International Conference on Gender Inclusion in NHRIs

July, 2025
Kathmandu, Nepal

Conference Report

National Human Rights Commission of Nepal
Harihar Bhawan, Pulchowk, Lalitpur

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Hon. Top Bahadur Magar

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Foreword

I am delighted to present this report documenting the proceedings of the International Conference on Gender Inclusion in National Human Rights Institutions (NHRIs), hosted by the National Human Rights Commission of Nepal (NHRCN) in Kathmandu from September 3–5 2024. Focusing on mainstreaming gender equality and intersectionality in the internal and external work of NHRIs, the conference provided a platform for sharing recent developments and achievements as well as institutional learnings in the region on gender inclusion and presented an opportunity to strengthen regional cooperation among the participating NHRIs.

Through the NHRCN's endeavors, supported by the Government of Nepal, the Asia Pacific Forum of NHRIs (APF), the United Nations Development Programme (UNDP), UN Women and the United Nations Population Fund (UNFPA), the conference was proud to host member NHRIs from 19 countries in the Asia Pacific region for the three-day conference which culminated in the adoption of the Kathmandu Declaration. The participating NHRIs were not only able to celebrate the achievements and milestones of mainstreaming gender inclusion and intersectionality in their respective countries, but also recommit themselves to institutionalising gender equality against a backdrop of emerging challenges and circumstances like conflict and climate change.

The conference hosted vigorous and substantive discussions on gender mainstreaming, pluralism within NHRIs, the Amman Declaration and its impact on promoting gender equality in the years since its adoption, gender justice and strategies for legislative and policy reform to ensure gender inclusion and intersectionality as well as the barriers faced by NHRIs. The Kathmandu Declaration, the key output of the conference, was adopted without reservations from member NHRIs and authenticated by the APF. The Declaration provides

guidance on how to better strengthen existing gender equality and inclusion work and that which is yet to be achieved, calling for an end to all forms of discrimination against women and gender diverse people.

An international conference of this scale is a collaborative effort, requiring the skills and expertise of a wide range of people, without whom it would have been impossible. I would like to take this opportunity to express my heartfelt gratitude to the Rt. Hon'ble Prime Minister of Nepal, KP Sharma Oli, for inaugurating the conference and reiterating Nepal's commitments to human rights and particularly the promotion of gender equality and protection of minority rights. I deeply appreciate the special video message by the GANHRI Chair which provided encouragement to the discourse of strengthening gender equality commitments in NHRIs. I would also like to thank the Government of Nepal, APF, UNDP, UN Women and UNFPA for providing the financial and technical support which allowed the NHRCN to organise this conference and draft this report. I'm also grateful to my fellow office bearers at the National Human Rights Commission Nepal, particularly the Hon'ble Dr. Lily Thapa, who served as the Conference Convener, for their tremendous efforts in organising, managing and facilitating this conference. I also express my deepest gratitude to all the participants including members from civil society as well as officials from the relevant government and non-government agencies for their presence and active participation during the conference.

Hon'ble Justice Top Bahadur Magar
Chairperson

Preface

It is with great pleasure that I present to you this final report for the International Conference on Gender Inclusion in National Human Rights Institutions (NHRIs), held in Kathmandu from September 3–5, 2024. The conference was crafted by those of us at the National Human Rights Commission of Nepal (NHRCN), as a way to bring together NHRIs from across the Asia-Pacific region to facilitate the sharing of institutional learnings on effectively integrating gender perspectives into their internal and external work. In bringing together NHRIs from the region, we not only incubated vibrant discussions, but also strengthened the groundwork for regional cooperation. Witnessing the participation of 19 countries has done more than boosting our morale; it has us acknowledging, once again, the timely significance of renewing our collective commitment to eliminating gender-based disparities. The three-day conference hosted more than a few salient discussions on its central theme— gender and intersectionality. These included discourse on pluralism in practice and policy, as well as within the structure of NHRIs, the enduring relevance and implementation of the Amman Declaration and on strengthening the external work of NHRIs. I believe that adopting the Kathmandu Declaration as the final act without reservations to any of its provisions, reflects a collective determination to translate these values into policy and practice.

The conference and the ensuing report would not have been possible without the hard work and commitment of staffs of NHRC, many institutions, partners and individuals over the course of these several months; allow me to take a moment and thank them all for their time and dedication. In undertaking this mammoth task, we were supported by the Government of Nepal, the Asia Pacific Forum (APF), the United Nations Development Programme (UNDP), UN Women and the United Nations Population Fund (UNFPA); I extend my heartfelt gratitude to all of them. I deeply appreciate the hard work and dedication of the conference secretariat team of NHRC. From the very beginning, their commitment and consistent efforts

helped shape the concept of the conference and led to the materialisation of the grand event. Special appreciation also goes to Ms. Faso Aishath from the Asia Pacific Forum of NHRIs, Mr. Johnny White from OHCHR, Ashwini KP, Special Rapporteur, OHCHR and Ms. Bandana Rana, Member, UN CEDAW Committee for their valuable support and contributions. A special note of thanks to our session chairs, facilitators, moderators, panelists and participants, whose invaluable contributions were instrumental to the conference's success. I am also deeply grateful to the English to Nepali language and sign language interpreters for their tireless efforts throughout the three-day event.

On behalf of the NHRCN, I also extend my heartfelt gratitude to Rt. Hon'ble Prime Minister KP Sharma Oli for inaugurating the conference, as well as to the Deputy Prime Minister Hon'ble Prakash Man Singh for presiding over the closing ceremony. Their remarks reaffirming the state's commitment to human rights under various ratified treaties have proven once again Nepal's unwavering determination to achieve gender parity. Special thanks to the Social Science Baha team for their time and effort in ensuring the preparation of this comprehensive report.

Our sincere hope is that you will find value in the discussions that took place over the course of three days.

Dr. Lily Thapa
Hon'ble Member and Conference Convener

Acknowledgements

As the saying goes, it takes a village. Both the conference and this report are the result of the hard work, dedicated effort and persistence of many individuals who worked tirelessly over the course of months. I would like to take this opportunity to thank these individuals and the various agencies and partners whose time, contributions and expertise helped realise the conference and the process of drafting this report.

Firstly, I would like to express my gratitude to the Rt. Hon'ble Prime Minister KP Sharma Oli for inaugurating the conference and for his leadership in emphasising the importance of gender inclusion and minority rights, core tenets of human rights which have been enshrined in the new Constitution of Nepal. Similarly, I am deeply thankful to the Hon'ble Deputy Prime Minister Prakash Man Singh for closing the conference on the final day and for bestowing the occasion with his insightful remarks highlighting NHRIs' important work of monitoring and reporting human rights abuses.

I am also grateful to the Chairperson of NHRCN, the Hon'ble Justice Top Bahadur Magar, for his fervent guidance and constant encouragement throughout this process from its very inception. Special thanks are due to the Conference Convener, the Hon'ble Dr. Lily Thapa, and Hon'ble Commissioners for their exceptional leadership in galvanising the staff at NHRCN and organising the conference, including forming the panels and forums best suited for fruitful discussions. Special appreciation goes to the dedicated members of the conference secretariat and all the staff whose contributions have been instrumental in making this conference a success. The financial resources and technical support from the Asia Pacific Forum of NHRIs (APF), the United Nations Development Programme (UNDP), UN Women and United Nations Population Fund (UNFPA) were crucial for the success of the conference. Furthermore, I would like to thank the UNFPA for providing additional financial support to facilitate the writing of this report.

I am deeply thankful to the session chairs, facilitators, moderators, panelists and participants from 19 countries in the Asia Pacific region who made the conference a success through their dynamic and robust discussions. The participating NHRIs and other government and non-government agencies proffered an invigorating blend of opinions, experiences and insights, enriching the overall conference. Special thanks are also due to the language interpreters and sign language interpreters who provided their services tirelessly to participants over the course of three days, ensuring inclusive participation in the conference.

I am also thankful to my fellow members of the Drafting Committee of the Kathmandu Declaration for providing their expertise and experience; the committee included Ms. Erica Powell, Acting Director of Sex Discrimination Team, Australian Human Rights Commission; Ms. Fasoha Aishath, Manager of Capacity Development, APF; Hon'ble Pravesh Sharma, Chairperson and Proceedings Commissioner, Human Rights and Anti-Discrimination Commission Fiji; Mr. Johnny White, Human Rights Officer, Office of the United Nations High Commissioner for Human Rights (OHCHR) Geneva; Hon'ble Aminath Shifaath Abdul Razzaq, Commission, Human Rights Commission of the Maldives; Hon'ble Manoj Duwady, Commissioner, National Human Rights Commission Nepal; Mr. Nava Raj Sapkota, Joint Secretary, National Human Rights Commission; Advocate Ms. Purna Shrestha, Gender Expert; Hon'ble Farkhanda Aurangzeb, Commission Member, National Commission for Human Rights, Pakistan; and Mr. Bahjat Alhelou, Awareness Raising and Capacity Building Coordinator for the Gaza Strip, Palestine Independent Commission for Human Rights.

Murari Prasad Kharel
Secretary

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Abbreviations

APF	Asia Pacific Forum
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
GANHRI	Global Alliance of National Human Rights Institutions
GBA	Gender Baseline Assessment
GESI	Gender Equality and Social Inclusion
NCHR	National Centre for Human Rights
NHRCN	National Human Rights Commission of Nepal
NHRI	National Human Rights Institutions
OHCHR	Office of the United Nations High Commissioner for Human Rights
OCMC	One-stop Crisis Management Centre
SCA	Sub-Committee on Accreditation
SDGs	Sustainable Development Goals
SUHAKA	Human Rights Commission of Malaysia
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund

Introduction

For protecting and promoting human rights, national human rights institutions (NHRIs)—created as autonomous bodies with a broad constitutional and legal mandate—work with stakeholders including government, and civil society.[1] A multitude of functions characterise the work of NHRIs in the region, encompassing monitoring and reporting on human rights infringement, holding states accountable to their human rights obligations, and urging states to ratify human rights treaties of relevance.[2] In particular, their role in mainstreaming gender perspectives becomes critical to ensuring an equitable society in which men, women, queer individuals, and persons with disabilities are able to enjoy rights on par with one another. Nonetheless, their role as bulwarks against potential backlash on human rights, especially by state actors, directly threatens their independence.[3] This makes it all the more necessary for states to adhere to standards much like the Paris Principles.

The Paris Principles, adopted in 1993, contain guidelines to ensure the effective functioning of NHRIs.[4] Among other pursuits, the document seeks a broader mandate and operation for human rights institutions so as to safeguard their independence from government interference. The Principles similarly need NHRIs to ensure diversity in their composition. This emphasis on plurality continues to find placement in the Amman Declaration, which provides a roadmap to strengthen NHRIs' institutional capacity.[5] Specifically, the Amman Declaration calls on NHRIs to adopt a gendered approach in planning and other crucial processes.

Regarding NHRC Nepal, the institution has made efforts to translate the Amman Declaration and the Paris Principles into actionable outcomes. Chief among

1 'NHRI engagement with civil society and other national stakeholders', European Union Agency for Fundamental Rights, accessed on December 18, 2024, https://ennhri.org/echr-implementation/nhri-engagement-with-civil-society/.

2 Based on discussions from the Conference.

3 *Strong and Effective National Human Rights Institutions Challenges, Promising Practices and Opportunities* (European Union Agency for Fundamental Rights, 2021).

4 'Paris Principles', GANHRI, accessed on September 17, 2024, https://bitly.cx/TMZSP.

5 Amman Declaration and Programme of Action, 2012.

them is the introduction of a diverse staff and the inclusion of women in key decision-making positions. In the previous year, working through their broad constitutional mandate, the institution investigated 368 alleged human rights violations, including those concerning women's rights, and similarly received 360 complaints on human rights violations, particularly concerning women and girls.[6] The NHRC has also conducted various training and capacity-building activities to enhance the goal of gender equality. It's important to recognise that NHRIs play a pivotal role in advancing gender equality at the community, national and international levels. Despite these efforts, significant work is still required to promote gender equality and human rights.

Meeting with the representatives of CSO to encourage their active participation during the conference.

6 Yearly Report: 2080-2081 (NHRCN, 2024).

Inaugural Session

The Chief Guest Rt. Honorable Prime Minister marks the innaguration of the conference by lighting diyo.

The Rt. Hon'ble Prime Minister KP Sharma Oli presided over the opening ceremony of the International Conference on Gender Inclusion in National Human Rights Institutions, which marked the presence of dignitaries from the government, national human rights institutions across the Asia-Pacific region, civil society, private sector, and other sectors.

The **Hon'ble Dr. Lily Thapa**, Commissioner of the National Human Rights Commission of Nepal (NHRCN), delivered the keynote address, in which she initiated a timely discussion on gender mainstreaming within NHRIs. She began by stressing upon the urgent need to incubate fairer and more equitable societies—a goal that, in her words, can only be achieved through dignity and equality for women. She redefined 'gender equality' as a parcel of fundamental rights rather than a mere goal to be met. Further, the Hon'ble Dr. Thapa highlighted strides made by Nepal in advancing gender equality, not least due to electoral quotas for women and minority groups. More importantly, she brought to focus the positive impact that amending and repealing discriminatory legal provisions has had on women's rights. In this regard, she called on NHRIs of the region to promote

The Honorable Commissioner and Conference Convener sets the context of the conference and shares her insights.

gender inclusion and equality efforts by introducing, alongside invoking legal protections and international human rights standards. She was quick to note that the Asia-Pacific region is at a crossroads, wherein concerted gender equality efforts are often thwarted by discriminatory laws and violence against women. In this regard, she recognised that entrenched patriarchal values and harmful practices impede women's ability to fully participate in public life. To this end, she iterated the pivotal role the conference is expected to play in bolstering the role of NHRIs in upholding principles embedded in international conventions such as the Paris Principles and the Amman Declaration. She also broached discussions on both internal and external barriers to gender inclusion within NHRIs. Similarly, the necessity to examine compounding identities of women was also spotlighted in what she termed the pursuit of 'gender justice'. In the end, the Hon'ble Dr. Thapa introduced plans to adopt the Kathmandu Declaration as a key outcome document. The document was envisioned as a roadmap for the implementation of gender mainstreaming strategies within NHRIs in the Asia-Pacific region.

> ***"Gender inclusion is not merely a policy, it is a fundamental right. It speaks to the heart of our humanity and underscores principles upon which all of our human rights are based.'***

The **Hon'ble Maryam Abdullah Al Attiyah**, Chairperson of the Global Alliance of National Human Rights Institutions (GANHRI), appreciated through a video message the timely discussion initiated by the Conference on rejuvenating/revitalising efforts to mainstream gender in the core strategies, policies and programmes of NHRIs. Despite the progress made since the adoption of the Amman Declaration of 2012, she emphasised the critical need to re-examine commitments made under the Declaration 12 years later to see if these landmark commitments have been translated into actionable outcomes and what plans are in place to combat emerging challenges that threaten to undo progress made thus far. Chairperson Attiyah reminded the audience of Goal 5 (gender equality) of the Sustainable Development Goals (SDGs), which outlines a clear roadmap for gender gains.[7] She additionally emphasised the disproportionate impact that natural disasters like COVID-19 and climate change have on young girls and women. In this context, Chairperson Attiyah urged NHRIs to critically examine internal barriers and address them in order to fully realise the commitments rooted in the Paris Principles in moving past mere tokenistic representation. She emphasised that this requires a renewed dedication to pluralism—particularly through the inclusion of women in all aspects of NHRI functioning.

