

39th session of the Human Rights Council

Annual discussion on the integration of a gender perspective
throughout the work of the Human Rights Council and that of its
mechanisms

*Theme: Gender integration and human rights investigations: strengthening
a victim-centred approach*

Draft concept note (as of 27 August 2018)

Date and venue: Monday 24 September 2018, 4 - 6 p.m., Palais des Nations, Room XX,
Geneva
(will be broadcast live and archived on <http://webtv.un.org>)

Objective s: Human rights monitoring and human rights investigations are a central aspect of the response provided by the United Nations to human rights violations. They have proven their value as crucial tools to identify violations of human rights and international humanitarian law, their causes, to promote accountability and contribute to prevent future human rights violations.

The use of gender-sensitive methodologies and the integration of a gender perspective by investigative teams, international commissions of inquiry (Cols) and fact-finding missions (FFMs) have contributed to strengthening a victim-centred approach, by acknowledging and making visible the different experiences of women, men, girls, boys and marginalized populations and individuals, including LGBTI persons, highlighting their specific needs and subverting stereotypical narratives that failed to capture their lived realities.

While both Cols and FFMs have increasingly addressed sexual violence, progress is still required to devote consistent attention to other forms of gender-based violence and to the gender dimensions of other human rights violations. With a few exceptions, insufficient attention is being devoted to analysing pre-existing gender inequalities and gender-based discrimination, which can influence the economic, social, cultural, civil, and political dimensions of women and men's experiences of a conflict or crisis, and how they expose specific individuals to heightened risk of violence or compound its impact.

There is a need to shift the framing away from an approach that looks at sexual violence as the sole type of gender-based violence experienced by an individual in conflict settings, to an approach which explores how pre-existing discrimination is exacerbated by conflict; captures other forms of gender-based violence and the gendered nature and/or impact of other violations, and recognises the impact of conflict on changing dynamics of violence and discrimination within the home and community. Such an approach is crucial to ensure that recommendations from reports by investigative bodies lead to practical, holistic and comprehensive responses that adequately take into account the experience of all individuals and aim to tackle the root causes of violence.

Cols, FFMs and other investigative bodies carry out independent investigations into abuses and violations of international law, including international human rights and humanitarian law, with a view to hold to account those responsible for violations and abuses, including violations that may amount to international crimes. Cols, FFM and other investigative bodies established by the Human Rights Council present their findings and recommendations in official reports and are requested to devote specific attention to gender issues and the gendered impacts of violations in their reports and recommendations, as provided in Human Rights Council resolution 23/25. Cols/FFMs have increasingly sought to integrate a gender perspective into their work, and since 2009 their capacities in this regard have been significantly strengthened through the consistent presence of Gender Advisers in their secretariats. In 2011, the Secretary-General committed to ensuring "that all commissions of inquiry and related investigative bodies established by the United Nations... have dedicated gender expertise and access to specific sexual violence investigative capacity" (S/2011/598, para. 69).

This panel discussion will present an opportunity for participants to discuss good practices and challenges in integrating a gender perspective in the work of the Cols, FFMs and investigative bodies, and in particular:

- How the integration of gender-sensitive analysis and the use of gender-sensitive methodologies have been instrumental to formulate tailor-made, specific and action-oriented recommendations to address human rights violations, protect victims' rights, and contribute to the prevention and non-recurrence of such violations; and

Chair: H.E. Mr. Francois Xavier Ngarambé, Vice-President of the Human Rights Council (tbc)

Opening statement: Ms. Kate Gilmore, United Nations Deputy High Commissioner for Human Rights

Moderator: Ms. Emily Kenney, Policy Specialist, Transitional Justice, United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)

Panellists:

- Ms. Shuvai Nyoni, Director, African Leadership Centre, and former Gender Adviser at the African Union Commission of Inquiry on South Sudan
- Ms. Madeleine Rees, Secretary General, Women’s International League for Peace and Freedom (WILPF)
- Mr. Paulo Sérgio Pinheiro, Chair, Independent International Commission of Inquiry on the Syrian Arab Republic

Mandate: At its sixth session, the Human Rights Council adopted resolution 6/30, entitled “*Integrating the human rights of women throughout the United Nations system*”, in which it decided to incorporate into its programme of work an annual discussion on the integration of a gender perspective throughout its work and that of its mechanisms, including the evaluation of progress made and challenges experienced.

In this resolution, the Council reiterated the need for integrating a gender perspective through using gender-inclusive language in the formulation, interpretation and implementation of human rights instruments, as well as in reports, resolutions and/or decisions of the Human Rights Council and its various mechanisms and of other human rights mechanisms.

The Council further welcomed the panel discussion on the integration of a gender perspective in the work of the Human Rights Council, held on 20 and 21 September 2007, and decided to incorporate into its programme of work an annual discussion on the integration of a gender perspective throughout its work and that of its mechanisms, including the evaluation of progress made and challenges experienced.

In its resolution 5/1, the Human Rights Council also recognized the importance of gender integration and specifically mandated as a principle that the universal periodic review had to fully integrate a gender perspective into all aspects of the review [para. 3 (k) of the annex].

Format: The duration of the panel discussion will be limited to two hours. A maximum of one hour will be set aside for the podium, including the opening statement, moderator comments, if any, panellist presentations, and their responses to questions and concluding remarks. Speaking time limits for the panellists and guests, if any, will be calculated based on the maximum one hour limit for the podium.

States and observers, including national human rights institutions (NHRIs) and non-governmental organizations (NGOs), intervening from the floor will also have a maximum of one hour. Each speaker will have two minutes to raise issues and to ask questions. The list of speakers for the discussion will be established at the beginning of the panel and, as per practice, statements by high-level dignitaries and groups will be moved to the beginning of the list.

The practice of having two slots for Member and observer States (2x12), NHRIs (2x1) and NGOs (2x2) will be maintained but the possibility for panellists to intervene in-between will depend entirely on the time used at the start of the panel.

Interpretation will be provided in the six United Nations official languages (Arabic, Chinese, English, French, Russian and Spanish).

Background: The following topics were covered during the previous Council annual discussions on gender integration:

- Integrating a gender perspective into the work of the special procedures of the Human Rights Council (2008);
- Integrating a gender perspective in the universal periodic review (2009);
- Integrating a gender perspective in the work of the Human Rights Council: lessons learned, shortcomings and future challenges - 2007-2010 (2010);
- Promoting gender equality as institutional practice: from policy to action (2011);
- Economic, social and cultural rights of women (2012);
- Civil society's contribution to the integration of a gender perspective in the work of the Human Rights Council and its mechanisms (2013);
- Gender integration in the country-focused work of the Council (2014);
- Gender parity and its contribution to gender integration in the work of the Human Rights Council (2015);
- Gender integration in the resolutions and recommendations of the HRC (2016);
- The universal periodic review and the 2030 Agenda for Sustainable Development: Achieve gender equality and empower all women and girls (Goal 5) (2017).

Background documents:

- Human Rights Council resolution [6/30](#) entitled "Integrating the human rights of women throughout the United Nations system" (*adopted by consensus on 14 December 2007*)
- General Assembly resolution [69/151](#) entitled "Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly" (*adopted by consensus on 18 December 2014*)
- General Assembly resolution [70/1](#) entitled "Transforming our world: the 2030 Agenda for Sustainable Development" (*adopted by consensus on 25 September 2015*)

