

Best Practice for HRC

Letter to HRC:

This document refers to a wide range of best practice and guidance documents, including documents developed, in part, by the New Zealand Human Rights Commission. For example,

Commonwealth NHRI best practice, and
APF NHRI handbook.

The HRC wants to be a human rights exemplar. This document provides a plan to become an exemplar for the rights of men.

If the HRC fails to follow best practice in its work for men, then this document can serve as the basis for legal action. The document allows complainants to demonstrate that the HRC is not meeting the requirements of the Human Rights Act. Including section 5 of the Act, specifically monitoring compliance with international treaties.

1 Intro

Everyone has human rights. They are 'human' rights because all humans have them. men are human beings and therefore have the same rights as everybody else.

Human rights need protecting. Therefore, the human rights of men need protecting.

One of the roles of National Human Rights Institutions (NHRIs) is to protect human rights, so NHRIs must consider how to protect the rights of men, as well as the rights of women and girls. For example, identifying areas where the rights of men are not sufficiently protected.

Likewise, one of the roles of NHRIs is to promote human rights, so NHRIs must consider how to promote the rights of men, as well as the rights of women and girls

Little has been written about protecting and promoting the rights of men. Fortunately, protecting and promoting the rights of men only requires applying human rights principles and standards that *are already* widely supported and written about.

One of the barriers to protecting the rights of men is our own preconceived ideas and assumptions.

In *Human Rights Indicators – A Guide to Measurement and Implementation*, the United Nations says even human rights practitioners, such as NHRIs, have difficulty implementing human rights norms and standards.

*The normative standards on rights, as well as their correlated legal obligations discussed above should be translated into policies and measures that define and facilitate the implementation of human rights. **However**, policymakers, development and **sometimes even human rights practitioners find it difficult to link these concepts with implementation practices.***¹

So, this guidance primarily takes the role of explicitly stating how already established human rights principles, norms, and standards apply to men to encourage work that aligns with those principles, norms and standards.

In ‘*National Human Rights Institutions Best Practice*’ the Commonwealth Secretariat says:

*NHRIs should assume special responsibility in responding to human rights violations suffered on account of sex or gender.*²

This document expands on what this means for NHRIs in their work with men.

Human rights principles and standards apply to everyone, so in most cases the term ‘men’ in this document can be substituted for any other group.

This guidance is focused on NHRIs but is useful for anyone who applies human rights principles to their work.

Personal reflection

Readers of this document are encouraged to reflect on their personal responses to what they read. Do you have a ‘gut feeling’ about what you are reading? Do you have thoughts like “but what about this other thing”?

Cassie jaye meeting the enemy quote??

Language used in this document

This document mainly refers to gender, but in most cases the issues discussed also apply to sex. So while sex and gender are not the same thing, readers should assume that issues raised in relation to gender also apply to sex.

The term ‘man/men’ is used for clarity and in most cases the issue at hand applies to various definitions of ‘man/men’.

The term ‘man/men’ should also be understood, in most cases, to include ‘boy/boys’

Note: In most cases emphasis in quotes is added

2 Human rights principles

The protection and promotion of human rights requires observance of human rights and human rights principles. An NHRI cannot protect human rights while violating human rights, nor can they promote human rights while ignoring human rights

¹ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

² [National Human Rights Institutions Best Practice – Commonwealth Secretariat](#)

principles.

NHRIs should ensure they are aligned with human rights principles.

Human Rights Indicators – A Guide to Measurement and Implementation says:

*The international human rights normative framework... embodies cross-cutting human rights norms or principles, such as non-discrimination and equality, participation, access to remedy, access to information, accountability, the rule of law and good governance. These cross-cutting norms are expected to guide... duty bearers in their implementation of human rights.*³

2.1 Universality

Human rights apply to all humans equally. Men are human and have the same rights as women and girls.

The *New Zealand Human Rights Commission* agrees:

Women and girls have the same fundamental human rights as men and boys⁴

A Manual on National Human Rights Institutions expands on equal rights for women and girls. This necessarily applies to men and boys as well:

*International human rights law makes clear that all human rights **apply equally** to women and girls and that certain rights, such as political or economic rights, cannot be reserved solely for men or **otherwise protected and respected differently** for women. This understanding was first recognized in the Universal Declaration of Human Rights, which proclaimed that **everyone was entitled to enjoy human rights and fundamental freedoms “without distinction of any kind”**, including distinction based on sex. The core international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, also **affirm that the rights they contain apply to all persons, without distinction of any kind, and expressly guarantee the right of all people to the equal enjoyment of those rights, regardless of sex.***⁵

2.1.1 Recognition of men’s rights in human rights law

The equal rights of women and men have been recognised in international human rights law for decades. International human rights laws specifically identify men as rights-holders, and identify their rights to equality and non-discrimination.

United Nations Charter (1945):

*Preamble — “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in **the equal rights of men and women** and of nations large and small...”*

*Article 1 — “To achieve international co-operation ... in promoting and encouraging respect for human rights and for fundamental freedoms for all **without distinction as to race, sex, language, or religion.**”*

³ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

⁴ HRC 2010 Human_Rights_Review_2010_Full.pdf

⁵ [A Manual on National Human Rights Institutions – APF](#)

The Universal Declaration of Human Rights (1948):

*Preamble — “Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the **equal rights of men and women** and have determined to promote social progress and better standards of life in larger freedom,”*

*Article 1 — “**All human beings** are born free and equal in dignity and rights”*

*Article 2 — “Everyone is entitled to all the rights and freedoms set forth in this Declaration, **without distinction of any kind, such as** race, colour, **sex**, language, religion, ... birth or other status.”*

International Covenant on Civil and Political Rights (1966):

*“Article 3 — The States Parties to the present Covenant undertake to **ensure the equal right of men and women** to the enjoyment of all civil and political rights set forth in the present Covenant.”*

International Covenant on Economic, Social and Cultural Rights (1966):

*Article 3 — The States Parties to the present Covenant undertake to **ensure the equal right of men and women** to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.*

Convention on the Elimination of All Forms of Discrimination against Women preamble (1979):

*Preamble — “Noting that the States Parties to the International Covenants on Human Rights have the obligation to **ensure the equal rights of men and women** to enjoy all economic, social, cultural, civil and political rights, “*

2.1.2 Gender Stereotypes

Gender stereotypes affect the universality of the protection and promotion of human rights.

Gender stereotypes are generalised preconceptions about men and/or women.

Gender Stereotyping as a Human Rights Violation explains ‘stereotypes’ and ‘stereotyping’:

A gender stereotype is, at its core, a belief and that belief may cause its holder to make assumptions about members of the subject group, women and/or men. In contrast, the term “gender stereotyping” refers to the practice of applying a stereotypical belief to an individual member of the subject group,⁶

It is important that NHRIs do not use gender stereotypes in their work. Stereotypical thinking can lead to seeing something as normal or natural, or ‘just the way things are’ can undermine objective assessment of human rights. For example, men have a shorter life expectancy compared to women and the WEF sees this normal and considers men living 6% shorter lives compared to women as equality between women and men.⁷ This undermines men’s right to the highest obtainable standard of health.

⁶ [Gender Stereotyping as a Human Rights Violation – OHCHR](#)

⁷ WEF gender gap report

Gender Stereotyping as a Human Rights Violation explains the harm of using gender stereotypes can affect their human rights:

The harm is caused by the application of a stereotypical belief to an individual (e.g., through a state enforcing a gender stereotype into a law) in such a way as to negatively affect the recognition, exercise or enjoyment of their rights and freedoms.⁸

NHRI Guidelines for Mainstreaming the Human Rights of Women and Girls into Our Everyday Work says stereotypes need to be brought to our attention.:

The gender-related assumptions that underlie our thinking are likely to remain invisible or blurry and therefore they can mislead us, even without our realising it, unless we bring them to attention.⁹

NHRI staff need to be aware of their own biases and prejudices against men and how it affects their work.

Integrating a Gender Perspective into Human Rights Investigations says:

Be aware of the team members' own biases, prejudices and stereotypes that may lead to overlooking important gender sensitive information, for instance by not asking the relevant questions, affecting the information gathering and documentation.¹⁰

2.2 Non-discrimination

Human Rights Indicators – A Guide to Measurement and Implementation says:

Non-discrimination is at the heart of all work on human rights. It is a cross-cutting human rights norm that is invoked in all the international human rights treaties and provides the central theme of several international human rights conventions... The principle applies to everyone in relation to all human rights and freedoms and it prohibits discrimination on the basis of a list of non-exhaustive grounds such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The principle of non-discrimination is complemented by the principle of equality, which, as stated in article 1 of the Universal Declaration on Human Rights, lays down that all human beings are born free and equal in dignity and rights.¹¹

Discrimination on the basis of sex or gender is a violation of human rights. *Integrating a Gender Perspective into Human Rights Investigations* defines gender discrimination as:

Gender-based discrimination includes any distinction, exclusion or restriction due to gender that has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise of human rights and fundamental freedoms.¹²

⁸ [Gender Stereotyping as a Human Rights Violation – OHCHR](#)

⁹ [NHRI Guidelines for Mainstreaming the Human Rights of Women and Girls into Our Everyday Work](#)

¹⁰ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

¹¹ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

¹² [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

NHRI Leadership: an introductory guide says NHRI leaders should have a non-discriminatory approach to the work of the NHRI:

*NHRI leaders must be persons of the highest integrity... It also includes **having and implementing a non-discriminatory approach within the operations of an NHRI**, on the grounds prohibited under national or international law, including race or ethnicity, sex, gender identity, marital status, sexual orientation, pregnancy, national origin, religion, age, disability and so on.¹³*

A non-discriminatory approach requires the inclusion of men in an NHRI's work. NHRI's policies and programmes must not discriminate against men.

Discrimination can be an act or a failure to act. Such discrimination can include impairing the recognition of men as equal rights holders, and/or impairing men's enjoyment or exercise of their rights.

Similarly, protecting human rights must include the protection of men from discrimination and promotion of human rights must include the promotion of men's right to be free from discrimination.

Integrating a Gender Perspective into Human Rights Investigations clarifies *direct* discrimination and *indirect* discrimination:

Direct discrimination occurs when a difference in treatment relies directly on distinctions based exclusively on characteristics of an individual related to their sex and gender, which cannot be justified on objective and reasonable grounds (e.g. laws excluding women from serving as judges).

Indirect discrimination occurs when a law, policy, programme or practice appears to be neutral but has a disproportionately negative effect on women or men when implemented (e.g. pension schemes that exclude, for instance, part-time workers, most of whom are women).¹⁴

NHRI's protection and promotion of human rights must not *directly* discriminate against men. Activities and policies that make a distinction that excludes men must be justified on objective and reasonable grounds.

Objective and reasonable grounds to exclude men (e.g. programs targeting women) requires **due diligence**, including:

- Gathering sufficient evidence about the impact on men
- Establishing that men would not also benefit from the same activity
- Establishing that men's and boy's rights will not be undermined or harmed by the activity
- Having a specific and measurable goal
- Providing evidence that the activity will likely produce the desired outcome
- Having measurable criteria for stopping a targeted program, or for when to include men.

The protection and promotion of human rights must not *indirectly* discriminate against men. men must receive the same level of protection as women and girls.

¹³ [NHRI Leadership: an introductory guide](#)

¹⁴ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

Ensuring no indirect discrimination requires:

Gathering evidence on the impact of activities and policies on men
(and women and girls)
Gender sensitive evaluations

The *Committee on the Elimination of Discrimination against Women* expects NHRIs to base their work on the principles of equality between women and men, and non-discrimination:

*The Committee expects national human rights institutions to ensure that their work concerning, inter alia, the consideration of individual complaints and the elaboration of recommendations on laws, policies and their activities in human rights education, is based on the principle of formal and substantive equality between women and men and non-discrimination, as contained in the Convention, and that women have easy access to all services for the protection of their rights provided by national human rights institutions. The Committee also expects that the composition of members and staff of national human rights institutions is gender balanced at all levels.*¹⁵

2.3 Equality

2.3.1 Gender equality

Gender equality is a natural consequence of universal human rights and the principle of non-discrimination.

Gender equality is a human right¹⁶ and “was made part of international human rights law by the Universal Declaration of Human Rights when it was adopted by the UN General Assembly on 10 December 1948”.¹⁷

UN Women defines gender equality as:

*... the equal rights, responsibilities and opportunities of women and men and girls and boys. Equality does not mean that women and men will become the same but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men. Gender equality is not a women's issue but should concern and fully engage men as well as women. Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centered development.*¹⁸

Monitoring, Evaluation, Accountability and Learning – A Guide for NHRIs says:

Gender equality: refers to the equal rights, responsibilities and opportunities for people of all genders. It means the aspirations and needs of all genders are considered, valued and favoured equally.

¹⁵ [Statement by the Committee on the Elimination of Discrimination against Women on its relationship with national human rights institutions E/CN.6/2008/CRP.1](#)

¹⁶ <https://www.unfpa.org/gender-equality>

¹⁷ <https://www.un.org/en/global-issues/gender-equality>

¹⁸ [UN Women Training Centre Gender Equality Glossary](#)

To be consistent with the principle of gender equality, an NHRI's work must take into consideration the interests, needs and priorities of both women *and men*.

One gender's human rights must not receive less protection and promotion than the other unless there is justification that aligns human rights principles.

2.3.2 Substantive/de facto equality

International human rights principles require two types of equality. Formal or *de jure* equality, which is equality under the law and policy, and substantive or *de facto* equality, which is equality of outcomes or results.

Women's Rights are Human Rights says:

...substantive equality, which is the standard to be met under human rights law, requires measures to achieve **equality of results**.¹⁹

Human rights advocates recognised that formal equality is not always sufficient to ensure people enjoy their human rights. For example, in situations where the law discriminated against some people, simply repealing the discriminatory law does not address the effects of the discrimination.

Likewise, advocates recognised that gender-neutral laws and policies may not have gender neutral results. Gender stereotypes, biases, and culture/tradition may cause indirect discrimination even when laws and policies are gender neutral.

It is wrong to assume that gender neutral policies are sufficient for the protection and promotion of men's human rights because they may not result in equal levels of protection and promotion.

A Manual on National Human Rights Institutions points out the relying on gender-neutral policies can lead to perpetuating injustices:

A widespread belief in and commitment to the underlying objectivity and "gender neutrality" of core human rights prevented recognition of the fact that equal treatment of persons in unequal situations will invariably perpetuate, rather than eradicate, injustices.²⁰

Gender Mainstreaming: Practice and Prospects highlights that assumptions of gender-neutral results are often incorrect:

In contrast to the standard assumption of policy makers and policy making organisations that their work is gender-neutral, **it has been proven over and over again that gender differentials are not recognised, and that unreflected assumptions include biases in favour of the existing unequal gender relations**. Gender mainstreaming as a strategy is meant to actively counteract this, and to use the normal mandate of policy makers to promote more equitable relations between women and men.²¹

¹⁹ [Women's Rights are Human Rights 2014](#)

²⁰ [A Manual on National Human Rights Institutions – APF](#)

²¹ [Gender Mainstreaming: Practice and Prospects – Council of Europe](#)

men have the same right to substantive equality as women and girls. If unbiased analysis shows that gender-neutral policies are not sufficient for the protection and promotion of their human rights in practice, then alternative approaches are necessary.

NRHIs must apply the principle of substantive equality to their work. Both women and men must have the same outcomes and results of the NHRIs work. For example, the outcomes and results of monitoring, i.e. identifying human rights issues, must be substantively equal between women and men.

The *Committee on the Elimination of Discrimination against Women* expects NHRIs to based their work on equality between women and men:

*The [Committee on the Elimination of Discrimination against Women] expects national human rights institutions to ensure that their work ... is based on the principle of formal and substantive equality between women and men and non-discrimination, as contained in the Convention, and that women have easy access to all services for the protection of their rights provided by national human rights institutions. The Committee also expects that the composition of members and staff of national human rights institutions is gender balanced at all levels.*²²

2.3.3 Gender specific approaches

Gender specific law and policies explicitly identifies that both men and women are entitled to the benefits of the law/policy and requires the execution of law/policy to ensure both benefit.

This is a proactive approach to eliminate indirect discrimination.

Evaluation of measures to ensure gender equality must identify areas where inequalities affect men as well as areas where they affect women and girls. This is not always the case, for example, the Asia Pacific Forum of National Human Rights Institutions gender mainstreaming checklist. (see appendix) and the WEF gender gap index

2.3.4 Affirmative action/special measures

In situations where gender neutral laws and policies produce indirect discrimination, or where the effects of previous discrimination are not alleviated by removing the discrimination, additional action is required to ensure the protection of people's rights.

Integrating a Gender Perspective into Human Rights Investigations says:

*Substantive or de facto equality... does not mean guaranteeing women treatment that is identical to that of men in all circumstances. Rather, it recognizes that non-identical treatment of women and men... is required in certain circumstances to achieve equality of opportunities and results. This is sometimes referred to as affirmative action or temporary measures.*²³

²² [Statement by the Committee on the Elimination of Discrimination against Women on its relationship with national human rights institutions E/CN.6/2008/CRP.1](#)

²³ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

Men have the same right to affirmative action/special measures as women. Failing to apply special measures to men when they meet the criteria is discrimination. Therefore, it is necessary to proactively look for areas where men need special measures to reach equal outcomes with women.

Affirmative action must not violate human rights principles, so has restrictions. For example:

- Temporary
- Necessary
- Not based on stereotypes and assumptions
- Carried out in good faith
- Tailored to reduce the actual disadvantage of the group it is aimed at.
- The impact of the measure on those to whom it does not apply should be considered.
- Should be proportional to the degree of under-representation or disadvantage.

2.4 Principle of Non-Retrogression

Equality for Women – A Handbook for NHRIs on Economic, Social and Cultural Rights, Equitas says:

International law imposes an obligation on States to realize ESC rights progressively. States should not, therefore, introduce “retrogressive measures”, which “directly or indirectly, lead to backward steps being taken” with respect to the rights recognized in the Covenant.”²⁴

According to the Committee on Economic, Social and Cultural Rights, any deliberately “retrogressive measure” taken by a State Party may be a violation of Art. 2 of the ICESCR.²⁵

If a State Party does adopt a retrogressive measure, the measure must not be discriminatory, and it should only be adopted after “the most careful consideration of all the alternatives”, and further “justified by reference to the totality of the rights provided for in the Covenant and in the context of the full use of the maximum available resources.”²⁶

Retrogressive measures often come in the form of the privatization of services such as water and education. Cuts to social expenditures such as social security, health care services and childcare may be retrogressive measures as they are most often undertaken deliberately to enhance economic efficiency, to pay down debt and for related fiscal reasons. Of course, these measures increase the costs for such services and decrease their availability to women and girls. Not only are women often deprived of these services, they are then often relied upon to provide these very services themselves – for free. NHRIs should consider retrogressive measures seriously as points of departure for

²⁴ [Equality for Women – A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas – International Centre for Human Rights Education](#)

²⁵ [Equality for Women – A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas – International Centre for Human Rights Education](#)

²⁶ [Equality for Women – A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas – International Centre for Human Rights Education](#)

3 Gender Mainstreaming

Gender mainstreaming is the practical application of the principle of gender equality. That is, the practical implementation of considering the needs and interests of both women *and men*.

NHRIs should incorporate gender mainstreaming into their work.