Honorable Maryam Abdullah Al Attiyah, chairperson of GANHRI, shares her words of encouragement through a video message.

7 Department of Economic and Social Affairs Sustainable Development, 'Achieve gender equality and empower all women and girls', United Nations, accessed on November 13, 2024, https://sdgs.un.org/goals/goal5.

Ms. Kyoko Yokosuka, the United Nations Development Programme (UNDP) Country Representative for Nepal, expressed similar concerns to achieving gender parity. According to her, current estimates suggest it could take 300 years to rid the world of child marriage,[8] with one in five children still being married before the age of 18.[9] Further, she emphasised statistics that project it may take 286 years to repeal discriminatory laws and close legal protection gaps, with equal representation still projected to be 140 years away.[10] This is not to suggest that successful developments in the lives of women and girls have not been documented; Ms. Yokosuka specifically noted the positive impact electoral and gender quotas have had in advancing the goal of women's effective participation in politics[11] and additionally commended Nepal's Constitution for its progressive protections. In such an environment, she stressed the pivotal role that NHRIs can play in incubating regional and global partnerships to achieve gender equality. More notably, Ms. Yokosuka underlined the role of UN agencies such as the UNDP in safeguarding and promoting human rights, particularly gender equality and inclusion.

Ms. Kyoko Yokosuka, Resident Representative of UNDP Nepal shares her special remarks.

8 'Despite significant progress, we need to go 20 times faster to end child marriage by 2030, shows new data', Girls Not Brides, accessed on November 13, 2024, https://bitly.cx/0RAi.

9 United Nations Children's Fund. 2018. 'Child Marriage: Latest trends and future prospects', UNICEF, accessed on December 22, 2024, http://bit.ly/3P9krK0.

10 'Gender Equality', United Nations, accessed on November 13, 2024, https://bitly.cx/6jtVqA.

11 'Women's full and effective participation and decision-making in public life, as well as the elimination of violence, for achieving gender equality and the empowerment of all women and girls', United Nations Economic and Social Council, accessed on December 22, 2024, https://bit.ly/4frHYR7.

> ***National Human Rights Institutions have a critical role to play in the complex process of turning these principles, polices and plans into reality. They combine an oversight role and an advisory role to governments for the protection and promotion of human rights.'***

The **Hon'ble Kamala Parajuli,** Chairperson of the National Women Commission, began by emphasising the importance of adopting an intersectional approach *vis a vis* gender and inclusion issues. As the distinguished speakers before her, she spoke to the increased need for incorporating gender perspectives within NHRIs and, generally, in all aspects of life. According to Hon'ble Parajuli, efforts must be undertaken to eliminate patriarchal and discriminatory practices such that a conducive environment is created for fostering gender equality. But despite highlighting gender gains through numerical representation and the implementation of gender-responsive budgeting, she remained focused on how states fail to ensure substantive and material representation for women. Chairperson Parajuli pointed out that health, education and other opportunities still remain inaccessible to many women from rural and minority backgrounds.

The Honorable Chairperson of National Women Commission shares her insights during the innaguration ceremony.

The **Hon'ble Nawal Kishor Sah Sudi,** Minister for Women, Children and Senior Citizens, opened his remarks by declaring gender empowerment and inclusion as a core focus for the Ministry. While crediting heightened awareness among the public for eroding patriarchal values over time, he continued to emphasise the importance of sustained efforts for achieving any real progress. He winded up his remark by noting that the state bears the onus of promoting gender equality.

> ***"Since we are the Ministry of Women, Children and Senior Citizens, our main agenda is focused on guaranteeing women's rights and uplifting women.'***

The **Rt. Hon'ble Prime Minister KP Sharma Oli**, presiding in the capacity of the Chief Guest, opened his remarks by emphasising the role of the new Constitution in bringing about gender equality and minority rights gains through its progressive commitments toward human rights. More concretely, he identified a range of legal reforms—beginning with the abolishment of the caste system and culminating in the introduction of 31 Articles promoting fundamental rights—as precursors for positive change.[12] He similarly credited electoral quotas for ensuring 33 per cent representation of women in federal and provincial parliaments[13] and more than 40 per cent representation at the local level.[14] More importantly, Prime Minister Oli made known Nepal's desire to fulfil its commitments under various human rights treaties, but qualified it by pointing out that well over 20 per cent of Nepal's population continue to live below the poverty line.[15] In this context, he also underscored the immediate need to address this issue for a more meaningful realisation of equality and dignity. He also called on states to organise more cooperative efforts such as this conference, to strengthen human rights initiatives across the Asia-Pacific region. Prime Minister Oli concluded his remarks with

12 The Constitution of Nepal, 2015, Articles 16–47.

13 The Constitution of Nepal, 2015, Articles 84 (b) & 176 (b); The House of Representatives Election Act, 2017, Section 26(3); The State Assembly Election Act, 2017, Section 26(3).

14 The Local Level Elections Act, 2017.

15 *The Nepal living Standards 2022–23* (National Statistics Office: Kathmandu, 2024).

Address by the Rt. Honorable Prime Minister at the innagural ceremony of the Conference.

emphasis on prosperity and peace as a prerequisite to a just society and stressed a steadfast commitment toward modernisation of the state.

> ***"Without abolishing poverty, we cannot fulfill our desire for equality. In our constitution, we have mentioned 31 Articles for fundamental human rights.'***

The **Hon'ble Justice Top Bahadur Magar**, Chairperson of the National Human Rights Commission Nepal, began his address by emphasising the critical need of incorporating gender considerations into all aspects of life to pursue equitable, inclusive and prosperous societies. He credited international human rights standards, especially the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) for furthering this goal. Despite advances, he acknowledged serious gaps in implementation and urged nations to strengthen efforts to ensure long-term gender equality gains. He additionally recognised the significance of the Amman Declaration—adopted 12 years ago—in charting a clear path for ensuring the rights of women and girls. The early contributions of the Paris Principles were also iterated, despite his noting that they do not explicitly cover gender equality. In this context, Chairperson Magar underlined the significance of NHRIs in mainstreaming gender perspectives across their work, in part citing NHRC Nepal's own efforts to close the gender equality chasm.

The inaugural ceremony was chaired by Honorable Chairperson Justice Top Bahadur Magar, NHRC Nepal.

Key efforts of the NHRC highlighted by Chairperson Magar included amendments to the Gender Equality and Social Inclusion (GESI) Policy[16] and undertaking an internal gender audit in 2021. As a consequence of the institutions' collaborative efforts, he stated that the NHRC Nepal retains its A-status accreditation from the GANHRI Sub-Committee on Accreditation (SCA). Chairperson Magar also emphasised that women and girls are at disproportionate risk of climate-related vulnerabilities. To that end, he refocused the function of NHRIs as watchdogs—holding States responsible to their international obligations—and encouraged NHRIs to campaign for climate justice, ensure substantive participation of women in decision-making processes and promote gender-sensitive policies.

> ***"NHRIs have a pivotal role in integrating gender perspectives into all aspects of their work—whether it be through legislative review, human rights education, or engagement with international bodies. The development of human rights indicators that promote gender equality and the advocacy for comprehensive national gender strategies are just some of the ways we can ensure our works translate into tangible outcomes for women and girls.'***

16 The Gender Equality and Social Inclusion Policy, 2021, https://bitly.cx/V3j4T.

The innaguration ceremony was graced by special guests and dignitaries.

Panel Summary The inaugural session had the Hon'ble Dr. Lily Thapa outlining the gains in gender equality that have resulted directly from Nepal's electoral quotas and concerted efforts to repeal and amend discriminatory laws against women and girls. As with the Hon'ble Dr. Thapa, Ms. Kyoko Yokosuka highlighted the earmarked quotas for women in politics and the consequent increase in representation. She agreed that abiding malpractices such as child marriage and domestic violence have hindered participation for women and girls generally. The Hon'ble Maryam Abdullah Al Attiyah, meanwhile, introduced to the discussion the enduring significance of the Amman Declaration and the urgency with which countries must reassess the translation of their commitments into actionable outcomes. The Hon'ble Nawal Kishor Sah Sudi then situated gender empowerment and inclusion within the context of the work of the Ministry of Women, Children and Senior Citizens. The Rt. Hon'ble Prime Minister K.P. Sharma Oli, on the other hand, addressed the audience by reaffirming Nepal's commitment to gender equality, as evidenced by a range of activities, including legal reforms and the introduction of electoral quotas. He also emphasised the pressing need to address poverty in crafting a more equal and just society. Rounding up the session was the Hon'ble Justice Top Bahadur Magar, who underscored the importance of the Amman Declaration in today's context and highlighted key efforts of Nepal's own NHRC, including amendments to the Gender Equality and Social Inclusion (GESI) Policy[17] and undertaking an internal gender audit in 2021 to lead these efforts.

17 The Gender Equality and Social Inclusion Policy, 2021, https://bitly.cx/V3j4T.

Paper Presentation on 'Pluralism and Gender Equality'

Pluralism and gender equality, as human rights principles, are not only intrinsically linked but also mutually reinforce each other—one is incomplete in the absence of the other.[18] Taken together, they advocate for and promote inclusion and equity in governance in a concerted effort to address historical wrongs and offer remedial paths forward. Research demonstrates that institutions that ingratiate themselves with values of pluralism and gender equality are, more often than not, likely to promote peaceful coexistence.[19] Broadly, pluralism advocates the engagement and fostering of diverse social, cultural, ethnic, and linguistic groups, while gender equality seeks to champion values of equal rights in parity with men.[20] By embracing plurality and gender-diverse perspectives, NHRIs not only boost representation and responsiveness, but also create conducive environment for challenging extremist ideologies and practices. In envisaging such a world, both principles pay particular heed to overlapping identities born of caste, class, ethnicity, and others. To that end, the presentation, in detail, discussed these contributions as well as the blind spots inherent in the Paris Principles and the ensuing General Observations in proliferating pluralism and gender parity.

Ms. Fasoha Aishath, Manager of Capacity Development, Asia Pacific Forum, underlined the Paris Principles and General Observations' enduring relevance in her presentation on pluralism and gender equality. She further centred the discussion on the selection and appointment processes of NHRI decision-making bodies—as covered by General Observation 1.8. She began by acknowledging that little guidance is provided by the documents on how NHRIs should mobilise gender inclusion efforts, but concluded on an optimistic note—observing that the General Observation review process, which is currently underway, may bridge these gaps and ensure that gender considerations are more closely linked

18 Charles Taylor, *Multiculturalism: Examining the Politics of Recognition* (USA: Princeton University Press, 1994); Iris Marion Young, *Inclusion and Democracy* (Oxford University Press, 2000).

19 UNESCO, *Investing in Cultural Diversity and Intercultural Dialogue* (Paris: UNESCO, 2009).

20 Taylor, *Multiculturalism: Examining the Politics of Recognition*; UN Women, *Gender Equality: Glossary of Terms* (UN Women: 2023).

Paper Presentation on Pluralism and Gender Equality by Ms. Fasoha Aishath, Manager of Capacity Development, Asia Pacific Forum.

to the NHRI accreditation process. Ms. Aishath focused specifically on General Observation 1.7, which emphasises the value of pluralism and requires NHRIs to be inclusive in their composition and commit to diversity in appointments. SCA evaluates inclusion in appointments by taking into account criteria such as gender and representation. Moreover, the SCA also evaluates whether appointment criteria restrict female candidates' ability to be a part of the organisation. However, as with the leadership requirements, there is no set standard for what constitutes sufficient diversity and representation. She pointed out that the Paris Principles and General Observations essentially specify structural protections and emphasise NHRI independence, rather than explicit measures on gender and women's and girls' rights. Despite this, the accreditation process was noted to still be relevant for single-member NHRIs, unable to support inclusion efforts.

> ***"Today there is significant focus on gender diversity in the jurisprudence of the SCA. Hopefully this trend will continue and NHRIs' understanding and mandates are further strengthened.'***

Presentation Summary In highlighting the key provisions of the Paris Principles and General Observations, Ms. Fasoha Aishath stressed their importance as essential documents for progress. She stated that, taken together, they are crucial in promoting pluralism and gender equality. Despite the emphasis on pluralism and gender inclusivity in the selection and appointment process by various General Observations, she observed that limited supporting guidelines hinder the realisation of these objectives. On a positive note, she mentioned that the ongoing review of General Observations could help address these gaps. Additionally, she pointed out that the Paris Principles and General Observations have not sufficiently prioritised gender inclusivity, which is fundamental to the NHRI accreditation process conducted by the SCA.

Participants present their queries and insights during the conference.

Panel Discussion on 'Pluralism in Policy and Practice'

Pluralism, a principle that foregrounds the meaningful and substantive participation of diverse social groups in governance, is a guiding principle for NHRIs. Especially in recent years, the representation of groups such as women, minorities, and persons with disabilities has come to be seen not only as a matter of fairness but also as essential for the functioning of NHRIs and as intrinsic to the values it claims to proffer.[21] Consistent with this perspective, the Paris Principle, endorsed by the United Nations General Assembly, requires NHRIs to adhere to various legal standards, including those related to pluralism.[22] Despite these broad commitments, it has remained a somewhat aspirational goal, with much left to be desired. The challenge lies in operationalising the commitment to pluralism that goes beyond only surface-level representation.[23] Because pluralism in practice is often reduced to simply ensuring equal representation in appointments rather than genuine inclusion

21 GANHRI, *General Observations of the Sub-Committee on Accreditation* (Global Alliance of National Human Rights Institutions, February 21, 2018).

22 ENHRI, UN Paris Principles & Accreditation (European network of National Human Rights Institutions, June 2025).

23 Linda Reif, 'The Shifting Boundaries of NHRI Definition in the International System', in *Human Rights, State Compliance, and Social Change* (Cambridge: Cambridge University Press, 2012).

within decision-making bodies, it has become tokenistic to the extent that it risks reinforcing existing structures.[24] An added constraint is also the lack of binding commitments or enforcement mechanisms to ensure that marginalised groups are meaningfully included in the decision-making process.[25] The core of the issue, thus, is a gap between formal commitments to pluralism and their actual realisation.

As such, the panel examined the challenges and strategies that NHRIs need to consider propelling their work beyond symbolic gestures in the pursuit of genuine inclusion. It investigated how international commitments and standards can be more effectively mobilised in this regional effort.

Chair: *Justice Anup Raj Sharma*

Facilitator: *Gauri Pradhan*

Panellists: *Hon'ble Sulaiman Al-Kindi, Johnny White, Hon'ble Farkhanda Aurangzeb*

Facilitator Gauri Pradhan, former commission member of NHRC Nepal, opened the session by delineating the discussion around the question of what pluralism entails *vis a vis* policy matters and instruments, followed by a focus on pluralism within NHRI institutional mechanisms. Mr Pradhan identified key areas for discussion, including staffing and appointments within NHRIs, as well as the legal and constitutional mandates that guide their functioning.

The **Hon'ble Farkhanda Aurangzeb**, Commission Member of the National Commission for Human Rights Pakistan, discussed at length the commission's mandate under the National Commission for Human Rights Act, 2012.[26] In doing so, she also brought to focus the State's pivotal act of ratifying CEDAW in 1981.[27] As part of its compliance under the treaty, she highlighted the state's role in revisiting

24 ANNI, *ANNI Report 2023: On the Performance of National Human Rights Institution in Asia* (Asian NGO Network on National Human Rights Institutions, November 2023).

