

7 November 2012



AMMAN DECLARATION AND PROGRAMME OF ACTION

The Eleventh International Conference of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights took place in Amman, Jordan from 5-7 November 2012 and was hosted by the Jordan National Centre for Human Rights (JNCHR), in cooperation with the Office of the High Commissioner for Human Rights (OHCHR) and the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC). The focus of the Conference was “The human rights of women and girls: Promoting gender equality: The role of national human rights institutions.”

National Human Rights Institutions (NHRIs) expressed their gratitude to the JNCHR for the excellent organization and warm hospitality they had enjoyed. Participants also thanked OHCHR, the ICC, and the Asia Pacific Forum of National Human Rights Institutions for their contribution to the organization of the Conference. They warmly thanked His Majesty Abdullah II bin Al-Hussein for his patronage of the Conference, which was opened by His Excellency the Prime Minister of Jordan. They further welcomed the statements of the Deputy High Commissioner for Human Rights, the President of the Human Rights Council and keynote speakers including the Member of the Committee on the Elimination of Discrimination against Women (CEDAW) and the Chairperson of the UN Working Group on Discrimination against Women in Law and Practice as well as the fruitful contributions by NHRIs from all regions. The participation of UN agencies including, the United Nations Children’s Fund (UNICEF), the United Nations Population Fund (UNFPA), and the UN Entity for Gender Equality and the Empowerment of Women (UN Women) was also welcomed.

Non-government organizations from around the world made a valuable contribution to the Conference, including the pre-Conference NGO Forum and Declaration, that greatly enhanced the Conference’s deliberations.

The Eleventh International Conference adopted the Amman Declaration and Programme of Action. Regional plans of action, elaborated by NHRI regional groups at the Conference, are annexed to this Declaration and Programme of Action. An annex of central instruments guaranteeing women’s and girls’ rights is also attached to this Declaration and Programme of Action.

AMMAN DECLARATION

The participants affirmed that women's and girls' rights are human rights, which are guaranteed in all human rights treaties. These human rights include political, civil, economic, social and cultural rights. Despite these commitments, the human rights of billions of women and girls are violated and denied.

The participants stressed the indivisibility and interrelatedness of human rights and recognized the interlinkages between a variety of violations of women's human rights, as well as the distinct situation, needs and rights of girls. Poverty and inequality are significant factors that increase vulnerability to discrimination, hunger and gender-based violence. Patriarchal structures, systems and macro-economic choices devalue the lives and the contributions of women, who also suffer disproportionately from the ensuing militarization, war, violence, unemployment and precarious employment. These choices impact negatively on women's and girls' time, health and safety and women and girls bear the brunt of austerity measures including through budget cuts on public services, such as health, education and social security. The worst impacts of the global and national financial crises are felt by those who are poor, the majority of whom are women and girls.

In accordance with their obligation to protect the human rights of women and girls as in the UN Guiding Principles on Business and Human Rights, States and multi-lateral bodies have an obligation to hold corporations that violate human rights accountable.

The participants recognized that still too many women suffer from multiple and intersecting forms of discrimination, and that some women are particularly vulnerable including : women belonging to minority groups, indigenous women, Afro-descendants, refugee and internally displaced women, migrant women, women living in rural or remote communities, women living in extreme poverty, women in institutions or in detention, women with disabilities, elderly women, widows, women in situations of armed conflict and post-conflict, women who are otherwise discriminated against, including on the basis of HIV status, domestic and family violence, sex workers, women of diverse sex, sexuality, and/or gender, women who inject drugs or are otherwise dependent on drugs, and women victims of trafficking.

The human rights of women and girls are well articulated in a wide array of international treaties, declarations and political commitments at international, regional and national levels. NHRIs stressed that it is essential for Governments to fully and without delay implement the commitments and obligations which they have accepted.

