CONCEPT NOTE

11th International Biennial Conference of the ICC

Human Rights of Women and Girls: Promoting Gender Equality:
The Role of NHRIs

Amman, Jordan

4th – 7th November 2012

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I. Background

At its 25th session held in March 2012, the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) reconfirmed the decision made at ICC 24th session May 2011, that the theme for its Eleventh Biennial Conference will be the ‘Human Rights of Women and Girls: Promoting Gender Equality: The Role of National Human Rights Institutions’. The hosting of the ICC’s International Conferences rotates on a regional basis and this year’s Conference will be hosted within the Asia Pacific region. At its 16th annual meeting held in September 2011 the Asia Pacific Forum of National Human Rights Institutions accepted the nomination of its A-status member, the Jordan National Centre for Human Rights (JNCHR), to host the International Conference. The Conference will be held from 4th to 7th November 2012 in Amman, Jordan under the royal patronage of His Royal Majesty King Abdullah II ibn Al Hussein and organized in cooperation with the Office of the High Commissioner for Human Rights (OHCHR). The ICC Bureau Meeting will convene on the 4th of November, the opening ceremony and the regional groups meetings will take place on the 5th of November followed by two full days of plenary sessions and break-out groups on the 6th and 7th of November.

Women’s rights and gender equality are fundamental human rights, guaranteed in all human rights treaties. These cover political, civil, economic, social and cultural rights, including sexual and reproductive rights. The financial crises have illustrated how women’s rights and gender equality have been seriously undermined by patriarchal economic, trade and fiscal policies that have increased militarization, violence,

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poverty and inequality. In addition, ensuring women’s rights has enormous socio-economic ramifications. The empowerment and participation of women contributes to thriving economies, productivity and growth. Women’s human rights including equality and non-discrimination are articulated and promoted in numerous international human rights conventions, treaties, declarations, resolutions, programmes of action and policy frameworks.

The key international human rights treaty for women is the United Nations Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and its Optional Protocol. Human rights and non-discrimination on the basis of sex are also fundamental to other UN standards including, but not limited to, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Covenant on Economic, Social and Cultural Rights, the Declaration on Violence Against Women. There are a number of important United Nations policy frameworks that commit States to gender equality and women’s human rights such as the Vienna Declaration and Platform for Action, the Beijing Declaration and Platform for Action, the Programme of Action of the International Conference on Population and Development, Security Council Resolution 1325 on Women, Peace and Security and the Millennium Development Goals. Despite all of these excellent commitments, poverty, violence and inequality continue to impact on the realisation of women’s rights and gender equality. The policy incoherence between these human rights commitments and the negative impact of economic, trade and fiscal policies particularly on women and girls has to be addressed.
II. Context: The role of NHRIs in promoting gender equality and women’s rights

Addressing the unequal status of women and girl-children is a global human rights challenge central to the work of NHRIs. The ICC, as a global association of national human rights institutions (NHRIs) is an important platform to bring international, regional and national perspectives to this critical issue. The ICC is also a body consisting of regional coordinating networks of NHRIs from Africa, the Americas, Asia Pacific and Europe.

As independent state bodies with a broad mandate to promote and protect human rights, NHRIs can play a significant and necessary role in promoting and protecting the rights of women and girl-children. NHRIs are recognised as a major force for promotion and protection of human rights at the domestic level – in many cases helping to lessen the “implementation gap” between international standards and the practice of human rights on the ground. The CEDAW Committee made a statement in January 2008 to the effect that NHRIs and the CEDAW Committee ‘share the common goals of protecting, promoting and fulfilling the human rights of women and girls’, noting that the cooperation between the NHRIs and the CEDAW Committee is critical.

The core functions of NHRIs – such as monitoring Government and other actors including business and non-state actors, upholding human rights; promotion and advocacy, individual and systemic complaints handling, human rights education, making recommendations on law reform and working with civil society – can all contribute significantly to the elimination of discrimination against women, the advancement and attainment of their rights and status.
NHRIs can also engage with the international human rights system, such as the UN human rights treaty bodies, the Human Rights Council, Special Procedures, the Universal Periodic Review and other mechanisms, to raise issues and follow-up on recommendations made to governments in relation to women’s human rights.

NHRIs perform numerous important roles in promoting gender equality and in advancing women’s rights in all regions of the world.

NHRIs can monitor their States’ international commitments and targets such as the Millennium Development Goals and the Beijing Platform for Action as well as any concluding comments or recommendations that were produced following country reports to treaty body committees, particularly the CEDAW committee.

