



18th session of the Human Rights Council

Annual discussion on the integration of a gender perspective in the work of the Human Rights Council

“Promoting gender equality as institutional practice: from policy to action”

26 September 2011 (9:00-12:00)

Room XX, Palais des Nations, Geneva

REPORT OF THE PANEL DISCUSSION

Objectives and focus of the session

The focus of the annual discussion on the integration of a gender perspective in the work of the Human Rights Council (HRC) in 2011 was to look at the institutional implications of gender integration.¹ This area remained relatively overlooked in structure and functioning of the Human Rights Council, despite important references in resolution [6/30](#).

The objective of the panel will be to reflect on key measures to institutionalize gender integration in organizational structures with a view to achieve gender equality. Lessons learnt from challenges, good and less effective practices experienced by UN agencies, regional bodies, governments and civil society organizations will be shared by panelists in an interactive discussion, leading to key recommendations for the Human Rights Council.

Speakers and format

For the first time in the Human Rights Council, the plenary panel discussion adopted an innovative and interactive format, following a “talk-show” model. The only formal presentations were the opening addresses, which laid the ground and define the scope of the panel’s theme. The discussion was animated by an independent moderator who was tasked to throw questions at panelists based on their expertise and experience.

The Member States and Observers had received the questions 20 days prior to the Panel and were encouraged to shape their interventions in the forms of questions while sharing experience with the audience in order to stimulate a constructive debate (see guiding notes for member States).

¹ Gender integration (or mainstreaming) is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes; and this in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. Gender integration goes hand in hand with the promotion and protection of women’s human rights and the elimination of discrimination against women. The ultimate goal is to achieve gender equality

A total of 20 member States (Chile, Pakistan (on behalf of the OIC), Cuba, Slovenia, Argentina, Russian Federation, Belgium, Azerbaijan, Finland, Switzerland, France, European Union, Islamic Republic of Iran, Maldives, Paraguay, India, Brazil, Croatia, Turkey, Joint Statement: Canada - Australia - New Zealand) and 3 Observers (Worldwide Organisation for Women, Verein Sudwin Entwicklungspolitik, UNFPA/UNICEF) took the floor, welcoming the innovative format. The following States and Observers were invited to post their statements on the extranet due to the lack of time to accommodate all questions during the session (Morocco, Tunisia, Honduras, Moldova, Sweden, Bangladesh, Korea, China, United States of America, Algeria Joint statement: Federation of Cuban Women, World Federation of Trade Unions, Femme Afrique solidarité (FAS), World YWCA, WILPF).

Outcomes

The discussions gathered a set of recommendations on practical ways to operationalize gender equality commitments in the structure and culture of institutions such as the Human Rights Council. Through the first set of questions and answers, challenges and lessons learnt on institutional gender integration were identified. The second set focused on possible avenues to integrate gender equality in the structure and working methods of the Human Rights Council and its mechanism. Comments from both the panel and the member States/Observers are summarized hereunder around a few key themes.

1. Key challenges and lessons learnt in operationalizing gender equality in institutional settings

1. Overcoming cultural resistance: One way to address resistance to gender integration is to understand its source, nature and type and take those into account in the approach and actions from the onset. In addition to undertaking gender analysis, an organisational analysis of power relations and informal/formal systems should be undertaken to identify allies, passive supporters, opponent and those with double standards in order to manage and address resistance. The gender integration process should not follow a blue print but adapt to the organization's mandate, size, culture and composition, respecting diversity and cultural sensitivities while moving forward (H. Gosheh, Sweden, Iran, Pakistan, Republic of Korea).
2. Bringing conceptual clarification: Gender equality and integration/mainstreaming remains poorly understood, often equated with women's rights or participation. Gender refers to the socially constructed roles of men and women, deeply rooted in every culture but changeable over time. Likewise, gender integration assesses the implication of legislation, policies and programmes on both women and men as well as on the relationship between them. When considering the human rights of women, it is important to add the phrase "and a gender perspective" in order to make sure that women and men, and relations between them are considered (C. Chinkin, H. Gosheh, WOW).
3. Ensuring women's equal participation in decision-making: The Arab Spring has put forward the need to ensure women's full political participation, especially during times of transition. In many countries, women's education and health levels have improved but their status and decision-making power within their families,

communities and society remain marginalized. Likewise in institutional settings, traditional gender roles often continue to be reflected in the distribution of positions where women are still under-represented in decision-making posts. In order to change this reality and reach gender equality, political commitment at the highest level as well as special measures to correct the historical discrimination against women are needed. (H. Gosheh, Brazil, USA, Slovenia, EU)