The *United Nations Economic and Social Council* describes gender mainstreaming as:

*...the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.*²⁸

Integrating a Gender Perspective into Human Rights Investigations notes that gender mainstreaming extends to everyone, and is not just about women:

*[Gender mainstreaming] is the process of assessing the implications for women, men and other gender identities of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is often misunderstood as only referring to the monitoring of women's human rights or GBV. The integration of a gender perspective in human rights investigations implies an analysis of the gender dimensions of the violations that includes the perspectives of everyone... and the impacts of the human rights violations on all individuals and populations, which can differ depending on their sex and gender.*²⁹

Likewise, *Gender Mainstreaming Made Easy: Handbook for Programme Staff* says both women and men are part of gender mainstreaming:

*There is a dual rationale for promoting gender equality. Firstly, that equality between women and men – equal rights, opportunities and responsibilities – is a matter of human rights and social justice. And secondly, that greater equality between women and men is also a precondition for (and effective indicator of) sustainable people-centered development. The perceptions, interests, needs and priorities of both women and men must be taken into consideration not only as a matter of social justice but because they are necessary for successful development processes.*³⁰

Gender Mainstreaming – Conceptual framework, Methodology and Presentation of Good Practices says gender equality, and therefore gender mainstreaming, includes men:

²⁷ [Equality for Women – A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas – International Centre for Human Rights Education](#)

²⁸ [Report of the Economic and Social Council for the year 1997 - A/52/3/Rev.1](#)

²⁹ Integrating a gender perspective into human rights investigations

³⁰ [Gender mainstreaming made easy: handbook for programme staff](#)

*This includes effectively respecting, protecting and promoting the human rights of both women and men and, by taking the necessary measures, **enabling both women and men to enjoy fully these rights*** ³¹

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

NHRIs have particular responsibility for considering gender when carrying out their mandate. ³²

National Human Rights Institutions Best Practice says:

NHRIs should assume special responsibility in responding to human rights violations suffered on account of sex or gender.

...NHRIs must be prepared to address human rights violations committed because of a victim's gender or sex. ³³

In the *Amman Declaration and Programme of Action*, NHRIs agreed to implement gender mainstreaming:

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

***Prioritize and mainstream... 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 structures with a view to achieving gender equality at all levels and in all aspects of their work...* ³⁴

The *Apia Statement* recommends:

Pacific Region National Human Rights Institutions... commit to planning and implementing an internal gender mainstreaming strategy. ³⁵

Handbook for National Human Rights Institutions on Women's Rights & Gender Equality says:

Gender equality should be mainstreamed into all activities of the NHRI ³⁶

³¹ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

³² [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

³³ [National Human Rights Institutions Best Practice – Commonwealth Secretariat](#)

³⁴ Amman Declaration and Programme of Action

³⁵ Apia Statement – National Human Rights Institutions on the Rights of Women and Girls in the Pacific Region

“The APF Pacific Roundtable brought together 26 representatives from the NHRIs of Australia, **New Zealand**, Samoa and Tuvalu, as well as from government and civil society in the Cook Islands, Marshall Islands, Federated States of Micronesia, Nauru and Samoa.

Representatives from OHCHR, UN Women, the Pacific Community's Regional Rights Resource Team (RRRT) and the New Zealand Ministry of Foreign Affairs and Trade also attended the two-day meeting, held in Apia, Samoa, from 4-5 September 2018.”

From: <https://www.asiapacificforum.net/news/apia-statement-sets-out-priorities-womens-rights/>

³⁶ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

The UN's *Beijing Platform for Action* says:

*[NHRIs] should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes, so that, before decisions are taken, an analysis is made of the effects for women and men*³⁷

NHRIs should consider the impacts of all their policies and programs on men. Gender mainstreaming must include the interests, needs, priorities and concerns of men, and men must benefit from the policies and programmes of an NHRI.

In order to include the interests, needs, priorities and concerns of men, NHRIs must have a good understanding of the interests, needs, priorities and concerns of men. **In short, gender-mainstreaming means an NHRI asks two questions:**

1. What do men need from an NHRI?
2. How can the NHRI provide what men need?

NHRI Guidelines for Mainstreaming the Human Rights of Women and Girls into Our Everyday Work says gender mainstreaming is an active process:

*Gender mainstreaming is an **active process** of assessing gender implications across all activities of an organisation, taking action to achieve gender equality and ensuring gender inequality is not perpetuated. Its goal is to achieve formal and substantive gender equality.*³⁸

NHRI Guidelines for Mainstreaming the Human Rights of Women and Girls into Our Everyday Work identifies the benefits of gender mainstreaming:

In addition to gender mainstreaming being the right thing to do, a gender mainstreaming approach benefits an NHRI's operations and outcomes in several ways.

1. An NHRI that 'walks its talk', that does what it says others should do, will be respected and valued. **The reputation of the NHRI will be enhanced.**
2. An NHRI that values equality, where genders are represented equitably and are treated fairly and equally, will have staff who engage more and work harder. **The NHRI will perform better.**
3. Having diverse perspectives on a board and among staff contributes positively to an NHRI's decision-making processes, activities and culture. **The decisions and activities of the NHRI will be more informed.**
4. Having people in the organisation who understand and reflect an 'insider perspective' or 'lived experience' of an issue the NHRI is working on will gain more external support and credibility. **The NHRI will be more trusted.**³⁹

The Handbook for National Human Rights Institutions on Women's Rights & Gender

³⁷ Beijing Platform for Action

³⁸ [NHRI Guidelines for Mainstreaming the Human Rights of Women and Girls into Our Everyday Work](#)

³⁹ [NHRI Guidelines for Mainstreaming the Human Rights of Women and Girls into Our Everyday Work](#)

Equality says:

*NHRIs should integrate a gender perspective in their programmes and policies... so that an analysis is made of the effects on both women and men, before decisions are taken.*⁴⁰

Gender Mainstreaming – Conceptual framework, Methodology and Presentation of Good Practices says:

Most policy fields are relevant for gender mainstreaming, because they directly or indirectly have an impact on the life of women and men. Policy areas which at first sight do not seem relevant... **might contain (hidden) aspects of gender inequality.**⁴¹

3.1 Gender traditionally about women but must be about men as well

NHRIs should consider that gender mainstreaming and incorporating gender equality into their work may require a deliberate re-evaluation and change to include men.

Traditionally ‘gender’ has been used synonymously with ‘women’ or ‘women’s empowerment’, so gender equality programs focused exclusively on women. However, this is not consistent with the human rights principles of equality and non-discrimination.

The *Manual on Human Rights Monitoring* says:

*In many contexts, “gender” is often taken to mean “women”. For example, the first thing that comes to mind for many when we talk about “gender integration or mainstreaming” is to make sure the rights of women are protected. This is of course a critical aspect of gender integration. However, we should not forget... [the] gender-specific violations that affect men (e.g., gender stereotypes regarding men).*⁴²

Gender Mainstreaming – Conceptual framework, Methodology and Presentation of Good Practices says:

*The last problem is partly due to the methods used up until now to promote gender equality. **Most policies were concerned with the specific needs of women.** Additionally, these policies mainly targeted women and not men, even those aimed at redressing the imbalances between the sexes. These policies, therefore, only reached a limited public which mainly consisted of women. **It is clear that changes will be limited, as long as they only focus on one side of the problem.** Equality policy should ensure that a gender perspective is integrated into all policy areas and that the whole of society is involved in promoting equality.*⁴³

Gender Mainstreaming Made Easy: Handbook for Programme Staff says:

⁴⁰ [Handbook for National Human Rights Institutions on Women’s Rights & Gender Equality OSCE 2012](#)

⁴¹ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

⁴² [Manual on Human Rights Monitoring – Chapter 28 – Monitoring and Protecting Women’s Rights](#)

⁴³ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

*It is also important to emphasize that **the concept of gender is not interchangeable with women**. Gender refers to both women and men, and the relations between them. The existence of historical gender imbalances have meant that **gender programming tends to focus solely on empowering women** as a means to 'leveling the playing field', however promotion of **gender equality should concern and engage men as well as women**.⁴⁴*

Debusscher observes:

*Furthermore, **it was apparent that gender equality is framed as a women's problem only**, since it is mainly women who are mentioned when analysing gender inequalities. Most of the time, men are absent in the gender analysis, serving as a silent norm. When men are mentioned this is mostly in a general phrase referring to equality between men and women. What is more, women are not only seen as the main problem holders in the gender (in)equality question, they are also made solely responsible for the solution. Men are never the target group to address gender inequalities.⁴⁵*

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices says:

*Gender equality must be constantly fought for, protected and promoted – like human rights, of which it is an integral part. **Achieving gender equality is a continuous process that has to be constantly put into question, thought about and redefined.***⁴⁶

*A further difficulty has to do with the need for a broader concept of equality. Gender equality is often misunderstood. As mentioned in chapter I.2, one of **the main problems hindering further progress in the field of gender equality is the limited and narrow conception of gender equality**. Gender equality is not the same as anti-discrimination, it is much more. It is not only equality de jure either, meaning that all references to women and men in legislation are removed. Equality as such must be promoted, for example by positive actions, plans of action, mainstreaming and other instruments. The goal is equality as a positive right or equality de facto respecting women's and men's rights to diversity and difference, but it also implies that women and men are free individuals. **Mainstreaming requires a gender perspective and not a focus limited on women's issues**. Gender mainstreaming requires taking into account the relations between women and men, and not simply reducing the concept to the two categories of women and men. In countries where a "traditional" approach of gender equality prevails, the concepts on which gender equality policy is based have to be revised and a gender approach has to be developed.*⁴⁷

3.2 Gender analysis

The first step in gender mainstreaming requires NHRIs to consider the impact of their policies, programs, and other activities, on men and women. This is *gender analysis*. Once a gender analysis is complete, an NHRI can address any gender-related

⁴⁴ [Gender mainstreaming made easy: handbook for programme staff](#)

⁴⁵ [Promoting Gender Equality in EU Development Aid: From Transformative Policy to Transformative Practice?](#)

⁴⁶ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

⁴⁷ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

discrepancies the analysis found.

A gender-analysis will identify what men, and boys, need from an NHRI and how well the NHRI is meeting those needs.

NHRIs should complete a gender analysis on their existing policies and programs. NHRIs should complete a gender analysis early in the development process for new policies and programs. Completing a gender analysis early in the development cycle allows NHRIs to address issues before policies and programs are implemented.

The *United Nations Economic and Social Council* states:

*Issues across all areas of activity should be defined in such a manner that gender differences can be diagnosed – that is, an assumption of gender-neutrality should not be made.*⁴⁸

The *Handbook on Gender Mainstreaming for Gender Equality Results* says:

*Gender analysis must focus on women and men, and girls and boys, and on the relations between and amongst them. When gender is applied as a synonym for women, and men are not included in analyses, the potential to identify gender relations... is seriously constrained*⁴⁹

Gender analysis must:

- Include men and men's advocates in
 - the development of gender analysis policy and process
 - the process of gender analysis
 - the review of the gender analysis.
- Be gender-sensitive, so that it can detect the impacts of men
- Counter assumptions that gender analysis is about women by explicitly requiring the analysis to include the impact on men.
- Be done at the development stage, prior to implementing policy and programs.
- Analyse the implementation and outcome of programs.

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices says:

[Gender analysis] allows for the screening of a given policy proposal, **in order to detect and assess its differential impact or effects on women and men, so that these imbalances can be redressed before the proposal is endorsed.** An analysis from a gender perspective helps to see whether the needs of women and men are equally taken into account and served by this proposal.⁵⁰

The *Manual on Human Rights Monitoring* says women and men should benefit equally from gender analysis:

Gender analysis makes the assessment of a situation more thorough and results in better targeted corrective actions, so that women and men benefit

⁴⁸ [Report of the Economic and Social Council for the year 1997 – A_52_3_Rev-1-EN.pdf](#)

⁴⁹ [Handbook on Gender Mainstreaming for Gender Equality Results](#)

⁵⁰ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

*equally, and inequality is not perpetuated. Gender analysis also implies the use of gender-sensitive language.*⁵¹

An NHRI's gender analysis should include the aim of identifying discrimination against men in their own policies and programs. Once discrimination is identified, the NHRI can take corrective action.

Discrimination could be direct discrimination or indirect discrimination.

NHRIs should reconsider policies and programs which they view as 'gender-neutral' to see if they are working effectively for men. If policies and programs are less effective for men, then that is indirect discrimination.

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices says gender-neutral policies should be re-evaluated for gender related impacts:

It might be useful to start with gender mainstreaming policy areas that are habitually labelled as gender-neutral. All policy areas which affect the daily life of citizens, ...are definitely important, although this is often not recognised... Mainstreaming these policy areas might be very efficient, given the eye-opening effect it will produce. This effect will be very useful for convincing policy-makers and people of the need for gender mainstreaming, even when basic gender equality seems to be achieved.⁵²

Gender analysis can uncover structural discrimination that is seen as normal. The *Manual on Human Rights Monitoring* says:

*Gender analysis helps to... address "invisible" structural discrimination that would otherwise appear "natural" or "neutral" and, if not questioned or challenged, would remain part of socio-political life and social structures. It also helps to uncover human rights violations that tend to pass unnoticed when other violations occur.*⁵³

In *Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices*, the Council of Europe says:

*Most policy fields are relevant for gender mainstreaming, because they directly or indirectly have an impact on the life of women and men. Policy areas which at first sight do not seem relevant... might contain (hidden) aspects of gender inequality.*⁵⁴

For example, an NHRI might routinely hold public consultations on women's issues, but never for men's issues. If this becomes standard practice, NHRI staff will see this as normal operating procedure and not consider that it is a gender equality issue.

⁵¹ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

⁵² [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

⁵³ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

⁵⁴ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

The UN gives an example, of structural discrimination causing human rights workers to overlook possible human rights violations:

For example, if maternal mortality increases, the team might consider this a sad fact of life rather than a direct consequence of a conflict or a possible matter of discrimination – where duty bearers may have failed to provide access to required reproductive health-care services, for example. As a consequence, investigations and documentation of violations might fail to include all the relevant elements needed for a gender analysis.⁵⁵

NHRIs should consider the impact that programs targeted at women have on men. A women-targeted program might mean men are missing out on the benefits provided by the program.

A targeted program might also reinforce preconceptions that men are not affected by the targeted issue. For example, research shows⁵⁶ that labeling domestic violence a “women’s issue” negatively affects male victims by creating the impression that they are not real victims or not as important as female victims.

NHRIs need to ensure that good intentions to include men in their work translates into actual positive outcomes for men.

In *Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices*, the Council of Europe says:

Introducing mainstreaming in the first stages is no guarantee that a gender perspective will effectively be taken into account when policies are implemented – analysis and action are two different things⁵⁷. There are big steps between detecting a gender issue, endorsing the principle of gender equality and implementing policies which take this issue into account. It is therefore very important to mainstream at this stage and to accompany and support carefully the actors concerned.⁵⁸

UN Women also says:

Ignoring men in gender analyses means gender relations are being neglected, and this is problematic for several reasons:

- The critical underlying structural and systemic causes of gender inequality, discrimination, and exclusion can be overlooked;*
- The gender-based inequality, discrimination, and exclusion faced by women can be viewed as just women’s problems, reinforcing the focus on women only;*
- Men can be seen as the norm and women perceived as the ones who are expected to change or adapt;*
- Any discrimination or exclusion faced by men and boys will be ignored, even*

⁵⁵ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁵⁶ News Stories of Intimate Partner Violence: An Experimental Examination of Participant Sex, Perpetrator Sex, and Violence Severity on Seriousness, Sympathy, and Punishment Preferences

⁵⁷ Commission on the Status of Women, 1994

⁵⁸ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

though gendered societal expectations of men and boys can create significant challenges and constraints and make unacceptable demands on individual men and boys; and

- Men are overlooked as an important constituency for promoting gender equality⁵⁹*

4 Leadership & Commitment & Planning

NHRI leadership is responsible for gender mainstreaming, and therefore responsible for including men's rights in the work of the NHRI.

NHRI Leadership: an introductory guide says:

All NHRI leaders share responsibility for gender mainstreaming throughout the NHRI's work.⁶⁰

and goes on to say:

The governance responsibilities of the top leaders include...

- ensuring that gender issues and gender perspectives are mainstreamed throughout the NHRI's work and in its policies and procedures inside the NHRI*

Explicitly including men in the NHRIs work will require leadership, commitment, and planning. Respect for human rights does not happen automatically. Protecting and promoting human rights can be controversial, so NHRIs will require commitment and political will to do their job.

Mainstreaming the Human Rights of Women and Girls into Our Everyday Work identifies commitment and leadership as important factors in gender mainstreaming and therefore the inclusion of men and boys:

At a high level, there are three enabling factors that interact to drive a gender mainstreaming strategy. Where any of these factors are weak, they will prevent or slow down the gender mainstreaming process.

Commitment and leadership

- Legal and policy framework: the extent that gender equality and mainstreaming commitments are part of the NHRI's formal systems*
- Demonstrated political will: the extent that action is taken on gender equality commitments and that action is formalised within systems and mechanisms to ensure mainstreaming is sustainable.⁶¹*

Men's rights are often controversial. *National Human Rights Institutions – History, Principles, Roles and Responsibilities* says an NHRI's role is to speak out when rights are controversial:

⁵⁹ [Handbook on Gender Mainstreaming for gender equality results](#)

⁶⁰ [NHRI Leadership: an introductory guide](#)

⁶¹ [Mainstreaming the Human Rights of Women and Girls into Our Everyday Work](#)

*Protecting and promoting the rights of specific groups, including those who are vulnerable because of their gender, age, disability, sexual orientation, migrant or other minority status. **These rights are often controversial** and NHRIs are frequently the only ones that can speak out in defence of those who have no voice.⁶²*

Handbook for National Human Rights Institutions on Women's Rights & Gender Equality says:

Leadership

Institutional leadership is fundamental to how... gender equality [is] perceived internally, as well as externally.

...Institutional leadership is also shown through the governance and direction provided by the senior officials of the organization to ensure that... gender quality remain priorities in programming and decision-making at the organizational level.⁶³

4.1 Commitment & Political will

NHRIs should demonstrate commitment to including men's rights in their work. Commitment means the leadership's intentions are translated into practice through explicit policies and adequate resourcing.

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices says:

*Gender mainstreaming therefore **requires the will and firm commitment of policy-makers** to redress not only the existing imbalances between women and men, but to tackle the reasons for these imbalances.⁶⁴*

The *United Nations Economic and Social Council* Says:

***Clear political will** and the allocation of adequate and, if need be, additional human and financial resources for gender mainstreaming from all available funding sources are important for the successful translation of the concept into practice.⁶⁵*

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices says:

***The most important necessary prerequisite is political will.** Without political will, there will be no reallocation of funds for developing knowledge of gender issues or for developing and implementing policies containing a gender perspective. The question is how to attract the interest of decision-makers for gender mainstreaming.⁶⁶*

⁶² [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

⁶³ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

⁶⁴ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

⁶⁵ [Report of the Economic and Social Council for the year 1997 – A 52 3 Rev-1-EN.pdf](#)

⁶⁶ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices –](#)

What, then, can be identified as important necessary prerequisites or facilitating conditions for gender mainstreaming?

Political will

*The political will to mainstream involves the will to question current gender relations and the structures, processes and policies perpetuating inequality... There is a strong correlation between the political will for gender mainstreaming and public awareness of gender equality issues.*⁶⁷

Political will requires NHRI leaders to question current gender equality orthodoxy.

Introducing mainstreaming in the first stages is no guarantee that a gender perspective will effectively be taken into account when policies are implemented – analysis and action are two different things⁶⁸. There are big steps between detecting a gender issue, endorsing the principle of gender equality and implementing policies which take this issue into account. It is therefore very important to mainstream at this stage and to accompany and support carefully the actors concerned.⁶⁹

4.2 Planning – A formal system

NHRIs should have a formal system that explicitly includes men's and boy's needs.

Mainstreaming the Human Rights of Women and Girls into Our Everyday Work

identifies formal systems as important factors in gender mainstreaming and therefore including men and boys:

[T]here are three enabling factors that interact to drive a gender mainstreaming strategy.