NHRIs can encourage States to ratify international instruments including CEDAW and its Optional Protocol. NHRIs can contribute to the development of a State’s human rights national action plan and ensure that women’s rights are fully integrated. They can also assist States to specifically develop laws and policies on gender equality and violence against women and they can monitor their implementation. NHRIs can also advocate and make sure that all laws and policies (including fiscal policies) integrate a gender perspective and are consistent with related laws and policies, advocating for the inclusion of temporary special measures when needed.

NHRIs can also ensure that their Governments monitor the human rights impact (including on women’s rights and gender equality) of trade agreements, economic and fiscal policy. NHRIs can advise government in relation to legislative and policy frameworks as well as practices that may discriminate against women or violate their rights. NHRIs can work towards longer term culture change that will help prevent future violations of women’s rights or discrimination through their human rights education function.
NHRIs can collect data which can be disaggregated according to sex which can be applied to national policies and future national planning. NHRIs may also investigate individual and systemic complaints of discrimination or violations of women’s human rights and recommend remedies or actions.

In addition since 2009, the ICC has been campaigning for the independent recognition of national human rights institutions at the UN body responsible for policy-making and standard setting for women’s rights, the Commission of the Status of Women. This strategic engagement has been pursued by the ICC to ensure that NHRIs expertise can be further integrated within UN bodies in relation to women’s rights and to bridge the gap between international human rights obligations and national implementation of women’s rights and gender equality.

The ICC recognises the need to work in cooperation and collaboration with the UN, including its agencies such as the OHCHR, UNDP, UN Women, UNFPA and other partners to effectively promote and protect women and girl children rights. It is hoped that this Conference will provide a platform to establish strategic and institutional partnerships with agencies such as UN Women, UNDP and UNFPA in developing capacities of national human rights institutions in promoting and protecting the rights of women and girl-children.

**Role of OHCHR**

Women’s rights and gender equality is a core part of OHCHR’s overall mandate to contribute to the realisation of all human rights of all people. OHCHR’s work in the field, with the Human Rights Council, and with human rights mechanisms such as the special procedures and treaty bodies, emphasizes the elimination of all forms of discrimination against women, through a wide variety of activities.
In September 2011, the Office adopted its Gender and Equality Policy as an internal tool outlining a joint vision, strategic priorities and processes for integrating gender perspectives throughout the work of the Office as well as guiding its own engagement to create an environment and shape a culture conducive to promoting women’s human rights and to advancing gender equality.

The Policy built on the January 2010 report on the evaluation of gender mainstreaming in OHCHR and prior initiatives, including OHCHR Gender Policy Statement on Gender Mainstreaming and Human Rights of Women in 2000, and OHCHR Gender Mainstreaming Strategy in 2002. In the same vein, OHCHR has developed an Information Sheet intended for OHCHR Field Presences on the Implementation of Security Council Resolutions [1325, 1820, 1888 and 1960] concerning Women, Peace and Security, which informs field presences on how they can contribute to the implementation of these resolutions and engage with the mechanisms that have been developed for their implementation.

OHCHR will participate at the Conference with the view to sharing its vision and experience, in addition to reaffirming its engagement to partner with NHRIs in this area, including through the National Institutions and Regional Mechanisms Section (NIRMS). It will also contribute funds towards the Conference.

**Role of other actors**

Civil society: NHRIs recognise a need to engage broadly with relevant civil society organizations (CSOs). CSOs are most often the primary monitors and sources of information on women and girl’s human rights and the primacy of women’s NGOs in the development of women’s rights as human rights has been profound both internationally and domestically. Inclusive relationships must be developed in order to utilize this knowledge and expertise, ensure mutual cooperation. The Conference
provides a unique opportunity for enhancing the working relationships between CSOs and NHRIs.

Specialised Women’s Commissions:

There are many causes of discrimination against women, including economic, cultural, historical, practices as well as social attitudes. These are difficult to change and require concerted, long term strategies involving legal, political, economic, social and cultural changes.

Different countries have developed different strategies for addressing these root causes, including:

- Quotas for women, for example in Parliament, in private sector companies, on public boards;
- Special measures as authorised by CEDAW – for example, affirmative action policies;
- Specialised Commissioner for Women within the NHRI – For example, this has been the approach taken in Australia;
- Specialised NHRI on women – five specialised women’s commissions have been established in the Asian region, as well as body for women’s rights at the ASEAN regional level.
- Policy choices such as transformative legislation and gender-responsive budgets that interrogate macro-economic choices through to choices between individual programs;

Some of these women’s commissions have had a significant impact in identifying specific areas of discrimination against women and actively participating in decision-making to the highest levels, to ensure that effective ways are found to eliminate this discrimination.
Building partnerships between NHRIs and specialised women’s commissions is critical to develop expertise and enhance the understanding of the complexity of, and address the discrimination against women.