4. Adopting temporary measures: These include quotas, positive or affirmative action in order to achieve de facto gender equality in institutional settings. Examples from national context show that those measures are effective, even when they are often controversial and encounter opposition, including from women who view them as degrading. CEDAW General Recommendation n°25 interpreting article 4 on temporary special measures including quotas also clarifies the importance of these particular legal measures for gender equality and gender integration. History repeatedly shows that while it is good to appoint women to the senior most ranks, there is not automatic correlation between their numbers at these levels and accelerating progress at lower ones. Without affirmative action, parity is simply not reached, for example out of the 28 countries which have achieved a critical mass of more than 33%, 25 has done so with the assistance of special measures which actively promote the representation of women. (A. Mehrotra, S. Goonesekere, Belgium, Slovenia, Algeria, Argentina)
5. Involving men: Despite the consensus in the past 20 years that it is important to promote the involvement of men in order to achieve gender equality (Cairo Conference 1994, Beijing Conference 1995), policies still insufficiently include men as the other half of gender. One challenge is to promote a dialogue between various stakeholders with different agendas (feminist, LGTB, children's rights activist, etc.). Gender integration requires analysing and assessing impacts of laws, policies and programmes on both men and women, but without forgetting the historical discrimination and disadvantage that women suffer because of their sex. Gender equality can only be built through partnerships. (Nascimento, Argentina, Brazil, Switzerland)
6. Setting-up accountability mechanisms: In order to be successful, gender integration has to be assorted by realistic accountability frameworks, in terms of capacity, resources and timeframes. Accounting for gender integration efforts should be the responsibility of all members of an organisation and not the responsibility of one department or individuals working on gender issues. The frameworks should hence be developed by involving all relevant stakeholders and clarifying their roles and responsibilities. They should come across as positive tools to measure progress and achievement of the organization's commitment to gender equality not as an extra reporting mechanism or a "policing tool" though performance indicators may be used to call upon those who are not delivering on gender integration. In this regards, the UN System-wide action plan (SWAP) coordinated by UN Women will set minimum requirements for the UN system (H. Gosheh, A. Merhotra, R. Alapini Gansou, Australia/Canada/New Zealand, UNICEF/UNFPA)

II. Recommendations on ways to better integrate gender in the Human Rights Council structure and functioning

1. Developing synergies with UN women: UN Women has a lead role in coordinating and advocating for gender mainstreaming within the UN system. However, caution is required within the UN mechanisms so as not to overwhelm UN Women with a mandate that requires all UN agencies to act upon. Through the System-wide Action Plan (SWAP), UN Women can help the HRC in developing indicators to measure the progress of gender integration and accountability mechanism. This will enable the UN to support women's human rights at the country level, including in relation to completion of the Universal Periodic Review. However, UN Women cannot lead in all areas related to women. In a variety of women's human rights field, the HRC can advance gender equality and women's rights through its standard setting, advocacy and outreach work. (A. Mehrotra, H. Gosheh, Chile, Finland, France, India)
2. Promoting CEDAW in the context of UPR: The HRC Universal Periodic Review (UPR) process can be used as forum to encourage CEDAW universal ratification and withdrawal of reservations. Further collaboration is needed between UPR reporting, which is coordinated by the foreign offices in many countries and CEDAW reporting, which is usually the responsibility of gender focal points or ministries in charge of women's human rights and/or family affairs. UPR conclusions and recommendations should give greater priority to CEDAW commitments using sex disaggregated data and indicators. (S. Goonesekere, Azerbaijan, Croatia, Maldives, Paraguay YWCA/WILPF/FAS)
3. Encouraging interactions between the HRC proposed "gender friends" group and the Working Group on Discrimination against Women in Law and Practice: This would allow for exchange of good practices and jurisprudence among countries with shared legal heritage, with a view to contribute to law reform for the elimination of discrimination against women. The HRC can also play a leadership role through its work on gender integration in access to shelter and water, natural disasters or climate change and encourage the CEDAW Committee to consider those areas often lacking visibility in its work. (S. Goonesekere, Argentina)
4. Promoting a human rights-based approach to gender integration: Gender equality and non-discrimination are the cornerstones of the human rights-based approach (HRBA). At the country level, adopting a HRBA in promoting gender equality and implementation of CEDAW has proven to be more effective than national initiatives focusing on the need for women's protection as a vulnerable group in society. The HRC's added value is to insure that a HRBA to gender integration is adopted and promoted among member States, UN agencies and civil society. The Council can strengthen the normative framework of gender integration as new areas of human rights are explored (S. Goonesekere, C. Chinkin)
5. Tracking implementation of resolution 6/30: Resolution 6/30 and the report of the High Commissioner on the resolution (HRC/12/46) are visionary and contain many useful recommendations that remain to be implemented by the Council, including the UPR and Special Procedures. This means for example tracking the resolutions mentioning gender or women's rights and analysing the differentiated impact of all resolutions on women and men; or promoting the development of a checklist of

guidance for mandate holders on how apply a gender perspective when reporting on their country visits or thematic issues. This also means integrating gender in the organizational structure and working processes of the HRC by ensuring that all panels reflect a gender balance by inviting more male experts/panellists to participate in discussions on women's human rights and gender issues, and systematize the use of gender-sensitive language in all documents, including translations in official languages (A. Merhotra, M. Nascimento, Turkey)

Conclusions

Institutional change is at the heart of gender integration. Whereas progress seems to have been achieved in certain areas, there is a long way to go. In the current economic climate affecting the human rights of women in all countries, it is important that the Human Rights Council bear in mind how challenges on gender integration have to be kept under constant appraisal. Sessions like this gives the opportunity to review challenges, lessons learnt and good practices in order to take note of gaps and set new goals on reaching progressive outcomes towards gender equality.

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