25 GANHRI, *General Observations of the Sub-Committee on Accreditation* (Global Alliance of National Human Rights Institutions, February 21, 2018).

26 The National Commission for Human Rights Act, 2012.

27 'UN Treaty Body Database', OHCHR, accessed on December 18, 2024, View the ratification status by country or by treatyohchrhttps://tbinternet.ohchr.org.

discriminatory laws that eventually culminated in the adoption of nine women-centric legislation—the first of their kind in targeting deep-seated patriarchal beliefs prevalent in the State. According to her, the gusto with which the state sought to implement these laws signalled its move toward an equitable society. She then moved on to discussing inclusiveness within the internal structure of NCHR Pakistan—which is disability and gender diverse. In the eyes of the Hon'ble Aurangzeb, another critical accomplishment for gender parity was the act of establishing the Women's Studies Department in several universities across Pakistan. As to women's representation within politics, she credited sustained efforts by civil society and advocacy groups for effecting broad policy-level changes—most notable of which is the 20.5 per cent representation of women in Parliament.[28] She emphasised that this increased political participation of women became a catalyst, prompting revision of several discriminatory laws. Beyond this, she also highlighted government efforts to integrate people with disabilities into the mainstream, evidenced by the enactment of a redressal law and a dedicated 5

28 'Proportion of seats held by women in national parliaments (%)', World Bank Group, https://genderdata .worldbank.org/en/indicator/sg-gen-parl-zs.

per cent quota in both government and non-government sectors.[29] Purportedly, in recent times, State attention has shifted to addressing transgender people's social and political identities. The State's evolving commitment toward the queer community, according to her, is found in the State's admission that a policy shift is needed. This came about in response to a baseline survey conducted to understand the Trans community's needs better. This led to a favourable decision—the issuing of national identity cards to members of the group.[30] In conclusion, the Hon'ble Aurangzeb pointed to a number of efforts—including laws promoting gender equality, educational reforms, the inclusion of marginalised communities and the promotion of human rights awareness—in pushing forth equality for women on par with men.

> ***"Not only pluralism, but inclusivity in a conducive environment is also very, very essential when it comes to the workings of NHRIs.'***

In his remarks, **Mr. Johnny White**, Human Rights Officer at the OHCHR, contextualised the relationship between pluralism and gender. Mr. White emphasised that a truly pluralistic society does more than just acknowledge diversity; it actively seeks to remove disparities—especially those based on socially prescribed gender roles. In saying so, Mr. White placed the onus squarely on states to embolden NHRI institutions in their functional undertakings. Despite noting that the Paris Principles charters the path forward for NHRIs, he caveated this by acknowledging that the framework has historically left gender concerns out of direct coverage. However, he immediately reminded attendees that the Paris Principles was adopted in the early 1990s when plurality was not widely prioritised among NHRIs. Nonetheless, he did acknowledge the contribution of General Observations as authoritative interpretation tools to the Paris Principles. He particularly called to attention General Observation 2 (1), which places all human rights issues under the ambit of NHRIs. He stressed that NHRIs are expected to address intersectionality and other complex human rights concerns

29 Sindh Empowerment of 'Persons with Disabilities' Act, 2018.

30 Transgender Persons (Protection of Rights) Act, 2018; 'Promoting Inclusion and Protection: Pakistan's National Strategic Framework for Transgender Persons', UNDP, December 4, 2023, https://bitly.cx/l5HPV.

in their programmes and reports while tailoring their approach to the particular context of their State. He further urged NHRIs to draft their policies in a manner reflecting the values of fairness and inclusion. He remarked that gaining public trust requires NHRIs to be independent and perceived to be independent. According to Mr White, this hinges on their ability to address societal issues, such as gender inequality and cultural diversity. In moving on, he iterated the importance of international cooperation, noting that organisations like the Office of the High Commissioner for Human Rights (OHCHR) and the Asia Pacific Forum (APF) stand ready to partner with states to help establish strong NHRIs in their bid to promote and protect human rights freedoms and pluralistic values. He concluded by emphasising that today's human rights would serve as the basis for tomorrow's rights, emphasising the need for NHRIs to respect human rights norms for all without discrimination.

> ***"When we say pluralism, we are talking about diverse and inclusive nature of society. For NHRIs, it must be representative; when we talk about gender, we know it is about socially prescribed roles that have been assigned to individuals within societies…in the broader picture of pluralism, you are talking about every facet of society, ranging from issues about sex, gender and also your cultural status, your standing and your beliefs—everything.'***

The **Hon'ble Sulaiman Al Kindi**, Commission Member of the Oman Human Rights Commission, began his remarks by drawing attention to the fact that women in the country significantly out-represent men in the teaching profession.[31] He continued with highlighting the principle of equality among men and women, which, according to him, finds affirmation in religious texts. Moreover, he noted that three women presently occupy leadership positions within Oman's NHRC, a crucial step for inclusion efforts.

31 'Women Parliamentary Caucus in Pakistan', agora, accessed on December 17, 2024, https://www.agora-parl.org/resources/library/womens-parliamentary-caucus-pakistan.

In concluding the session, **Facilitator Pradhan** recalled, once again, the concept of pluralism in terms of policy and mechanisms, alongside recapping major national laws that guide NHRIs and their staffing process.

Floor Discussion

In response to a question from the floor on the impact expansion of education had on women's political participation and representation, the **Hon'ble Farkhanda Aurangzeb** responded that elite-class women have historically enjoyed greater access to political spaces. And despite the implementation of a 17 per cent quota for women in elected assemblies,[32] it quickly became clear that this alone is insufficient to advance the cause of women's rights. She did note that some women have broken the glass ceiling and been nominated to high-ranking positions, with the Balochistan Parliament now having a female deputy speaker of the house. Likewise, she drew the floor's attention to women's political participation initiatives, which took three years to implement, and bolstered women's representation at the local level. Moreover, the Hon'ble Aurangzeb spoke to the establishment of the Women's Parliamentary Caucus (WPC) of the

Participants present their queries and insights during the conference.

32 Ayesha Khan and Sana Naqvi, 'Dilemmas of Representation: Women in Pakistan's Assemblies', *Asian Affairs* 51, no. 2(2020), 286–306.

National Assembly of Pakistan in 2008, with a particular intent to address women's issues—not bound by party affiliations. She ended her remarks by acknowledging the progressive role that local governments and affirmative action have played in increasing women's engagement in politics.

Another audience member raised the issue of quotas for women's representation, asking what role NHRIs can play in influencing government and legislative participation, to which the Hon'ble Farkhanda Aurangzeb stated that the Human Rights Commission is empowered by the Act that established it to advocate for legislative reforms and possess the ability to influence government policies and processes.

Mr. Johnny White called into focus gender gains over the years—most notably—the signing of the Paris Principles by a number of states in the region is evidence of it.[33] However, he chalked up the slow progress to inadequate channelling of funding and resources to gender-related efforts. Mr White then went on to identify societal structures as barriers to women's progress, often helping confine women to low-level positions. In this context, he called for concerted international efforts to actively promote gender equality.

Panel Summary Mr Pradhan, in opening the discussion, delimited for the benefit of the discussion key areas of concern: staffing and appointments within NHRIs, as well as the legal and constitutional mandates that guide their functioning. Throughout the session, in discussing the intersection between pluralism and gender, panellists highlighted their national laws and policies related to gender equality, gender justice, diversity and gaps thereof.

33 'Asia Pacific Forum', Asia Pacific Forum, accessed on December 17, 2024, https://www.asiapacificforum.net/our-work.

Key Observations on 'Amman Declaration and Way Forward'

A visible outcome of regional cooperation under the Asia Pacific Forum, 'The Amman Declaration and Programme of Action', adopted in 2012, builds on the Paris Principle to reaffirm the role of NHRIs as vehicles for promoting gender equality, pluralism, and accountability.[34] In particular, it places gender and inclusion squarely within the mandates of the NHRIs and is no less than a landmark document in this regard. But, after a decade, the status of its implementation is mixed; many institutions struggle to translate the commitments into domestic frameworks.[35] Aside from the usual suspects—ambiguous mandates, insufficient expertise, and limited resources—emerging issues such as digital gender-based violence, climate change, informal and migrant labour have widened the gap between vision and implementation.[36] Furthermore, any mechanisms to assess how well the principles are being translated into domestic and policy frameworks are visibly absent.[37] Given emerging challenges, gaps in implementation, and a rollback in rights in the Asia-Pacific, a critical assessment of what has worked, where the obstacles lie, and how innovative mechanisms can accelerate the realisation of the Amman Declaration is urgently needed.

The **Hon'ble Dr. Lina Shabeeb**, Board Member of the National Centre for Human Rights (NCHR) Jordan, delivered a presentation on key observations on the Amman Declaration and the way forward. The Hon'ble Dr. Shabeeb offered a brief introduction to the NCHR, highlighting the institution's standing as an independent institution tasked with intellectual, political and humanitarian

34 GANHRI, *Amman Declaration and Programme of Action* (Global Alliance of National Human Rights Institutions, November 7, 2021).

35 UNHCR, *Protecting the Rights of Refugee Women* (UNHCR, November 2020); ICHRP and OHCHR, *Assessing the Effectiveness of National Human Rights Institutions* (International Council on Human Rights and Office of the United Nations High Commissioner for Human Rights, January 1, 2005).

36 UN Women, Women Migrant Workers' Journey Through the Margins: Labour, Migration and Trafficking (UN Women, November 2016); *UN Women, Accelerating Efforts to Tackle Online And Technology Facilitated Violence Against Women and Girls* (UN Women, 2022).

37 Asia Pacific Forum, *Mainstreaming the Human Rights of Women and Girls into Our Everyday Work* (Asia Pacific Forum, July 2019).

Paper Presentation on Key Observations on 'Amman Declaration and Way Forward' by The Hon'ble Dr. Lina Shabeeb, Board Member of the National Centre for Human Rights (NCHR) Jordan.

activities. According to her, the NCHR has taken several progressive steps to promote gender equality since its inception, including publishing a Declaration on its website in both Arabic and English and organising numerous capacity-building workshops for women. Moreover, she centred her discussion on the pivotal role played by the institution in recruiting a historic number of women election observers; she informed the audience that female representation among election observers increased to nearly 45 per cent, and the number of female judges rose to 286.[38]

Another key milestone identified was the appointment of the institution's first female chair of the Board of Trustees, alongside the nomination of seven other women in leadership positions. As to the institution's staff, of the total, 20 are women. Other initiatives she highlighted included the establishment of a new observatory on violence against women, improving women's access to justice—particularly in family courts and shelters—and promoting women's political participation. Moreover, the Hon'ble Dr. Shabeeb identified significant legal reforms, ranging from raising women's quotas to 25 per cent in municipal and governorate boards to increasing reserved seats for women in general elections.[39]

The Hon'ble Dr. Shabeeb revealed that public awareness continues to be a key focus for NCHR, with lectures and workshops on political participation

38 National Centre for Human Rights, *Twentieth Annual Report on the Human Rights Situation in The Hashemite Kingdom of Jordan of 2023* (Jordan: National Centre for Human Rights Jordan, 2023) accessed on December 23, 2024, https://bit.ly/404RZPD.

39 'Legislated gender quotas for local governments, 1 January 2023', United Women, accessed on December 23, 2024, https://localgov.unwomen.org/index.php/access-quota-information.

being organised regularly. Similarly, she highlighted numerous legal reforms, including extending maternity leave from 70 to 90 days; providing protections for pregnant and breastfeeding women; and safeguarding persons with disabilities.[40] According to her, the State has also pushed for reforms in labour law and agriculture, including efforts to introduce by-laws to improve social security access for agricultural workers. More recently, the institution has expanded its monitoring and reporting efforts to cover refugees, with particular attention paid to the needs of female refugees.[41]

Despite these achievements, Dr. Shabeeb acknowledged persistent challenges emanating from the lack of resources at the disposal of the institution, leading them to be both understaffed and underfunded. Moreover, gaps in knowledge among women in rural areas have left many vulnerable and outside legal protection.

> ***"We have legal independence from the government, and that makes us observers of the government because our establishment is based on an independent law and a decree from His Royal Majesty.'***

Presentation Summary Hon'ble Dr. Lina Shabeeb asserted in her presentation that the NCHR, established as an autonomous and humanitarian institution, has always stood in solidarity with gender equality. She highlighted this by noting actions such as organising capacity-building workshops for women and recruiting a large number of women in the organisation, including leadership positions and governmental roles. In this regard, she also emphasised the regular organisation of lectures and workshops by the NCHR, legal reforms promoting and safeguarding maternal rights and the rights of people with disabilities, with a recent focus on acknowledging the needs of female refugees. Despite these efforts, she pointed out that the shortage of resources and lack of awareness among women in rural areas have exacerbated their exclusion from legal protections.

40 National Centre for Human Rights, *Twentieth Annual Report*.

41 National Centre for Human Rights. 2023. 'Twentieth Annual Report on the Human Rights Situation in The Hashemite Kingdom of Jordan of 2023' , NCHR Jordan, accessed on December 23, 2024, https://bit.ly/404RZPD.

Panel Discussion on 'Implementation Status of Amman Declaration'

As with the Hon'ble Dr. Lina Shabeeb, the following panel too began by reocgnising the pioneering role played by/of the Amman Declaration in proclaiming gender equality as a core mandate for human rights institutions. The discussion covered key gains and challenges NHRIs across the region face in transposing the Declaration's commitment into domestic frameworks. Moreover, the discussion also identified successful efforts and mechanisms that have helped NHRI's increase the compatibility of their work with the fundamental principles of the Declaration.

Chair: *Hon'ble Pravesh Sharma, Chairperson and Proceedings Commissioner, Human Rights and Anti-Discrimination Commission, Fiji*

Facilitator: *Mr Jerald Joseph*

Panellists: *Hon'ble Munkhzul Khurelbaatar, Hon'ble Professor Dato Noor Aziah Mohd. Awal, H.E. Dr Mohammad Al-Kuwari, Ms Nawres Hussein Alwan Khazraj*

The **Hon'ble Pravesh Sharma,** chairing the session on the 'Implementation Status of the Amman Declaration', in setting the context for the conference, called to attention the widespread violations of women's rights within patriarchal cultures, exacerbated then by poverty and economic vulnerabilities. He emphasised that certain groups, such as women, refugees, persons with disabilities and victims of trafficking, are disproportionately affected by war, unemployment and hazardous work, requiring enhanced protections.

> ***"Poverty and inequality are significant factors that increase vulnerability, discrimination and gender-based violence. Patriarchal structures and systems devalue the lives and contributions of women.'***

Mr. Jerald Joseph, in facilitating the session, took note of the 'absoluteness' of the NHRI's commitment to gender inclusion efforts within their structures. He iterated that despite international treaties, such as the Amman Declaration, much remains to be achieved in the quest for equality, including addressing prejudices rooted in the social, political and legal apparatus of states.

The **Hon'ble Munkhzul Khurelbaatar,** Commissioner of the National Human Rights Commission Mongolia, opened her remarks by bringing to the fore the institution's outstanding contributions to furthering the goal of gender equality—beginning with laws prohibiting discrimination against women and extending to the enactment of legislation

preventing sexual harassment at the workplace.[42] Alongside this, attention was also given to the progress made in including women in the internal structure of the institution; as a result of efforts by the NHRC, the commission now has four female members.[43] The Hon'ble Khurelbaatar went on to then list more NHRC-led initiatives, including the enactment of a policy guaranteeing flexible working hours for women, guidelines to prevent discrimination and sexual harassment at the workplace, as well as the submission of annual progress reports. She further elaborated on the Commission's activities around evaluating women's political participation in 2022. This led to the furnishing of recommendations to the Parliament, which according to her, these recommendations have been approved by the Parliament.

