

**Round Table of National Human Rights Institutions and National
Machineries for the Advancement of Women**
Ouarzazate, Morocco, 15-19 November 2004

Statement

Representatives of national machineries for the advancement of women (NMs) and of national human rights institutions (NIs) from Australia, Bolivia, Cameroon, Costa Rica, Germany, Ireland, Kyrgyz Republic, Lithuania, Morocco, New Zealand, Panama, Paraguay, Uganda, and Zambia held a round table in Ouarzazate, Morocco, from 15 to 19 November 2004. The round table aimed to strengthen the capacity of national machineries for the advancement of women and national human rights institutions to promote and protect the human rights of women through the development of institutional links and joint strategies. The round table was organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Division for the Advancement of Women/Department of Economic and Social Affairs (DAW/DESA) and hosted by the Conseil Consultatif des Droits de l'Homme du Maroc (CCDH). Two experts of the Committee on the Elimination of Discrimination against Women also participated.

The participants noted that this was the first time that representatives of the two sets of institutions had met to discuss ways and means for the promotion of gender equality and full implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Declaration and Platform for Action. The participants in the round table examined how NMs and NIs can better work together on the following issues: (1) the role of human rights education in promoting and protecting women's human rights; (2) enhancing enjoyment of human rights by disadvantaged groups of women; (3) institutional dimensions; (4) the role of national institutions in the implementation of the Convention on the Elimination of All Forms of Discrimination against Women; and (5) developing national action plans.

Participants welcomed the fact that 179 States are party to the Convention, and 68 to its Optional Protocol. They further noted that the Beijing Declaration and Platform for Action devotes one of its critical areas of concern to institutional mechanisms for the advancement of women, defining a national machinery as "the central policy-coordinating unit inside Government". They also noted that national machineries for the advancement of women have been set up in some 170 States. 50 NIs have been accredited by the International Coordinating Committee of NIs in accordance with the Paris Principles, and approximately 50 additional institutions are moving towards becoming national institutions.

Participants noted that significant progress has been made in many countries in legislative developments, and preparations of national action plans, strategies and policies for gender equality. Awareness has increased about women's human rights and there is growing public discussion around gender equality issues. An increasing number of entities within Government and outside, especially non-governmental and civil society

organizations now work on the realization of equality of women and men. Many countries have developed national action plans on human rights. NIs are also taking a more systematic approach to gender equality and are mainstreaming a gender perspective in their work.

Challenges

Participants identified a number of challenges that NMs and NIs are facing to promote and protect the human rights of women. In particular, participants observed that:

Challenges common to NIs and NMs

- Political will and commitment which are crucial for implementation of effective gender equality policies, and for ensuring effective and adequately resourced NMs and NIs, remain limited in many countries.
- NMs and NIs often continue to work in isolation from each other without seeking strategic alliances. In addition, both institutions sometimes lack the necessary cooperative links with civil society, including non-governmental organizations which work on gender equality and human rights issues.
- Gender equality acts and other legislation, even when in compliance with a State's commitments under international human rights treaties, are frequently not fully implemented in practice.
- Lack of a clear and comprehensive policy on gender equality with strategic goals, and a coordinating mechanism to ensure implementation and monitoring reduces the impact of important individual initiatives on gender equality.
- Lack of knowledge about the Convention on the Elimination of All Forms of Discrimination against Women among politicians and public officials at all levels and in all branches of government hinders progress in implementation.
- Lack of knowledge among public officials, especially government policy-makers about gender mainstreaming into all policies and programmes and into all sectoral areas hinders the promotion of gender equality.
- Strong institutional resistance to apply a human rights approach and engage in gender equality issues persists.
- Continuous effort and investment are required to build, maintain and enhance skills and knowledge among officials, especially civil servants, on gender equality and human rights issues, given turnover and mobility of such persons.
- Lack of access to legal redress for violations of women's human rights due to financial barriers and inaccessibility.

