Women’s rights are human rights: Enhancing the participation of national human rights institutions in the Commission on the Status of Women


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By Penny Morton, First Secretary, Australian Permanent Mission to the UN in New York

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(New York) - Australia warmly welcomes a significant step forward in the promotion of human rights by UN institutions. In March this year, the Commission on the Status of Women (CSW) became the first UN mechanism to implement a landmark General Assembly resolution on ‘National institutions for the promotion and protection of human rights’ (A/RES/70/163). This resolution calls on the UN to enhance the participation of National Human Rights Institutions (NHRI) in relevant UN mechanisms and processes.

Currently, NHRIs can only participate in CSW as members of their government delegation, as the Australian Human Rights Commission (AHRC) has done since 2001, or participate as NGOs. This limits the participation of NHRIs before CSW, introduces inconsistencies between Geneva and New York, and misses the point that women’s rights are human rights.

The promotion and protection of human rights is fundamental to the realisation of the Beijing Declaration and Platform for Action, which forms the basis for the CSW’s work on gender equality and women’s empowerment. The result of the work at CSW this year was therefore extremely positive, with a standalone reference to NHRIs secured in the Agreed Conclusions. States decided to encourage the CSW Secretariat to consider how it could enhance the participation of NHRIs, including at its next session in 2017.

While Australia and other Member States have supported a number of General Assembly resolutions on NHRI participation at the UN, the General Assembly's November 2015 resolution (A/RES/70/163) went further.
The GA resolution was adopted by consensus and co-sponsored by almost 100 States. It not only welcomed the increasingly important role NHRIs play in the promotion and protection of human rights, but required specific UN mechanisms to take action. These mechanisms include: the CSW; the Conference of States Parties to the Convention on the Rights of Persons with Disabilities; the Open-ended Working Group on Ageing; and the 2030 Agenda for Sustainable Development, including its high-level political forum.

At CSW, Australia, with the support of a number of states, took the lead in presenting the case for enhanced participation of NHRIs. In our country statement, we highlighted specific contributions made by NHRIs to improving gender equality and the empowerment of women and girls and called on CSW to enhance the role of NHRIs. Australia also co-hosted a side event with Morocco, Chile and Germany, the Australian Human Rights Commission, and Asia Pacific Forum of National Human Rights Institutions (itself a coalition of 22 NHRIs from all corners of the Asia Pacific region). The side event demonstrated that NHRIs provide an independent and invaluable voice to national dialogues aimed at the implementation of international standards and commitments to human rights. Representatives from a range of NHRIs, including Australia, the Philippines, Morocco and Denmark, demonstrated the collective value of NHRI contributions to UN mechanisms and processes.

During CSW deliberations, the Australian delegation provided compelling evidence showing how the AHRC has progressed the normative work of the CSW. The AHRC has a dedicated Sex Discrimination Commissioner, whose work has proven critical to promoting gender equality. The Commissioner has worked to eliminate discrimination and sexual harassment, particularly in the workforce. Together, the AHRC and Sex Discrimination Commissioner have conducted a comprehensive review into women’s experiences of discrimination related to pregnancy, parental leave and returning to work. This work has underscored the prevalence, nature and consequences of discrimination and contributed in a substantive way to the national conversation on identifying and providing effective responses.

Australia’s advocacy in New York reflects our leadership as the main sponsor of the parallel resolution on NHRIs in the Human Rights Council in Geneva. For many years, the HRC resolution has urged the General Assembly to explore the feasibility of enabling greater participation by NHRIs in New York, including before CSW. We are pleased this work is beginning to pay dividends. If elected as a member of the HRC for the term 2018-20, Australia would look to boost our already strong engagement with NHRIs, including when we present the next HRC resolution in September 2016. We aim to further the promotion and protection of human rights and enhance the impact of NHRIs on the ground.

The outcome from the CSW bodes well for other UN mechanisms and processes. This includes those listed in the General Assembly resolution, the next of which is the Conference of States Parties to the Convention on the Rights of Persons with Disabilities in June. This also includes other UN mechanisms and processes, including the 14th session of the Permanent Forum on Indigenous Issues in May, which would also benefit from greater NHRI participation.

Australia strongly believes in the important contributions that can be made through the independent participation of NHRIs in UN mechanisms and processes. The outcome is a significant achievement and our permanent missions in New York and Geneva will continue to advocate enhanced NHRI participation across the UN system.

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