

**Statement by
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**Human Rights Council
Discussion on the integration of a gender perspective in the work of the HRC
Thursday, 20 September 2007**

Madam Moderator, Distinguished Delegates, Ladies and Gentlemen,

I am very happy to be here with you today for this thematic discussion on gender perspectives in the work of the Council. I welcome this dialogue during a plenary meeting, and believe that such discussions have the potential to focus the work of the Council and draw attention to specific issues deserving attention.

My fellow special procedures mandate holders and I attach great importance to integrating gender perspectives into the work of the Council. Several resolutions of the former Commission on Human Rights call on special procedures in general to ensure that gender perspectives are fully integrated into their work. Most recently, resolution 2005/42 requested “all special procedures and other human rights mechanisms [of the Commission on Human Rights to] regularly and systematically [to] integrate a gender perspective into the implementation of their mandates and to include in their reports information on and qualitative analysis of human rights of women and girls.” Some thematic mandates have also been specifically tasked with integrating gender perspectives into their work - for example, resolutions concerning the mandates on freedom of religion or belief, the right to education, the right to food, migrants, minorities, and the right to adequate housing include specific language on applying gender perspectives.

I wish to take this opportunity to underline that applying gender perspectives does not simply imply focusing on women and girls, but rather to particularly examine situations where women, girls, men or boys experience specific issues with respect to the enjoyment of their human rights on the basis of gender. As an illustration, the former Special Rapporteur on the right to education, while noting that girls were more likely to never attend school, also raised the issue of child labour and the link with high drop-out levels of boys from primary and secondary education. Effectively adopting a gender perspective, given the extent of gender inequality that persists world wide, results in a stronger focus on the human rights of women and girls. The Council may wish, however, to initiate reflection on how men and boys can also suffer distinct or disproportionately human rights violations – as we see when looking at street children in many countries, at victims of some types of torture and so forth.

Several mandates have taken important initiatives to integrate gender perspectives in their work. For example, next week, the Special Rapporteur on torture will be here in Geneva holding a consultation on strengthening protection of women from torture and identifying where the mandate may need to change its working methods in order to

better meet the needs and concerns of women and girls. The Special Representative of the Secretary-General on human rights defenders has engaged in a three year campaign on women human rights defenders, highlighting the particular ways that they are targeted because of their gender. The Special Rapporteur on the right to health has also regularly addressed the gendered aspects of the right to health in his thematic and country reports, including by examining sexual and reproductive health issues as well as the links between gender-based violence and the right to health. In my own mandate, I have found that applying gender perspectives is critical for a comprehensive understanding of the right to adequate housing. I have reported, for example, not only on how women are affected differently by the denial of the right to adequate housing but also how different groups of women face specific obstacles in realizing their right to adequate housing. These particular groups of women include victims of domestic violence, elderly, widowed, divorced or separated women, female-headed households, women with disabilities, indigenous and minority women, women affected by HIV/AIDS, young homeless women and many other groups of women with specific housing concerns.

I have also looked at how different global phenomena impact specifically on women's struggle for adequate housing and land. Women and men do not always have the same experiences of globalisation and economic liberalisation, forced evictions, privatisation of housing, land and civic services, natural and man-made disasters and urbanisation and migration. In my standard-setting work, including the principles and guidelines on development based evictions and displacement that I presented to the Council last year, I have also highlighted the particular dimensions of women's experience that need to be protected and monitored.

I was assisted in my efforts by the Commission, which entrusted me - in its resolution 2002/49 on women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing - with the additional task of reporting on women and adequate housing. That mandate led to the elaboration of a detailed questionnaire that reflects the indivisibility of human rights as well as to the holding of a series of regional consultations with civil society groups, which included a capacity building program. It resulted in the elaboration of recommendations contained in the three reports I submitted to the Commission on women and housing: I have, for example, called on States to collect more reliable sex-disaggregated data; to ensure at the policy and legislative levels harmonization between provisions in international human rights instruments and religious and customary law and practice in relation to women's equal rights to housing, land, property and inheritance; and to ensure that domestic violence laws include provisions to protect women's right to adequate housing.