The **Hon'ble Professor Dato Noor Aziah Mohd. Awal**, Commissioner for the Human Rights Commission of Malaysia (SUHAKAM), meanwhile, highlighted the commission's work, which included awareness-raising activities and supporting government initiatives, with the most pivotal achievement involving the translation of the Amman Declaration into the domestic legal framework. She went on to elaborate on other key activities, such as carrying out capacity-building training for NHRI staff and members, opening consultation and dialogue in empowering the judiciary and documenting rights violations against women during COVID-19. She revealed

42 *Report on the Implementation of Agreed Conclusion "Women's Economic Empowerment In The Changing World Of Work"* (Mongolia, United Nations), https://bitly.cx/ckXaR.

43 'About us', National Human Rights Commission Mongolia, accessed on 17 December 2024, https://nhrcm.gov.mn/en/#.

that the COVID-19 pandemic had introduced new challenges, reflected in the rise in cases of domestic violence, restricted access to information and limited availability of sexual and reproductive health services. In response, she revealed that amendments have been proposed to the SUHAKAM Act and the Constitution to address issues like citizenship and statelessness, which mostly tend to affect women.[44]

Meanwhile, in discussing the Amman Declaration, she highlighted significant gaps arising from the declaration's failure to sufficiently capture several emerging issues, including the disproportionate impact of climate change on women and girls and challenges faced by female migrant workers and those employed in the informal economy. Furthermore, she drew attention to the omission of the growing issue of cyber-based violence as well.

> ***"Action and advocacy on women's and girls' rights must continuously be done to ensure equality and protection of women in Malaysia.'***

H.E. Dr. Mohammad Al-Kuwari, Chairman of the National Human Rights Commission of Qatar, noted that there is still a long way to go before the State is able to fully realise obligations under the Amman Declaration. To substantiate this, he revealed that women in Qatar hold only 4.4 per cent of parliamentary seats.[45] He pointed to comparable trends in female participation in the labour force; particularly, only 19.8 per cent of women are working—significantly lower than the global

44 'Press Statement No. 12-2024_SUHAKAM Act Amendments in Force New Era for Human Rights in Malaysia', SUHAKAM, accessed on December 20, 2024, https://suhakam.org.my/category/press-statement/page/5/.

45 'Proportion of seats held by women in national parliaments (%)', World Bank Group, accessed on December 4, 2025, https://genderdata.worldbank.org/en/indicator/sg-gen-parl-zs.

average of 47.9 per cent. He remarked that unemployment rates in the region soar high, as compared to other parts of the world. However, as a beacon of hope, he highlighted that some degree of protection is afforded to women, and the commission investigates reported human rights violations.

Ms. Nawres Hussein Alwan Khazraj, Head of the Awareness and Education Division in Babil for the Office of the High Commission for Human Rights of Iraq**,** meanwhile, shared that the commission actively monitors rights violations and that the NCHR has established oversight systems of accountability for the same. As part of the effort to improve awareness and enforcement, the commission reportedly also provides training to equip police officers, educators, and teachers with the knowledge needed to handle these cases effectively. She highlighted that when violations are reported, the commission ensures proper investigation and action. She also emphasised that, despite the challenges, there are strong legal protections in place for women and children, serving as a foundation for their rights and safety.

Floor Discussion

During the floor discussion, a question was raised about how NHRIs can effectively bridge the gap between the theoretical frameworks of human rights and their practical implementation. The Hon'ble Professor Dato Noor Aziah Mohd. Awal added that Malaysia has declared reservations to a few provisions incompatible with their cultural practices under major international treaties. She cited the example of the Convention on the Rights of the Child (CRC), where Malaysia made reservations upon signing, which then took several years to withdraw. This approach, she explained, allows states to ease into the process of fulfilling their international commitments.

Panel Summary Opening the session, Hon'ble Pravesh Sharma shed light on the discrimination against women perpetuated by patriarchy and poverty. He highlighted that women and other vulnerable groups are among those severely affected by war, unemployment, and hazardous work. The presenters of the session lauded the Commission's initiatives in promoting equality by highlighting certain activities such as reforms made against discrimination and sexual harassment, organising capacity-building training, monitoring and investigating rights violations, among many. However, Mr. Jerald Joseph and the presenters opined that despite the implementation of international treaties, including the Amman Declaration, the goal of equality remains unrealised, with diverse issues impacting women, such as climate change, the woes of migrant workers, and cyber-based violence still being neglected.

Presentation on 'Gender Baseline Assessment'

At the outset of a programme, project, or policy itself, gender baseline assessment (GBA), as a research tool, aids in unraveling the social norms, power relations, roles, dynamics, and resource constraints.[46] As such, it is a powerful tool that can be deployed, particularly in designing intervention and promoting gender-based inclusive values.[47] NHRIs, particularly, benefit from having this initial data, as it guarantees that results support gender justice while simultaneously encouraging the creation of gender targets and indicators. Additionally, an initiative such as the following one reduces the risk of remaining unaware of practicalities grounded in gendered experiences.[48] Therefore, GBA is a crucial tool in this context for assessing realities and adjusting policies accordingly.

Ms. Fasoha Aishath, Manager of Capacity Development, Asia Pacific Forum, delivered the presentation on the GBA carried out by the Asia Pacific Forum secretariat across 28 NHRIs in the Asia Pacific region in July 2024, which looked into the five key areas of their structure and decision-making process; gender equality in their external work; human resource management, policies and procedures; internal gender expertise and capacity; and organisational culture and practice.[49] According to the findings of the GBA, most NHRIs had incorporated gender into their strategic statements, action plans and annual reports as well as gender-related human resources policies like sexual harassment and anti-discrimination. However, the assessment also revealed that not all NHRIs personnel took gender into consideration in their work, with significant gaps in policy implementation.

46 UN Women *Gender Mainstreaming in Development Programming* (UN Women, 2014).

47 UN Women *Gender Mainstreaming in Development Programming*.

48 FAO (2018). *Guidelines on Gender-Sensitive Baseline Assessments* (Rome: Food and Agriculture Organization, 2018).

49 Asia Pacific Forum, *Gender Baseline Assessment of National Human Rights Institutions in the Asia Pacific Region* (APF Secretariat, July 2024).

Presentation on Gender Baseline Assessment Ms. Fasoha Aishath, Manager of Capacity Development, Asia Pacific Forum.

Floor Discussion

The floor yielded a question with regard to the gender markers in the GBA and whether NHRIs acknowledged gender in the hiring process. Ms Aishath specified that the GBA revealed only three staff members among the 28 NHRIs that identified as gender diverse. She also acknowledged that this was a matter for NHRIs to determine on an individual, institutional basis, rather than for the GBA to address.

Presentation Summary Ms. Fasoha Aishnath presented the Gender Baseline Assessment, which was conducted across 28 NHRIs in the Asia-Pacific region in July 2024. The assessment examined how NHRIs incorporate gender in their internal operations, such as staffing and policies, as well as in their external efforts, including programmes and advocacy. The assessment found that while many NHRIs had gender-related policies and strategies in place, the actual implementation of these remains a challenge. The findings of the GBA also highlighted the challenges in inclusive hiring and emphasised the need to strengthen the effective implementation of gender equality within these organisations.

Panel Discussion on 'GESI Mainstreaming within NHRIs'

Mainstreaming GESI within NHRIs is both a responsibility and an operational necessity for state structures, especially NHRIs.[50] Effectively mainstreaming GESI in NHRIs requires more than policy commitments; it ideally involves integrating GESI perspectives into the institutional culture, resource allocation, and decision-making.[51] But despite international legislative frameworks such as the CEDAW (1979) and the Beijing Platform for Action (1995)—both of which emphasise gender equality and women's rights as vital and fundamental—implementation leaves much to be desired. While the Paris Principles do not directly mention gender equality, they played a crucial role in initiating discussions about mainstreaming GESI within the NHRIs. This remains a relevant and timely discussion, as evidence from the Asia-Pacific Region reveals a growing disconnect between formal commitments and institutional practices. NHRIs, while quick to adopt GESI policies, often fail to bring them into practice. Quite often, they are

50 UNDP and University of Pittsburgh, *Gender Equality in Public Administration* (United Nations Development Programme & University of Pittsburgh, 2021).

51 ILO, *Giving Globalization a Human Face: General Survey on the Eight Fundamental, ILO Conventions Concerning Rights at Work* (International Labour Organization, 2012).

hindered by limited capacity building, insufficient gender analysis, and attitudes that GESI is the responsibility of only a few individuals, often women.[52] In the absence of mechanisms such as gender audits, inclusive budgeting, and staff-wide training, GESI mainstreaming risks being a symbolic endeavour.[53] In this context, the panel discussed how genuine GESI principles can be proliferated across the internal operations of NHRIs. It also addressed common challenges in the Asia-Pacific region and outlined a path forward.

Chair: *Ms Bandana Rana, UN CEDAW Committee Member*

Facilitator: *Mr Sabin Shrestha, Executive Director, Forum for Women, Law and Development–FWLD*

Panellists: *Hon'ble Faydah Maniri Dumpara, Mr M*urari Prasad Kharel, Ms Patricia Fernandez-Pacheco, Mr Bahjat Alhelou

Mr. Sabin Shrestha, Executive Director for the Forum for Women, Law and Development–FWLD, kick-started the session by highlighting that the context for the session was perfectly laid out by the previous session's Gender Baseline Assessment findings. He iterated that promoting equality and advancing the rights of those who have been historically marginalised, including gender minorities, was the core work of NHRIs. While GESI mainstreaming within NHRIs was the main focus of the session, Mr. Shrestha also believed that the focus of NHRIs should also be on incorporating GESI in the overall perspective of their respective countries.

52 OHCHR, *Integrating a Gender Perspective Into Human Rights Investigations; Guidance and Practice* (New York and Geneva: Office of the United Nations High Commissioner for Human Rights, 2018); GANHRI, UNDP and OHCHR, *Global Principles for the Capacity Assessment of National Human Rights Institutions* (Global Alliance of National Human Rights Institutions, Office of the High Commissioner for Human Rights, and United Nations Development Programme, 2016).

53 UNESCAP, E*SCAP Progress Report on Gender Mainstreaming* 2022 (United Nations Economic and Social Commission for Asia and the Pacific, 2022).

The Chair of the panel, **Ms. Bandana Rana,** UN CEDAW Committee Member, emphasised the relationship between CEDAW, NHRIs, and GANHRI in furthering GESI mainstreaming and safeguarding human rights. As with many of the preceding panel discussions, which had stressed the need for gender-sensitive hiring processes within NHRIs, Ms. Rana asserted that in many NHRIs, there is a distinct lack of women not only among the leadership, but also in the internal structure of the institutes. Matters pertaining to GESI are often relegated to the sole woman within NHRI leadership in these cases. Ms. Rana spotlighted the need to mainstream GESI throughout NHRIs and their work—their composition, the programmes, the roles—rather than considering it in isolation. Furthermore, she specified the common issues within of NHRIs in the Asia Pacific region in regards to GESI, and a few recommendations namely: the lack of a gender analysis mechanism to study the impacts of the commission's own policies and programmes; the lack of gender audits; the weak gender lens in the monitoring; and evaluation system must be strong; training and capacity building—not just to women staff, but throughout the institution; partnerships fostered by the NHRIs with human rights defenders and other human rights entities along with civil society entities. Ms. Rana also expressed her eagerness to hear from the panellists about the best practices and challenges to including gender perspectives in NHRIs.

Mr. Murari Prasad Kharel, Secretary of NHRCN, specified that NHRIs should be a reflection of society, representing all marginalised communities and identities, as well as embody the key points of the Paris Principles in their programmes as well the as internal structure of the commissions. He also elaborated on the tools and approaches utilised by the NHRC Nepal to mainstream GESI, namely the GESI Audit (following the

guidelines of the AOF, the Disability Audit of NHRC offices, Capacity Assessment of the NHRC Nepal, as well as their inclusive staff recruitment plans and policies and their planning, programming, and budgeting. The recommendations born of these assessment tools are also being incorporated by the NHRC Nepal.

> ***“We have, important of all, adopted a gender sensitive behavior in our workplace, so as not to be insensitive towards any minorities.’***

The **Hon’ble Faydah Maniri Dumpara,** the Focal Commissioner for Gender for the Commission on Human Rights of the Philippines, emphasised that GESI mainstreaming is central to the mandate of the Commission on Human Rights of the Philippines; this mandate includes monitoring and ensuring the implementation of laws designed to protect women’s rights and gender equality. The Magna Carta of Women, a comprehensive human rights law in the Philippines created to protect women’s rights and those of gender and sexual minorities, is a cornerstone to the country’s NHRI apparatus. As per the Hon. Ms Dumpara, also provides the needed support and protection to victims of sexual and gender-based violence. Gender mainstreaming is ensured through a number of provisions, including the Gender Focal Point System (GFPS), the Gender and Development Agenda, and the formation of the Gender and Development Plan and budget. GFPS is responsible for ensuring gender mainstreaming in the CHR’s plans and strategies, addressing gender and sexual violence, and supporting gender sensitive projects.

> ***At the institutional level, the commission ensures gender mainstreaming through several mechanisms, including our Gender Focal Point System (GFPS), Gender and Development Agenda, and the formation of the Gender and Development Plan and budget. '***

Mr. Bahjat Alhelou, Awareness Raising and Capacity Building Coordinator for the Gaza Strip for the Palestine Independent Commission for Human Rights, outlined the work carried out by the Palestine Independent Commission for Human Rights since its inception following the Oslo Accords in 1994. Mr. Al-Hilo emphasised the unique nature of the Commission as it continues to operate under an occupation; since its establishment, the Commission has monitored how legislation has been respected in Palestinian territories and how security agencies torture detainees in detention centres. The Commission also receives complaints regarding the performance of the duty bearers and cooperates with civil society entities as well.[54] However, Mr Al-Hilo stressed that an essential prerequisite for gender mainstreaming within NHRIs is independence and self-determination. Freedom, dignity and self-determination are crucial to achieve GESI goals. Mr Al-Hilo emphasised that the ICHR, in its role as a watchdog, monitors not only the workings of the government, but also its own performance, prompting the institute to adopt the Gender Audit mechanism. The audit revealed gaps in the expertise and knowledge of human rights defenders. Mr. Al-Hilo also underscored that a significant portion of training strategies and plans should focus on gender mainstreaming to fill these gaps. He also recommended the incorporation of participatory gender audits to gain a better understanding of the blind spots

54 'Our Mission', Palestine Independent Commission for Human Rights, accessed on December 19, 2024, https://www.ichr.ps/en.

within NHRIs by tapping into the experiences and expertise of women human rights defenders. He also spoke on incorporating an accountability measure to ensure that Commissioners and leadership within NHRIs are held to account and continue to further GESI within their institutes, including its plans and strategies.

