

HUMAN RIGHTS COUNCIL – 57th SESSION

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

30 September 2024

Peggy Hicks, Director of the Thematic Engagement, Special Procedures and Right to Development Division, OHCHR, opened the discussion by reflecting on collective efforts to integrate better gender and a victim-centered approach into the work of the Council. **Investigative bodies of the Council, play a critical role in uncovering violations of international human rights, humanitarian law and international criminal law; as well as holding accountable those responsible for these violations and ensuring justice and redress for victims.**

Integrating a gender perspective into all human rights work is not just important, but also essential. By incorporating gender, the scope of prevention and protection efforts will expand, gaining deeper insight into the different impacts of human rights violations on diverse populations.

Through the deployment of gender advisors and gender-based violence investigators, significant advancement in integrating a gender perspective across the broad spectrum of human rights violations investigated by the mechanisms has been observed. In particular, she shared good practices and examples from the Commission of Inquiry on Ukraine, the Independent International Commission of Inquiry on the Syrian Arab Republic, and the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela.

Investigative bodies are adopting survivor-centered, gender-sensitive, and trauma-informed approaches to ensure the well-being of victims and witnesses, particularly survivors of sexual and gender-based violence. Enhancing the understanding of trauma, reducing the risks of re-interviewing, and applying intersectionality are identified as key areas for enhancing future investigations.

Kirsi Madi, Deputy Executive Director for Resource Management, Sustainability and Partnerships at UN-Women, stressed the importance of the discussion in considering it one of the priorities of the organization. With nearly 200 armed conflicts and situations of organized violence ongoing, the number of women and girls living in conflict-affected countries reached 612 million in 2023. **Women and girls often face unique forms of violence in conflict that can go unnoticed without a gender-sensitive approach. Furthermore, sexual orientation, gender identity and expression are often grounds of discrimination and violence. Therefore, integrating a gender perspective and intersectional lens into accountability and investigation efforts is paramount.**

She commended the work of the Gender Advisors and the Sexual and Gender-Based Violence Investigators on the ground to support human rights investigations. Their work has been key in amplifying the voices of survivors and providing this Council with essential information about how horrendous crimes are being committed. Gender Advisors also play a critical role in bringing attention to less visible issues.

Panelists

As the first panelist of the annual discussion, **Mr Nicholas Koumjian, Head of the Independent Investigative Mechanism for Myanmar**, established by the Council to investigate the most serious international crimes committed in Myanmar since 2011. It collected substantial evidence of SGBC committed across the country against men and women, boys and girls, and people with diverse gender identities. Investigating these crimes is challenging. They are under-reported and under-documented

and historically under-prosecuted. The IIM for Myanmar systematically mainstreamed gender into our investigations and tried to always consider the gender dimensions of the crimes. The Mechanism has also developed guidance documents and delivered training to its personnel on SGBC and gender approaches, including ways to identify warning signs or red flags suggesting that SGBC has taken place, is ongoing or is likely to happen.

He affirmed that survivors of SGBC have suffered indescribable trauma, yet the topic is often taboo. In many cases, they have not even told their family members what they have experienced for fear of stigmatization. A holistic understanding of gender dynamics allows survivors to be supported and empowered better. In conclusion, SGBCs are some of the most challenging crimes to investigate and prosecute. However, by prioritizing these investigations and mainstreaming gender considerations into all aspects of our work, there will one day be justice for survivors of these horrific crimes.

The Mechanism tries to avoid retraumatization by having both male and female investigators available and letting the witnesses choose the gender of those that are doing the interviews, as well as providing psychological support to the witnesses before and during the interviews.

Ms Hassiba Hadj Sahraoui, Gender Adviser for Human Rights Council investigative bodies, provided some insights into **how gender-sensitive methodologies contribute to more effective and inclusive investigations of human rights violations and how such methodologies promote a victim-centered approach**. The gender advisor conducts and streamlines an investigative body's gender analysis which is a tool to bring to the fore why and how women, men, boys, and girls, LGBTQI people, and gender non-conforming people are subjected to and impacted by human rights violations. Gender advisors can help to understand the impacts on other family members, in particular women who, because of discriminatory laws or practices in some contexts, may not have the legal guardianship of their children and in the absence of their husbands have to rely on other male family members for decisions about their children.

Member states have an essential role to play by specifically including in the mandate of investigative bodies not only a focus on the investigation of SGBV but also the requirement for gender analysis.

In conclusion, she affirmed that investigators aim to 1) understand the context that facilitates the violations and the grievances and demands for justice of women, LGBTQI people, and groups facing multiple discrimination 2) reach the victims and survivors, 3) listen to them and recognize their agency, and ensure that the work of investigative bodies is acceptable to the victims and survivors who in reality are the ones who will advocate for the implementation of our recommendations by authorities of the country, other UN bodies and entities and national, regional and international courts.

In the conclusive remarks, she affirmed that interviewing victims of human rights violations and women, in particular, is a sobering experience, because of the dignity and resilience that victims. These must be respected. Victims are exposed to violations, but also to stigma from their society, and from their families at times.

Mr Samuel Emonet, as Executive Director of Justice Rapid Response provides expertise to assist in the investigation of international crimes and grave human rights violations. Reports and gender-based violence findings are percolating through the work of all justice and human rights actors, promoting access to justice for victims and survivors.