The insights that the Special Rapporteur on violence on women and I have gained with respect to economic and social policies and their impact on violence against women, underscore, in particular, that women's poverty, together with a lack of alternative housing options, make it difficult for women to leave violent family situations, and reaffirm that forced relocation and forced eviction from home and land have a disproportionately severe impact on women and make them more vulnerable to violence. In the light of these findings, the Commission on Human Rights, in its resolution 2005/25 requested us to jointly elaborate and present model provisions to protect women's rights in housing and domestic violence legislation, to ensure

women's full and equal access to national legal aid schemes to protect their housing, land and property rights in cases of divorce, inheritance and domestic violence. I am firmly convinced that the above illustrates the added value in ensuring a gender perspective, and the importance of follow-up on findings using such an analysis.

Whilst regional consultations or campaigns as previously mentioned have yet to become a common practice amongst mandate holders, several special procedures (e.g., minorities, indigenous people, freedom of expression, independence of judges and lawyers) regularly consult with women's groups during their country missions, and in preparing thematic reports, in order to ensure that they collect information which reflects the situation of women. Mandate holders have also particularly examined the gender aspects of human rights violations through analysing how various forms of discrimination intersect, compounding the violations suffered by women because of their gender.

Based on these practices, we can suggest some practical recommendations to continue and improve the integration of gender perspectives into the work of all special procedures mandates.

Concerning the review of mandates, this is an important occasion to highlight the gendered aspects of human rights violations and assess the degree to which mandates have taken up these issues. Although the resolutions of some mandates include specific language calling upon mandate holders to integrate gender perspectives into their respective mandates, this is not consistent across all mandates. In renewing the mandates, sponsors could ensure that each and every resolution specifically calls upon each special procedure mandate to fully integrate gender considerations into its work. Furthermore, while a general call to integrate gender perspectives is an important first step, the resolutions could go into more detail with specific suggestions of topics to address, studies to be undertaken, or other similar suggestions.

In addition, during the interactive dialogue, mandate holders and Member States, as well as other interlocutors, could discuss initiatives taken under the mandate to address gender perspectives. This is a good entry point for understanding how the gender aspects of the mandate have been approached, and identifying priority areas for follow up by the mandate holders.

As the Council considers the overall system of special procedures, and identifies protection gaps, it must be noted that full consideration of the gender aspects of human rights violations is a serious protection gap. The currently existing mandates do undertake to include gender considerations in their work, but they may only do so insofar as it is within their current mandate. The work of the Council to identify protection gaps must include gender analysis to ensure more comprehensive treatment of this issue in the future.

The newly established selection procedure is also an opportunity to ensure better attention to these issues by ensuring that the experts selected to serve as special procedures mandate holders are familiar with and committed to addressing gender perspectives and women's human rights as aspects of their work. In addition, the Council should assure gender balance among special procedures mandate holders.

In its work on follow-up measures, (including in the UPR process) I would also urge the Council to monitor the implementation, at national levels, of the many recommendations, that are contained in Special Procedures' annual and country reports. These recommendations are aimed at ensuring a fuller integration of gender dimensions in policy, legislative and administrative decisions. Failure to achieve this integration makes it impossible to translate State commitment to gender equality into real improvement.

I would urge the Council to hold thematic discussions, such as the one we are having today, on gender perspectives, on an annual basis. An annual discussion on gender and human rights would provide an opportunity for the Council to take up this cross-cutting issue in a focused manner, and to devise strategies and recommendations ensuring it is fully addressed by all mechanisms of the Council.

Finally, as this issue is of great importance to special procedures mandate holders, we intend to take this up at our next Annual meeting. We will share the various strategies we have employed in our own work to integrate gender perspectives, as well as discuss the Council's consideration of the gendered aspects of human rights violations. In this regard, we may have further suggestions for you next year on how to integrate gender perspectives into the work of the Council, and especially the work of special procedures.