> ***“Human rights defense is not a matter of politics, it is not a matter of geography, it is a matter of good-will.’***

Ms. Patricia Fernandez-Pacheco, the Country Representative of UN Women Nepal, was asked about the importance of the gender audit tool in gender mainstreaming within NHRIs. While acknowledging the aphorism that women's rights are human rights, Ms Fernandez-Pacheco discussed the challenges faced by UN Women in mainstreaming GESI not only in government institutions but also line ministries, the private sector, civil society, and even within the UN mechanism. She emphasised the importance of policy frameworks informed by quantitative and qualitative evidence as well as social perceptions. The other element that supports the implementation of GESI mainstreaming is the budget allocated to it, along with financial resources, for instance, the Gender Responsive Budgeting. The third element highlighted by Ms Fernandez-Pacheco was affirmative action, designed to increase the political participation of women and other minority groups. Such quotas have been successful in raising the number of women in decision-making roles within governments and also NHRIs. The final element highlighted was advocacy and challenging the stereotypes, which even affects women human rights defenders who are often targeted by such stereotypes in the course of their work.

> ***The perceptions are extremely important; we are talking about gender stereotypes and it's about this entrenched social norms that are so much there that very often times, unless we unpack them, unless we discuss them and unless we build from the perceptions of the staff.'also very, very essential when it comes to the workings of NHRIs.'***

Floor Discussion

A pertinent comment was made to the panellists by a human rights activist regarding the protection of female migrant workers, believing NHRIs to be the perfect vehicle for safeguarding the rights of female migrant workers. In this context, she inquired about the initiatives currently underway. The Hon'ble Faydah Maniri Dumpara, as a best practice, revealed signing memoranda of understanding with various countries and in recent times with Qatar.[55] While recognising the significance of the issue raised, Mr. Murari Prasad Kharel mused that this may not be the appropriate forum to address such an important issue.

Panel Summary The panel discussion on GESI mainstreaming in NHRIs emphasised the need to include gender and inclusion in all aspects of institutional practices, programmes and decision-making processes. The chair of the session, Ms. Bandana Rana, and other panellists pointed out the lack of women's representation in leadership and also the need for gender audits and inclusive hiring. Mr. Murari Prasad Kharel spoke about how Nepal has been using tools like GESI and disability audits to make their systems more inclusive. Panellists also emphasised the importance of having dedicated budgets, affirmative action, and strong internal accountability to truly make progress. The session wrapped up with a shared call for long-term, genuine commitment to GESI at every level.

55 Pia Gutierrez, 'News Philippines, Qatar ink 9 bilateral agreements', ABS-CBN, April 22, 2024, https://www.abs-cbn.com/news/2024/4/22/philippines-qatar-ink-9-bilateral-agreements-1352.

Panel Discussion on 'Integrating Gender Perspectives in Policy and Legislative Review by NHRIs'

NHRIs, as the lead human rights institutions, play a crucial role in reducing legal and structural inequalities by regularly reviewing domestic laws, policies, and administrative frameworks through the lens of human rights standards.[56] However, despite several decades of international commitments, the ability of NHRIs to act as watchdogs, advisers, and advocates is limited by their capacity to thoroughly review laws, especially in achieving gender equality.[57] The lack of national standardised protocols to undertake analysis, coupled with insufficient capacity to carry out gender impact assessments, and resistance from political actors, constrains the ability of the NHRIs across the region. In this regard, the panellists offered diverse national perspectives while discussing inclusion within legal and policy frameworks. The panel also highlighted the challenges common across the region that shackle their ability to make a more meaningful impact.

56 United Nations, *National Human Rights Institutions History, Principles, Roles and Responsibilities: History, Principles, Roles and Responsibilities* (New York and Geneva: United Nations, 2010).

57 James Gomez and Robin Ramcharan (eds.), *National Human Rights Institutions in Southeast Asia* (Springer, 2020).

Chair: *Justice Dr Anand Mohan Bhattarai*

Facilitator: *Mr Jerald Joseph*

Panellists: *Hon'ble Vijaya Bharathi Sayani, Hon'ble Hari Kurniawan, Hon'ble Maria Marilia X.C. de O. da Costa, Ms Erica Powell*

Dr. Anand Mohan Bhattarai, former Justice of the Supreme Court of Nepal, opened the discussion by defining pluralism as the integration of multiple narratives and perspectives necessary to host a democratic and inclusive society. He similarly iterated the importance of constitutional and legal mandates in fostering inclusion, echoing the sentiments of all the delegates before him. He further highlighted the critical role played by NHRIs through the spearheading of gender efforts. Referring to earlier discussions about pluralism and human rights, Justice Dr Bhattarai noted that these principles have successfully been integrated into Nepal's legal system. He also highlighted that the NHRCN has implemented a gender inclusion strategy, indicating that the country is ahead of the curve in key aspects.

Mr. Jerald Joseph noted that existing standards on GESI are inconsistently adopted and implemented by the states— diluting GESI efforts. He also took note of the fact that NHRIs often fall short of internalising discussions in the aftermath of international conferences. Mr. Joseph stressed the need for a society governed by strong, effective laws while cautioning that if the public is not actively advocating for the rights of women and girls, laws and policies will remain ineffective and silent on these issues.

> ***If the public is not crying or shouting for women's rights, gender inclusion, members of the Parliament will keep quiet, and Parliament will keep quiet.'***

The **Hon'ble Vijaya Bharathi Sayani,** Acting Chairperson of the National Human Rights Commission of India, stressed that society should be free from all forms of discrimination and exploitation, though she acknowledged this is not yet the case. She explained that the current is such that it undermines the SDGs, highlighting the deprivation of resources and access to essential services and the environment. Moreover, emphasis was placed on the critical role of NHRIs in reviewing laws and policies to identify gaps and make necessary modifications. She pointed out that from 2019 to 2022, labour force participation in India stood at 30 per cent, rising to 37 per cent in 2023, with the majority of women working in the informal sector. She did, however, recognise developments, such as an increase in women's military enlistment and in the defense industry.[58] She highlighted the role of NHRC leadership in promoting gender equality since its establishment in 1993 and underscored the institution's contribution in reviewing past laws and policies, including safeguarding sexual and reproductive health rights through the Domestic Violence Act of 2005. Additionally, she mentioned that NHRC India has established a dedicated board for women to address issues of critical relevance to them.

> ***Gender equality is not just about legally enforcing equal rights on paper; it is a matter of social justice and a matter of basic human rights.'***

58 Ministry of Statistics and Programme Implementation, Annual Report Periodic Labour Force Survey (PLFS) 2022-2023 (MoSPI, 2023), https://www.mospi.gov.in/sites/default/files/publication_reports/AR_PLFS_2022_23N.pdf.

The **Hon'ble Hari Kurniawan**, Commissioner of the Indonesian National Commission on Human Rights (Komnas HAM), explained that extending a permanent mandate to the Commission has played a crucial role in fostering a conducive environment and promotion of human rights. He highlighted the importance of this mandate, which allows the institution to undertake the task of promoting best practices, standards and norms, particularly those outlined in the CEDAW. He noted that CEDAW serves as a guideline for human rights defenders and policymakers alike. The Hon'ble Kurniawan further emphasised the Commission's dedication to fostering a human rights-based environment for all and is mandated to investigate human rights violations while monitoring compliance with international standards, including CEDAW. He further stressed the importance of applying an intersectional lens when integrating protective standards and urged the state to ratify relevant international standards to enhance protections for vulnerable populations.

> ***"The commission has issued recommendations to the government and the Parliament in response to complaints about gender equality.'***

The **Hon'ble Maria Marilia X.C. de O. da Costa,** Deputy Provedor/Ombudsman for Human Rights and Justice of Timor-Leste revealed that there are numerous laws and policies protecting women and their human rights, also noting that 62 out of 152 employees were women and that there is a quota for women in Timor Leste's Parliament, where 23 out of 55 members (32

per cent) are women.[59] She discussed strategies for addressing gender inequality, emphasising the positive role of NHRIs in monitoring legislation and making recommendations for gender equality. She highlighted the Supreme Court's judicial activism in reviewing laws—employing a human rights test to assess the legality and constitutionality of legislation. She emphasised the importance of raising awareness through programmes and technical training, particularly for military personnel, to familiarise them with human rights standards. Additionally, she discussed the development of strategies for amending existing legislation to better align with human rights principles.

> ***"Human rights cannot be achieved without guaranteeing that women and men have full and equal rights and opportunities.'***

Ms. Erica Powell, Acting Director of the Sex Discrimination Team, Australian Human Rights Commission, noted that gender violence, particularly intimate partner violence, remains endemic, acknowledging that women and non-binary individuals are at a heightened risk of rape and sexual assault. She particularly remarked that two in five women experience domestic and family violence[60] and that women are 33 per cent more likely than men to be hospitalised due to violence.[61] She further pointed out that one in three people experience workplace sexual harassment, with women, non-binary and queer individuals being disproportionately affected, primarily due to power imbalances, noting that only one in eight people would report

59 Inter-Parliamentary Union, 'Timor-Leste National Parliament: Data on Women', IPU, accessed on December 24, 2024, https://data.ipu.org/parliament/TL/TL-LC01/data-on-women/.

60 Australian Bureau of Statistics, 'Personal Safety Survey', ABS, accessed on December 24, 2024, https://www.abs.gov.au/statistics/people/crime-and-justice/personal-safety-australia/latest-release.

61 Australian Government, *Annual Status of Women Report Card* (Australia: Australian government, 2024), https://genderequality.gov.au/status-women-report-cards/2024-report-card.

workplace sexual harassment.[62] She stressed the need for legislative reform, advocating a shift from a reactive approach to proactive measures by employers with proportionate and flexible strategies. She additionally highlighted the use of best practices and ethical standards, especially in trauma-based research, and referenced a recent country-wide sexual harassment inquiry involving 10,000 participants across various sectors, which followed an economic model. The inquiry resulted in 55 recommendations to the government, all of which were accepted.[63]

She also mentioned her role as a focal point for the National Action Plan 1325 on women, peace and security, as well as for the National Action Plan on gender-based violence, which includes participation in a technical working group on human trafficking. However, she brought to focus several challenges, including funding limitations. She also pointed to ongoing issues of racism, transphobia, ableism and xenophobia. Looking ahead, she expressed a commitment to measuring the positive impact of these legislative changes.

Floor Discussion

During the floor discussion, a question was posed about the role of NHRIs in ensuring the right to education, as well as what the media's role should be in responsibly reporting on human rights. In response, the Hon'ble Maria Marilia X.C. de O. da Costa emphasised the close collaboration between NHRIs and the media, with media outlets amplifying the institution's work. Meanwhile, the Hon'ble Vijaya Bharathi Sayani highlighted that in India, the Commission conducts surprise visits to evaluate educational facilities and quality, making recommendations to the government. Another attendee enquired about how NHRIs are addressing emerging issues like paternity leave and mental health. To this, the Hon'ble Vijaya Bharathi Sayani from India remarked that India has enacted a Mental Health Act, including a range of rights aimed at advancing mental health. Moreover, Ms. Erica Powell noted that Australia has amended its maternity leave policy to encompass

62 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (Australia: AHRC, 2020).

63 Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces*.

miscarriage and paternity leave, while the Hon'ble Hari Kurniawan outlined that Indonesia offers training on a range of issues, including for persons with disabilities. Further, questions were raised about whether NHRI-issued recommendations are taken seriously by governments. Ms. Erical Powell acknowledged that while some recommendations are easily accepted and implemented, others face challenges born of societal and cultural norms. Finally, the discussion touched on attitudes toward recommendations made by UN treaty bodies and special rapporteurs. The Hon'ble Hari Kurniawan that their Commission works closely with rapporteurs to exert pressure on the government to take adequate and necessary steps.

Panel Summary The chair of the session, Dr. Anand Mohan Bhattarai, emphasised the importance of law and the Constitution in fostering inclusivity in Nepal, while acknowledging the pivotal role played by NHRI in achieving the same. The facilitator, Mr Jerald Joseph, expressed that without public advocacy for the rights of women and girls, the laws and policies formulated to protect them often fall short, pointing out the need to raise a voice for ensuring the rights of women. Likewise, the presenters from different nations, referencing their country-specific experiences and data, also discussed the Commission's commitment to complying with the legal provisions and international standards like CEDAW, reviewing the laws related to human rights and gender equality, and advocating for legislative reforms to prevent any violence inflicted upon vulnerable groups.

Human Rights Forum on 'Enhancing the External Works of NHRIs'

The external functions of NHRIs, including but not limited to conducting investigations, engaging in public education and advising governments, are essential to fulfilling their mandate.[64] However, globally, this function has come under scrutiny, particularly in the current context of shrinking civic space, backlash against gender rights, and rising authoritarianism. [65] Notably, effectively discharging external functions of these institutions requires meaningful stakeholder participation, particularly at the regional level and strong partnerships with grassroots civil society organisations. However, in many parts of the Asia-Pacific, NHRIs struggle with insufficient resources, political interference, and a lack of enforcement authority.[66] These factors can reduce public trust and crunch

64 ILGA World: Lucas Ramon Mendos, Kellyn Botha, Rafael Carrano Lelis, Enrique López de la Peña, Ilia Savelev, and Daron Tan, *State-Sponsored Homophobia 2020: Global Legislation Overview Update* (Geneva: ILGA, December 2020).

65 Jacqui True, 'The Political Economy of Violence against Women', *The Australian Feminist Law Journal* 32, (August 2012),

66 Sally Engle Merry, *Human Rights and Gender Violence: Translating International Law into Local Justice* (University of Chicago Press: 2005).

the ability of NHRIs to carry out their external work.[67] To that extent, this panel discussion focused on modalities of public engagement, improvements in data collection, and how NHRIs can strengthen their overall functions.

Chair:	*Hon'ble Mariyam Muna, President, Human Rights Commission of the Maldives*
Facilitator:	*Ms Binda Magar, Assistant Resident Representative, UNDP Nepal*
Panellists:	*Ms Won Young Hong, Hon'ble Alefina Vuki, Ms Rosa Toese-Siaosi, Ms Sonali Regmi*

The **Hon'ble Mariyam Muna**, the President of the Human Rights Commission of Maldives opened the session by stressing the importance of shedding light on the significance of NHRI inclusion efforts. She further emphasised the endemic nature of sexual violence in the Asia Pacific region, citing a study undertaken in six such countries where four out of every six men included in the study admitted to have sexually assaulted their partners.[68] The persistent stigma surrounding domestic and sexual violence need to be addressed by NHRIs through their advocacy work as well as the dissemination of information to raise awareness. She believed that it was important for NHRIs to be open with their internal and external stakeholders with regard to their work in an effort to maintain transparency in their efforts towards the elimination of gender discrimination. The Hon'ble Mariyam Muna also believed there was a need to evaluate whether support and resource mechanisms exist within NHRIs and, if so, whether they were adequate and robust. She emphasised

67 UNDP and APF, *Promoting and Protecting Human Rights in relation to Sexual Orientation, Gender Identity and Sex Characteristics: A Manual for National Human Rights Institutions* (UNDP: 2016).

68 Emma Fulu, Xian Warner, Stephanie Miedema, Rachel Jewkes, Tim Roselli and James Lang, *Why Do Some Men Use Violence Against Women and How Can We Prevent It? Summary Report of Quantitative Findings from the United Nations Multi-country Study on Men and Violence in Asia and the Pacific* (UNDP, UNFPA, UN Women and UNV, September 2013), https://www.undp.org/asia-pacific/publications/why-do-some-men-use-violence-against-women-and-how-can-we-prevent-it.

the need to include local, national and international partners to further the efforts to that end and called for the continuous engagement with partners, especially those within the UN mechanism, to ensure proper incorporation of treaty body recommendations.