Commitment and leadership

- *Legal and policy framework: the extent that gender equality and mainstreaming commitments are part of the NHRI's **formal systems***
- *Demonstrated political will: the extent that action is taken on gender equality commitments and that action is **formalised within systems** and mechanisms to ensure mainstreaming is sustainable.*

Systems

- *Organisational culture: the extent that the attitudes of staff, NHRI members and formal institutional systems, policies and structures support or marginalise gender equality.*

[Council of Europe](#)

⁶⁷ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

⁶⁸ Commission on the Status of Women, 1994

⁶⁹ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

• *Accountability and responsibility: the extent that actions on commitments to gender mainstreaming are monitored and reported on within the NHRI*

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...

A formal system ensures:

Decisions to include or exclude men are not arbitrary;
Continuity is maintained through staffing changes. Including men is not
reliant on specific staff member's personal interest;
The NHRI can evaluate its effectiveness in its work for men;
The NHRI can be held accountable to rights-holders;

Paul Hunt has pointed out the importance of explicitly recognising human rights. He says relying on implicit protections for human rights “means that only those in authority know whether and when... rights are being taken into account and, if it is, how it is interpreted and applied. Such arbitrariness is inconsistent with the essence of human rights.”⁷¹

The *United Nations Economic and Social Council* says:

The Council calls upon all of its functional commissions and subsidiary bodies to mainstream a gender perspective in their work, and in this regard:

*A. To adopt, as a first step, **an explicit decision** on mainstreaming a gender perspective in their work;*⁷²

The *Handbook for National Human Rights Institutions on Women's Rights & Gender Equality* says planning is critical for gender equality:

*While **planning is** important within the entire organization and work of the NHRI, it is especially relevant, if not **critical, for... gender equality**. Long-term investments are required to sustain the efforts needed to achieve a culture change and to eliminate systemic gender-based bias and discrimination.*⁷³

A *Manual on National Human Rights Institutions* says:

*In seeking to promote and protect the rights of groups of persons at particular risk of human rights violations, NHRIs call on the full range of functions and powers available to them. **Comprehensive, integrated strategies are required, not piecemeal approaches**. Working with other organisations, both governmental and non-governmental, will increase the capacity of the NHRI to have an impact.*

*Each NHRI should identify the mechanism most appropriate to its situation and incorporate it within the structure of the institution.*⁷⁴

NHRI Guidelines for Mainstreaming the Human Rights of Women and Girls into Our Everyday Work says:

⁷⁰ [Mainstreaming the Human Rights of Women and Girls into Our Everyday Work](#)

⁷¹ Social Rights Are Human Rights - Paul Hunt 2017

⁷² [Report of the Economic and Social Council for the year 1997 – A/52/3/Rev-1-EN.pdf](#)

⁷³ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

⁷⁴ [A Manual on National Human Rights Institutions – APF](#)

*Addressing gender equality within an NHRI, and becoming an institution that comprehensively understands and practices gender equality, **requires a planned strategic and systematic approach.***⁷⁵

4.2.1 Options for including men

The *Handbook for National Human Rights Institutions on Women's Rights & Gender Equality* says:

*NHRIs can employ a range of organizational tools to strengthen their effectiveness in addressing... gender equality. [G]ender aspects should be included in all stages of NHRI planning, decision-making and policy and programme development. In addition, NHRIs should designate particular resources to... gender equality by appointing an internal focal point, with adequate funding and staffing.*⁷⁶

Designated members of NHRIs

In some NHRIs, individual members are designated with specific responsibility for a particular group or groups.

Sub-commissions

Some NHRIs will work through a series of sub-commissions or sub-committees, some of which are directed to human rights issues affecting a specific group.

Designated units

Some NHRIs establish specialist units among the staff, sometimes headed by a member of the NHRI, to take responsibility for the human rights of particular groups.

Focal points

NHRIs may not have the resources or the priority to designate a group of staff to act on behalf of a specific group. Instead they may decide on a less resource intensive approach, appointing one staff person to be a focal point for a particular group.

Advisory committees

NHRIs may choose a less formal mechanism that brings expert groups to the NHRI to provide advice to members and staff on their areas of expertise.

Conferences and seminars

NHRIs may decide to use very informal processes to obtain advice. Conferences and seminars provide structured opportunities for experts to present their views and the results of their research, as well for discussion and exchange.

A Manual on National Human Rights Institutions says:

*Each NHRI should identify the mechanism most appropriate to its situation and incorporate it within the structure of the institution.*⁷⁷

⁷⁵ [NHRI Guidelines for Mainstreaming the Human Rights of Women and Girls into Our Everyday Work](#)

⁷⁶ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

⁷⁷ *A Manual on National Human Rights Institutions* – Asia Pacific Forum of National Human Rights Institutions May 2015 (updated May 2018)

4.2.2 Focal point

NHRIs should have a central point for ensuring the rights of men are included in their work. A 'focal point' provides expertise and accountability.

The *Handbook for National Human Rights Institutions on Women's Rights & Gender Equality* recommends:

*NHRIs should appoint a focal point on gender equality... The focal point should have adequate authority to ensure that gender perspectives are fully integrated.*⁷⁸

The Handbook goes on to say:

To complement gender mainstreaming, NHRIs can foster expertise within their organization by creating a central point with accountability for women's rights and gender equality. NHRIs bring a variety of organizational responses to this challenge, ranging from individual staff focal points to senior officials who are designated with specific responsibilities, to the establishment of units, departments or even centres dedicated to gender equality, in whole or in part.

*Gender mainstreaming can also be made more effective if there is an internal point of expertise and accountability for protecting and promoting women's rights and achieving gender equality.*⁷⁹

A *Human Rights Approach to Data* recommends a focal point for data collection.

*Establishing focal points within data collection organizations who are responsible for seeking information and perspectives from groups of interest.*⁸⁰

The *Handbook for National Human Rights Institutions on Women's Rights & Gender Equality* asks:

Are external stakeholders made aware of these focal points, and are they encouraged to communicate with them and share information?

*Does the internal focal point have adequate responsibility and authority in the NHRI to ensure that gender perspectives are properly integrated and managed?*⁸¹

5 Remove Barriers & Address Existing Discrimination

An NHRI's first steps to include men in their work are:

Removing existing discrimination against men that may exist in the NHRI, and
addressing existing barriers to the inclusion of men in the NHRI's work.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice recommends identifying possible obstacles:

When developing a methodology, account for possible obstacles that might

⁷⁸ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

⁷⁹ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

⁸⁰ [A human rights approach to data](#) – UN 2018

⁸¹ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

*surface when investigating violations... and their gendered impacts and discuss within the team possible strategies to overcome these.*⁸²

An NHRI can make some progress towards addressing discrimination and removing existing barriers without using additional resources by ensuring existing work includes men. This can mean that existing resources are used more effectively.

Although some progress can be made with little additional effort, if an NHRI has significant discrimination or barriers for men, they will need to allocate resources to address it.

Handbook for National Human Rights Institutions on Women's Rights & Gender Equality says:

NHRIs should put in place policies to prevent gender-based discrimination, including against pregnant women. NHRIs should provide flexible hours and work-at-home arrangements to accommodate persons with parental and/or caretaking responsibilities. Attention should be paid to ensure fairness to other employees.⁸³

5.1 Internal barriers for men and men's advocates

An NHRI's own systems and structures may create barriers to the protection and promotion of men's rights. A gender analysis will identify these barriers.

5.1.1 Systems should be gender-sensitive

An NHRI's systems must be able to, and be effective at, detecting gender-based issues for men.

See also the section on Gender sensitive monitoring.

Able to

NHRIs processes for protecting and promoting human rights must be able to detect gender-based issues for men. For example, an NHRI must:

- Collect gender disaggregated data;
- Maintain a historical record on men's, and boys, human rights;
- Track changes in men's, and boys, human rights over time;
- Maintain staff's knowledge of men's human rights issues;

Without these measures, an NHRI is blind to men's human rights issues and cannot detect human rights issues for men even with the best intentions.

Effective at

An NHRI must be effective at detecting human rights issues for men. For example, an NHRI must:

- Maintain co-operative relationships with community organisations, men's advocates, etc. who have a greater knowledge of men's issues than the

⁸² [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁸³ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

NHRI

Regularly assess the human right situation for men

Evaluate the effectiveness of their systems to detecting the human rights issues for men

Make improvements to their system if the evaluation finds flaws.

5.1.2 Attitudes and beliefs of leadership and staff

The attitudes and beliefs of leadership and staff can create barriers to the protection and promotion of men and boy's human rights. Leadership and staff are, like everyone, susceptible to biases and prejudices. If the leadership believes that men's rights are less important, this will be reflected in their actions and policy.

Mainstreaming the Human Rights of Women and Girls into Our Everyday Work identifies organisational culture, including staff attitudes, as an important enabling factor for gender equality, and therefore including men and boys:

• *Organisational culture: the extent that the attitudes of staff, NHRI members and formal institutional systems, policies and structures support or marginalise gender equality.*⁸⁴

As duty-bearers, NHRIs must consider the effects of their policy and actions on men. Stated beliefs about equality and the universality of human rights are not necessarily revealed in the actions and policy of an NHRI. Therefore, NHRIs must consider what their policy and actions reveal about their beliefs, and consider how those beliefs affect the protection and promotion of men's human rights.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

Be aware of the team members' own biases, prejudices and stereotypes that may lead to overlooking important gender sensitive information⁸⁵

And also:

Yet another challenge is that ...gender-based discrimination might be so ingrained that even the investigators themselves fail to recognize human rights concerns.⁸⁶

Gender Mainstreaming: Practice And Prospects says gender biases are routinely overlooked:

In contrast to the standard assumption of policy makers and policy making organisations that their work is gender-neutral, it has been proven over and over again that gender differentials are not recognised, and that **unreflected assumptions include biases in favour of the existing unequal gender relations.**⁸⁷

The *Manual on Human Rights Monitoring* says Human Right Officers should avoid wrong assumptions about women. The same advice applies to making wrong

⁸⁴ [Mainstreaming the Human Rights of Women and Girls into Our Everyday Work](#)

⁸⁵ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁸⁶ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁸⁷ Gender Mainstreaming: Practice And Prospects – Council of Europe - <https://rm.coe.int/1680596141>

assumptions about men:

[Human Rights Officers] should avoid making wrong assumptions, such as:

- *Identifying all women as victims.*
- *Labelling all women as a “group” that is inherently “vulnerable” or “marginalized” in its entirety and in all circumstances. Women are rights holders and active members of society...*⁸⁸

And also:

*[Human Rights Officers] should be aware of these risks: **they should objectively analyse their own stereotypes, biases and approach to this area of work, and should act in a way that empowers women rights holders** rather than relegating them to the role of victims in need of sympathy and assistance.*⁸⁹

5.1.3 Knowledge and experience of leadership and staff

A lack of knowledge and/or experience at an NHRI creates a barrier to the protection and promotion of men's human rights.

Assessing the Effectiveness of National Human Rights Institutions says:

If a national institution is to work effectively, its members and staff need to possess the necessary professional skills, including expertise in human rights. Membership criteria and recruitment procedures should ensure this objective. At the same time, induction and training for both will be necessary, in particular to ensure that members and staff are equipped to deal with issues that are sensitive, outside their experience, or clash with their personal beliefs.⁹⁰

The *Manual on Human Rights Monitoring* identifies Human Rights Officer's limited knowledge, and their biases, as a challenge to overcome:

*When monitoring women's human rights, **human rights officers (HROs) face a number of challenges**, some of which are specific to women while others are more general. They include...*

***HROs' limited knowledge of women's rights issues and gender concepts; their own gender stereotypes, biases, perceptions and behaviours** (e.g., discomfort, embarrassment, unfamiliarity), particularly when monitoring certain types of violations that disproportionately affect women (e.g., sexual and reproductive health and rights, sexual and other gender-based violence), and their minimization of violations taking place in the private sphere, or violations against girls.*⁹¹

In the worst case, lack of knowledge or experience on men's human rights issues could result in an NHRI violating men's rights.

National Human Rights Institutions – History, Principles, Roles and Responsibilities says a lack of knowledge can result in a breach of human rights:

⁸⁸ Manual on Human Rights Monitoring – Chapter 28 – Monitoring and Protecting Women's Rights

⁸⁹ Manual on Human Rights Monitoring – Chapter 28 – Monitoring and Protecting Women's Rights

⁹⁰ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

⁹¹ Manual on Human Rights Monitoring – Chapter 28 – Monitoring and Protecting Women's Rights

Whether human rights violations are intentional or unintentional, structural or specific, a lack of knowledge can result in actions that breach human rights principles. Sometimes traditional ways of thinking and behaving result in human rights abuse.⁹²

NHRI leadership and staff must have a minimum basic knowledge about men's human rights. The absence of this knowledge creates a barrier for men and men's advocates because men's advocates waste time educating NHRI staff on basic things they should already know.

Leadership and staff should be able to answer basic questions, such as:

What are the most significant human rights issues for men?
Who are the individuals and community groups who can provide expertise in men's rights?
What progress is being made on men's human rights?
Who is the best person in the government to approach about men's human rights issues?
Who is the NHRI staff member responsible for men's human rights.

For more information about staff knowledge see the section on Capacity building

5.1.4 Accessibility

NHRIs must have clear pathways for men to engage with them about men's human rights. NHRIs should identify barriers for men and men's advocates in accessing the NHRI.

A Manual on National Human Rights Institutions says:

NHRIs must ensure that they are accessible to victims on an "equal and effective" basis... NHRIs must be accessible to everyone.⁹³

Assessing the Effectiveness of National Human Rights Institutions says:

National institutions must be accessible, especially to people who are exposed to human rights violations or non-fulfilment of their rights.⁹⁴

National Human Rights Institutions Best Practice says:

An NHRI must be readily accessible to its clients – those individuals and groups whose rights it has been established to promote and protect. In this respect, it is essential to recognise that many of the most important clients — those who are most in need of help — will often be difficult to reach through standard channels of communication.⁹⁵

NHRIs should make sure people, including men, know *that they can*, and *how they can*, access the NHRI.

NHRIs can improve accessibility by making sure people are aware of their work and

⁹² [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

⁹³ [A Manual on National Human Rights Institutions - APF](#)

⁹⁴ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

⁹⁵ [National Human Rights Institutions Best Practice – Commonwealth Secretariat](#)

how to access help and support. NHRI promotional material and public communication must make it clear that the NHRI is interested in the protection and promotion of men's rights.

Handbook for National Human Rights Institutions on Women's Rights & Gender Equality says NHRIs should evaluate factors that prevent women accessing them. This principle applies to men as well:

*NHRIs should evaluate factors that may prevent women from accessing them and take steps to address these. This may include the establishment of regional or mobile offices, flexible opening hours, a child corner in the NHRI office, access for persons with disabilities and means of reporting that allow for confidentiality.*⁹⁶

Assessing the Effectiveness of National Human Rights Institutions says:

*Targeted public information campaigns should draw the attention of disadvantaged or excluded groups to the institution, the services it offers, and ways to access them. Targeting should take account of minority languages and focus on media that potential beneficiaries use.*⁹⁷

A Manual on National Human Rights Institutions says that being accessible means NHRIs should address socio-economic, cultural, geographical and procedural barriers for men and men's advocates:

*The Paris Principles do not have a specific section dealing with the accessibility of NHRIs. However, accessibility is implied in many provisions and indeed in broader human rights law dealing with access to remedies for violations of human rights. **As NHRIs are established to provide remedies for violations, they must be accessible to victims seeking remedies. Accessibility has socio-economic, cultural, geographical and procedural dimensions.***⁹⁸

The cultural dimension of accessibility means NHRIs should consider the factors such as:

The stigma men may feel from being victims
The disdain of Men's Rights Advocates from various groups.

Integrating a Gender Perspective into Human Rights Investigations recommends identifying obstacles for reporting human rights violations:

***Identify protection gaps that might create obstacles for the reporting of some violations.** For instance, the fear of prosecution due to the criminalization of homosexuality or same-sex sexual relationships or the criminalization of adultery might inhibit the reporting of rape by both male and female victims and survivors;*⁹⁹

⁹⁶ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

⁹⁷ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

⁹⁸ *A Manual on National Human Rights Institutions - Asia Pacific Forum of National Human Rights Institutions May 2015 (updated May 2018)*

⁹⁹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

The *Handbook for National Human Rights Institutions on Women's Rights & Gender Equality* indicates the importance of cooperation with civil society to improve accessibility of an NHRI:

*Co-operation with civil society organizations working on women's rights is of particular importance as, in some contexts, women may face obstacles to accessing NHRIs directly. Civil society organizations often provide direct services and protection to victims, including running shelters, operating hotlines and providing counselling and legal advice.*¹⁰⁰

5.1.5 Use language carefully

See also section on Reporting

NHRIs should be careful about the language they use. The language an NHRI uses can make it harder for men to recognise they are victims, advocate for themselves, and find help.

NHRIs should use language that empowers men and men's advocates.

The *Manual on Human Rights Monitoring* identifies the need for gender-sensitive language.

*Gender analysis also implies the use of gender-sensitive language.*¹⁰¹

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

*Using gender-sensitive language is an important step towards achieving gender equality. The use of gender-sensitive language and disaggregated data helps to avoid... phrases that reaffirm harmful gender stereotypes.*¹⁰²

The *Manual on Human Rights Monitoring* recommends using gender-sensitive language to empower women. This applies to men as well:

*# Using gender-sensitive and empowering language in interactions and reporting. This language evolves over time and is context-specific. In using empowering language, HROs should also be aware of legally correct terminology, while also being receptive to the terminology women rights holders consider appropriate and preferable.*¹⁰³

The *Manual* describes gender-sensitive and empowering language:

Gender-sensitive, empowering language

Gender-sensitive reporting is not only about the substance of the message: it is also about the language used in interviewing and drafting. Over time, careful use of language can affect people's consciousness positively or negatively, in the same way as the media can be proactive in changing perceptions about people in a society by using new terms, or explaining why a term has become

¹⁰⁰ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

¹⁰¹ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

¹⁰² [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

¹⁰³ [Manual on Human Rights Monitoring – Chapter 28 – Monitoring and Protecting Women's Rights](#)

NHRIs must consider how their public communications can send indirect or implied messages to men and men's advocates.

It is poor practice to:

Only have messages about gender-issues directed at women, or gender-diverse people. This implies that men are not part of the NHRI's work.

Fail to mention gender for issues that affect men disproportionately.

Have staff members identified as responsible for women and the rainbow community, but no staff identified as responsible for men. This implies the NHRI is not interested in men's rights and makes it hard for men's advocates to know who to contact to engage with the NHRI.

Have more messages about men as duty-bearers, or their responsibilities, compared to messages about men as rights-holders. This sends the message that the NHRI does not see men as rights-holders.

5.1.5.1 Avoid Obfuscation and Equivocation

NHRIs should use clear language and communication. NHRIs should avoid, among other things, confusing and ambiguous language (obfuscation), and using the same word to mean different things (equivocation).

Poor use of language can lead to the minimisation of men's issues.

Always use disaggregated statistics

NHRIs should always use sex/gender disaggregated data in communication, even when it is about one gender. This follows best practice of reporting sex/gender disaggregated data, and promotes a good understanding of the wider issues among the public.

Often, organisations selectively use disaggregated data in communications. For example, UNFPA identifies that women are not the only victims of gender-based violence, but only gives statistics for women:

*While gender-based violence is not limited to violence against women and girls, almost 1 in 3 women, or approximately 736 million people, have been subjected to intimate partner violence, non-partner sexual violence or both at least once in their lifetime, according to World Health Organization data from 2021.*¹⁰⁵

Failing to include statistics about men, hides their victimisation which makes it harder for men to recognise themselves as victims, consider themselves as deserving help, advocate for themselves, and get help when they need it.