The NHRIs assembled agreed to the following broad principles and areas of work :

1. Prioritize and mainstream the human rights of women and girls and gender equality throughout all their strategic planning, processes, policies, programmes and activities with a view to establishing sustainable interventions to achieve gender equality. This would also include developing and implementing training for NHRI members and staff on gender equality and reviewing their internal

7 November 2012

structures with a view to achieving gender equality at all levels and in all aspects of their work, including ensuring that NHRI workplaces are free of sexual harassment, violence and bullying. When required, NHRIs should seek technical assistance from specialist UN agencies, ICC, Regional Coordinating Committees or other institutions to support these efforts;

2. Strengthen coordination between NHRI women's and children's rights departments where they exist, or as relevant, cooperate with specialized institutions at the national level dealing with these issues and engage with organizations and stakeholders at the national, regional and international levels, including trade unions, UN agencies, non-State actors, civil society organizations, and regional- and inter-governmental organizations to promote and protect women's and girl's human rights and gender equality;
3. Monitor the States' fulfilment of their human rights obligations and, where the NHRI mandate permits, non-State actors' compliance with human rights standards, including those relating to the human rights of women and girls and gender equality. NHRIs should support efforts to ensure women's right of de jure and de facto or substantive equality with men, recognizing this may require special measures and differential treatment. These efforts can include integration of the human rights of women and girls and gender equality in Human Rights National Action Plans and other relevant laws and policies. The Beijing Platform for Action and its twelve areas of critical concern should serve as the guiding framework for assessing State action to ensure women's and girls' human rights;
4. Respond to, conduct inquiries into and investigate allegations of violations of women's and girls' human rights, including all forms of discrimination against women and girls, gender-based violence, violations of economic, social and cultural rights, violations of reproductive rights and discrimination in public and political life, and identify systemic issues which may perpetuate these violations. These investigations and reports should result in recommendations to the State to meet their obligations to ensure women's and girls' human rights, and to combat impunity;
5. Facilitate women's and girls' access to justice, including judicial and non-judicial remedies, in accordance with their mandate;
6. Where NHRIs have quasi-judicial powers, exercise them fully to provide relief to the women and girl victims and press for administrative action against or the criminal prosecution of offenders;
7. Promote the realization of the human rights of women and girls, including as found in CEDAW, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Rights of Persons with

7 November 2012

Disabilities, and other human rights norms and standards, into national law and policies;

8. Encourage the withdrawal of reservations to such treaties with a view to strengthening the implementation of all human rights treaties;
9. Monitor and encourage the implementation of the recommendations of treaty bodies and special procedures, resolutions of UN intergovernmental bodies, including the General Assembly, Human Rights Council, Commission on the Status of Women (UN CSW) and the Commission on Population and Development; and recommendations accepted by States in the context of the Universal Periodic Review (UPR);
10. Work with women human rights defenders, and devote particular attention to the gender-specific violations that women human rights defenders suffer for being women or because of the gender-specific causes that they defend, and promote their access to remedies in case of violations;
11. Forge strategic partnerships with UN agencies such as UN Women, UNDP, UNICEF, UNFPA, and OHCHR to strengthen cooperation with, and the capacities of, NHRIs to more effectively promote and protect women's and girls' human rights;
12. Undertake education, promotion and awareness-raising activities on the human rights of women and girls, gender equality and relevant international standards. Particular attention should be paid to eliminating prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women. NHRIs will work to eliminate stigma attached to women and girls who come forward when their rights are violated;
13. Develop guidelines, where applicable, relating to the human rights of women and girls and monitor State compliance with such guidelines;
14. Monitor and work with individuals and entities in the private sector and non-governmental sphere to ensure that they do not discriminate against women and girls;
15. Monitor the activities of businesses, from local to global, and report on any adverse impacts on women's and girls' enjoyment of their human rights;
16. Prioritize and promote the human rights of women and girls and gender equality through their engagement with all international and regional human rights mechanisms, and in their engagement with global processes such as the post-2015 development agenda, the ICPD Beyond 2014 Global Review, the Beijing Platform of Action, and the Vienna Programme of Action;

17. Urge States to prioritize human rights, including those of women and girls, in their engagement with international financial and trade institutions, and in the negotiation of international agreements in these areas.