The **Hon'ble Alefina Vuki**, Commissioner of the Fiji Human Rights and Anti-Discrimination Commission, discussed the demographics of Fiji's small island population and the genuine threat posed by climate change given the island country's geographical placement. She highlighted how statistics, and policy measures as a consequence, often fail to capture the queer community and safeguard LGBTQIA+ rights. She articulated the need for NHRIs to work in tandem with other internal and external institutions and organisations to effect long-term change. At the internal level, she highlighted the crucial need to allocate the right budget for NHRIs in order for them to perform effectively; she asserted that if the government fails to meet the requested amount, NHRIs would perform at a lower capacity. Effective leadership was seen as another crucial element for the functioning of NHRIs in addition to establishing external credibility and maintaining institutional independence. Sexual and gender-based violence remain rampant in Fiji, according to the Hon. Ms. Vuki, as two out of three women suffer physical and sexual violence;[69] the Fiji NHRI works with law enforcement to acquire restraining orders and is also planning to host a workshop on cyber-bullying, a growing concern in the country.

> ***"We as NHRIs cannot promote and protect human rights alone. We must have relationships and partnerships with others to support our efforts to advocate for the promotion and protection of human rights.'***

69 *Pacific Partnership to End Violence Against Women and Girls (Pacific Partnership: Fiji Country Summary* (Pacific Community, UN Women and Pacific Islands Forum Secretariat, 2013).

Ms. Won Young Hong, Country Representative of UNFPA Nepal, was asked how the impacts of NHRIs were assessed, including their strategic practices. Ms. Hong iterated the limited availability of financial and institutional resources that plague NHRIs in the region, especially in the aftermath of the COVID-19 pandemic. She asserted that the key to NHRI empowerment was independence and that NHRIs must be able to develop awareness to reflect internally. She lamented that human rights reporting caters nearly exclusively to experts and remains inaccessible to common people. To remedy this blind spot, she proposed the dissemination of publications and awareness materials in local languages. She also emphasised that most NHRIs do not have adequate resources to address GBV—especially with emerging technologies that make it more challenging—as well as the need to go beyond donor agencies and partners to build alliances with supporters who can bring their knowledge and expertise to advocate for human rights issues.

> ***"Every single human rights institution continues to struggle with adequate resources—human resources, institutional resources, financial resources—to be able to respond to the increasing range of human rights issue in the country.'***

Ms. Rosa Toese-Siaosi, Director of the Human Rights Unit, Ombudsman of Samoa, was asked to elaborate on the major challenges in Samoa and what types of policy gaps exist, especially those relating to gender imbalance. Ms Toese-Siaosi reiterated similar challenges as those facing Fiji—as described by the Hon'ble Alfina Vuki—and spoke about the threat of climate change. While Samoa has maintained a good ratification status, she

specified that problems relating to language inaccessibility persist alongside lack of enforcement powers and properly trained, qualified staff. She emphasised the compounding challenges of attaining sustainable development goals, climate change adaptation, as well as the proper evaluation of social issues surrounding marginalised communities, who remain at a disproportionate risk of human rights violations and their subsequent impacts.

Ms. Sonali Regmi, a gender expert, shared case studies from different countries to showcase policy interventions, strategies and plans that have been effective in enhancing the external works of NHRIs. First, she discussed the One-stop Crisis Management Centre (OCMC) mandate present in certain districts under Nepal's Ministry of Health and Population—an innovative mechanism which provides victims or survivors with access to healthcare, justice, and psychosocial services once they come forward.[70] While there is a good response mechanism in place, Ms. Regmi iterated that the unique feature of this programme is the provision of psychosocial counselling for the perpetrators as well to ensure that the root causes of the crisis are addressed so they don't repeat and to ensure the safety of survivors. A National Women Commission-led secretariat, which includes local NGOs and international partners as well as the NHRC Nepal, promotes sexual and reproductive rights of women, girls and minority groups, including women with disabilities and queer people. This secretariat supported the drafting and lobbying of SRH-related legislation as well as policies and practices. Lastly, Ms. Regmi also spoke on the Healing in Harmony Programme in Congo and Turkey which offers music therapy to survivors of sexual and gender-based violence and other traumas to help them overcome stress and empower them.[71]

70 Fry, D. and K. Padilla, 'Appendix B9. The Inclusion of Services for Children in the OneStop Crisis Management Centres (OCMCs) for Gender-Based Violence: The Case of Nepal', in *A gendered analysis of child protection (CP) systems responses in COVID-19 programming in South Asia* (Kathmandu: UNICEF, 2021), https://www.unicef.org/rosa/media/14131/file/Case%20Study%20%20Nepal%20%20The%20Inclusion%20of%20Services%20for%20Children%20in%20the%20OCMCs%20for%20GBV.pdf.

71 Make Music Matter. 'Healing in Harmony: Where We Work', date accessed on January 3, 2025, https://makemusicmatter.org/healing-in-harmony/.

Floor Discussion

During the floor discussion, the lack of an effective state mechanism working on the protection of human rights in the region was brought up. Ms Regmi recalled that while the South Asian Association for Regional Cooperation (SAARC) had started such a mechanism, which included NHRIs and international partners, it didn't last. She emphasised the need to utilise platforms like this conference to facilitate the creation of such an alliance. Another question regarding the rights of the queer community was posed to the Hon. Ms Vuki, who responded that queer people in Fiji have formed their own network to discuss the prejudice they face.[72] She iterated that although the Fiji Human Rights and Anti-Discrimination Commission recently addressed two cases relating to LGBTQIA+ rights, the lack of legal protections afforded to queer people, coupled with openly hostile public figure, makes it challenging.

A question regarding the investment of the UN organisation in ensuring the basic human rights of female migrant workers was posed to Ms Hong, the UNFPA Nepal Country Representative. Ms Hong reiterated the global nature of migration and migrant rights; she emphasised that climate change, economic crises, and educational opportunities continue to push migration. The floor also offered a question on how climate change is impacting countries like Fiji in terms of gender justice. The Hon. Ms. Vuki claimed that the Fiji Human Rights and Anti-Discrimination Commission, through the APF, was able to gauge issues faced by women due to climate change two years prior. While the commission found that sea level rise, along with access to water, remained significant problems, worryingly enough the Commission also found that certain villages had to be relocated.[73] While the Commission itself didn't have the funding to facilitate that, the Fiji government was called in to help.

At the end of the forum, the panlelists were called on to offer ways forward. Ms. Regmi called for the role of NHRIs in promoting accountability strategies and

72 'Fiji', Pacific LGBTQI Network, accessed on December 25, 2024, https://www.psgdn.org/fiji.

73 Mansi Chand, '42 villages identified to relocate due to climate change', Fijivillage, April 24, 2024, https://www.fijivillage.com/news/42-villages-identified-to-relocate-due-to-climate-change--x5rf48/.

moving ahead in terms of shared learning in the promotion of rights. The Hon. Ms. Vuki reiterated the need for South Pacific states to come together and highlighted that apart from Australia and New Zealand, only Fiji and Samoa have functioning NHRIs. Ms Hong, UNFPA Nepal Country Representative, advocated for the need to revisit and re-strategise NHRIs to help them function more effectively in the 21st century to cope with continuing and emerging issues. Furthermore, Ms. Toese-Siaosi called for NHRIs to not just remain a watchdog, but also enforce their mandate and take leadership in identifying, addressing, and ensuring consistent monitoring and assessment of human rights violations.

Panel Summary The panel discussed the critical role of NHRIs in addressing sexual violence and gender discrimination in the Asia Pacific region. Hon'ble Mariyam Muna, along with other panellists, stressed the need for NHRIs to be open with stakeholders and maintain transparency in their efforts. Challenges faced by NHRIs in Fiji on how statistics and policies often overlook the queer community and fail to protect LGBTQIA+ rights, were also highlighted in the session. The discussion looked closely at the broader institutional barriers, such as limited funding, weak internal leadership, and the lack of reflective practices within NHRIs. Ms. Rosa Toese-Siaosi brought attention to the issues in Samoa, including language inaccessibility, lack of enforcement of powers, and inadequate staff within NHRIs. Case studies from different countries that have effectively strengthened the external works of NHRIs were also discussed in the panel discussion.

Panel Discussion on 'The Role of NHRIs in Promoting Intersectionality in Asia Pacific Region'

According to the Office of the United Nations High Commissioner for Human Rights (OHCHR), intersectionality demands an understanding of how multiple systems of discrimination intersect to result in rights violations.[74] For NHRIs particularly, by adopting an intersectional approach, NHRIs can more effectively protect the most vulnerable groups, which they are arguably intended to serve. The CEDAW—a pioneering legal instrument in safeguarding women's rights—

74 Office of the United Nations High Commissioner for Human Rights (OHCHR), Guidance Note on Intersectionality (Geneva: United Nations, 2020), https://www.ohchr.org/Documents/Issues/Women/WRGS/Intersectionality/GuidanceNoteIntersectionality.pdf; CEDAW, *General Recommendation No. 25, on Article 4, Paragraph 1, of The Convention on the Elimination of All Forms of Discrimination Against Women, on Temporary Special Measures* (Convention on the Elimination of All Forms of Discrimination Against Women, 2004); UN Women and UNPRPD, 'Intersectionality Resource Guide and Toolkit, An Intersectional Approach to Leave No One Behind', (United Nations Women and United Nations Partnership on the Rights of Persons with Disabilities, 2021), https://www.unwomen.org/sites/default/files/2022-01/Intersectionality-resource-guide-and-toolkit-en.pdf.

also permits the use of special protective measures to address underlying intersectional inequalities.[75]

This is especially true in the Asia-Pacific region, where entrenched inequalities and rampant caste-based hierarchies make such an approach even more crucial. While many NHRIs acknowledge intersectionality, few have used it within their mandates. This is especially concerning, given that most countries in the region have adopted progressive laws. It has also been argued that without disaggregated data, cross-sectional analysis, and inclusive representation, intersectionality risks becoming a rhetorical tool.[76] To this effect, the panel discussed and examined how NHRIs can better address rights violations resulting from overlapping identities and also discussed challenges thereof.

Chair:	*Dr. Ram Krishna Timalsena, Former Chairperson, the National Inclusion Commission of Nepal*
Facilitator:	*Ms. Saloni Pradhan Singh, Former Member of National Planning Commission of Nepal*
Panellists:	*Hon'ble Md. Aminul Islam, Prof Geeta Pathak Sangroula, Mr Tek Tamata, Ms Ashwini K.P.*

Dr. Ram Krishna Timalsena, Former Chairperson of the National Inclusion Commission of Nepal, spoke of the need to tackle gender and other issues from an intersectional lens. He particularly called on UN mechanisms and NHRIs to cater to minorities with intersecting identities. He further highlighted Nepal's constitution's emphasis on biodiversity conservation and promoting international human rights standards. Dr. Timalsena then shed light on the significance of the Amman

75 CEDAW, *General Recommendation No. 25, on Article 4, Paragraph 1, of The Convention on the Elimination of All Forms of Discrimination Against Women, on Temporary Special Measures.*

76 Sally Engle Merry, *Human Rights and Gender Violence: Translating International Law into Local Justice* (University of Chicago Press, 2005).

Declaration in paving the way for a plural society. He concluded on the optimistic note that the role the Kathmandu Declaration may play in furthering NHRIs commitments to plurality.

Ms. Saloni Pradhan Singh, former Member of the National Planning Commission, Nepal, acting as the Facilitator, posed some important questions to the panellists, namely: Why is it important to recognise the concept of intersectionality, given the commonalities in culture and other factors? How are NHRIs in the Asia-Pacific region effectively integrating this into their work?

Prof. Geeta Pathak Sangroula, faculty at Kathmandu School of Law, approached the issue of intersectionality by sharing the immediate need to overcome the often-colonial gaze that accompanies. In doing so, she highlighted the importance of accommodating plural identities rather than encouraging assimilation. She left the audience members with a question of paramount value: whether to adopt the general definition of intersectionality or develop a context-specific understanding of it. She recommended compiling a comprehensive report on the recommendations made by UN mechanisms over the years to assist with human rights progress tracking.

Mr. Tek Tamata, Portfolio Manager for UNDP Nepal, commended the significant expansion of NHRIs' mandates, noting their increased role in investigating human rights violations and responding as needed. However, he spoke to the urgent need to revamp their 'business model' to ensure effective intervention. According to Mr. Tamata, an anti-discrimination strategy should be adopted by government agencies rather than confining themselves to a specific ministry's mandate. He further emphasised the need for perception surveys as crucial to

lending legitimacy to NHRI-led activities, along with developing partnership networks and learning documents in spotlighting best practices. In this specific context, he advocated for a robust mechanism for data collection and analysis, alongside periodic situational assessments to identify pressing issues. Moreover, he appealed that states implement punitive laws while simultaneously ensuring affirmative actions cover marginalised and minority groups. While highlighting the responsibility NHRIs bear in creating a conducive environment for participation and representation, he emphasised the continued role UN mechanisms have played in fostering intersectionality. Amid a somewhat hostile climate characterised by limited government support, he urged NHRIs to lead the charge in becoming a catalyst for change, exemplified by initiatives such as the 'Stop with Me' campaign,[77] which tried combating latent racism and discrimination.

> ***"Data in Nepal has neither been used for policy reform not implementation. Data has to be part of your law and policy reforms. You should have robust data collection mechanism to continually collect data.'***

Meanwhile, **Ms. Ashwini K.P.**, Special Rapporteur on Contemporary Forms of Racism, in addressing the cohort, that across the region, cultural diversity is prominent, with those at the intersection of caste, ethnicity and gender facing the highest risks. She identified that while Nepal and Pakistan's constitutions recognise the heterogeneity in

77 Australian Human Rights Commission. 'Racism. It Stops with Me', accessed on December 18, 2025, https://itstopswithme.humanrights.gov.au/about-the-campaign.

the region, caste still significantly stratifies society.[78] In fact, despite progressive legislation being enacted, she acknowledged the persistent challenges in implementation, alongside resistance in breaking caste barriers. Reports on various issues, including online hate—which disproportionately impacts those with a minority background—were highlighted. She pointed out that although UN recommendations are not legally binding, they play a crucial role in engaging governments *vis-a-vis* their human rights commitments. Further, Ms K.P. observed that women and minorities often lack substantive representation in decision-making positions. She also stressed the importance of NHRIs' advisory and advocacy roles, particularly in monitoring government activities. NHRIs, she remarked, have been instrumental in initiating legal reforms, though she acknowledged that attempts at incorporating intersectionality can provoke resistance—citing affirmative action for Dalits as an example. She elaborated that affirmative action for women, meanwhile, has come to be widely accepted. She concluded by praising the positive and significant role played by NHRIs, while also encouraging them to keep strengthening their engagement with UN agencies—particularly when States are reluctant to reach out.

> ***"There are limitations and challenges when it comes to a lot of recommendations as they are not binding. As such, NHRIs can play a pivotal role in engaging with government to create that space to incorporate recommendations.'***

Jesmin Sultana, the Assistant Director of the National Human Rights Commission, Bangladesh, revealed that the NHRC Bangladesh was established through an ordinance in 2009 to guarantee the human rights of individuals and has since reviewed its mandate and strategy to create a gender-friendly environment for the full realisation

78 The Constitution of The Islamic Republic of Pakistan, 1973.

of these rights.[79] Its intervention areas, as outlined by her, include gender-based violence, child marriage and domestic violence, where it makes recommendations on relevant matters. Moreover, she highlighted that the NHRC has conducted a national inquiry into rape and the challenges faced by survivors, as well as a year-long investigation into the underlying causes of rape and gender-based violence. This, she pointed out, has facilitated the passage of key legislation, including laws on sexual harassment, anti-discrimination and domestic violence.