Likewise, WHO reports disaggregated data when women are disproportionately

¹⁰⁴ Manual on Human Rights Monitoring – Chapter 28 – Monitoring and Protecting Women's Rights

¹⁰⁵ <https://www.unfpa.org/gender-based-violence#readmore-expand>

affected by depression, but does not report disaggregated data when men are disproportionately affected by suicide. Elsewhere, the WHO's data shows the age-standardised global suicide rate in 2019 were 12.6 per 100,000 for males and 5.4 per 100,000 for females.¹⁰⁶

*An estimated 3.8% of the population experience depression, including 5% of adults (4% among men and 6% among women), and 5.7% of adults older than 60 years. Approximately 280 million people in the world have depression. Depression is about 50% more common among women than among men. Worldwide, more than 10% of pregnant women and women who have just given birth experience depression. More than 700 000 people die due to suicide every year. Suicide is the fourth leading cause of death in 15–29-year-olds.*¹⁰⁷

Use consistent definitions

NHRIs should use terms as they are broadly defined and understood. When a term has multiple meanings NHRIs should not use the term to mean more than one thing.

For example, 'gender equality' means equal rights between women and men, but is often used to mean 'women's empowerment'.

After all, the United Nations states:

*The term gender is not interchangeable with women.*¹⁰⁸

Similarly, 'gender-based violence' refers to violence that occurs because of a person's gender, or when the victims are predominantly one gender. This includes both men and women, but often the term is used as a synonym for 'violence against women'.

Council of Europe recognises the common practice of confusing the two different terms:

*Gender-based violence and violence against women are two terms that are often used interchangeably, as most violence against women is inflicted (by men) for gender-based reasons, and gender-based violence affects women disproportionately.*¹⁰⁹ *Emphasis in original*

European Institute of Gender Equality admits to using this equivocation:

*Gender-based violence and violence against women are terms that are often used interchangeably as it has been widely acknowledged that most gender-based violence is inflicted on women and girls, by men... **The terms are used interchangeably throughout EIGE's work**, reflecting the disproportionate number of these particular crimes against women.*¹¹⁰

¹⁰⁶ <https://www.who.int/data/gho/data/themes/mental-health/suicide-rates>

¹⁰⁷ WHO webpage on depressive disorder <https://archive.ph/eM6Aj#selection-6059.0-6067.122>

¹⁰⁸ [Women's Rights are Human Rights 2014](#)

¹⁰⁹ <https://www.coe.int/en/web/gender-matters/what-is-gender-based-violence>

¹¹⁰ https://eige.europa.eu/gender-based-violence/what-is-gender-based-violence?language_content_entity=en

Using the term 'gender-based violence' when specifically referring to women, undermines the protection of men's rights by superficially appearing to include men, but in practice it excludes men.

5.1.5.2 Political language and jargon

NHRIs should avoid political language, jargon and technical language, and ingroup language.

5.2 External barriers for men and men's advocates

NHRIs should work to address barriers to the protection and promotion of men's and boys' human rights in wider society.

There are many barriers to including men in the protection and promotion of human rights:

5.2.1 Demonstrable bias in the wider system

A barrier to the protection of men's human rights is the neglect of men's and boys' rights in the wider human rights system. For example:

UN, 2019

*Some adults are in deep denial of the gender issue when boys are at the losing end of the disparities. **Sad to say, there is outright sex discrimination against boys in the [Children's Rights] movement.***¹¹¹

Stemple, 2009

*Despite the grave and widespread nature of sexual violence against men and boys, the current international human rights framework is inadequate for addressing this problem. ... **No human rights instruments explicitly address sexual violence against men.***¹¹²

Nuzzo, 2020

*The results show men's issues are given less attention than women's issues by the UN and WHO. ...Therefore, the observed differences could have two possible explanations: (a) lack of awareness of men's issues by UN and WHO staff, or (b) bias (conscious or unconscious) against men's or in favour of women's issues by UN and WHO staff.*¹¹³

Additionally, only 0.1% of Universal Periodic Review recommendations containing gender words like woman/man or female/male are about men's human rights issues.¹¹⁴

¹¹¹ The United Nations Global Study on Children Deprived of Liberty – Manfred Nowak 2019 – page 228

¹¹² Male Rape and Human Rights – Stemple 2009

¹¹³ Bias against men's issues within the United Nations and the World Health Organization: A content analysis – Nuzzo 2020

¹¹⁴ Authors own research using [UPR-Info database](#)

5.2.1.1 Opposition to men's rights in the human rights system

The Committee on the Elimination of Discrimination against Women¹¹⁵ and UN Women¹¹⁶ have noted their concern about men's rights groups.

This contradicts the *Declaration on Human Rights Defenders*.

“Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels”¹¹⁷

NHRIs should support men and men's advocates' right to advocate for men's human rights. Including condemning actors who want to silence men's rights advocates.

5.2.2 Entrenched attitudes and beliefs that devalue men's rights

Negative attitudes and beliefs about the value of addressing men's human rights issues are a barrier to the protection and promotion of their human rights. NHRIs should combat beliefs that devalue men's human rights.

People make judgments about the worthiness of protecting men's rights based on their beliefs, rather than the human right principles that all human rights are equal and men have the same right to protection of their rights as women.

NHRIs must ensure they base their policy and actions on human rights principles not individuals' beliefs and assumptions.

In the *Amman Declaration and Programme of Action*, NHRIs have agreed to education, promotion and awareness-raising activities on equal rights for women *and men* (gender equality) and to eliminate prejudices against women *and men*:

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

*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;*¹¹⁸

¹¹⁵ [Concluding observations on the combined fifth and sixth periodic reports of Slovakia – CEDAW/C/SVK/CO/5-6](#)

¹¹⁶ Democratic backsliding and the backlash against women's rights: Understanding the current challenges for feminist politics – UN Women discussion paper – 2020 – <https://www.unwomen.org/en/digital-library/publications/2015/7/discussion-papers-series>

¹¹⁷ Article 1 of the UN Declaration on Human Rights Defenders (1998)

¹¹⁸ Amman Declaration and Programme of Action

5.2.2.1 Gender stereotypes

Gender stereotypes can create barriers to men's enjoyment and exercise of their human rights. States are required to address gender stereotypes by altering people's attitudes

Convention on the Elimination of All Forms of Discrimination against Women, Article 5, says:

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of 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 can support States obligations to address gender stereotypes, thus reducing barriers to realising human rights for men.

The *Global Alliance of National Human Rights Institutions* gives an example:

*One important role of NHRIs is to remind the government to take action to eliminate inequalities and their root causes, as was done by the NHRI of Serbia when **it criticized the government for not having acted in a systematic manner to eradicate gender-related stereotypes...**¹¹⁹*

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice gives examples of stereotypes:

Stereotyping attributes are also common, such as portraying men as active and women as passive, men as leaders and women as followers. Avoid the systematic categorization of women as "vulnerable", as well as lumping together "woman and children" into a homogenous group.¹²⁰

Viewing men as 'active' makes it harder to see situations where men are victims of others and can lead to victim-blaming.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice recommends using gender-sensitive language to avoid reaffirming stereotypes:

Using gender-sensitive language is an important step towards achieving gender equality. The use of gender-sensitive language and disaggregated data helps to avoid a style of writing that "erases" women and omits phrases that reaffirm harmful gender stereotypes.¹²¹

5.2.2.2 Myths

Some examples of attitudes NHRIs should combat.

¹¹⁹ [The Role of National Human Rights Institutions in promoting gender equality and the empowerment of women and girls living in rural areas](#)

¹²⁰ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

¹²¹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

Myth: Gender equality is about women

There is a widespread belief that gender equality is only, or overwhelmingly, about women. This idea undermines the right of men to equality.

For example New Zealand Human Rights Commissioner Dr Jackie Blue's 2015 statement:

*Gender equality is about accepting that at birth, half of us are intrinsically discriminated and treated differently based on sex.*¹²²

UN Women defines gender equality to include the needs of men and boys:

*[Gender equality] refers to the equal rights, responsibilities and opportunities of women and men and girls and boys. Equality does not mean that women and men will become the same but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female. **Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men. Gender equality is not a women's issue but should concern and fully engage men as well as women. Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centered development.***¹²³

Myth: Women's rights issues should be solved before men's rights issues.

The idea that women's rights are more important than men's rights, so women should have their human rights issues dealt with first, is false. All rights are equal and no one's rights are more important than anyone else's.

In response to a request for a debate about issues like male suicide on International Men's Day, UK MP Jess Phillips said:

*"When I've got parity, when women in these buildings have parity, you can have your debate. And that will take an awfully long time", she continued.*¹²⁴

5.2.3 Men reluctant to come forward

Sometimes men are reluctant to speak about their human rights issues. This makes protecting their rights harder.

NHRIs should ensure men are comfortable to speak up, and advocate for themselves.

Sometimes, men and boys are more reluctant to talk (typically in cases of sexual exploitation and abuse).¹²⁵

5.2.4 Human rights issues labelled as women's issues

Labelling certain issues as women's issues creates a barrier to the men also affected by those issues. NHRIs should ensure their work empowers men who are victims of

¹²² Dr Jackie Blue: HeForShe Speech Nov 27th November 27, 2015 <https://archive.is/LtsQQ>

¹²³ [UN Women Training Centre Gender Equality Glossary](#)

¹²⁴ [Labour MP Jess Phillips targeted by trolls after scoffing at men's rights debate request](#)

¹²⁵ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

issues predominantly affecting women.

An example of how labelling disempowers men is the UK Government's categorisation of males as victims of 'violence against women and girls'.

Supporting male victims of crimes considered violence against women and girls

This document outlines the Government's support for male victims of crimes that fall within the violence against women and girls space.

...

*The term 'violence against women and girls' refers to acts of violence or abuse that we know disproportionately affect women and girls. These crimes include – and are not limited to – rape, sexual violence, domestic abuse, stalking, 'honour'-based abuse including forced marriage, 'revenge porn', and the harms associated with sex work and prostitution. These crimes have profound and long-lasting physical and mental health impacts and have absolutely no place in our society. **The use of this term cannot and should not negate the experiences of, or provisions for, male victims of these crimes.** The Government is committed to ensuring that all victims/survivors of these crimes, of all protected characteristics, receive the support they deserve, and recognises its responsibilities under the Public Sector Equality Duty provided for in the Equality Act 2010.¹²⁶*

5.2.5 Lack of Knowledge and expertise about men's rights in government, organisation and public

A lack of knowledge and expertise about men's rights in governments, NGOs, and the public creates a barrier for protecting men's human rights.

NHRIs should work to increase knowledge and expertise about men's rights in governments, NGOs, and the public

See section on Capacity building

5.2.6 Lack of jurisprudence and formal systems to protect men's rights

The lack of jurisprudence and the lack of formal and informal systems is a barrier to the protection and promotion of men's rights.

NHRIs should encourage the development of more formal mechanisms for men's human rights.

NHRIs should identify existing jurisprudence on men's rights and refer to it in its reports and advice to make it more widely known

NHRIs should identify and take advantage of opportunities likely to create jurisprudence for men's rights.

¹²⁶ [Supporting male victims of crimes considered violence against women and girls](#) – UK Government

Women's rights have a lot of formal and informal systems for protection and promotion. EG CEDAW and Ministry for Women,

*The Beijing Platform for Action identifies 12 critical areas of concern, including violence against women, economic inequality and the burden of poverty on women, insufficient mechanisms to promote women's advancement, and inadequate promotion and protection of the human rights of women.*¹²⁷

There is a lack of jurisprudence for men's human rights, especially compared to women

*In many countries, women's organizations are among the best organized parts of civil society and the human rights movement. Women human rights defenders, therefore, often have more resources, a better capacity and a stronger will to protect themselves in networks of organizations supporting each other and showing solidarity.*¹²⁸

The *Manual on Human Rights Monitoring* prompts report authors to include jurisprudence:

Does the report refer to:

- *International and regional human rights instruments or national legislation on gender equality?*
- *Concluding observations, recommendations and reports of international and regional mechanisms on women's rights and gender equality?*
- **Jurisprudence** on gender and women's rights?
- *International, regional and national policies on equality and non-discrimination and on gender (e.g., Beijing Declaration and Platform for Action, national action plans on gender equality)?*
- *Institutions for the promotion of gender equality (e.g., national machineries for the advancement of women) or other governmental or non-governmental actors dealing with gender issues?*
- *Literature, tools or other documents on gender equality?*¹²⁹

5.3 Address existing discrimination

Perhaps this is covered in the monitoring and reporting section.

NHRIs should work to reduce existing discrimination against men

6 Proactive, continuous, consistent

NHRIs should be proactive, and act continuously and consistently in the protection and promotion of men's rights.

¹²⁷ HRC 2010 Human_Rights_Review_2010_Full.pdf

¹²⁸ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

¹²⁹ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

6.1 Must be Proactive

The *Manual on Human Rights Monitoring* says:

*Integrating gender implies a **proactive attitude** of looking at and analysing how situations affect women, girls, men and boys differently. It is also about making such differences visible throughout the monitoring cycle.*¹³⁰

Being proactive:

Men's rights explicitly included in all stages, from planning, to implementation, to review.
Reaching out to men's advocates for collaboration, and expertise.
NHRIs should take responsibility for engaging with men's advocates. If men's advocates do not want to engage then that is something the NHRI should overcome, not just accept.
Identifying shortcomings in the NHRIs protection and promotion of men's rights, and addressing them
Supporting civil society to advocate for men's rights

Beijing Platform for Action says:

*[NHRIs] should promote an **active and visible policy** of mainstreaming a gender perspective in all policies and programmes, so that, before decisions are taken, an analysis is made of the effects for women and men*¹³¹

Incorporating Equal Opportunities for Women and Men into all Community Policies and Activities says:

*This involves... mobilising all general policies and measures specifically for the purpose of achieving equality by **actively and openly taking into account** at the planning stage their possible effects on the respective situations of men and women (the gender perspective).*¹³²

National Human Rights Institutions Best Practice says NHRIs must be proactive in reaching out to vulnerable and disadvantaged groups. This includes groups of men:

*NHRIs must **proactively** reach out to vulnerable and disadvantaged persons. Unconventional channels of communication should be used as needed to ensure that all groups in society are reached.*¹³³

For more on vulnerability and men see Prioritisation and Vulnerable groups

NHRIs should act on behalf of men and men's interests.

A Human Rights Approach to Data says:

National Human Rights Institutions... should participate on behalf of these groups to provide relevant perspectives and information (provided they are

¹³⁰ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

¹³¹ Beijing Platform for Action

¹³² Incorporating Equal Opportunities for Women and Men into all Community Policies and Activities – Commission of the European Communities – Brussels, 21.02.1996 – COM(96) 67 fIM – <http://aei.pitt.edu/3991/1/3991.pdf>

¹³³ [National Human Rights Institutions Best Practice – Commonwealth Secretariat](#)

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says it is important to be proactive and make sure information gathering includes appropriate sources for men and boys:

*To overcome these challenges, investigation teams should conduct a thorough mapping exercise on potential sources that can provide gender-specific information... Investigation teams should be **proactive** in reaching out to different types of sources and intermediaries, making sure the selection of sources and intermediaries is conducive to gathering information on... gender issues. It is important to remember, when identifying sources, not to rely too heavily on entities or service providers that target only one segment of the population. For example, psychosocial services that only target women and girls may not be good sources of information on trauma suffered by men or boys*¹³⁵

6.2 Continuous process.

Protecting and promoting men's rights requires a long-term commitment. It is not set and forget. The inclusion of men is a continuous process and must be evaluated and adjusted over time.

In *National Human Rights Institutions Best Practice*, the Commonwealth Secretariat says:

*The roles of NHRIs will need to evolve as the nature of human rights challenges evolves. New problems will emerge and old challenges will require fresh approaches.*¹³⁶

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices says:

*Gender equality must be **constantly fought for, protected and promoted** – like human rights, of which it is an integral part. Achieving gender equality is a continuous process that has to be constantly put into question, thought about and redefined.*¹³⁷

Remember, gender equality includes the needs and interests of women *and men*.

6.2.1 Consistent

NHRI must be consistent with including men in their work.

The *Handbook for National Human Rights Institutions on Women's Rights & Gender Equality* asks:

| What strategies are in place to ensure that gender considerations are |

¹³⁴ [A human rights approach to data](#) – UN 2018

¹³⁵ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

¹³⁶ [National Human Rights Institutions Best Practice – Commonwealth Secretariat](#)

¹³⁷ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – C of Europe](#)

7 Collaboration and cooperation

NHRIs must “**develop, formalize and maintain regular, constructive and systematic working relationships**”¹³⁹ with men’s advocates, and other community groups that are concerned with men’s needs and well-being.

The Paris Principles require NHRIs to collaborate with community organisations:

Within the framework of its operation, the national institution shall:

*...develop relations with the non-governmental organizations devoted to promoting and protecting human rights, to economic and social development, to combating racism, to protecting particularly vulnerable groups (especially children, migrant workers, refugees, physically and mentally disabled persons) or to specialized areas.*¹⁴⁰

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

*The Paris Principles also require NHRIs to “develop relations with the non-governmental organizations devoted to promoting and protecting human rights”. It should also be noted that they indicate that an institution’s pluralism and composition should serve to “enable effective cooperation” with the social forces “involved in the promotion and protection of human rights”.*¹⁴¹

The Global Alliance of National Human Rights Institutions says:

*To give full effect to these Paris Principle requirements, the [Sub-Committee on Accreditation] recommends that **NHRIs should develop, formalize and maintain regular, constructive and systematic working relationships** with other domestic institutions and actors established for the promotion and protection of human rights. Interaction may include the sharing of knowledge, such as research studies, best practices, training programmes, statistical information and data, and general information on its activities. For the following reasons the [Sub-Committee on Accreditation] considers such cooperation necessary to ensure the full realization of human rights nation-wide.*¹⁴²

*National human rights framework – The effectiveness of an NHRI in implementing its mandate to protect and promote human rights is largely dependent upon the quality of its working relationships with other national democratic institutions ... Broad engagement with all stakeholders may provide a better understanding of: the breadth of human rights issues across the state; the impact of such issues based on social cultural, geographic and other factors; gaps, as well as potential overlap and duplication in the setting of policy, priorities and implementation strategies. **NHRIs working in isolation may be limited in their ability to provide adequate human rights protections to the***

¹³⁸ [Handbook for National Human Rights Institutions on Women’s Rights & Gender Equality OSCE 2012](#)

¹³⁹ [General Observations of the Sub-Committee on Accreditation – GANHRI](#)

¹⁴⁰ [Principles relating to the Status of National Institutions \(The Paris Principles\)](#)

¹⁴¹ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

¹⁴² [General Observations of the Sub-Committee on Accreditation – GANHRI](#)

public.¹⁴³

Unique position of NHRIs – The character and identity of an NHRI serves to distinguish it from both government bodies and civil society. As independent, pluralistic institutions, NHRIs can play an important role¹⁴⁴

Improved accessibility – The NHRI's relations with civil society and NGOs is particularly important in improving its accessibility to sections of the populations who are geographically, politically or socially remote. These organizations are likely to have closer relations with vulnerable groups as they often have a more extensive network than NHRIs and are almost always likely to be closer to the ground. In this way, NHRIs may utilize civil society to provide an outreach mechanism to engage with vulnerable groups.¹⁴⁵

Expertise of other human rights bodies – As a result of their specialized mandates, other human rights bodies and civil society groups may provide an NHRI with valuable advice on the major human rights issues facing vulnerable groups across the nation. As such, **NHRIs are encouraged to regularly consult with other human rights bodies and civil society at all stages of programme planning and implementation, as well as policy making**, to ensure the NHRI's activities reflect public concerns and priorities. Developing effective relationships with the mass media, as a section of civil society, is a particularly important tool for human rights education¹⁴⁶

Formalized relationships – The importance of **formalizing clear and workable relationships** with other human rights bodies and civil society, such as through public memoranda of understanding, serves as a reflection of the importance of ensuring **regular, constructive working relationships** and is key to increasing the transparency of the NHRI's work with these bodies.¹⁴⁷

National Human Rights Institutions – History, Principles, Roles and Responsibilities
says: Says:

Cooperation is both a requirement and a need

As noted in chapters II and III, **the Paris Principles specifically require NHRIs to cooperate with NGOs and to ensure pluralism**. More pragmatically, the overall responsibilities of NHRIs in promoting and protecting human rights are extremely broad and cannot be attained without the active and ongoing engagement of other human rights actors. Cooperation is a requisite for success. Scarcity of resources is a reality for civil society generally and NGOs in particular. Cooperation and coordination are therefore needed to ensure that limited resources are used effectively, including by avoiding the duplication of effort.

