HRC Advisory Committee Report highlighting the historical under-representation of women in its own historical composition and mentioned that “the Consultative Grupo encourages regional groups to consider a balanced gender representation when nominating members for the Consultative Group”⁵.

The Consultative Group plays a crucial role in considering, interviewing, selecting and proposing to the President a list of candidates who possess the highest qualifications to be appointed as mandate holders to the Special Procedures. The Special Procedures are key to ensuring a wide range of human rights from a thematic and country-based perspective. Ensuring that gender parity is observed in the composition of the Special Procedures is necessary to preserve their legitimacy, effectiveness, and compliance with the principles of equality and non-discrimination.

In this regard, we encourage you to consider the adoption of guidelines and to encourage, through your Legacy Letter, the HRC, its Presidency, and the Regional Groups to adopt measures to ensure that gender parity as a sustainable measure both in the SP and in the composition of the Consultative Group.

We thank you for your attention and commitment to this issue and remain at your disposal for any further information we might be able to provide.

Sincerely,

The GQUAL Secretariat

Viviana Krsticevic

Maria Noel Leoni

Claudia Martin

Alejandra Vicente

ence/Fo rms/AllItems.aspx?FilterField1=Year&FilterValue1=2023 ; Enclosure Letter of the Consultative Group from the term of 1 April 2023 to 31 March 2023 with observations on their work, April 18, 2024. Available at:

<https://hrcmeetings.ohchr.org/PresidencyBureau/BureauRegionalGroupsCorrespondence/Correspondence/Enclosure%20-%20Letter%20of%20the%20Consultative%20Group%20for%20the%20term%20from%201%20April%202023%20to%2031%20March%202024%20with%20observations%20on%20their%20work.pdf>

⁵

Id.