Floor Discussion

A member from the floor raised a question about affirmative action: Should a marginalised individual be eligible for a single instance of reservation? Special Rapporteur Ashwini K.P. responded by emphasising that despite socio-economic advancements, those with intersecting identities of caste, indignity and ethnicity remain vulnerable to discrimination. Often, nominal individuals with a minority background are able to access quota. As such, to her, a more important concern should be eliminating caste-based and other forms of discrimination. Meanwhile, speaking to the legal aspects, Prof. Geeta Pathak Sangroula discussed the objective rationale behind implementing quotas, referring to CEDAW's interpretation—through its General Recommendation 25—of affirmative action's status as a 'temporary protective measure'. She went on to highlight the need for quotas as a way of compensatory justice rather than being a government handout. Mr Tek Tamata concluded the discussion by stating that quotas in Nepal are unconditional and a fundamental right. Rounding up the conversation was Dr. Ram Krishna Timalsena, who referred to the need to situate gender justice within the context of the Global South and appreciated all the panellists for shedding light on the issue of intersectionality.

Panel Summary The panel session stressed the need for NHRIs to adopt the intersectional approaches that recognise the overlapping realities of caste, gender, and ethnicity in the Asia Pacific region. The panellists also discussed the importance of UN mechanisms and NHRIs catering to minorities with intersecting identities. With panellists emphasising the importance of plural identities rather than encouraging assimilation, one of the panellists, Dr. Ram Krishna Timalsena,

79 An Act to Establish Act National Human Rights Commission (No. 53), 2009.

shed light on the instrumental role of the Amman Declaration in making way for the plural society. Data systems, perception surveys, and broader anti-discrimination strategies were recognised as some key tools to enhance NHRI legitimacy and impact. Though the legal reforms have been made across the region, the challenges in their implementation still exist, especially impacting communities facing structural and caste-based discrimination. The discussion ended with a call to reframe affirmative action as compensatory justice and to strengthen collaboration with the UN mechanism to enhance the intersectional human rights work.

Panel Discussion on 'Climate Change and Gender Justice'

The intersection of climate change and gender justice is an urgent concern in human rights advocacy.[80] Research shows that climate change exacerbates existing gender inequalities, disproportionately impacting women, girls, and marginalised communities through heightened risks of poverty, displacement, and violence.[81] Yet consistently, gender and women's perspectives are often missing from climate policy and disaster risk reduction agendas across the region.[82] Oftentimes, the issues lead back to a lack of gender-sensitive frameworks and the underrepresentation of women in climate decision-making. Existing standards and literature call for integrating gender analysis into climate adaptation and mitigation strategies, recognising women as agents of change.[83] This panel

80 [74] United Nations, *The Paris Agreement* (United Nations, Accessed on June 27, 2025).

81 UN Women, Feminist Climate Justice: A Framework for Action (UN Women, 2023).

82 FAO, The Unjust Climate– Measuring the Impacts of Climate Change on Rural Poor, Women and Youth (Food and Agriculture Organization, 2024).

83 Geraldine Terry, 'No Climate Justice without Gender Justice: An Overview of the Issues', *Gender & Development* 17, no. no. 1 (2009): 5–18.

sought to identify pathways for NHRIs in advocating for human and women's rights within the context of climate change, promoting inclusive policies, and ensuring that measures adopted address the specific vulnerabilities of women and minority groups.

Chair: *Hon'ble Professor Dr Surya Dhungel, Commissioner, NHRC Nepal*
Facilitator: *Mr Bhusan Tuladhar, Chief of Party, USAID Clean Air, FHI 360*
Panellists: *Ms Srijana Shrestha, Hon'ble Putu Elvina, Hon'ble Aminath Shifaath Abdul Razzaq*

The **Hon'ble Professor Dr. Surya Dhungel**, Commissioner of NHRC Nepal, opened the panel discussion by positing that due to the persistent nature of climate change as well as women's rights issues, there must be a two-way focus on combating the impacts of climate change on women and girls—a role that NHRIs must assume. While underscoring the extant international instruments and the commitments of countries, the Chair called attention to how far those commitments had been realised. While the UN framework and the Paris Agreement offer concerned countries with tangible paths to addressing their climate concerns, for instance, through the Nationally Determined Contributions (NDCs), the Chair emphasised the need for countries to develop national strategies. Nepal, despite having updated laws and the participation of marginalised groups, struggles, witthe h effective implementation and enforcement of said laws. The Chair also requested the panellists to provide the audience with takeaways on how NHRIs could jointly move forward and address the issues of climate change and gender justice.

Mr. Bhusan Tuladhar, Chief of Party, USAID Clean Air, FHI 360, reiterated that while climate change is a global issue, its impacts are more acutely felt in developing countries, which experience them in different sectors and geographical areas. He emphasised that despite disasters being a common occurrence in Nepal, the country remains ill-prepared, and consequently, many people lose their

lives, particularly women, children, and marginalised communities, due to the low adaptive capacity of the population. Illustrating that the disproportionate impacts of climate change are felt in other countries as well, Mr. Tuladhar spoke of the occurrence of cyclones in Bangladesh in the 1990s, which mostly impacted women; these women were often displaced, putting them at greater risk of sexual violence. However, Mr. Tuladhar disagreed with the conventional framing, which paints women as perpetual victims and argued that women are leaders of climate action. He highlighted that the architect of the Paris Agreement, who also served as the chief of the UNFCCC at the time, was a woman. On the CSO front, Mr. Tuladhar emphasised that a young woman, Greta Thunberg, has been able to inspire millions around the world to call for their governments to take worthwhile climate action. He further highlighted that the migration of men for labour opportunities in foreign countries has also led women to take charge when it comes to addressing water shortages by adopting rainwater harvesting and water conservation methods, including using fertilisers that help retain water in the soil.

The **Hon'ble Putu Elvina,** Commissioner of the Indonesian National Commission on Human Rights (Komnas HAM), discussed the particular climate vulnerabilities of Indonesia and emphasised the comparatively higher risk that women and girls are subject to. The poorest women, often marginalised and from rural parts of the country, depend on climate sensitive sectors like agriculture, forestry, plantations and aquaculture for their livelihoods. The Hon'ble Putu Elvina elaborated that the consequences of climate change thus disproportionately impact women through loss of livelihoods, food insecurity and disruptions to access to clean water. She highlighted that gender inequality, which creates disparities born of social and cultural beliefs, often translates to lower survival

rates for women in the event of disasters. Although the Indonesian government hasn't adopted compensation mechanisms in the context of climate change, it has introduced a national action plan titled 'Climate Change Adaptation 2014' and is making every effort to promote climate resilience and investigate human rights violations *vis a vis* the climate crisis.[84] She also referenced one such climate-related human rights case which appeared before the courts as an amicus curiae case. She also emphasised the role of NHRIs in reviewing national inquiries, and although the progress of Komnas HAM has been slow, it is promising, with the institution collaborating with the Indonesian Ministry of Environment and Forestry to accelerate the adoption and implementation of climate adaptation measures. The Hon'ble Putu Elvina also recommended incorporating policy socialisation to raise public awareness, introducing a policy centring the importance of the role and participation of women in energy transition, increasing the involvement of various stakeholders, advocating for the implementation of existing policies and holding powerful lobbies and political figures responsible for the exploitation and people's limited access to resources to account.

> ***"Women and girls are more vulnerable to the impacts of climate change, especially since they are part of the world's poorest, and their livelihood is dependent on natural resources.'***

The **Hon'ble Aminath Shifaath Abdul Razzaq,** Commissioner of the Human Rights Commission of the Maldives, reiterated the climate vulnerability of Maldives which continues to push residents to migrate from the other 800 islands to the Greater Male region. She explained that with some low-lying lands only one metre above sea level, rising temperatures are causing beach erosion and sea surges. which pose a major threat to people, leading those living

84 'Republic of Indonesia National Action Plan for Climate Change Adaptation', Ministry of National Development Planning.

in beach settlements to struggle with water salinisation and eventually relocate. The Hon'ble Ms Razzaq also discussed the impacts of infrastructure development on coral reefs, with many processes involved in construction leading to bleaching of reefs and pollution. Although Maldives has limited mineral reserves and wetlands, they are essential for the ecosystem and to sustain the livelihoods of many, especially women. Women and children were also often forcibly displaced to other islands due to climate impacts. The Hon'ble Ms Razzaq asserted that most people, including human rights experts and advocates, are hardwired to think that human rights violations must mean there is a direct human perpetrator; she believes that NHRIs need to change their perspective when it comes to climate change-induced human rights violations. The Maldivian NHRI is currently focused on monitoring such violations on a systemic level, looking into the legislative and policy frameworks to ascertain gaps and ways to strengthen them. She concluded that it was essential to integrate a gender-sensitive response when addressing climate change and that the Maldivian NHRI is working with the UNDP and other UN agencies to empower and educate people on climate change to build resilient communities by providing social protections to promote climate resilient behaviours such as cash incentives and social benefits.

> ***"We as a nation also need to strengthen our legislative and policy framework to address loss and damages.'***

Ms. Srijana Shrestha, Under Secretary for the President Chure-Conservation Program, was asked to discuss the current status of the Chure region, especially with regard to women and children. Ms. Shrestha re-emphasised the differential climate impacts experienced by women and girls, as iterated by her fellow panellists. Climate-induced changes in rainfall patterns, which lead to water shortage,es ultimately affect women and girls; the loss of biodiversity and meeting energy needs also often have gendered impacts. Speaking specifically on the Chure region, Ms. Shrestha

discussed the importance of the Chure-Bhawar zone on rainfall as it contributes to recharging water sources. As such, the NHRI is managing wetlands, protecting river banks and implementing plantation programmes. In the aftermath of disaster events, including in the Chure region, the risk of women and girls being subjected to GBV is much higher. Ms. Shrestha concluded that although work is being done in the region, many of these strategies have not been integrated into national plans; furthermore, she asserted that situational and historical vulnerabilities need to be taken into account when developing policies and implementing action plans.

Floor Discussion

The floor discussion raised a question on the need for regional NHRI mechanisms to tackle the issue of climate change and climate justice, and whether the participating NHRIs would be interested in collaborating on such a proposal. The Hon. Ms. Elvina agreed and called for a meeting to further discuss such a regional mechanism; moreover, the Hon. Ms. Razzaq while expressing her agreement with the same believed it would be a significant and impactful way forward. She iterated that as Maldives is a member of GANHRI, the country is aware of the benefits of working together and believes such partnerships can organise regional events and sensitisation forums. She also expressed her belief that such a regional mechanism in the Asia Pacific region would be effective, primarily for small island nations.

Another question called on the panelists and the audience to focus on the positive role that women have been able to play in relation to climate action. The Hon. Ms Elvina believed that there was a need to empower women and girls, particularly in the aftermath of climate disasters and other impacts; NHRIs should focus on developing strategies to help them and ensure that regulations are being implemented to mitigate the vulnerability of women and girls. The Hon. Ms Razzaq agreed that women aren't just victims and they need to be at the forefront of climate action. She believed that social protections, which only focus on existing social disparities currently, need to be reformulated so that climate impacts can be addressed through them.

The floor also raised a question regarding whether the responsibility of settling climate-related disputes falls on governments or on NHRIs. The Hon. Ms Elvina asserted that the Komnas HAM in Indonesia has managed to register climate-related complaints and address them; the institution has also issued letters of protection for those impacted and afforded them the title of human rights defender. The Hon. Ms Razzaq responded that the Maldives NHRI has been able to participate in national-level planning, including the drafting of legislation, and called for renewed and increased focus on climate resilience. Lastly, Mr. Tuladhar, the panel facilitator, asked the panellists to offer suggestions on steps NHRIs need to take to ensure climate action and gender justice. The Hon. Ms Elvina emphasised the need to network and the importance of collaboration to mitigate and adapt to climate impacts. The Hon. Ms Razzaq posited that women and girls have often been excluded from the conversation on climate change, with a vast majority of people believing that women have no significant participation in relation to policy-making, legislation, and planning. She reiterated that gender-centric planning is impossible without the direct participation of women. Although climate change continues to be regarded as a separate policy concern from human rights, the work of NHRIs must focus on clarifying that climate change is a part of human rights.

Panel Summary In this panel, several presenters drew attention to the fact that vulnerable groups, particularly women, suffer the most dire consequences of climate change, due to the effects of shortages of food and clean water, displacements and increased gender-based violence. The chair of the session, Dr. Surya Dhungel, urged the NHRIs to develop strategies to tackle the issues of climate change, ensuring its impact on women and girls is mitigated. One of the presenters, Mr. Bhusan Tuladhar, emphasised that the lack of a disaster preparedness mechanism in Nepal has resulted in vulnerable groups losing their lives due to climate change-induced disasters, while also noting that women are the leaders of climate action. For minimising the impact of such catastrophic incidents, the presenters have recommended a more proactive approach, such as advocating for policy awareness, incorporating different stakeholders of the society in policy formulation, developing national strategies, addressing issues of climate change from the lens of gender perspectives, and educating the public to mitigate vulnerabilities to climate change, among many.

Closing Ceremony and Adoption of Kathmandu Declaration and Plan of Action

Adoption of the Kathmandu Declaration

The final session commenced with an overview of the Kathmandu Declaration that, among other things, positions gender diverse people's rights as human rights and recognises significant barriers that exist, including systemic discrimination, violence and a lack of access to justice for marginalised groups. The document also highlights the disproportionate impact of crises like climate change and humanitarian emergencies on these communities and underscores the urgent need for quality data collection and a review of policies to promote gender inclusion and safeguard the rights of all. Most notably, the document calls to action NHRIs, governments and stakeholders to take urgent steps for gender equity—particularly in ensuring diversity in representation, accountability for human rights violations and adopting a gender-transformative approach in all aspects of functioning.

During discussions, a few countries raised concerns about certain provisions of the Kathmandu Declaration. The discussion concluded with an agreement between delegates to inform NHRC Nepal of these reservations in the coming days, after which it will be sent to the APF for authentication.

Closing Ceremony

During the closing ceremony, many delegates expressed their gratitude to NHRC Nepal for rallying and organising around the issue of gender mainstreaming within NHRIs. The **Hon'ble Pravesh Sharma** began his remark by once again highlighting challenges that NHRIs court in mainstreaming GESI concerns. He pointed out that in the Asia-Pacific region, only four States have established an NHRI, which is concerning. In this context, he also made an appeal to the attending NHRIs to headline this cause; as an example, he also lauded Nepal and some other States' for integrating gender and intersectionality considerations within their legal apparatus. Moreover, he commended the Hon'ble Dr. Lily Thapa's organisation for its significant role in advancing women's rights. Despite some misgivings, he concluded on an optimistic note, reiterating commitment to regular reporting and advocacy. Meanwhile, Hon'ble Prof. Rashid Hamad Humaid Albalushi, Chairman, Oman Human Rights Commission emphasised the critical importance of addressing climate change and the urgent need for action. Hon'ble Dr. Lina Shabeeb, too, revealed finding the panel on climate change and women's rights particularly insightful.