Civil society, in particular NGOs, operates at the grass-roots level and will therefore have local information that may not be so readily available to an NHRI. This information is necessary to allow the institution to develop effective initiatives¹⁴⁸

¹⁴³ [General Observations of the Sub-Committee on Accreditation - GANHRI](#)

¹⁴⁴ [General Observations of the Sub-Committee on Accreditation - GANHRI](#)

¹⁴⁵ [General Observations of the Sub-Committee on Accreditation - GANHRI](#)

¹⁴⁶ [General Observations of the Sub-Committee on Accreditation - GANHRI](#)

¹⁴⁷ [General Observations of the Sub-Committee on Accreditation - GANHRI](#)

¹⁴⁸ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

A Manual on National Human Rights Institutions says:

*The Paris Principles recognise that effective human rights work requires engagement of and collaboration among all relevant actors. They require that NHRIs work in cooperation with... NGOs and other parts of civil society*¹⁴⁹

NHRIs should collaborate with individuals and groups acting in men's interest. Not all men are acting in men's interests, and some of those acting in men's interests are not men.

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

*Involving stakeholders representing a **diversity of interests** ensures that pluralism is built into the process and that civil society buys into the concept of an NHRI.*¹⁵⁰

In *National Human Rights Institutions Best Practice*, the Commonwealth Secretariat says:

An NHRI should, where appropriate, form alliances with NGOs to enhance its accessibility and effectiveness.

NHRIs should ensure that men's advocates take them seriously.

Assessing the Effectiveness of National Human Rights Institutions says:

*The public and partner organisations should be confident that NHRIs will be welcoming and will take them seriously. Organisations that are open, collaborative and self-critical are far more likely to respond well to the needs of the public and other organisations and to identify shortcomings in their practice.*¹⁵¹

Assessing the Effectiveness of National Human Rights Institutions says:

*Consultation – whatever their structure, NHRIs should consult regularly with the public, with community-based bodies and with organisations that have a professional interest in human rights. They will be more effective if they clearly understand what their public wants and needs. They will also benefit from the expertise offered by civil society organisations and academic and research institutions. **Full and regular consultation at every stage**, from planning to implementation and evaluation, will help to ensure that civil society organisations support the work of NHRIs.*¹⁵²

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

¹⁴⁹ [A Manual on National Human Rights Institutions - APF](#)

¹⁵⁰ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

¹⁵¹ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

¹⁵² [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

*National human rights institutions are an important part of the national human rights machinery, but they are only one part. They must work alongside other bodies that also have human rights roles and responsibilities, including the courts, law enforcement, the legislature and human rights NGOs. It is important for NHRIs to establish appropriate and **fruitful relationships** with these potential partners. At the same time, it is a challenge.*¹⁵³

7.1.1 NHRIs must engage with men and men's advocates to make sure that:

7.1.1.1 Men's right to participate in public affairs, in this case the work of the NHRI, is preserved.

Men, and men's advocates, have the right to participate in public affairs. If an NHRI does not meaningfully include men and men's advocates in their decision-making then they are denying men and men's advocates that right.

Participation of both sexes in decision-making

Gender mainstreaming requires the full participation of both women and men in all fields of society, not the least at the decision-making level... Guaranteeing an equal participation of both sexes in decision-making also involves the evaluation of existing personnel policies.¹⁵⁴

7.1.1.2 Men, and men's advocates, have meaningful input in the decisions that affect men

NHRIs are duty-bearers and men are rights-holders.

men are affected by NHRI policies and actions, so men and men's advocates should have meaningful input into NHRIs decisions, policies and actions.

Meaningful participation

Meaningful participation means an NHRI's consultation men and men's advocates can influence the decisions made by the NHRI.

Meaningful participation should include:

- Explicit inclusion of men's rights issues in public consultations – i.e telling the public that the NHRI wants to know about men's issues.
- Asking men about their experiences *as men*
- Including men's "interests, needs and priorities"¹⁵⁵ in consultations.

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices identifies the importance of ensuring people's "**values, interests and life experiences**" are considered. The Council also notes the under-representation of men in gender-equality advocates.

¹⁵³ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

¹⁵⁴ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

¹⁵⁵ From UN Women's definition of *gender equality*.

Participation of women in political and public life and in decision-making processes

*It is especially important that women enter decision-making processes, to ensure that the various values, interests and life experiences of women are taken into account when decisions are made. It is obvious that not every woman is necessarily an advocate for women's issues, but, as a matter of fact, most advocates for balanced gender relations are women. Besides, experience shows that in countries where a greater number of women participate in decision-making, changes are more considerable and take place at a quicker rate*¹⁵⁶

The New Zealand Human Rights Commission says:

*The Commission will engage appropriately with stakeholders and communities so they can be involved in the development of solutions to issues that affect them.*¹⁵⁷

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

*The Sub-Committee further emphasizes that the principle of pluralism includes ensuring the **meaningful participation** of women in the national institution.*¹⁵⁸

The Global Alliance of National Human Rights Institutions says:

***meaningful participation**... at all levels is important to ensure an understanding of, and access for, a significant proportion of the population.*¹⁵⁹

A Human Rights Approach to Data says:

*All data collection exercises should include means for **free, active and meaningful participation** of relevant stakeholders, in particular the most marginalized population groups.*¹⁶⁰

The Handbook for National Human Rights Institutions on Women's Rights & Gender Equality says:

*In planning such initiatives, it is important to ensure the **genuine involvement of civil society actors** from the early planning stages.*¹⁶¹

7.1.1.3NHRI decisions and policies work for men

NHRIs must protect and promote everyone's rights without distinction, so NHRIs must consult with men and men's advocates to ensure their protection and promotion activities work for men.

A Human Rights Approach to Data says:

¹⁵⁶ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

¹⁵⁷ https://www.hrc.co.nz/files/2114/7147/3368/Human_Rights_Policy_Statement.pdf

¹⁵⁸ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

¹⁵⁹ General Observation 1.7 Ensuring pluralism of the NHRI

¹⁶⁰ [A human rights approach to data](#) – UN 2018

¹⁶¹ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

*A participatory approach should enhance the relevance and reliability of collected data and compiled indicators. An [Human Rights Based Approach to Data] should help **address concerns expressed by the target population groups** themselves in accordance with international human rights standards.¹⁶²*

7.1.1.4 The NHRI is well-informed about the issues that exist for men and boys

NHRIs need to be well-informed about the human rights issues for men and boys, so they should have meaningful engagement with men, men's advocates, and experts in men's well-being.

NHRIs should be proactive in reaching out to experts in men's human rights and other men's advocates.

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

In all the core protection areas mentioned here, NHRIs have particular responsibility for considering gender when carrying out their mandate¹⁶³

A Human Rights Approach to Data says:

Involvement of groups of interest in all aspects of data collection activities

All data collection exercises should include means for free, active and meaningful participation of relevant stakeholders, in particular the most marginalized population groups.¹⁶⁴

Addressing the Needs of Women & Men in Gaza highlights the importance of including both women and men.

*Women and men often highlight different concerns and bring different perspectives, experiences and solutions to the issues. They also have differing perceptions and concerns regarding culturally acceptable practices. **A clear and accurate picture of a situation cannot be attained if 50% or more of the population has not been consulted, as it can mean that 50% of the information needed is missing.**¹⁶⁵*

7.1.1.5 The NHRI is supporting MRAs and MHRDs

NHRI's work should benefit men's advocates. An NHRI's collaboration with men and men's advocates should empower men to advocate for themselves, and men's advocates to advocate on behalf of men.

UN Declaration on Human Rights Defenders says:

"Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental

¹⁶² [A human rights approach to data](#) – UN 2018

¹⁶³ *National Human Rights Institutions – History, Principles, Roles and Responsibilities*

¹⁶⁴ [A human rights approach to data](#) – UN 2018

¹⁶⁵ *Addressing the needs of women and men in Gaza* A.pdf

The *European Network of National Human Rights Institutions* says NHRIs should adopt a wide definition of human rights defenders. This must include men’s advocates:

| *It is important that NHRIs themselves, or the institutions they advise, allow for the widest possible definition and identification of defenders, including the possibility of self-identification at a later stage.*¹⁶⁷ |

National Human Rights Institutions – History, Principles, Roles and Responsibilities says NHRIs should consider gender, and therefore men, when working to protect human rights defenders:

| *Core protection activities should focus primarily on the prevention of torture, arbitrary detention, disappearances and the protection of human rights defenders... In all the core protection areas mentioned here, NHRIs have particular responsibility for considering gender when carrying out their mandate*¹⁶⁸ |

The *Marrakech Declaration* says NHRIs have a role protecting human rights defenders, like men’s advocates:

| *Paris Principles compliant NHRIs can play an important role in promoting and protecting human rights for all by contributing to safeguarding and promoting civic space and protecting human rights defenders...*¹⁶⁹ |

The *Marrakech Declaration* says NHRIs agreed to support human rights defenders, including the following actions:

| *Contribute to the establishment of national protection systems for human rights defenders, who need an enabling environment which is accessible and inclusive and in which all rights are respected. This should be done in consultation with those human rights defenders and civil society, media and other non-state entities and individuals (such as ethnic, indigenous and religious leaders)*

| *Advance positive narratives... on the important and legitimate role of human rights defenders*

| *Promote gender equality and develop strategies to combat all forms of discrimination against women human rights defenders;*

| *Raise awareness among private actors about their responsibility to respect the rights of human rights defenders and advise them on actions and measures to ensure that they meet this responsibility*

¹⁶⁶ Article 1 of the UN Declaration on Human Rights Defenders (1998)

¹⁶⁷ [NHRIs as human rights defenders – ENNHRI](#)

¹⁶⁸ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

¹⁶⁹ [The Marrakech Declaration](#) - “Expanding the civic space and promoting and protecting human rights defenders, with a specific focus on women: The role of national human rights institutions”

Monitor and report on civic space – online and offline – through the collection and analysis of disaggregated data, including gender-based disaggregation and statistics related to killings, fabricated legal charges, misuse of specific laws and other attacks against human rights defenders, journalists and trade unionists, lawyers, students, academics, in line with SDG indicator 16.10.1;

Set up efficient and robust early warning mechanisms and focal points within NHRIs. This should be done with specific attention to groups at risk: human rights defenders, women human rights defenders and all those that advocate for the rights of those left behind. These mechanisms should have the mandate, capacity and expertise to initiate urgent actions;

Interact with the international and regional human rights systems in support of human rights defenders, and monitor follow-up and implementation of recommendations;

Report cases of intimidation, threats and reprisals against human rights defenders, including against the NHRI members or staff, and do what is possible to ensure protection;

Ensure that international, regional and national mechanisms available for the protection of human rights defenders are widely known, gender-sensitive and accessible also for persons with disabilities;

Interact with human rights defenders and civil society in a regular manner and include them in the planning and implementation of, as well as follow-up on, the NHRI's activities, in a gender and disability-sensitive manner;

Support the development of national and regional defenders' networks and strengthen existing ones, in coordination with human rights defenders. Specifically support networks of women human rights defenders.¹⁷⁰

This means NHRIs should be supporting men's human rights defenders by:

- Creating an enabling environment for men's advocates
- Being positive about men's advocates
- Promoting gender equality (including for men)
- Raise awareness of the importance of supporting men's rights advocates
- Monitor the civic space for attacks on men's rights advocates
- Set up focal points within the NHRI to support men's rights advocates
- Support men's rights advocates at the national and international level
- Report threats and intimidation of men's rights advocates.
- Ensure mechanisms for the protection of human rights defenders are gender-sensitive, including sensitive to men and men's advocates needs.
- Regularly interact with men's rights advocates
- Support the development of regional networks to support men's rights advocates.

The *Manual on Human Rights Monitoring* identifies issues for women's human rights defenders and recommends actions for Human rights Officers. While women's human rights defenders can face unique challenges, the same principles apply to men's human rights defenders:

Women human rights defenders, or women's human rights defenders, are women working on any human rights issue, as well as anyone working on human rights issues relating to gender equality.

¹⁷⁰ [The Marrakech Declaration](#) - "Expanding the civic space and promoting and protecting human rights defenders, with a specific focus on women: The role of national human rights institutions"

WHRDs are formidable partners of field presences working on women's human rights. They are agents of change and are crucial for promoting accountability and respect for international human rights standards in at least two ways: (1) in championing women's empowerment, they pursue a transformative agenda for society; and (2) as defenders, they advocate for broader enjoyment of human rights.

WHRDs are exposed or subjected to the same types of risks as any human rights defender, but as women and/or because of their work they are also targeted or exposed to additional human rights abuses and violations – both online and offline. The work of WHRDs can be perceived as challenging a society's traditional notions of family and gender roles, which can lead to hostility from the general population and the authorities. They can therefore be stigmatized and ostracized by community leaders, faith-based groups, families and communities that consider them to be threatening religion, honour or culture through their work. This increases their risk of becoming the target of attacks.

For instance:

- In militarized societies dominated by men, WHRDs may be excluded and marginalized or may feel threatened in the conduct of their work. This results in their voices and requests going unheard in negotiation/peace-building processes.
- WHRDs are often targeted through threats and violence against their family members, including when they make presentations in international human rights forums such as the HRC.
- Gender-based violence is a common feature of attacks against WHRDs. For instance, in countries where women have taken part in peaceful protests, reports of sexual harassment and sexual violence against women protestors have been common, in addition to the violence and threats faced by all protestors.
- Attacks against WHRDs in the media often build on the same stereotypes they are trying to challenge: stereotypes about the role of women in society and about their sexuality (e.g., bad mothers or bad wives, lesbians or prostitutes).
- Restrictions on WHRDs' freedom of opinion and expression, freedom of movement, assembly and association. These are often justified in the name of public morality.
- Judicial harassment using laws on public morals, or bringing false charges.
- Attacks when defending the rights of individuals whose behaviour is criminalized, e.g., LGBT individuals, sex workers, drug users, people living with HIV, or others.

HROs can:

- Work with WHRDs as part of their monitoring activities: these defenders can be valuable sources of information, and can support HROs in reaching out to women.
- Support WHRDs in setting up national and regional networks to improve advocacy and protection.
- Monitor and report on the human rights situation of WHRDs, taking into account the gender-specific challenges and violations they may face.

- **Publicly recognize and support the work of WHRDs.** This is a first step in preventing or reducing threats and attacks against them.
- Support measures to prevent, protect from and respond to threats and attacks against WHRDs that take into account the particular experiences, views and needs of women human rights defenders.¹⁷¹

The *Manual on Human Rights Monitoring* asks:

Are men and women human rights defenders vulnerable in a different way to attacks?

Do protection measures (and their limitations) affect men and women human rights defenders differently?

*Do men and women human rights defenders have different capacities to defend themselves against attacks?*¹⁷²

7.1.1.6 The NHRI promotion and communication are sensitive to men's needs and not tone-deaf or harmful.

Collaboration with men and men's advocates will help NHRIs to avoid harmful or tone-deaf communication.

Gender sensitive.

7.1.1.7 The NHRI has a network of agencies to consult with, and to refer male victims to.

NHRIs should maintain a directory of men's advocacy and support agencies. This is so the NHRI can easily consult with them, and also refer victims to appropriate support.

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices says:

*In order to be able to consult with individuals, groups or organisations concerned with a proposed policy, information about them must be available. Likewise, **when plans for citizen participation are made, policy-makers should have at their disposal information on the existing organisations.** Directories, databases and organisational charts can be most helpful in establishing the right contacts. As these tools are often available in institutions for various reasons, it can be very useful to contact other institutions for existing directories, databases and organisational charts before collecting new ones.*¹⁷³

Integrating a Gender Perspective into Human Rights Investigations says:

*To overcome these challenges, investigation teams **should conduct a thorough mapping exercise on potential sources that can provide gender-specific information.** It is often critical to rely on intermediaries who could help to identify those persons, including victims, or organizations that may be good sources of*

¹⁷¹ [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

¹⁷² [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

¹⁷³ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

information. Intermediaries can also play a critical role in reaching out to victims and making the first contact with them to assess their disposition to being interviewed. **Investigation teams should be proactive in reaching out to different types of sources and intermediaries**, making sure the selection of sources and intermediaries is conducive to gathering information on women's human rights and gender issues. It is important to remember, when identifying sources, not to rely too heavily on entities or service providers that target only one segment of the population. For example, psychosocial services that only target women and girls may not be good sources of information on trauma suffered by men or boys¹⁷⁴

Handbook for National Human Rights Institutions on Women's Rights & Gender Equality says:

NHRIs should be aware of the services provided by civil society organizations and should engage in collaborative activities, to be able to refer victims to the most appropriate services and to ensure that complainants receive the support they require. NHRIs and civil society organizations can also benefit by respective areas of expertise, for example, by mutual or joint training.¹⁷⁵

7.1.1.8 Constructive & regular

Constructive means that consultation is beneficial to both parties.

The Global Alliance of National Human Rights Institutions says:

*Regular and constructive engagement with all relevant stakeholders is essential for NHRIs to effectively fulfil their mandates.*¹⁷⁶

NHRIs are required to have regular and constructive consultations with men and men's advocates.

– **In all circumstances, NHRIs should collaborate and cooperate with other stakeholders, and doing so is itself a test of their commitment to pluralism.**¹⁷⁷

*Whether or not such co-operation is specified, NHRIs and NGOs can benefit from a collaborative approach. **Civil society organizations have specialized knowledge... related to... gender equality**, and can also assist in promotional activities. Collaborating with civil society will enhance NHRIs' capacity to reach*

¹⁷⁴ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

¹⁷⁵ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

¹⁷⁶ [General Observations of the Sub-Committee on Accreditation - GANHRI](#)

¹⁷⁷ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

7.1.1.9 The NHRI is trusted

Engaging with all relevant stakeholders makes the NHRI more trustworthy.

An NHRI must be trusted by men and men's advocates in order to do their job.

Participation is central to a human rights-based approach. It is instrumental to the realization of all components of the HRBAD, as well as retaining trust in official and other relevant data and statistics.^{179 180}

*Available guidance and good practices in interviewing and establishing trust with victims, including victims of GBV, both male and female, should be considered and discussed at the outset of the investigation.*¹⁸¹

7.1.1.10 Open and transparent

Decision-making about participation should be transparent and equitable

*The process and decisions by which participants are selected and groups are engaged with should be clear and transparent. Groups who wish to be involved in participatory processes should be able to access the relevant agencies for this purpose.*¹⁸²

7.2 Wide range of different men

A wide range of men should be included because men's experiences & needs vary greatly.

8 Including men in your organisation

Move this to the capacity building section??

¹⁷⁸ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

¹⁷⁹ The International Covenant on Civil and Political Rights explicitly recognizes a right of citizens to participate in public affairs in Article 25. This is supplemented by more general rights to participation in treaties including the International Covenant on Economic, Social and Cultural Rights (arts. 13.1 and 15.1), Convention on the Elimination of All Forms of Discrimination Against Women (art. 7), the Convention on the Rights of the Child (art. 12), the Convention on the Rights of Persons with Disabilities (art 29), as well as in Declarations, including the Universal Declaration of Human Rights (art. 21), the Declaration on the Right to Development (arts. 1.1, 2 and 8.2), the Declaration on the Rights of Indigenous Peoples (art. 5, 18, 19 and 41) and the Millennium Declaration (para 25).