AMMAN PROGRAMME OF ACTION

The Preparatory Committee of the Conference selected themes for discussion, which represented issues particularly relevant to the work of NHRIs in all regions. The Conference agreed to the following action points on these themes, to which NHRIs will give priority over the next decade, and beyond:

NHRIs and Women's Political and Public Participation

1. Advocate for the removal of any discriminatory laws which inhibit women's ability to participate in public and political life;
2. Promote measures, including through education and the adoption of laws and practices, to eliminate traditions and social and cultural barriers and stereotypes that discourage or prevent women from exercising their right to vote or from otherwise participating in public, peace and political processes;
3. Provide assistance or support to women who face social and economic barriers to public and political participation, such as illiteracy, language, poverty, and impediments to women's freedom of movement, in order that these barriers may be overcome;
4. Encourage the adoption of temporary special measures to ensure that women are sufficiently represented in elected as well as appointed positions within the executive, legislative and judicial arms of Government, and work with political parties to adopt affirmative measures to support more women candidates;
5. Promote mechanisms to ensure that girls' voices are heard in matters affecting their well being;

NHRIs and Women's Economic and Social Rights

6. Monitor and report on States' compliance with their obligations to respect, protect and fulfil women's economic, social and cultural rights, and to guarantee non-discrimination in the exercise of these rights. Particular attention should be paid to ensuring women's enjoyment of economic, social and cultural rights in the context of austerity measures and other responses to the financial crises;

7. Support efforts to analyse whether States are spending the maximum of available resources on the progressive realization of women's economic, social and cultural rights through encouraging Government use of a gender perspective in their planning processes, and human rights and gender budgeting tools. NHRIs should share their findings with Parliaments as a contribution to decision making on budgeting and promote the use of human rights budgeting and gender budgeting tools by Parliaments;
8. Monitor and evaluate laws, public policies and budgets, including macroeconomic and trade policies, as well as poverty reduction strategies, population strategies and other strategies aimed at the achievement of the Millennium Declaration and Goals, and engage with relevant sectors, with a view to promoting the removal of provisions which are discriminatory against or have a discriminatory effect on women, and promoting corrective action, if and as appropriate;
9. Facilitate training of lawyers, prosecutors, judges, parliamentarians, and government officials on women's economic, social and cultural rights;
10. Support and facilitate access to remedies for women who have suffered violations of their economic, social and cultural rights, and advocate for the justiciability of economic, social and cultural rights in countries where necessary;
11. Undertake awareness raising activities with women to educate them about their rights and mechanisms at their disposal for claiming their economic, social and cultural rights;
12. Support efforts to monitor development assistance programmes to ensure that they do not discriminate against or disadvantage women and that they prioritize the achievement of gender equality and women's and girls' human rights;
13. Monitor or support efforts to monitor women's rights to decent work, including equal remuneration and equal access to education, training and professional development, as well as ensuring women's health, safety and well-being in all workplaces;
14. Monitor or support efforts to monitor women's unpaid work and provide recommendations for support to women who have caring responsibilities, such as ensuring adequate child care, paid parental leave and flexible working arrangements among other measures, while promoting equal division of labour in the home;

NHRIs and Violence against women and girls

15. Encourage and aid the compilation of an evidence base (e.g., data, inquiries, research) on the nature, extent, causes and effects of all forms of gender-based violence, and on the effectiveness of measures to prevent and address gender-based violence;

7 November 2012

16. Promote and support the adoption of laws against domestic and family violence, sexual assault and all other forms of gender-based violence, in accordance with international human rights standards;
17. Support the adoption of National Action Plans to address violence against women that include provision for the National Action Plans to be independently monitored and evaluated;
18. Where their mandate permits, conduct training of judicial and law enforcement officers, medical professionals, and other public officials on responding to violence against women, gender equality and women's human rights;
19. Promote measures, including penal provisions, preventive and rehabilitation measures to protect women and girls subject to trafficking and other forms of sexual exploitation;
20. Assist women and girl victims in accessing complaints procedures and remedies, including compensation and ensure the use of NHRIs' quasi-judicial powers to address complaints of violence against women and girls;
21. Develop programmes to prevent and combat sexual harassment, and measures to protect women from sexual harassment and other forms of gender-based violence in the workplace, schools, or in other institutions such as places of detention;
22. Establish or support adequately resourced critical services for victims of domestic and family violence, sexual assault and other forms of gender-based violence, including refuges, specially trained health workers, rehabilitation, counselling and legal services, and ensure these services are accessible to particularly disadvantaged groups of women;
23. Promote implementation of the updated Model Strategies and Practical Measures on the Elimination of Violence Against Women in the Field of Crime Prevention and Criminal Justice, as well as the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);
24. Establish and support measures to address human rights violations experienced by women in situations of armed conflict, especially sexual violence, and to hold perpetrators of these violations accountable;

NHRIs and Women's Health and Reproductive Rights

25. Protect and promote reproductive rights without any discrimination, recognizing reproductive rights include the right to the highest attainable standard of sexual and reproductive health, the right of all to decide freely and responsibly the number, spacing and timing of their children, and on matters related to their sexuality, and to

7 November 2012

have the information and means to do so free from discrimination, violence or coercion, as laid out in the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development.