The event also saw in attendance the **Hon'ble Deputy Prime Minister of Nepal Prakash Man Singh**, who extended warm regards to the international delegates and appreciated the valuable exchange of best practices among NHRIs in the conference. Most notably, he highlighted how this conference has demonstrated the importance of such gatherings in discussing structural and systemic barriers to achieving gender equality. He then proceeded to highlight Nepal's own GESI efforts, particularly the legal guarantee of a 33 per cent electoral quota for women's representation within the parliament,[85] which he identified as one good practice that the international community could imbibe. He also spoke to the NHRIs critical role as oversight mechanisms in holding governments accountable. In concluding, he once again affirmed Nepal's unwavering commitment to gender

85 The Constitution of Nepal, 2015; House of Representatives Act, 2017.

justice and awareness and committed to pooling resources to ensure support for NHRI-led activities.

Mr Johnny White, meanwhile, stressed that GESI efforts require more actionable outcomes, and called on NHRIs to introspect and charge down on gender inequality. As the Secretariat, he committed to taking immediate action in ensuring that undertaken efforts are in congruence with the Paris Principles. Ms. Faishoa Aishath echoed similar sentiments and assured the Asia Pacific Forum's commitment to support NHRIs in their journey to gender equality. Special Rapporteur Ashwini K.P. brought focus back to gender justice within the legal framework and urged NHRIs to play a proactive role to pursue gender equality. Like others before her, she too urged NHRIs to turn their commitments into action. In the end, she expressed deep appreciation for Hon'ble Dr Lily Thapa's dedication to her work.

In winding up, the **Hon'ble Top Bahadur Magar** reflected on the 'transformative nature' of the past three days that had thought-provoking discussions on a wide array of issues. He expressed being specially taken with discussions surrounding how better to integrate gender perspectives in the work of NHRIs and conversations around the implementation status of the Amman Declaration. Once again, he expressed commitment to addressing emerging and contemporary issues in furthering an inclusive society. He additionally expressed excitement about the adoption of the Kathmandu Declaration that he termed to be a powerful call for action. Chairperson Magar declared the Conference to be a resounding success and thanked delegates for their active engagement. Civil society partners were also thanked for lending their expertise in steering the conversation in the right direction. Finally, he drew the attendee's attention to the upcoming Climate Change and Human Rights Conference, being planned for 2025.

Panel Summary The Kathmandu Declaration was adopted at the closing session, as a document to position gender diverse people's rights as human rights and address significant barriers such as systemic discrimination, violence, and lack of access to justice for marginalised groups. It urges immediate action to advance gender equity by ensuring the representation of diverse voices, holding rights violators accountable, and embedding a gender-sensitive approach across all areas of work. During the closing ceremony, panellists expressed gratitude to NHRC Nepal for organising the issue of gender mainstreaming within NHRIs, emphasising the challenges faced by NHRIs in mainstreaming GESI concerns. Hon'ble Prakash Man Singh highlighted the importance of discussing structural and systemic barriers to achieving gender equality. He emphasised Nepal's own GESI efforts, such as the legal guarantee of a 33 per cent electoral quota for women's representation within the Parliament. Various NHRIs, including Mr. Johnny White, Ms. Faishoa Aishath, Special Rapporteur Ashwini K.P., and Dr. Lily Thapa, urged NHRIs to take action and turn their commitments into action. The conference concluded with the Hon'ble Top Bahadur Magar expressing commitment to addressing emerging and contemporary issues in furthering an inclusive society and announcing the adoption of the Kathmandu Declaration as a powerful call for action.

Conclusion

The International Conference on Gender Inclusion within NHRIs was held in Kathmandu from 3 to 5 September 2024. It brought together 20 NHRIs from across the Asia-Pacific region, not only to exchange best practices, but also to identify progress and challenges related to mainstreaming GESI within the internal and external workings of NHRIs. Throughout the three-day programme, participants engaged in a wide range of panel discussions, keynote addresses, technical presentations, and interactive forums that collectively underscored the urgent need to institutionalise gender-sensitive approaches across all facets of NHRI work—internally and externally. Particular emphasis was placed on pluralism in NHRI governance, the implementation status of the Amman Declaration, the role of intersectionality, and the gender dimensions of climate justice. The significance of internal mechanisms, such as GESI audits, inclusive hiring, and gender-responsive budgeting, was also acknowledged as central to strengthening institutional accountability.

The most important outcome of the conference was the unanimous adoption of the Kathmandu Declaration on Gender Inclusion in NHRIs. Conceived and introduced as a forward and action-oriented document, it is a testament to regional collaboration. Authenticated by the Asia Pacific Forum, the Declaration reaffirms the commitments of NHRIs to eliminate all forms of discrimination and marginalisation, promote intersectionality, and ensure the participation of women and queer persons in leadership and decision-making roles. It also provides concrete recommendations targeting institutional reform, legislative advocacy, and engagement with civil society and international partners.

The conference reinforced the transformative role of NHRIs as independent human rights entities entirely capable of responding to emerging global challenges such as climate change and conflict. As the discussions revealed, the journey toward gender-inclusive human rights systems is littered with complexities and is ongoing. It can only be achieved through collaboration, political will, and strategic investment of resources. The conference's achievements are not only a roadmap for future action but also a collective call to translate into shared practice the commitment to gender equality, human dignity, and social justice.

Annex 1: Conference Secretariat

National Human Rights Commission, Nepal

Name	Designation
Hon'ble Dr. Lily Thapa	Conference Convener
Murari Prasad Kharel	Secretary
Nava Raj Sapkota	Joint Secretary, Promotion Department
Nitu Gartaula	Joint Secretary
Subodh Pokharel	Under Secretary, Administration Division
Kamal Thapa Chhetri	Under Secretary, International Relations Division
Ramesh Thapa	Under Secretary, Legal Affairs Division
Anish Kumar Poudel	Under Secretary, Project Management Division
Regam Maharjan	Human Rights Officer, Gender Equality and Social Inclusion Division
Krishna Narayan Shrestha	Account Officer
Khimananda Bashyal	Human Rights Officer, Treaty Monitoring Division
Sagar Shrestha	Human Rights Officer, Administration Division
Rajendra Neupane	Human Rights Officer, Administration Division
Durga Pokharel	Human Rights Officer, Media and Publication
Rabita Twati	IT Officer, IT Division
Anij Pariyar	Human Rights Officer, Secretariat of Commissioner
Ashna Koirala	Human Rights Officer, International Relations Division
Saniksha Bade	Human Rights Officer, Gender Equality and Social Inclusion Division
Barsha Kumari Jha	Human Rights Officer, Gender Equality and Social Inclusion Division
Sarada Bhandari	Administration Officer
Deg Raj Bhattarai	Assistant First, Secretariat of the Secretary
Saman Manandhar	Assistant First, IT Division
Prashant Dahal	Assistant First, IT Division

Annex 2: The Kathmandu Declaration

Kathmandu Declaration on
Gender Inclusion in National Human Rights Institutions (NHRIs)

Adopted at International Conference on Gender Inclusion in NHRIs held on September 3-5, 2024 at Kathmandu (Nepal)

Acknowledging the initiation taken by the National Human Rights Commission of Nepal (NHRCN) in collaboration with the Asia Pacific Forum of National Human Rights Institutions (APF) and UN Agencies, we, the participants at the International Conference on Gender Inclusion in NHRIs, which includes representatives of NHRIs from 19 countries from the Asia Pacific Region, and members of national, regional, international organizations, and United Nations (UN) agencies, have gathered in Kathmandu, Nepal, on September 3-5, 2024, to discuss the importance of inclusion of gender equality and its intersectionality in the internal and external works of NHRIs, addressing systemic barriers, and to make rights of women and gender diverse people a priority in the face of emerging issues, that may be implemented, nationally, regionally, and globally.

Reaffirming the crucial role of NHRIs in safeguarding and promoting human rights at the national and international levels, and their specific efforts in strengthening gender equality commitments in its institutional structure and operation, in compliance with the Principles relating to the Status of National Institutions (Paris Principles), and the General Observation of the Sub-Committee on Accreditation (SCA), particularly No. 1.7 on ensuring pluralism of the NHRIs, and the Amman Declaration and Programme of Action adopted at the 11th International Conference of the Global Alliance of NHRIs (GANHRI) in 2012.

Reaffirming the obligations and commitments under charter-based mechanisms and treaty based mechanisms, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of the Child (CRC), the Convention on the Rights of Persons with Disabilities (CRPD), the Rome Statute on the International Criminal Court (ICC), and the United Nations Framework Convention on Climate Change (UNFCC), and other regional and international treaties.

Reaffirming the commitments and consensus generated gradually towards gender equality through evolving discourses in various global platforms and their consensus documents including the Sustainable Development Goals (SDGs), specifically its goals 5 on Gender Equality and 13 on Climate Action, the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights, the Programme of Action adopted at the International Conference on Population and Development (ICPD), and the Beijing Platform for Action (BPFA) adopted at the Fourth World Conference on Women.

Reiterating the determination and commitment of NHRIs from the region to progressing gender equality and inclusion, asserting that "women and gender diverse peoples" rights are human rights, and to enhance human rights standards, it is a critical aspect of our work to mainstream gender and safeguard equitable representation, and meaningful participation of all genders.

Recognizing that despite the steps taken by NHRIs from the region to ensure gender balance and to remove barriers to access legal recourse and remedies for violations of women and gender diverse peoples' human rights, across the region they continue to experience violations in diverse forms, including but not limited to violence, discrimination and the harmful traditional practices, and thereby governments have to emphasize more on ensuring adequate protection and promotion of gender equality in their normative frameworks, its effective delivery in practice and to build progressive and resilient inclusive communities.

Recognizing that gender inequality and gender-based discrimination is pervasive and entrenched in all societies across the world that requires persistent, robust, proactive and sustained interventions, including from the NHRIs and range of stakeholders, to effectively promote gender mainstreaming, and safeguard the human rights of a gender pluralistic society, that promotes the principle of substantive gender equality and addresses the barriers they faced in all aspects of their lives, including in the evolving context of artificial intelligence and digitalization, economic crisis, and unpredictable impact of climate change, humanitarian crisis and public health emergencies.

Recognizing the intersectionality and the specific vulnerability of persons with disabilities, women, sexual and gender minorities, indigenous and other

marginalized communities, and people facing the adverse impact of humanitarian and conflict crisis that undermine human rights; and the urgent need to intensify efforts to stop gender-based discrimination including on the basis of marital status, gender stereotypes and biases, and its vicious consequences, such as sexual and gender-based violence (SGBV), denial and or lack of access to reproductive services and choices, unpaid care work, exploitation and abuse, lack of access to justice, and gender issues existing within the places of deprivation of liberty.

Acknowledging the implementation of the "pluralism" requirements of the Paris Principles and General Observations of the Sub-Committee on Accreditation that provides guidance for NHRIs on the performance of their mandate in relation to gender, and progressive efforts made so far through its recommendations and comments to ensure the diversified representation in the operation and institutional structure of NHRIs.

Acknowledging the implementation of CEDAW General Recommendation No. 37 that focuses on the impacts of climate change and disasters on women's human rights, and requires to take effective measures to prevent, mitigate and respond to disasters and climate change and, in this context, to ensure that the human rights of women and gender diverse peoples are respected, protected and fulfilled.

Noting with great concern that the systemic discrimination at the normative levels and in actions in all aspects of the society, including the structure and operation of NHRIs, the backlash against gender justice, and shrinking spaces for human rights discourses, that undermine freedom of choices, as well as the security and or protection of human rights defenders (HRDs) committed for gender equality and inclusion, requires firm actions to retain the gains made so far in the human rights arena, and to ensure State accountability towards human rights violations of women and gender diverse peoples.

To achieve our joint goals and shared vision for gender equality in all aspects demand all to take bold, intentional and meaningful steps, including institutionalizing intersectional gender lens throughout the composition of NHRIs, its institutional structure, operation and culture;

We, unanimously call on all NHRIs, respective governments, UN agencies, private sectors, and the relevant stakeholders from the Asia Pacific region to respect, protect and fulfill the human rights of all genders by taking the following urgent actions:

- Ensure pluralistic and equitable representation, and meaningful participation of all genders within NHRIs', at all levels of operations and functions.
- Promote accountability for human rights violations, and ensure the integration of gender transformative approach in all NHRIs' mandated functions.
- Promote gender justice by taking specific actions and allocate resources aimed at achieving gender equality and inclusion, including to accommodate the impact of climate change, and or other current and evolving crisis.
- Review domestic legislations to provide policy guidance from gender perspective in compliance with international human rights standards.
- Periodically review NHRIs' internal policies, plans, culture and practices from gender perspective in compliance with international human rights standards to ensure NHRIs as gender inclusive human rights mechanism.
- Adopt right-based approach to data collection for ensuring systematic compilation of disaggregated data, documentation and dissemination of NHRIs' interventions on gender and gender diverse people.
- Ensure effective implementation of recommendations related to gender and gender diverse people made by Sub-Committee on Accreditation (SCA), Charter-based and Treaty-based mechanisms.
- Establish functional coordinating mechanism across NHRIs of Asia Pacific region to collectively raise the common issues of human rights violations related to women and gender diverse people.
- Periodically review on the implementation of this and all other gender inclusive related Declarations.

We unanimously adopt this Kathmandu Declaration on Gender Inclusion in National Human Rights Institutions (NHRIs) on September 5, 2024 in Nepal.

List of participating NHRIs from Asia Pacific region:

1. Australian Human Rights Commission
2. National Human Rights Commission of Bangladesh
3. Fiji Human Rights and Anti-Discrimination Commission
4. National Human Rights Commission of India
5. Indonesian National Commission on Human Rights
6. High Commission for Human Rights of Iraq
7. Jordan National Centre for Human Rights
8. Human Rights Commission of Malaysia
9. Human Rights Commission of the Maldives
10. National Human Rights Commission of Mongolia
11. National Human Rights Commission of Nepal
12. Oman Human Rights Commission
13. National Human Rights Commission of Pakistan
14. Palestine Independent Commission for Human Rights
15. Commission on Human Rights of the Philippines
16. National Human Rights Committee of Qatar
17. Ombudsman of Samoa
18. National Human Rights Commission of Thailand
19. Provedor for Human Rights and Justice of Timor-Leste

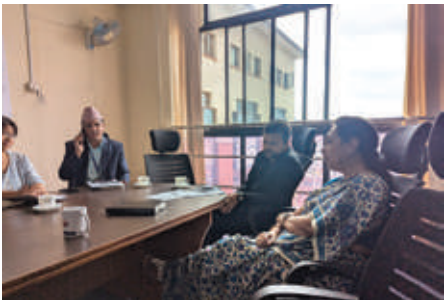
Annex 3: Conference Pictures

Preparation of the Conference







Inaugural Session

Panel Discussion on 'Pluralism in Policy and Practice'

Key Observations on 'Amman Declaration and Way Forward'







Panel Discussion on 'Implementation Status of Amman Declaration'

Panel Discussion on 'GESI Mainstreaming within NHRIs'

Panel Discussion on 'Integrating Gender Perspectives in Policy and Legislative Review by NHRIs'







Panel Discussion on 'Climate Change and Gender Justice'

Closing Ceremony and Adoption of Kathmandu Declaration and Plan of Action

Kathmandu Declaration drafting committee






Office Tour





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