¹⁸⁰ [A human rights approach to data](#) – UN 2018

¹⁸¹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

¹⁸² [A human rights approach to data](#) – UN 2018

NHRIs must include men and men's advocates in their staff. In addition, NHRI's should have staff members who *act in the interests* of men and boys.

The *Manual on Human Rights Monitoring* says:

*Being a man or a woman has an impact on one's work as a human rights officer.*¹⁸³

GANHRI highlights the importance of a diverse staff, especially in terms of gender.

A diverse decision-making and staff body facilitates the NHRI's appreciation of, and capacity to engage on, all human rights issues affecting the society in which it operates, and promotes the accessibility of the NHRI for all citizens.

Pluralism refers to broader representation of national society. Consideration must be given to ensuring pluralism in the context of gender, ethnicity or minority status. This includes, for example, ensuring the equitable participation of women in the NHRI.¹⁸⁴

A Manual on National Human Rights Institutions says staff, committees, and working groups should reflect the broader community. This means NHRIs should be including men and men's advocates:

*Therefore, the composition of the staff, and of any advisory committees or working groups, should reflect the broader community to ensure that the NHRI itself is able to hear the broadest range of voices and views.*¹⁸⁵

8.1 Gender balanced staff

The Paris Principles require pluralism. That is, NHRI staff reflect broader society, including in respect to gender.

The principle of pluralism requires NHRIs to have a gender-balanced staff.

The United Nations says:

*NHRIs must demonstrate that the staff profile is merit-based, **gender-balanced** and representative of the population they serve*¹⁸⁶

UN Committee on Elimination of Discrimination Against Women says:

*The [CEDAW] Committee ... expects that the composition of members and staff of national human rights institutions is **gender balanced at all levels.***¹⁸⁷

In *National Human Rights Institutions Best Practice*, the Commonwealth Secretariat says:

*Collectively, **the members should reflect gender balance**, the ethnic diversity of*

¹⁸³ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

¹⁸⁴ [General Observations of the Sub-Committee on Accreditation - GANHRI](#)

¹⁸⁵ [A Manual on National Human Rights Institutions - APF](#)

¹⁸⁶ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

¹⁸⁷ [Committee on the Elimination of Discrimination against Women re: NHRIs E/CN.6/2008/CRP.1](#)

| society and the range of vulnerable groups in their respective society.¹⁸⁸ |

The *Global Alliance of National Human Rights Institutions* says:

| **Consideration must be given to ensuring pluralism in the context of gender, ethnicity or minority status. This includes, for example, ensuring the equitable participation of women in the NHRI.**¹⁸⁹ |

The *Handbook for National Human Rights Institutions on Women's Rights & Gender Equality* says:

| *NHRIs should track the representation of women and men at all levels in the NHRIs. This information should be included in the NHRIs' annual reports, and steps should be taken to address any significant imbalances.*¹⁹⁰ |

Assessing the Effectiveness of National Human Rights Institutions says:

| *To be open and accessible, NHRIs need to ensure that members and staff are representative of a society's social, ethnic and linguistic composition. **Good gender balance is vital.** At the same time, selection should always be on merit.*¹⁹¹ |

A Manual on National Human Rights Institutions says:

GOOD PRACTICE

| While individual selection criteria should highlight the fundamental skills, knowledge and experience required of each applicant, in subsequently determining the overall composition of the Commission there should be a focus on ensuring a broad mix of relevant skills and diversity (**including equitable gender representation**).¹⁹² |

National Human Rights Institutions – History, Principles, Roles and Responsibilities says an NHRI may have to use special measures to ensure there are enough men on the NHRI's staff:

| *Because NHRIs must demonstrate that the staff profile is merit-based, gender-balanced and representative of the population they serve, this may require a search beyond those already employed in Government.*

| *An institution must demonstrate that it has been absolutely non-discriminatory and shown no nepotism in recruitment. It must stand as an example. **Because of the need for the institution to demonstrate pluralism and diversity at all levels, an institution should also, where appropriate, use special measures to advance the position of under-represented minorities...***¹⁹³ |

¹⁸⁸ [National Human Rights Institutions Best Practice - Commonwealth Secretariat](#)

¹⁸⁹ General Observation 1.7 Ensuring pluralism of the NHRI

¹⁹⁰ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

¹⁹¹ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

¹⁹² *A Manual on National Human Rights Institutions – Asia Pacific Forum*

¹⁹³ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

8.1.1 Acting in the interests of men

NHRIs are required to be pluralistic. One reason for this is to ensure a wide understanding of the human rights issues in society. This means representation should not be limited to members simply being part of the represented group, but also *acting in the interests* and *meaningful participation* of the represented group. Simply having men present is not sufficient for pluralism.

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

*Involving stakeholders representing a **diversity of interests** ensures that pluralism is built into the process and that civil society buys into the concept of an NHRI*¹⁹⁴

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices recognises that not everyone in a group advocates for that group:

It is especially important that women enter decision-making processes, to ensure that the various values, interests and life experiences of women are taken into account when decisions are made. **It is obvious that not every woman is necessarily an advocate for women's issues**, but, as a matter of fact, most advocates for balanced gender relations are women.¹⁹⁵

Likewise, a man is not necessarily acting on behalf of men, nor an expert on men's human rights. Experts in, and advocates for, men's human rights are not necessarily men. The important thing is there are people who are acting on behalf of men, and there are people who can provide expertise and experience of men's human rights issues.

See section on Capacity building for more

National Human Rights Institutions – History, Principles, Roles and Responsibilities says NHRI employees must have a commitment to human rights, which includes men's rights:

*Finally, while all employees of an institution must bring the necessary skills to the job, they **must also have a personal commitment to human rights** in order to perform their assignments. The selection process must therefore look beyond skills to determine the personal suitability of candidates. The institution's recruitment and promotion policies must serve as a model: they must be progressive, and may include special or temporary measures.*¹⁹⁶

8.2 Gender balanced work

An NHRI should apply the principle of pluralism in its day-to-day work. This means ensuring consultations, working groups, etc. are gender balanced and include men's

¹⁹⁴ National Human Rights Institutions – History, Principles, Roles and Responsibilities

¹⁹⁵ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

¹⁹⁶ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

advocates.

A Manual on National Human Rights Institutions says:

*The requirement of pluralism is not limited to NHRI members, but to NHRIs as a whole and to their internal and external structures for consultation – members, staff and committees. Some NHRIs have a single member, or a small number of members, and it would be impossible to represent all the relevant “social forces” among the NHRI members. Therefore, the composition of the staff, and of any advisory committees or working groups, should reflect the broader community to ensure that the NHRI itself is able to hear the broadest range of voices and views.*¹⁹⁷

GANHRI says:

The SCA notes there are diverse models for ensuring the requirement of pluralism in the composition of the NHRIs as set out in the Paris Principles. For example:

Members of the decision-making body represent different segments of society as referred to in the Paris Principles. Criteria for membership of the decision-making body should be legislatively established, be made publicly available and subject to consultation with all stakeholders, including civil society. Criteria that may unduly narrow and restrict the diversity and plurality of the composition of the NHRI’s membership should be avoided;

Pluralism through the appointment procedures of the governing body of the NHRIs for example, where diverse societal groups suggest or recommend candidates;

Pluralism through procedures enabling effective cooperation with diverse societal groups, for example advisory committees, networks, consultations or public forums; or

*Pluralism through staff that are representative of the diverse segments of society. This is particularly relevant for single member NHRIs, such as an Ombudsperson*¹⁹⁸

9 Capacity building

NHRIs have an obligation to improve their own capacity to protect and promote men’s human rights and also an obligation to help others improve, protect and advocate for men’s human rights.

Assessing the Effectiveness of National Human Rights Institutions says:

*Public awareness and education campaigns for the public and officials – NHRIs should aim to make both the public and public officials more aware of human rights and their obligations.*¹⁹⁹

¹⁹⁷ A Manual on National Human Rights Institutions – Asia Pacific Forum

¹⁹⁸ [General Observations of the Sub-Committee on Accreditation - GANHRI](#)

¹⁹⁹ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

National Human Rights Institutions Best Practice says:

NHRIs should have the power to provide information, education, strategic advice and training on human rights issues including:

- training for government and other public officials about applicable norms and human rights standards. Specific training should be designed for members of the police, military forces, judiciary, legal profession and other members of society that have particular powers or responsibility relevant to human rights;*
- targeted education for vulnerable groups;*
- building the capacity of human rights advocates and NGOs to perform their work;*
- training NHRI staff to build the capacity of the NHRI to perform its work;*
- public awareness campaigns; and*
- developing and supporting human rights clubs — particularly in schools and other formal educational institutions.*

NHRIs should widely disseminate information on their complaints process, the remedies available and the contact details of the NHRI.

NHRIs should have the power to use mass media as appropriate and available to communicate with the public. For example, in developing countries, radio may be very effective. In other countries, toll-free phone systems and websites may be useful.

NHRIs should collaborate with other public and private institutions to maximise the provision of human rights education.²⁰⁰

National Human Rights Institutions Best Practice says:

The powers possessed by NHRIs to educate victims and perpetrators of human rights abuses should be extensive and cover a broad range of activities. NHRIs should consider it their duty to educate the public about human rights and what mechanisms exist to protect them. Great care should be taken to target vulnerable groups because they are unlikely to be reached through traditional education campaigns.

NHRIs can change the culture of government and its employees, the judiciary and the legal profession, the security forces and those in positions of power through training. This training, which should be designed to impart the message that sensitivity to human rights issues is required for effective job performance, should form part of all personnel development programmes. NHRIs should work with trainers and educators to ensure that the importance of human rights is recognised in other training programmes.²⁰¹

9.1 NHRI's Capacity and expertise

NHRIs must ensure they have the capacity to protect and promote men's human rights.

²⁰⁰ [National Human Rights Institutions Best Practice – Commonwealth Secretariat](#)

²⁰¹ [National Human Rights Institutions Best Practice – Commonwealth Secretariat](#)

9.1.1 Staff expertise

NHRI staff must have a knowledge of men's rights. Without such knowledge staff can unwittingly make men's human rights issues worse, alienate men and men's advocates, provide poor advice to government and civil society, and reinforce gender myths and stereotypes.

National Human Rights Institutions Best Practice says:

*Members should have integrity, moral courage and competence, and be able to exercise sound judgment and fairness. They must also possess public credibility and be independent from executive influence. **They should be sensitive to issues relating to gender, ethnicity, and the rights of indigenous peoples, people with disabilities and other vulnerable groups.***²⁰²

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

All members of an investigation team have a responsibility to integrate a gender perspective into their work. **It is therefore imperative to train all staff members to detect gender concerns and impacts within their area of expertise and assigned functions.**²⁰³

National Human Rights Institutions Best Practice says:

NHRIs should provide regular training on gender sensitivity, sexual harassment, women's rights and non-discrimination to staff members. **All staff, from senior management to administrative and service staff, should be required to participate in gender-sensitivity training.**²⁰⁴

Amman Declaration and Programme of Action says NHRI should be trained on gender equality, which includes the needs of men and boys:

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

Prioritize and mainstream... 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 structures with a view to achieving gender equality at all levels and in all aspects of their work²⁰⁵

Staff knowledge should include:

- The significant human rights issues for men and boys;
 - Including the general idea of the prevalence of those issues.
- The barriers for addressing men's rights issues;
 - including sensitivity when dealing with male victims.
- How national and international human rights law applies to men and boys;
- How principles like gender equality apply to men.

²⁰² [National Human Rights Institutions Best Practice - Commonwealth Secretariat](#)

²⁰³ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁰⁴ [National Human Rights Institutions Best Practice - Commonwealth Secretariat](#)

²⁰⁵ Amman Declaration and Programme of Action

Which men's organisations and civil society are available to engage with the NHRI
Which service providers are available for male victims of human rights abuses

NHRI's must work to increase staff knowledge about men's rights.

Handbook for National Human Rights Institutions on Women's Rights & Gender Equality Says:

Internal training on... gender issues should be offered on a regular basis, to ensure that staff are kept up-to-date on recent developments. Gender-sensitivity training for all officials and staff should be part of NHRIs' overall learning strategy as well.

...It is also important for the NHRIs to ensure that staff-training programmes on... gender equality are regularly offered, in order to ensure sustainability and knowledge transfer within the institution²⁰⁶

NHRIs must ensure institutional knowledge about men's human rights is maintained within the NHRI.

A Human Rights Approach to Data says:

Maintain knowledge holdings and institutional memory in relation to information gathered through participatory processes²⁰⁷

Information provided by members of the public through participatory processes should be retained and appropriately archived to contribute to organizational knowledge holdings.²⁰⁸

9.1.2 Engagement with experts on men's rights.

NHRIs must engage with and consult a range of experts on men's rights, especially if staff expertise is limited.

Monitoring, Evaluation, Accountability and Learning – A Guide for NHRIs says:

If you do not have gender expertise within your NHRI, seek the support of external experts who know your context and understand the mandate of an NHRI.²⁰⁹

Unfortunately, there are not many experts on men's human rights issues. Much academic work is not focused on men as rights-holders, but on men as duty-bearers. For example, in engaging men to support women's rights.

²⁰⁶ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

²⁰⁷ [A human rights approach to data](#) – UN 2018

²⁰⁸ [A human rights approach to data](#) – UN 2018

²⁰⁹ *Monitoring, Evaluation, Accountability and Learning – A Guide for NHRIs*

NHRIs should ensure it engages with experts focused on men as rights-holders, and acting in the interests of men.

9.2 Building capacity in government

National Human Rights Institutions Best Practice says:

*NHRIs should provide technical training and expertise to help **build the capacity of other democratic institutions.***²¹⁰

NHRIs role is to advise the government on human rights. This should include men's human rights.

NHRIs should support the government to meet its obligation to ensure equal enjoyment of rights for men.

NHRIs should improve the government's capacity to address men's rights through giving advice on men's human rights, and gender analysis of law and policy that includes its impact on men and boys.

Guiding Principles on Business and Human Rights says:

*National human rights institutions that comply with the Paris Principles have an important role to play in helping States identify whether relevant laws are aligned with their human rights obligations and are being effectively enforced, and in providing guidance on human rights also to business enterprises and other non-State actors.*²¹¹

Handbook for National Human Rights Institutions on Women's Rights & Gender Equality says:

*NHRIs can implement gender mainstreaming by developing gender-assessment strategies or impact analyses for draft legislation and existing laws, policies, programmes and activities. Supporting the government to find ways to integrate gender perspectives into its work across all government departments can be a powerful way of combating gender-based discrimination and advancing gender equality.*²¹²

ODIHR recommendations

NHRIs should advocate for the adoption and full implementation of legislation and policies that protect women's rights and promote gender equality.

NHRIs should provide assistance by reviewing national legislation and identifying gaps, highlighting problem areas in the existing legal framework, and contributing to the development of new laws and policies. NHRIs should also monitor the impact of laws and policies on women's rights and gender equality, and report on these to the

²¹⁰ [National Human Rights Institutions Best Practice – Commonwealth Secretariat](#)

²¹¹ [Guiding Principles on Business and Human Rights](#)

²¹² [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

government.

NHRIs should monitor the development of national action plans related to rights of women or gender equality. They should also monitor the actual implementation of such national action plans.

NHRIs should assist governments to implement gender mainstreaming, including by developing gender-assessment strategies for all government draft legislation, policies, programmes and activities.

*NHRIs should liaise with government officials on a regular basis. This should not be limited to government officials who are focused on women's rights or gender equality issues, but should include all government departments and government institutions whose work has an impact on these areas.*²¹³

*NHRIs are also well placed to use their national role to convene stakeholders, experts and community leaders to share research and good practices and to improve public awareness, as well as to facilitate exchanges with NGOs and counselling services that work with women's organizations.*²¹⁴

A Manual on National Human Rights Institutions says:

*Advice can be directed to any political, social or economic actor and relate to any issue or area that affects the full enjoyment of all human rights and fundamental freedoms.*²¹⁵

9.3 Building public & civil society capacity

NHRIs should work to increase the capacity of the public and civil society to understand and advocate for men's rights.

NHRIs should do this by:

- Education on the relevant human rights documents for men's rights;
- Education on the national laws protecting men's rights;
- Education on mechanisms available to address violations of men's rights;
- Education on what to do if they feel men's rights have been violated.
- Combating stereotypes
- Education on the significant human rights issues facing men and boys

A Manual on National Human Rights Institutions says:

Human rights education and training encompasses:

(a) Education about human rights, which includes providing knowledge and understanding of human rights norms and principles, the values that underpin them and the mechanisms for their protection;

(b) Education through human rights, which includes learning and teaching in a

²¹³ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

²¹⁴ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

²¹⁵ [A Manual on National Human Rights Institutions – APF](#)

way that respects the rights of both educators and learners;

(c) Education for human rights, which includes empowering persons to enjoy and exercise their rights and to respect and uphold the rights of others.²¹⁶

Handbook for National Human Rights Institutions on Women's Rights & Gender Equality says:

Where relevant, **NHRIs should facilitate specialized or general training for civil society actors** involved in particular areas of the protection and promotion of women's rights and gender equality. Training of trainers for civil society may also multiply the impact of such programmes.²¹⁷

Amman Declaration and Programme of Action says:

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

Undertake education, promotion and awareness-raising activities on... 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.²¹⁸

National human rights institutions typically develop core human rights material that allows the public to develop a general understanding of human rights, as well as to learn about their work:

- Describing the NHRI and what it does, and how to contact it;

- **Explaining key human rights and basic principles;**

- **Explaining the rights of particular groups.**

Plain language and clear layout will make the material visually attractive, and easy to navigate and understand.²¹⁹

Promotion and protection are not functions but responsibilities. Each is a broad area of responsibility for which the use of many NHRI functions is required. ...

The promotion responsibility is directed towards the positive fulfilment of all human rights. It is sometimes reduced to human rights education and awareness raising alone. It certainly includes education and awareness raising but it is also much more. It reaches government policies and programs to fulfil human rights, such as providing schools to ensure free compulsory primary education for all children or health clinics and hospitals to ensure the highest possible standard of health care. It also reaches macroeconomic policies that

²¹⁶ [A Manual on National Human Rights Institutions - APF](#)

²¹⁷ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

²¹⁸ Amman Declaration and Programme of Action

²¹⁹ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

*will enable employment for all who want work with fair remuneration and good and safe working conditions.*²²⁰

9.3.1 Building capacity in men's advocates.

NHRIs should work to build the capacity of citizens to advocate for men's rights.

- supporting human rights defenders

*NHRIs should raise awareness of the Declaration on Human Rights Defenders, and on the legitimate and important role played by women human rights defenders in particular. Any attacks against human rights defenders should be condemned and appropriate measures taken.*²²¹

10 International & regional engagement

NHRIs should use their engagement in international and regional human rights forums as part of their strategy to protect and promote the human rights of men.

NHRIs should use the opportunity to raise issues and collaborate with, and encourage, other NHRIs to protect and promote men's rights.

It can do this by, for example:

Ensure men's human rights issues are included in its reports to treaty bodies.

Promoting the inclusion of men's rights issues in state reports to treaty bodies and in stakeholders reports to treaty bodies.

Including training for civil society on how to include men's rights issues in their shadow reports to treaty bodies.

Collaborating with other NHRIs to raise men's human rights issues in regional and international forums.

Encourage other NHRIs to ensure men's human rights issues are part of their work

See also section on Reporting

Amman Declaration and Programme of Action says NHRIs have agreed to promote gender equality (which include the needs and interests of men and boys) in their work:

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

*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,*²²²

²²⁰ [A Manual on National Human Rights Institutions - APF](#)

²²¹ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

²²² Amman Declaration and Programme of Action

11 Monitoring & Investigations

NHRIs must monitor the human rights situation in their country.

