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U.N. : Gender Parity in UN's Treaty Bodies: Challenges and Solutions

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By Judge Aruna Devi Narain and Ms. Marcia Vaune Jocelyn Kran O.C.

Diplomat Magazine (03.04.2022) – <https://bit.ly/3v4VN2r> – Women have a right to participate in public and political life

and the work of international organizations under the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). This right extends to [membership in all UN bodies](#), including the 10 [treaty bodies](#) that are meant to help countries protect international human-rights obligations. Although the first committee was set up in 1977, gender equality has not been achieved in the membership of most of them.

These bodies monitor a country's compliance with the [UN human-rights treaties](#) that collectively cover civil, cultural, economic, political and social rights; the rights of women, people with disabilities, migrant workers and children; and the right to freedom from torture, disappearance and discrimination. The committees function separately from the Human Rights Council, and committee members are independent experts rather than national officials. The Office of the High Commissioner for Human Rights (OHCHR) acts as the secretariat for the committees, providing the staff that is needed to organize and support committee meetings, most of which are held in Geneva.

The committees establish frameworks for national policies, law and programs, ultimately affecting the everyday lives of their citizens, including women. Without an equal number of women experts on board, however, the treaty bodies are more likely to overlook critical issues and perspectives that should be part of their legal agenda.

In [June](#) 2021, the Human Rights Council considered a [report](#) exploring the impact of women's underrepresentation in UN bodies and mechanisms – including the treaty bodies – and the overall challenges to gender parity. The report flagged four treaty bodies with low numbers of women among

their membership: the Committee on the Protection of the Rights of All Migrant Workers (14 percent); the Committee on Economic, Social and Cultural Rights (28 percent); the Committee against Torture (30 percent); and the Committee on Enforced Disappearances (30 percent). The representation of women across all treaty bodies is 48.83 percent but concentrated in only four of the 10 committees. Two of these address women's rights and children's rights: the CEDAW Committee and the Committee on the Rights of the Child (CRC). Currently, gender parity has been achieved only in the 18-member Committee, CRC.

One reason for the lack of gender parity in the treaty bodies is that countries have [not nominated](#) enough women as candidates for the committees. Countries that have ratified the relevant treaties nominate candidates and [elect members](#) for four-year terms at the UN in New York City. Sadly, most nomination processes are informal and lack transparency, resulting in qualified women candidates left unaware of such vacancies.

This [gender gap can be solved](#) by countries and the OHCHR taking the action recommended in the report to the Human Rights Council. For example, countries could identify women candidates for treaty body membership and, where appropriate, give women preference. They also could incorporate gender as an explicit feature in nomination processes, as was done in Canada's [call for application](#) for membership in the Committee of the Rights of Persons with Disabilities. They could track their progress on these gender parity measures across the 10 committees.

While the nomination of more women candidates would be a step

forward, we also need to ensure that countries vote for and elect such candidates. Elections during the Covid-19 pandemic have relied on virtual campaigns, and candidates now also reach out to civil society organizations to lobby their governments to vote for qualified women candidates. In addition, an informal group of former women chairs and members of treaty bodies could be set up to mentor women candidates and advise them on their campaigns. Countries that have adopted a feminist foreign policy, like Canada, France, Luxembourg, Mexico and Sweden, could also play a leading role in promoting women candidates.

OHCHR could advertise upcoming treaty body elections in women's networks, and track the number of women and men serving as independent experts, making this information public in a format similar to the [gender parity dashboard](#) used to measure staff composition in the UN Secretariat. It could also help countries design ways to achieve gender parity during the nomination and election processes.

We believe that High Commissioner for Human Rights, [Michelle Bachelet](#), is in a unique position to urge countries to take concerted action to push for gender parity in the treaty bodies. She could make a policy statement giving high priority to the achievement of gender equality in the committees and call for parity in nominations of candidates.

It is paradoxical that the [treaty bodies](#) entrusted with upholding the principle of non-discrimination based on sex use a process to select expert members that can result in discrimination. Now that the treaty bodies have been functioning for many years, it is long overdue for countries and the UN Secretariat to put their gender equality commitments into action.

Note: Thanks to Ms. Bhavya Mahajan, a lawyer and mediator from India, who helped with the research for the article.

About the authors

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*This article was first published in [PassBlue](#) on November 18, 2021

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