26. Encourage and aid the compilation of an evidence base (e.g., data, inquiries, research) concerning the exercise of reproductive rights and the right to sexual and reproductive health, including but not limited to cases of *de jure* and *de facto* discrimination in access to sexual and reproductive health care information and services, forced sterilization, forced abortion, child marriage, forced marriage, female genital mutilation/cutting, biased sex selection and other harmful practices;
27. Review national laws and administrative regulations relating to reproductive rights such as those governing family, sexual and reproductive health, including laws which are discriminatory or criminalize access to sexual and reproductive health services, and propose recommendations to assist States in meeting their human rights obligations;
28. Promote measures to ensure access to comprehensive sexual and reproductive health information and services and to remove barriers which hinder such access, and support the establishment of accountability mechanisms for the effective application of the laws and the provision of remedies when obligations have been breached;

The Conference also agreed that the ICC should:

29. Dedicate a session to the role of NHRIs in promoting and protecting women's rights in its annual general meetings;
30. Promote a pluralistic composition of NHRIs as required by the Paris Principles, as one that considers the context of gender, ethnicity or minority status, including within its sub-committee on accreditation. This includes, for example, ensuring the equal representation and participation of women in the NHRI;
31. Continue its advocacy for the independent participation of A-status NHRIs at the UN CSW, as encouraged by UN Human Rights Council Resolution 20/14, and encourage the ICC, its regional NHRI coordinating committees, and NHRIs to engage, together with their respective governments where appropriate, at the 57th session of CSW (4 to 15 March 2013) focused on the 'Elimination and prevention of all forms of violence against women and girls';

NHRIs may also take the following actions:

32. Implement the regional NHRI action plans on promoting and protecting the human rights of women and girls, using the Amman Declaration and Programme of Action as a framework, and supplementing it with specific regional initiatives and actions

7 November 2012

that will be reported on at regional NHRI network meetings and at ICC Conferences;

33. Translate this Declaration and Programme of Action into local languages and distribute it widely through press releases, websites, social media, civil society networks and other mechanisms to ensure broad national community awareness of the Declaration;
34. Organise national consultations that include all relevant stakeholders and partners to discuss the outcomes of the Conference and steps for the implementation of the Amman Programme of Action at the national level.

ANNEX 1

CENTRAL INSTRUMENTS RELATED TO WOMEN'S AND GIRLS' HUMAN RIGHTS

International treaties

- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention on the Elimination of all forms of Discrimination Against Women
- Convention on the Rights of the Child
- Convention on the Rights of Persons with Disabilities
- Rome Statute on the International Criminal Court
- Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

Regional human rights treaties

- African Charter on Human and Peoples' Rights, and the Protocol on the Rights of Women in Africa (Maputo Protocol)
- American Convention on Human Rights, and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women
- Arab Charter on Human Rights
- European Convention on Human Rights, and the Council of Europe Convention on preventing and combatting violence against women and domestic violence

ILO Conventions

- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- Workers with Family Responsibilities Convention, 1981 (No. 156)
- Indigenous and Tribal Peoples Convention, 1989 (No. 169)
- Convention concerning Part-time work (No 175)
- Maternity Protection Convention, 2000 (No. 183)
- Domestic Workers Convention, 2011 (No. 189)

International Declarations and Political Commitments

- Vienna Declaration and Programme of Action
- Cairo Declaration and Programme of Action
- Beijing Declaration and Platform for Action
- Millennium Declaration

Security Council resolutions

- 1325 on women, peace and security
- 1820, 1888 and 1960 on sexual violence in conflict
- 1889 on women's role in post-conflict and reconstruction.