National Human Rights Institutions Best Practice says:

*One essential function performed by NHRIs is to monitor state compliance with international treaties.*²²³

Assessing the Effectiveness of National Human Rights Institutions says:

*The Paris Principles state that monitoring the national human rights situation is an essential function of NHRIs.*²²⁴

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

*Monitoring refers to the activity of observing, collecting, cataloguing and analysing data and reporting on a situation or event. Depending on the circumstances, its aim can be to document human rights abuses so as to recommend corrective action or to be preventive and educational, or it may serve the purpose of advocacy.*²²⁵

...

*The purpose of monitoring is not simply to document where things stand, but to encourage positive change.*²²⁶

The United Nations says:

*What do we need to measure? The primary purpose is to measure the enjoyment of rights by rights holders,*²²⁷

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice, reminds NHRIs that they should be documenting all human rights violations including against men and boys.

*When possible, mandates that appear to be geographically or thematically limited should be interpreted broadly to allow the documentation of all violations, including the resulting consequences on women, girls, men and boys specifically.*²²⁸

11.1 Gender sensitive

Monitoring must be *gender-sensitive*. That is, able to detect and respond to gender issues, including the issues of men and boys. This includes using language that

²²³ [National Human Rights Institutions Best Practice – Commonwealth Secretariat](#)

²²⁴ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

²²⁵ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

²²⁶ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

²²⁷ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

²²⁸ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

empowers men and boys as rights-holders.

Gender-sensitive monitoring allows NHRIs to understand how human rights issues affect women and men differently. To effectively address human rights issues, an NHRI must consider the needs and concerns of both women *and men*.

The *United Nations Economic and Social Council* states:

*Issues across all areas of activity **should be defined in such a manner that gender differences can be diagnosed** – that is, an assumption of gender-neutrality should not be made.*²²⁹

The *Manual on Human Rights Monitoring* says:

*[Human Rights Officers] must integrate a gender perspective in human rights monitoring. This entails using gender analysis at every stage of human rights monitoring **to identify the gender-specific aspects of the human rights situation** that is monitored. Gender analysis looks at the differences between women and men, girls and boys, and how these differences affect the structure, institutions and values of a given society and the ways in which human rights are enjoyed or violated.*²³⁰

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

*Being gender sensitive or acting in a gender-sensitive manner means using respectful and non-discriminatory language and **taking into account the different situations, needs and attributes of women, men and others, in order to make sure behaviours, mindsets or programmes respect the human rights of all persons.***²³¹

The *Manual on Human Rights Monitoring* says integrating a gender perspective ensures all violations against women *and men* are recognised and accounted for:

Integrating a gender perspective in human rights monitoring is a process to ensure that all violations against men and women of all ages and sections of society are recognized and accounted for. It is also a strategy for making women's as well as men's experiences and concerns an integral dimension of the design and implementation of the monitoring cycle. It helps to better understand the causes and types of human rights violations and, hence, the measures required for prevention and protection.

*Integrating gender implies a proactive attitude of looking at and analysing how situations affect women, girls, men and boys differently. It is also about making such differences visible throughout the monitoring cycle.*²³²

Original emphasis indicated by underlining.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

²²⁹ [Report of the Economic and Social Council for the year 1997 – A 52 3 Rev-1-EN.pdf](#)

²³⁰ [Manual on Human Rights Monitoring – Chapter 2 – Basic Principles](#)

²³¹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²³² [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

*A gender-sensitive interpretation of the mandate and definition of the scope of the investigation is critical at this early stage to ensure that the outcome of investigations fully considers the gender dimension of the human rights situation and violations and does not exclude key concerns that particularly or differently affect persons of a particular sex or gender*²³³

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

*The integration of a gender perspective in human rights investigations is critical to ensure a high-quality analysis that accurately depicts the different human rights violations including by revealing the underlying gender-based discrimination and violence. A gender analysis is critical to understand the differentiated impact that certain human rights situations or crises have on women, men, girls and boys, as well as by LGBTI or persons with non-binary gender identities, including the possible exacerbation of pre-existing forms of gender-based violence and discrimination. A gender sensitive analysis is therefore instrumental to tailor specific and action-oriented recommendations on the responses that are needed to address human rights violations, protect victims' rights, and contribute to the prevention and non-recurrence of such violations.*²³⁴

Gender-sensitive monitoring reveals issues for men and boys that may be hidden or not recognised as gender issues.

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices says we should use gender analysis to identify unrecognised gender issues:

*The main point with gender issues in everyday policies is that in most cases the problem itself is not recognised as such. Therefore, there is a need for analytical techniques and tools.*²³⁵

The *Manual on Human Rights Monitoring* cautions NHRIs to avoid making wrong assumptions about gender.

HROs should avoid making wrong assumptions, such as:

- Identifying all women as victims.
 - Labelling all women as a “group” that is inherently “vulnerable” or “marginalized” in its entirety and in all circumstances. Women are rights holders and active members of society...
- ²³⁶

The *Asia Pacific Forum* points out that gender-related assumptions can mislead us:

The gender-related assumptions that underlie our thinking are likely to remain invisible or blurry and therefore they can mislead us, even without our realising

²³³ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²³⁴ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²³⁵ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

²³⁶ *Manual on Human Rights Monitoring – Chapter 28 – Monitoring and Protecting Women's Rights*

| it, unless we bring them to attention.²³⁷ |

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice highlights the importance of gender-sensitive monitoring in revealing false assumptions about the gendered nature of violations:

| *Compilation and gender analysis of disaggregated statistics as well as tailored interviews to the direct victims and their relatives can be instrumental to assess the impact of any given violation on the direct victims and on others, including relatives, who may be affected, in different ways. **Violations that initially appear to be male specific in fact may be affecting women as extensively as men.***²³⁸ |

Likewise, violations that appear to be ‘women’s issues’ may also be significant for men.

Some gender related assumptions about monitoring men’s human rights:

Gender neutral monitoring is sufficient to identify men’s rights issues.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

| *An effective gender-sensitive methodology and investigation plan will take into account the need to assess how – in the country or situation concerned – legal, civil, economic, political, cultural and social issues affect women and men differently, resulting in different experiences.*²³⁹ |

11.1.1 Practicalities

Some practical steps for gender sensitive monitoring.

NHRIs should ask men about their experiences *as men*.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice recommends asking gender-specific questions:

| *When planning interviews, it is important to always include questions aimed at **gathering information on how a particular situation may affect women, men, girls and boys differently.** Remember that the gender dimension of violations often remains invisible if not properly researched.*²⁴⁰ |

And also:

| ***Ensure that interviews are conducted in a way that gender-specific questions are asked** and can illustrate and inform on the differentiated impact of the* |

²³⁷ [NHRI Guidelines for Mainstreaming the Human Rights of Women and Girls into Our Everyday Work](#)

²³⁸ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²³⁹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁴⁰ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

NHRIs should ensure staff are trained in gender sensitive monitoring.

The *Handbook for National Human Rights Institutions on Women's Rights & Gender Equality* highlights the shortfall in gender-sensitivity training.

| *With respect to training, the principal gap appears to be the gender sensitivity training within NHRIs, which was undertaken in only 9 per cent of cases.*²⁴² |

The *Manual on Human Rights Monitoring* gives examples of questions to ask when monitoring a gender in human rights issues.

Field presences can use some of the following questions to integrate gender in human rights monitoring work and other activities:

- *How is a human rights problem affecting women and men differently? Why do such differences exist? What are their root causes?*
- *Do women (or men) tend to be more exposed to particular types of human rights violations?*
- *What is the gender dimension of human rights violations?*
- *Are human rights violations in the private sphere monitored? How do such violations affect women, girls, men and boys differently?*
- *Do female and male rights holders have different coping mechanisms and access to protection measures and to remedies?*
- *Are human rights monitoring reports issued by field presences gender-sensitive?*
- *Do corrective actions benefit women as well as men affected by a human rights problem?*
- *Are corrective measures adapted to the specific needs of women, men, girls and boys?*²⁴³

NHRIs may unintentionally introduce gender bias into their monitoring. NHRIs should take steps to identify and remove bias from their monitoring work.

Integrating a Gender Perspective into Statistics recommends ensuring data collections avoid gender-bias and adequately reflect the situation for women and men.

| *Second, gender statistics should adequately reflect differences and inequalities in the situation of women and men. In other words, **concepts and definitions used in data collection must be developed in such a way as to ensure that the*** |

²⁴¹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁴² [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

²⁴³ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

diversity of various groups of women and men and their specific activities and challenges are captured. In addition, data collection methods that induce gender bias in data collection... should be avoided.

In summary, gender statistics are defined by the sum of the following characteristics:

a) Data are collected and presented by sex as a primary and overall classification;

b) Data reflect gender issues;

c) Data are based on concepts and definitions that adequately reflect the diversity of women and men and capture all aspects of their lives;

d) Data collection methods take into account stereotypes and social and cultural factors that may induce gender bias in the data.

Compendium of Good Practices in Training for Gender Equality says:

Participatory research is “differentiated from conventional research in the alignment of power within the research process.” Here, “the most important distinctions centre on how and by whom is the research question formulated and by and for whom are research findings used.”²⁴⁴

11.1.2 Non-homogenous

Gender sensitivity requires recognising that men come from a wide range of different backgrounds. NHRIs should ensure that their monitoring captures the situation for all kinds of different men. Sub-groups of men may face gender specific issues that are not visible when considering men as a whole.

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices says:

It is generally acknowledged that women – and men – are not a homogenous group²⁴⁵

The Manual on Human Rights Monitoring says:

The intensity or severity of discrimination that individuals may face depends on the number and interplay of their personal characteristics that generate discrimination against them. The interplay of identities linked to gender, ethnicity, religion, race, sexual orientation, disability, national origin, age, etc. results in experiences of exclusion and disadvantage that are unique to those with multiple identities. This is known as multiple discrimination. The interplay of different grounds of discrimination is analysed by intersectional analysis, which acknowledges that human rights violations rarely occur merely on the grounds of gender but are often the result of the intersection of age, ethnicity,

²⁴⁴ Compendium of Good Practices in Training for Gender Equality

²⁴⁵ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

national origin, sexual orientation, class, health status, etc. with gender.²⁴⁶

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice

*Note intersecting forms of discrimination which place specific groups of women, girls, men and boys at a heightened risk of certain violations.*²⁴⁷

The Handbook for National Human Rights Institutions on Women's Rights & Gender Equality says NHRIs should be aware of “intersectional issues” for women and girls. This is also essential for men and boys:

NHRIs should also be aware of intersectional issues that affect vulnerable populations of women and girls (for example, discrimination based on age; minority and migrant status; or disability). These types of issues can form the basis of targeted campaigns, whereby appropriate outreach opportunities and communications strategies need to be identified and used to reach the targeted group²⁴⁸

11.2 Including men throughout the monitoring process

NHRIs should consider the needs of men and boys at every stage of the monitoring process.

Handbook for National Human Rights Institutions on Women's Rights & Gender Equality says:

*gender equality aspects must be considered at all stages of the monitoring process, from the planning and data-collection strategy to analysis and response.*²⁴⁹

The *Manual on Human Rights Monitoring* says men's experiences and concerns should be an integral to the design and implementation of the monitoring cycle:

*Integrating a gender perspective... is also a strategy for making women's as well as **men's experiences and concerns an integral dimension of the design and implementation of the monitoring cycle**. It helps to better understand the causes and types of human rights violations and, hence, the measures required for prevention and protection.*

*Integrating gender implies a proactive attitude of looking at and analysing how situations affect women, girls, men and boys differently. It is also about making such differences visible throughout the monitoring cycle.*²⁵⁰

Emphasis in original is indicated by underlining.

²⁴⁶ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

²⁴⁷ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁴⁸ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

²⁴⁹ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

²⁵⁰ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice describes incorporating gender throughout the monitoring cycle.

Preparation: Develop gender-sensitive methodologies and tools

Information-gathering: Collect and organise data in a gender-sensitive way

Gender Analysis: Analyse data using gender-sensitive approaches

*Reporting: Integrate gender throughout the report using gender-sensitive language*²⁵¹

A Human Rights Approach to Data says:

*An [Human Rights Based Approach to Data] should include **equal participation of women and men and adopt a gender perspective throughout its process.** This means disaggregating statistics by sex, as well as going beyond biological and physiological characteristics. In addition, statistical and data collection work should take into account the relationship between women and men based on socially or culturally constructed and defined identities, status, roles and responsibilities that may have been assigned to one or the other sex.*²⁵²

11.2.1 Preparation:

NHRIs should make sure the systems and processes for monitoring human rights are gender-sensitive and will be able to detect gender-specific issues for men.

NHRIs should include men in the staff responsible for monitoring. That is, there should be gender-balance in the monitoring team.

NHRIs should have an expert in men's rights involved in the monitoring team, and NHRIs should train team members in men's human rights issues.

NHRIs should consider situations where men's experiences are invisible or minimised. Such as domestic violence, and try to address this in the planning stage.

NHRIs should consider obstacles to monitoring men's human rights and plan to minimise or overcome these obstacles.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

*All members of an investigation team have a responsibility to integrate a gender perspective into their work. **It is therefore imperative to train all staff members to detect gender concerns and impacts within their area of expertise and assigned functions.***²⁵³

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice provides a checklist for integrating gender in the preparation phase of monitoring or investigation.

²⁵¹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁵² [A human rights approach to data](#) – UN 2018

²⁵³ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

CHECKLIST FOR THE PREPARATION PHASE

- **Ensure gender balance and gender expertise** in the selection of the members of the team... Make certain that Gender Advisers join the investigation from the outset.
- **Map the differentiated human rights situation of women and girls, men and boys in the country** and develop an overview of the legal, economic, political, cultural and social challenges. Pay attention to intersecting forms of discrimination... Map the relevant actors/perpetrators and their roles, power/influence, needs and interests. **Identify protection gaps and any risks or barriers to reporting specific violations, which can be different for women, men, children or LGBTI persons.**
- When developing a methodology, **account for possible obstacles that might surface** when investigating violations... and their gendered impacts and discuss within the team possible strategies to overcome these.
- Ensure that gender is integrated into the investigation plan and field missions... **Identify the key gender-related issues to be investigated and the methodology for gathering such information.**
- **Identify potential sources of information**, such as victims or witnesses, human rights activists, and civil society groups and networks working with... gender issues, as well as... service providers, community leaders and authorities, **who could provide relevant information with a gender-sensitive approach...** Establish contact at an early stage in order to enable them to organize and assist in the most efficient manner possible.
- **Include a gender analysis in the prioritization exercise and identify gender integration priorities** for the investigation. Inputs from local women's human rights groups and other relevant partners can also be valuable in terms of identifying priorities.
- Prepare briefing notes with the objective of **assisting all members of the team to successfully integrate gender throughout the investigation**, highlighting possible issues to be investigated. Parts of the briefing notes and the background material mentioned above could be used in the report at a later stage.
- Ensure that a **training session on gender-sensitive investigation is provided to all staff members**, including on identification and documentation of the gendered impact of human rights violations, on conducting interviews with victims and survivors of GBV, the use of referral pathways and gender integration in reporting.²⁵⁴

11.2.2 Information gathering:

NHRIs should ensure a wide range of sources for information about men's human rights. NHRIs should ensure men are included in public consultations and interviews etc.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

During the documentation and investigation phase, **information should be gathered from a wide range of sources to allow for a comprehensive analysis of violations or abuses and possible gendered impacts suffered by women, men and others** and to reveal pre-existing forms of violence and discrimination.²⁵⁵

and also:

□ **Identify a wide range of potential sources of information**, including victims and direct witnesses, as well as secondary sources or intermediaries, such as United Nations entities, civil society groups, experts and activists, paying particular attention to the gender diversity of the sample of sources selected. These should include – as far as possible – equal representation of men and women.²⁵⁶

NHRIs should coordinate and collaborate with men's groups and men's advocates.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

□ **Ensure the investigation coordinates and collaborates with relevant... networks and groups**, human rights organizations representing victims, health-care providers and humanitarian actors, in order to obtain information on women's human rights, including (but not only) on SGBV, and, as necessary, establish contact with victims and witnesses. Be particularly attentive to not overlooking intermediaries, sources (including victims and witnesses) and secondary sources who would be best placed to provide information on... gender-specific aspects of the violations...²⁵⁷

NHRIs should ask about their experience as men

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

□ **Ensure that interviews are conducted in such a way that gender-specific questions are asked and can illustrate and inform on the differentiated impact of the human rights violations on women, girls, men and boys.**²⁵⁸

NHRIs should identify challenges that might prevent the acquisition of relevant information about men's human rights and have strategies to minimise or overcome these challenges.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice urges human rights investigators to identify challenges and gives examples of challenges for gathering information about women's rights:

²⁵⁵ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁵⁶ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁵⁷ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁵⁸ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

□ *Identify the prevailing challenges that might prevent or inhibit women's participation and their voices from being heard... Set specific strategies to address these challenges, to enable and facilitate the disclosure of information on the violations women may have suffered or on the differentiated impact that the particular events, conflict or crisis has/had on women and girls. Specific strategies may include organizing public hearings, including women-only days, and other measures that encourage women's participation, such as adjusted schedules facilitating their interaction (e.g. after working/active hours), considering childcare options, suggesting the possibility of remote interviewing, etc. Particular attention should be paid in relation to outreach and dissemination of information in order to reach out to a wide variety of the targeted population, including women, LGBTI persons and other marginalized populations.*²⁵⁹

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice recognises social stigma as a barrier to gathering information about human rights violations.

*Investigators should aim at corroborating any given piece of information by obtaining concurring information from two other independent and reliable sources. However, this may not always be possible, **particularly when stigma is attached to certain violations and victims' risk being marginalized** by their communities for exposing what they have suffered, or when certain forms of violations are committed out of sight of eye witnesses. In such cases, applying a unified method of verification for all violations without a gender-sensitive approach may disregard or consider as unverified certain forms of violations.*²⁶⁰

Examples of strategies for overcoming some challenges in monitoring men's human rights are:

Explicitly asking about men's human rights issues to ensure participants are aware that the NHRI is interested in men's human rights issues
Having public consultations at times when men are most likely to attend.
Men tend to work longer hours than women, so can find it harder to attend.
Training NHRI staff on men's rights issues to overcome staff's lack of knowledge, and their preconceived ideas or biases.

The *Manual on Human Rights Monitoring* identifies several challenges for monitoring women's rights, including some which apply to monitoring men's rights as well.