III. Sub-themes

After a broad and inclusive consultation process conducted by the ICC that included the ICC regional coordinating committees, regional chairs and NHRIs two key areas have been identified as the priority sub-themes for the Human Rights of Women and Girls: Promoting Gender Equality: The Role of National Human Rights Institutions Conference. The priority sub-themes are:

1. Violence against women and girl-children; and
2. Women’s empowerment: economic and social rights and the right to participation.

These two areas are relevant to all countries and all regions. NHRIs will explore how they can best use their functions to promote these priority sub-themes (such as through public education and awareness, training, policy-development, partnerships, advisory) as well as how to protect on these issues (by utilising their functions to monitor, conduct investigations/public inquiries and law reform). These issues will be addressed within a human rights framework taking into account the existing legal framework and international and regional human rights systems.

The Conference will explore how NHRIs can work in cooperation and partnership with civil society, UN, gender and child specialist institutions to develop and strengthen their capacities and program of work (including strategic plans) in promoting and protecting women’s rights at the national level particularly in relation to the two sub-themes.
Moreover the Conference will connect these sub-themes to strategic linkages with UN bodies and agencies as well as other organisations. The following ideas are cited as examples, but do not limit other strategic linkages to other fora. For example the Conference outcomes can be used by the ICC, regional NHRI coordinating committees and NHRI to engage and contribute to the CSW’s 57th session (CSW 57) which will be held in New York from 4th to 15th March 2013. CSW 57’s priority theme is ‘Elimination and prevention of all forms of violence against women and girls’. Further ICC and NHRI promotional and awareness-raising events could be organised around International Day for the Elimination of Violence Against Women held every 25th November.

The Conference outcomes could contribute to the work of the UN Working Group on Discrimination against Women which will have as one of its key thematic priorities for 2012-2013 the issue of women’s participation in economic and social life.

The year 2013 marks the 20th anniversary of the adoption of the Paris Principles by the General Assembly, and the adoption of the Vienna Declaration and Program of Action. Future ICC and NHRI events marking these events should incorporate a gender perspective. Further, 2015 is the target date for meeting the eight Millennium Development Goals (MDGs). Goal 3 of the MDGs is ‘Promote Gender Equality and Empower Women’ and the ICC, regional coordinating committees and NHRI can work in partnership with others to actively promote this goal leading up to 2015.

**IV. Objectives of the Conference**

The overall objective is to explore potential roles and strategic engagement (nationally, regionally and internationally) for NHRI, individually and collectively with the aim of realising the human rights and gender equality of women and girls with a particularly focus on two priority areas; i) violence against women and girl-children and ii) women’s empowerment: economic and social rights and the right to participation.
Specific objectives:

To discuss and further develop the roles of the ICC, regional networks and NHRIs in:

- Identifying the critical factors that deny billions of women and girl-children their human rights and gender equality with a particular focus on violence against women and women’s empowerment – economic, and social rights and the right to participation. Consider the causes of unemployment, poverty and inequality that increases vulnerability to violence, and undermines socio-economic rights, such as trade, economic and fiscal policy choices and Identify how NHRIs could collectively ensure that this negative impact on human rights, particularly on women’s rights and gender equality, is addressed.

- Identifying good practices utilising NHRIs’ mandates to promote and protect women and girl children’s rights and equality; the challenges confronting NHRIs will also be identified.

- Identifying strategic opportunities to engage national partners including but not limited to gender-specific national institutions/mechanisms to promote and protect women and girl-children’s rights.

- Identifying the needs (in terms of capacity building/experience sharing) of NHRIs in the area of women’s human rights and gender equality.

- Developing strategic partnerships with UN Agencies such as UN Women, UNDP, OHCHR and UNFPA to strengthen cooperation and capacities of NHRIs to more effectively promote and protect women and girl-children’s rights.

- Identifying strategic engagement with UN bodies such as the HRC, UPR, Special Procedures, treaty bodies (including but not limited to CEDAW), CSW to promote gender equality.
To provide an opportunity for NHRIs to share experiences regarding priorities and strategies to enhance the application of human rights norms in the context of women and girl-children.