- Vulnerable groups of women, including indigenous women, elderly women, migrant women, minority women, women with disabilities, women in conflict situations and women in rural areas, continue to experience multiple forms of discrimination.
- In a number of countries, a backlash against women's rights has been noted; in others, so-called men's rights campaigns have emerged challenging the equality gains made by women; in others still, conservative movements have gained strength and are seeking to limit equality policies.
- Traditional and cultural practices and stereotypes that are discriminatory to women persist, challenging human rights values and the equal rights between women and men. The media in many instances reinforce stereotypical and discriminatory portrayals of women.
- Women's participation in public life and decision-making remains limited, despite some progress. Gender balance in public and elected office is far from being achieved.
- Temporary special measures to accelerate achievement of de facto equality between women and men, as provided for in article 4, paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women, are challenged on grounds that they are 'discriminatory'.
- Inadequate collection of data disaggregated by sex for effective and targeted gender equality policies persists.
- Absence of public policy analysis which directly links women's human rights to other objectives of national interest, such as security and economic development, hinders the capacity of NIs and NMs to influence Government policy in these areas.

Challenges specific to NMs

- In some instances, NMs continue to lack the mandate, power, visibility, resources and central location within Government to enable them to effectively become the central coordinating unit within the Government and a catalyst in regard to gender equality policies.
- Almost ten years after the Beijing Fourth World Conference on Women, a number of countries do not yet have national action plans on gender equality, called for in paragraph 297 of the Platform for Action.

- In some countries, governmental policies on gender equality, as well as policies and programmes of NMs continue to be unevenly implemented between urban and rural areas, to the disadvantage of rural areas.

Challenges specific to NIs

- NIs, when established under the Paris Principles, are expected to be adequately funded and “not be subject to financial control which might affect [their] independence”. However, lack of guarantee of funding by Governments significantly limits the capacity of national institutions.
- While many national human rights institutions have comprehensive and ambitious mandates, they cannot fulfill these expectations for lack of resources and capacity. NIs face the challenge of raised expectations: “justice delayed is justice denied”.
- NIs continue to lack capacity in the area of gender analysis, in particular in undertaking gender analysis of legislative proposals. Gender balance in many national institutions remains to be achieved.

Recommendations

In light of the above challenges, presentations made and discussions held, the meeting issued the following recommendations:

Recommendations addressed to NIs and NMs

- Continue to use a dual approach in the promotion of gender equality, namely 1) mainstreaming of a gender perspective into all policies and programmes; and 2) specific interventions to benefit women.
- Support the development, adoption or regular updating of national action plans or strategies for the advancement of women that use a rights-based approach. Support the development, adoption or regular updating of national action plans on human rights that integrate a strong gender perspective. Ensure that the respective plans are informed by, and consistent with, a comprehensive strategy for gender equality.
- Institutionalize a permanent consultative mechanism between NIs and NMs that would address such issues as: development and/or updating of national action plans; legislative review and reform processes; human rights education and legal literacy strategies; cooperation with the legislature. Also undertake sensitization on the Convention on the Elimination of All Forms of Discrimination against Women and the centrality of the human rights of women to the promotion and protection of human rights.

- NIs and NMs should set dates and benchmarks for initiating and/or expanding collaborative links. Collaborative activities should be widely publicized.
- Create a structure for regular interaction and consultations among NIs, NMs, civil society (CSOs) and non-governmental organizations (NGOs), in particular women's associations, including those focused on women's minority, migrant, disability and youth issues. Also reach out to other stakeholders, including academic institutions and the media. Ensure that the roles and mandates of all stakeholders are clearly defined and understood. Also ensure that the objectives and purpose of partnerships are clearly spelled out so as to enhance the effectiveness of collaboration and partnerships.
- Use the reporting processes under the Convention on the Elimination of All Forms of Discrimination against Women and other human rights treaties as strategic opportunities for building partnerships and collaborative links among NIs, NMs, CSOs and NGOs.
- Consistently ensure that the protection and promotion of women's rights are an integral and consistent part of the work of national human rights institutions and national machineries for the advancement of women, and use the Convention on the Elimination of All Forms of Discrimination against Women as the framework for this work.
- Develop collaborative links with political leadership and with all parliamentary committees, including gender equality and human rights committees, to enhance attention to the Convention on the Elimination of All Forms of Discrimination against Women and to gender perspectives in the legislative process.
- Use legislative review processes to incorporate gender perspectives, also use legislative changes to advocate for withdrawal of reservations to the Convention on the Elimination of All Forms of Discrimination against Women. Also advocate for the speedy ratification of or accession to the Optional Protocol to the Convention.
- Counteract confrontational arguments that pitch women's interests against men's interests by engaging in a positive and forward-looking public debate about the status of women and gender equality.
- Include gender equality aspects and specifically target women to enhance their knowledge of their rights when implementing human rights education and legal literacy programmes.
- Enhance cooperative relationships with state or provincial (in federal States), municipal and local level entities on the one hand, as well as with regional and international organizations on the other, to pursue gender equality goals.