In conclusion, he addressed the question of how the international community can make sure that this gender-sensitive approach becomes the normality. There are three essential points: 1) including strong language on gender in the resolutions mandating the investigating bodies; 2) the composition

of the investigation team. There is a need to include and ringfence the budget for both gender investigative expertise and gender analysis expertise. 3) the necessity of gender expertise and gender-competent leadership in the investigation team.

He further suggested two ways to address the issue of sustainability: the first one is the development of a Community of Practice of Gender Experts deployed to investigations mandated by the Council, and the second is to translate lessons learned from the Community of Practice into clear and accessible guidelines that can benefit all mandated investigations.

Ms Rebecca Dempster, Clinical Forensic Psychologist at Resileo, defined *trauma-informed interviewing*, or more broadly trauma-informed care, as a strength-based framework that is grounded in an understanding of, and responsiveness to the impact of trauma. Another important component of trauma-informed interviewing is that it emphasizes safety. It emphasizes physical, emotional, and psychological safety.

Further, she stressed that the trauma-informed interviewing really emphasizes that safety, is very survivor-centered in that sense, and it emphasizes the safety of the workforce as well. Trauma-informed approaches can help to improve the quality of monitoring by using interviewing techniques that are appropriate when talking about trauma when talking about a potentially traumatic event. It also contributes to the integration of a gender perspective. So, one of the principles of trauma-informed work is that it includes an exploration of gender issues, both gender and cultural issues. This is one of the principles of doing a trauma-informed interview, interviewers will take into account the context in which this occurred, and context is going to include gender and culture.

In conclusion, by focusing on interviewers taking gender into account, how they understand what has happened to this person, and understanding the differences between how women and men perceive threats when they perceive threats, and how they respond to those threats, the international community can strengthen the monitoring process overall.

Interactive dialogue

28 country delegations took the floor during the interactive dialogue. **The majority of the countries acknowledged that gender equality is crucial to promote human rights. A multilateral action seeks to combat structural gender inequality and contain threats to the progress made through the efforts of the feminist movements.** Women, girls, and individuals of diverse gender identities continue to be disproportionately affected by conflict and crisis and during exploitation, abuse, gender-based violence, and discrimination. These challenges are further exacerbated by pre-existing inequalities, gender stereotypes, and discriminatory practices. Women and girls need to be included in the process of accountability, added **the EU, Sierra Leone and France**. In this vein, **Spain** stressed that the international community and the Council must do more to strengthen systemic capacities to make sure that victims and survivors are at the center and guarantee gender parity and mandate composition. **Japan** commended the inclusion of gender advisers, investigation teams, and the growing use of trauma-informed methodologies. These steps are critical to ensuring that human rights investigations are sensitive to the diverse experiences of all victims, especially women and girls. Integrating gender perspectives and investigative mechanisms enhances the work of the Council by ensuring that the experience of victims of human rights violations is accurately reflected, affirmed **Ireland**. **Australia and Estonia** called for investigative bodies to receive support to further integrate the expertise, insight, and experience of survivors and civil society actors, including women's rights

organizations and women human rights defenders who work tirelessly to defend women's and girls' human rights, often at the risk of reprisal or intimidation.

Belgium and Costa Rica highlighted the centrality and the importance of the discussion on integrating a gender perspective into human rights investigations, in view of the 30th anniversary of the Beijing Declaration and Platform for Action, a key milestone in advancing global gender equality.

NGOs and National Human Rights Commissions affirmed that gender equality is one of the SDGs and efforts to achieve this goal must begin by ensuring that policies made by the government are gender-responsive as well as gender inclusive. It is important to encourage women's participation and to have women in positions of power where they can bring forth meaningful change to ensure women's representation in the legislature. Including a gender perspective throughout the work of the Human Rights Council and its mechanisms is vital to uncover specific human rights abuses and to help the international community better understand and prevent them. However, as reported by the **Advocates for Human Rights** despite progress, investigative bodies do not consistently apply a gender-based approach to capital punishment cases. Victim-centered and trauma-informed methodologies are particularly vital in the context of the death penalty.

Delegations that took the floor during the Interactive dialogue (28 country delegations):

Spain, Portugal (on behalf of the Community of Portuguese language), Belgium (on behalf of BENELUX), Australia (on behalf of Australia, Canada, and New Zealand), EU, Estonia (on behalf of the Nordic-Baltic States), Chile (on behalf of Latin American group), Montenegro, Bolivia, Luxembourg, Costa Rica, Japan, Slovenia, Ecuador, Ireland, France, Republic of Korea, Colombia, Romania, Bulgaria, Maldives, Cyprus, Venezuela, Timor Leste, Angola, Botswana, Sierra Leone, Israel.

NHRIs and NGOs that took the floor during the Interactive dialogue (12):

Human Rights Commission of India, Commission of the Human Rights of the Philippines, Advocates for Human Rights, Center for Global Nonkilling, Stichting CHOICE for Youth and Sexuality, Action Canada for Population and Development, Sikh Human Rights Group, Humanists International, International Bar Association, Asian-Pacific Resource and Research Centre for Women (ARROW), Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale - OCAPROCE Internationale, India Water Foundation.

To watch the full meeting refer to the [UN WEB TV](#).