To support cooperation between the ICC, NHRIs, UN agencies and civil society.

V. Expected Outcome

The expected outcome is the adoption by consensus of a final declaration to be prepared by a Drafting Committee (Article 11 of the Rules of Procedure). The final declaration along with the General Report of the International Conference will be transmitted to the United Nations High Commissioner for Human Rights, to all NHRIs and to observers and other relevant UN bodies and agencies where relevant. The final declaration will incorporate a clear strategy and actions for NHRIs, the ICC and regional coordinating committees to ensure the impact of the Conference outcomes are long term.

The following outcomes are expected:

- NHRIs develop a broad understanding of the emerging role of NHRIs in relation to women, girls and gender equality;
- Identification of existing NHRI approaches within this field;
- Needs in terms of capacity building/experience sharing of NHRI are identified;
- NHRIs develop strategies to engage governments and international bodies such as the WTO to ensure that their policies and trade agreements etc. uphold and do not undermine human rights treaties such as CEDAW;
- NHRIs develop strategies to engage as well as develop partnerships with UN bodies and agencies (for example, agencies such as UN Women, UNDP, UNFPA), and civil society organizations in efforts to protect and promote human rights of women and girls;
Conference outcome, informs the work and strategic engagement of the ICC, regional coordinating networks and NHRIs in relation to women and girl-children’s human rights; and  
Reporting on outcome developments at future ICC meetings.

VI. Participants

Article 5 of the Rules of Procedure of International Conferences of NHRIs, provides that “all national institutions shall be invited to the International Conference”. In addition, the following stakeholders will also be invited, in line with article 6 of the Rules of Procedure of International Conferences of NHRIs:

- The United Nations High Commissioner for Human Rights or his/her Representative as well as members of his/her office in charge of national institutions;
- In consultation with the Office of the High Commissioner for Human Rights and the ICC as observers:
  - NHRIs and regional co-coordinating bodies of national human rights institutions
  - Human rights and gender experts
  - International, regional and the host country human rights associations and non-governmental organizations
  - Representatives from UN Women, UNDP, UNFPA and other UN agencies as appropriate.
  - State representatives including officials of the host country and members of the diplomatic corps whose countries have a national institution or intend to have one. State representatives shall attend only the opening and closing sessions of the International Conference.
  - Representatives of Women and Children Commissions
VII. Dates and venue

The Conference will be held from 4\textsuperscript{th} to 7\textsuperscript{th} November 2011 at the Le Royal Hotel in Amman, Jordan. In addition to the Conference of 6\textsuperscript{th} and 7\textsuperscript{th} November, the ICC Bureau will meet on 4\textsuperscript{th} November and regional groups of NHRIs (Africa, Americas, Asia Pacific and Europe) will meet on 5\textsuperscript{th} November. An NGO Forum will be held in parallel on the 5\textsuperscript{th} November.

VIII. Working Method

The programme of the International Conference will be prepared in close consultation between the host national institution, the JNCHR, the ICC Chair, the OHCHR and the Conference Coordination and Preparatory Committees. The Preparatory Committee (PrepCom) consists of nominated members of the ICC, regional coordinating networks of NHRIs and accredited national institutions ensuring cross-regional participation. The PrepCom will be informed of progress in the preparations of the International Conference and will be invited to comment on the concept paper, substance and program. The Conference Coordinating Committee (CCC) consists of representatives from NIRMs and Gender Unit of the OHCHR, the JNCHR, ICC Geneva Representative and the APF secretariat.

The Conference will be chaired by the host national institution, in line with article 11 of the Rules of Procedure. In addition, at its opening meeting, in the presence of the United Nations High Commissioner for Human Rights or his/her representative, the Chairperson of the ICC and any other officials from the host national institution, the International Conference shall appoint:
The Conference will feature multi-stakeholder panel discussions about selected topics. Working groups will be established and each working group will be assigned a specific topic. A coordinator will join each group for technical support. A guiding note will be presented by each coordinator, including the major questions that would be answered by the working groups. Each group will select a rapporteur to present its report to the plenary. The group’s rapporteurs will formulate input to the drafting committee to prepare a draft declaration. Lastly, the Amman Declaration will be presented, discussed and adopted.

IX. NGO Forum (5th November 2012)

An NGO forum will be held a day before the Conference. The JNCHR and OHCHR will be responsible for mobilising local NGOs, civil society and international organisations to hold discussions on human rights and women. The proceedings of the meeting will be shared with the NHRI conference.