- Develop new opportunities for engaging with the media in human rights education programmes to combat gender stereotypes and negative portrayal of women. Also undertake sensitization efforts for the media around the Convention on the Elimination of All Forms of Discrimination against Women.
- Emphasize in public discussion that many women face multiple forms of discrimination which have to be addressed through legislation and public policies. Such discrimination may be based on women's age, marital status, disability, ethnic origin, their status as migrants, immigrants, minorities, and other characteristics.
- Advocate for and propose measures to increase the participation of women in public and political life and in decision-making positions with a view to achieving 50-50 gender balance. In this regard, call for the use of temporary special measures in accordance with article 4, paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women and the Committee's general recommendation n. 25 (2004), and which may include timetables, benchmarks, incentives, targets, quotas, and other measures.
- Develop and strengthen collaborative international research opportunities, and in so doing, use existing international and regional mechanisms, such as the NIs Forum website and regional websites.
- Support the inclusion of a strong gender perspective in the development of a United Nations Convention on the Rights of Persons with Disabilities.
- Collaborate to promote the collection of sex disaggregated data to properly inform the development and implementation of legislation, policy and practice.
- Develop evidence-based national interest analysis, such as in the areas of security and economic development, which directly links with the promotion of women's human rights.

Recommendations for NMs

- Insist on the presence of national machinery for the advancement of women with a mandate, power, visibility, human and financial resources, and central location within Government to enable it to implement effectively coordination and catalytic work necessary for the promotion of gender equality. The desirability of such machinery at the ministerial level is underlined.
- Further develop, in cooperation with academic and research institutions, methodological and practical tools for mainstreaming a gender perspective in all policy areas.

Recommendations for NIs

- Advocate for the entrenchment and guarantee, from year to year, of an adequate level of funding for NIs. Donor and other voluntary funding, which should not replace core government funding, is useful to support implementation of additional and supplementary activities above and beyond the regular programmes of work of NIs.
- Implement capacity-building measures on the Convention on the Elimination of All Forms of Discrimination against Women for all members of NIs and also aim to achieve, within a specified time frame, gender balance in the composition of NIs.
- Place women's human rights at the centre of the work of NIs.
- Advocate to establish an independent status for NIs in the Commission on the Status of Women. In particular, NIs should seek support from their Governments for a United Nations resolution to provide this status as soon as possible, in view of the importance of the review and appraisal of the Beijing Declaration and Platform for Action which will take place in 2005.
- NIs should seek opportunities to participate in the sessions of the Committee on the Elimination of Discrimination against Women when reports of their countries are being considered.

Participants agreed to take back these recommendations to their respective institutions for appropriate follow-up. They also agreed that this statement should be widely circulated among national machineries, national human rights institutions, and relevant intergovernmental and treaty bodies.

Participants expressed their satisfaction for this first-ever meeting between national human rights institutions and national machineries for the advancement of women. They considered it a worthwhile experience and recommended that opportunities be sought for similar events in the future. Participants also strongly recommended that, in order to enhance the impact of future meetings of this type, representatives from both NIs and NMs from all invited countries attend to maximize the benefits and potential for collaboration and partnerships.

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