*When monitoring women's human rights, human rights officers (HROs) face a **number of challenges**, some of which are specific to women while others are more general. They include:*

- ***Locating, accessing and approaching women [and men] affected by violations** and, in some contexts, women in general. This may entail particular challenges in the case of groups of women facing multiple or intersecting forms of discrimination, or when contact may be difficult because of cultural barriers, or when these survivors live in remote areas.*
- ***The under-reporting of some violations**, such as sexual violence, owing to fear of retaliation or the social stigma attached to victims of such violations...*

²⁵⁹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁶⁰ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

- *Interviewing victims of violations, especially when social stigma is attached to them.*
- *Inability of victims of sexual violence to identify their perpetrators, especially in the context of armed conflict and following trauma.*
- *In some contexts, women [and men] interviewed by HROs tend to talk about violations affecting others (e.g., family members or the community) and **do not report violations concerning themselves unless prompted** with specific questions about their own situation.*
- *Monitoring violations that take place in the **private sphere**.*
- *Monitoring without endangering or exposing witnesses or sources, their families or communities to the risk of harm or retaliation, and without exposing the victim to further stigmatization and isolation.*
- *As in all cases where HROs interact with survivors of trauma, the risk – whilst gathering information, and in particular while interviewing – of re-traumatizing women who have survived a traumatic experience...*
- ***Lack of services to which to refer victims of all forms of gender-based violence**, including sexual violence – such as legal assistance, shelters, psycho-social support, economic assistance, sexual and reproductive health care and other rehabilitation services.*
- *Little or no access to gender-sensitive judicial or non-judicial remedies for women victims of human rights violations.*
- *Misunderstandings and complications in relationships with organizations working in this field, which may cut off or limit collaboration with field presences (e.g., humanitarian organizations providing health care and support for survivors of sexual violence).*
- ***Little or no reliable information regarding the situation with women's [and men's] rights.***
- ***HROs' limited knowledge of women's [and men's] rights issues and gender concepts; their own gender stereotypes, biases, perceptions and behaviours** (e.g., discomfort, embarrassment, unfamiliarity), particularly when monitoring certain types of violations that disproportionately affect women (e.g., sexual and reproductive health and rights, sexual and other gender-based violence), and their minimization of violations taking place in the private sphere, or violations against girls.*
- *When prioritizing the violations to monitor, field presences may focus more on violations primarily affecting individual men as opposed to those impacting on large numbers of women (e.g., arbitrary detention, torture, summary executions and violations of freedom of expression, as opposed to forced displacement or violations of the right to an adequate standard of living, in its different ramifications).²⁶¹*

CHECKLIST FOR INVESTIGATION AND INFORMATION-GATHERING

- ☐ ***Identify a wide range of potential sources of information**, including victims and direct witnesses, as well as secondary sources or intermediaries, such as*

United Nations entities, civil society groups, experts and activists, paying particular attention to the gender diversity of the sample of sources selected. These should include – as far as possible – equal representation of men and women.²⁶²

□ **Ensure the investigation coordinates and collaborates with relevant... networks and groups,** human rights organizations representing victims, health-care providers and humanitarian actors, in order to obtain information on women's human rights, including (but not only) on SGBV, and, as necessary, establish contact with victims and witnesses. Be particularly attentive to not overlooking intermediaries, sources (including victims and witnesses) and secondary sources who would be best placed to provide information on... gender-specific aspects of the violations...²⁶³

□ **Identify the prevailing challenges that might prevent or inhibit** women's participation and their voices from being heard (as men's voices generally tend to be overrepresented). Set specific strategies to address these challenges, to enable and facilitate the disclosure of information on the violations women may have suffered or on the differentiated impact that the particular events, conflict or crisis has/had on women and girls. Specific strategies may include organizing public hearings, including women-only days, and other measures that encourage women's participation, such as adjusted schedules facilitating their interaction (e.g. after working/active hours), considering childcare options, suggesting the possibility of remote interviewing, etc. Particular attention should be paid in relation to outreach and dissemination of information in order to reach out to a wide variety of the targeted population, including women, LGBTI persons and other marginalized populations.²⁶⁴

□ **Ensure that interviews are conducted in such a way that gender-specific questions are asked and can illustrate and inform on the differentiated impact of the human rights violations on women, girls, men and boys.** Ensure that the information gathered also aims at documenting the violation of women and girls, beyond sexual violence, and documenting the differentiated impact of the violations on them.²⁶⁵

□ **Take measures to ensure that all Human Rights Officers have the competencies and the skills to conduct investigations on GBV.** Ensure that support/training is regularly provided to the team on how to do so and how best to record the interviews and gather documentation. Investigate different forms of GBV by state officials, non-state armed groups and other non-state actors. If relevant, address all prevalent forms of sexual violence, not only rape, including, for example, trafficking, transactional sex (being forced to exchange sexual favours for money, shelter, food or goods in humanitarian or displacement settings) and harmful practices such as child and forced marriage. Pay particular attention to certain populations who are at higher risk of GBV during and after conflict, including IDPs, refugees, LGBTI persons, human rights defenders, females/males directly participating in the conflict and military personnel, persons deprived of liberty by state or non-state actors, persons with disabilities, especially women and girls with disabilities, female-headed households and indigenous women.²⁶⁶

²⁶² [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁶³ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁶⁴ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁶⁵ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁶⁶ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

□ **Systematically collect disaggregated data on victims, witnesses and alleged perpetrators.** This includes information on sex and age, as well as detailed information about caste, ethnicity, national religious or other minorities, and identities of victims and those believed to be responsible. This will be helpful in documenting whether a particular population has been the target of SGBV or other violations.²⁶⁷

□ **Adjust the methodology and the database to allow the collection and analysis of disaggregated data, especially by sex and age, as well as by other criteria that could provide information on intersecting forms of discrimination.** Ensure that the Human Rights Officers conducting the investigations are trained to organize and enter information into the database that is gender sensitive, taking into account relevant gender considerations and disaggregating data by all relevant parameters.²⁶⁸

□ **Acknowledge the heightened or different risks of reprisals among women and girls and GBV victims.** Conduct a risk assessment and develop strategies so that victims, witnesses and sources can report freely and safely about any violation of women's and girls' rights, including by GBV, and are given adequate time to do so. Pay particular attention to gender-sensitive security and protection measures for victims, witnesses and sources when applying OHCHR methodology, including recommended measures to preserve the confidentiality of their identities and to prevent reprisals against them.²⁶⁹

□ **Be aware of the team members' own biases, prejudices and stereotypes that may lead to their overlooking important gender-sensitive information,** for instance by not asking the relevant questions, affecting information-gathering and documentation. These biases may include the erroneous idea that victims of sexual violence will not have information to share about other types of violations.²⁷⁰

□ **Investigations should gather information and document violations perpetrated by state and non-state actors, as well as on the fulfilment of the State's obligations to investigate, prosecute and sentence perpetrators and provide reparations to victims.** When relevant, a gender-sensitive analysis should also apply to the measures taken in the context of transitional justice initiatives²⁷¹

Monitoring, Evaluation, Accountability and Learning – A Guide for NHRIs says:

Be aware of unintentional bias, including gender bias. Be transparent about intentional biases and why you are adopting them by asking:

- *whose voices may be silenced or ignored?*
- *what considerations impact on the data?*
- *what are the lenses through which data is analysed?*

²⁶⁷ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁶⁸ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁶⁹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁷⁰ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁷¹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

*While the appropriate methods used to gather information vary depending on the circumstances, there are common challenges that arise concerning identifying/contacting victims or witnesses, obtaining statements and planning field missions. The team might need to consider different approaches **in order to ensure that women's and men's voices are equally represented**. The team might choose to map out possible challenges and develop appropriate strategies in order to gather information, as indicated in the examples below.²⁷²*

11.2.3 Analysis:

NHRIs should analyse the gender-related dimensions of human rights issues.

Is the **cause** of human rights violations gender-specific? For example, men receive longer sentences than women because judges see them as more active and culpable than women²⁷³ or teachers giving worse grades to boys.

Are the **circumstances** gender-specific?

Are the **consequences** of human rights violations gender-specific? For example, changes to laws for prisoners overwhelmingly affect men more than women.

Are there gender-specific **barriers** to access to remedies? For example, the lack of knowledge of men's rights among human rights organisations.

Are there **systemic and structural problems** that affect the human rights problem that is being monitored? For example, laws and policies that discriminate against men.

The Manual on Human Rights Monitoring

It is important to examine whether the causes are gender-specific or not...

The circumstances in which human rights violations occur can be gender-specific or not. The public/ private sphere element should be taken into account when designing a monitoring strategy...

The consequences of human rights violations may be gender-specific or not...

Gender-specific barriers to access to remedies, such as restrictions on women's freedom to take action without men's consent, women's lack of access to legal action or lack of economic resources, should be analysed.

Analysing these elements helps to identify systemic and structural problems that affect the human rights problem that is being monitored.²⁷⁴

²⁷² [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁷³ Jeffries, Samantha. (2002). Does gender really matter? Criminal court decision making in New Zealand.

²⁷⁴ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice gives a checklist for analysis:

CHECKLIST FOR EVALUATION AND ANALYSIS OF INFORMATION

- Understand and be guided by the **international legal framework**, as well as relevant regional instruments **that prohibit discrimination and guarantee women and men equality** in the enjoyment of their human rights...
- Pay attention to all types of violations of women's [and men's] rights. Pay attention not only to sexual violence but also to other forms of [Gender-based Violence] and other violations to which women are exposed. Acknowledge that **a gender analysis includes addressing the differentiated impact of violations**, including violations of civil, economic, political, cultural and social rights in the private and public spheres and in humanitarian settings.
- Use the contextual information gathered in the preparation phase to understand **the underlying causes and manifestations of discrimination against women [and men]** and LGBTI persons and their repercussions for issues being investigated.
- **Take note of discriminatory legal provisions** and how they may lead to or compound different forms of [Sexual and Gender-based Violence] and other violations of women's [and men's] rights...
- Analyse different types of violations with the aim to **establish gender-specific patterns**, including trends in [Sexual and Gender-based Violence]; **identify the gender-specific consequences** of the violations and their root causes.
- Examine whether existing gender inequalities have been exacerbated and/or have **placed women [or men] at a heightened risk of different forms of human rights violations**, including [Sexual and Gender-based Violence]...
- Analyse whether the denial of civil, economic, political, cultural and social rights has **increased the vulnerability of women [or men] to human rights violations** or abuses in the situation under investigation and whether SGBV has contributed to additional violations or abuses of human rights.
- Note intersecting forms of discrimination that place specific groups of women, girls, men and boys at heightened risk of certain violations.²⁷⁵

11.2.3.1 Gender analysis

Gender analysis helps to uncover structural discrimination in the status quo. The UN says:

*Gender analysis helps to understand **power relations** and **to address "invisible" structural discrimination that would otherwise appear "natural" or "neutral" and, if not questioned or challenged, would remain part of socio-political life and social structures.** It also helps to uncover human rights violations that tend to*

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

Gender analysis is a key tool to help recognize, understand and make visible the gendered nature of human rights violations, including their specific and differential impact on women, men and others... It can help to identify differences in the enjoyment of all human rights and fundamental freedoms in all spheres of life. It also seeks to analyse power relations within the larger sociocultural, economic, political and environmental contexts to understand the root causes of discrimination and inequality. **Gender analysis is an integral part of a human-rights-based-approach**, allowing one to see the many ways that gender affects human rights. As a starting point for gender integration, it can propose measures that will close the gender gap between international human rights standards and the everyday human rights situation on the ground ²⁷⁷

Ensuring men and boys are included; prevents overlooking human rights violations or abuses, contributes to better tailoring the response to violations, and makes discrimination and other violations visible.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

Why integrate a gender perspective?

*Awareness of specific norms related to gender-based discrimination and **adequate gender analysis can prevent the overlooking of critical human rights violations or abuses.** For example, a lack of knowledge of standards applying to women in detention or male victims of sexual violence could result in overlooking specific obligations of duty bearers and making invisible violations suffered by segments of society.*

*A gender analysis can strengthen investigations and reports by contributing to an analysis that addresses the adverse human rights impact that certain human rights situations or crises can have on different people, including women, men, girls and boys... This **gender-sensitive analysis can therefore contribute to the better tailoring of recommendations and the response to violations.***

*Analysis of pre-existing gender-based discrimination can contribute to **making visible ensuing violations** or the compounded impact of violations on certain populations...*

*A **lack of gender analysis often results in the experiences of [people] being made invisible** or reduced to instances of victimization.* ²⁷⁸

Noting differences between how groups of men and women access their rights and seek protection from human rights violations is the first step of gender analysis.

²⁷⁶ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

²⁷⁷ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁷⁸ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

However, it **is not enough to note that such disparities exist; gender analysis provides more in-depth analysis of their causes.** It is important to note that in many contexts gender analysis is not enough. The intensity or severity of discrimination that individuals may face depends on the number and **interplay of their personal characteristics** that generate discrimination against them. The interplay of identities linked to gender, ethnicity, religion, race, sexual orientation, disability, national origin, age, etc. results in experiences of exclusion and disadvantage that are unique to those with multiple identities. This is known as multiple discrimination. The interplay of different grounds of discrimination is analysed by intersectional analysis, which **acknowledges that human rights violations rarely occur merely on the grounds of gender but are often the result of the intersection of age, ethnicity, national origin, sexual orientation, class, health status, etc. with gender.**²⁷⁹

The kinds of gender issues in human rights

The United Nations identifies two ways human rights issues affect gender equality. One, human rights issues that uniquely affect one gender, such as explicit discrimination. Two, human rights issues that predominantly affect one gender more than the other.

The *Manual on Human Rights Monitoring* says:

*Gender analysis is fundamental to understanding how gender affects human rights and to designing interventions accordingly. **There are two ways in which gender affects human rights.***

- **All forms of discrimination** against women [or men] in the enjoyment of all human rights are gender-specific violations. ...
- **Other human rights violations are not overtly or directly discriminatory but have a different impact on men than on women.** ...²⁸⁰

Unique human rights issues for men include issues that are inherent to males, such as male specific reproductive rights like paternity fraud (where the mother falsely identifies a man as the father to gain benefits, such as child support)²⁸¹, or ‘sperm-jacking’ (where a woman collects a man’s sperm and impregnates herself, without his consent).²⁸²

In addition, direct discrimination against men is another way human rights issues uniquely affect men. For example, laws that explicitly target men.

Human rights issues that predominately affect men include health issues, (such as suicide, shorter life expectancy, injury rates etc,) issues with the justice system (because men make up over 90% of prisoners), genital cutting (where boys make up the majority of victims in many countries), homelessness etc.

²⁷⁹ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

²⁸⁰ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

²⁸¹ XXXX Find example of paternity fraud

²⁸² XXXX Find example of sperm-jacking

A third way that gender affects human rights issues is gender-specific issues for the victims. For example, while there are a number of issues in common for male and female victims of family violence, men and women face different challenges. For example, the way men and women experience coercive control in abusive relationships can be different. Men are far more likely to report coercion by threats of denying them access to their children, and/or threats of administrative abuse, such as making false claims to the police or social services.

11.2.4 Reporting:

See Reporting section below

UN says:

A gender analysis of the data and of the information gathered should include at minimum an analysis of the various forms of gender-based discrimination and violence and of the exacerbation of pre-existing forms of gender-based discrimination, including of possible intersecting forms of discrimination; the differentiated impact of the human rights violations on women, girls, men, boys and others; and the connection between [gender-based violence] and other human rights violations or abuses²⁸³

Moreover, indicators should be both dynamic and comparative – able to measure progress and regression over time. They may take account of how far governments allocate resources to fulfilling rights rather than on other items of expenditure, as well as to measure inequality in the provision of rights.²⁸⁴

Under the rights framework, governments have an obligation to protect and fulfil impoverished or other marginalised groups' rights. If certain social provisions are not fulfilled because resources are unavailable, NHRIs can assess whether the burden is spread fairly or shouldered by one section of society (which may amount to deliberate discrimination). NHRIs should ensure that the indicators they use provide enough information about groups they deem at risk.²⁸⁵

Some ways of integrating gender into human rights monitoring are: gathering sex- and age- disaggregated data; including questions during interviews on how particular situations may affect women, men, girls and boys differently; ensuring that measures advocated by the field presence to redress human rights violations take into account a gender perspective²⁸⁶

²⁸³ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁸⁴ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

²⁸⁵ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

²⁸⁶ [Manual on Human Rights Monitoring – Chapter 2 – Basic Principles](#)

When monitoring the full realization of women's ESC rights, it is useful for NHRIs to consider:

- *Recognition of women's ESC rights both in law and policy as well as the social barriers to recognition of these rights (e.g. attitudes, etc.)*
- *Intersectional approaches to address the situation of disadvantaged groups of women*
- *Whether or not women actively claim and exercise their ESC rights. This is an indicator of overall empowerment and levels of information, as well as an indicator of the existence of effective mechanisms for redress for women affected by ESC rights violations*²⁸⁷

11.3 High quality monitoring

NHRIs should conduct high quality monitoring. It should be accurate, impartial, reliable and valid.

Equitas says:

Generally, monitoring carried out by an NHRI should be:

- *Managed (planned, resourced, controlled and evaluated)*
- *An ongoing, regular activity*
- *Cyclical (usually)*
- *Pro-active, while responding to priorities*
- *Focused on results*²⁸⁸

11.3.1 Accurate

An NHRI's monitoring should be accurate. To present an accurate picture of gender-related human rights issues, the situation for both men and women should be monitored and reported.

The *Manual on Human Rights Monitoring* says:

Ensure accuracy and precision

A central goal of monitoring is to provide sound and precise information and analysis. The analysis produced through monitoring will serve as the basis for immediate or future action with the local authorities or for advocacy by the field presence, or will be used by other United Nations bodies or human rights mechanisms. Sound and precise analysis requires thorough and well-documented information.

Integrating a Gender Perspective Into Human Rights Investigations – Guidance and

²⁸⁷ [Equality for Women: A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas](#)

²⁸⁸ [Equality for Women: A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas](#)

Practice states:

*The integration of a gender perspective into human rights investigations is critical to ensuring high quality analysis **that accurately depicts the different human rights violations**, including by revealing underlying gender-based discrimination...*²⁸⁹

Accuracy means not only getting individual facts right but providing an objective and fair assessment of the human rights situation.

In, *Towards Gender Equality in Humanitarian response: Addressing the Needs of Women and Men in Gaza*, UN Women says:

*Women and men often highlight different concerns and bring different perspectives, experiences and solutions to the issues. They also have differing perceptions and concerns regarding culturally acceptable practices. **A clear and accurate picture of a situation cannot be attained if 50% or more of the population has not been consulted, as it can mean that 50% of the information needed is missing.***²⁹⁰

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

*This publication... specifically aims to strengthen the content of human rights reports **in order to accurately depict the different experiences of women, men, girls and boys.***²⁹¹

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

***Nevertheless, an [NHRI] is obliged to be rigorous in its own fact-gathering and analysis when forming a recommendation, opinion or report.** Ultimately, its credibility will be assessed by the quality and pertinence of its recommendations and opinions. If these are too often ill-founded or flawed, the institution will find that all sides easily dismiss them and its subsequent recommendations will not be taken seriously.*²⁹²

NHRIs should consider how the selection of what to monitor affects the information they gather. The choices made here can lead to gender biases.

Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices asks us to consider the assumptions behind our choices when gathering data.

| *Statistics* |

²⁸⁹ [Integrating a Gender Perspective Into Human Rights Investigations – Guidance and Practice](#) — United Nations, 2018 – page 58

²⁹⁰ [Towards gender equality in humanitarian response: Addressing the needs of women & men in Gaza](#)

²⁹¹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

²⁹² [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

*The knowledge of women's and men's living conditions must be ensured by routinely working out statistics split up by sex and other background variables depending on the context, for example age and educational background. There is a huge need for identifying, collecting, using and disseminating such data. This means that the current data and data collection methods have to be reconsidered: which data are split up by sex; **what criteria are used to gather data and what assumptions and values lie behind these criteria?** Special attention should be paid to data providing information on the dynamics of gender relations: what is changing, where and at what rate? Statistics form the basis for analysing the current gender relations, for developing forecasts or for assessing policies in the making. Furthermore, data can also be used for awareness-raising²⁹³*

11.3.2 Impartial

NHRIs must be impartial in their monitoring.

Economic Cultural and Social Rights – Handbook for National Human Rights Institutions states:

*the process of monitoring must be thorough, **accurate and impartial** and must be perceived as such.*²⁹⁴

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

the following are especially relevant to the work of an NHRI:

...Impartiality, integrity, objectivity and professionalism...

*“Impartiality, integrity, objectivity and professionalism” are interrelated and **require monitors to apply the highest possible standards** when collecting and analysing data and presenting the results*²⁹⁵

11.3.3 Reliable and valid

NHRIs must provide reliable and valid data and information.

This requires NHRIs to ensure that their monitoring efforts are collecting data that can show what they claim it shows.

NHRIs also have to be sure that data provided from other organisations are reliable and valid.

For example, the WEF's global gender gap report²⁹⁶, does not measure gender gaps because it ignores all gender gaps where men are behind. It is more accurate to describe it as a women's empowerment report. NHRIs should take care not to repeat the misleading claims of gender gaps from sources such as the WEF report.

²⁹³ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

²⁹⁴ [Economic, Social and Cultural Rights – Handbook for National Human Rights Institutions](#)— United Nations, 2005 – page 58

²⁹⁵ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

²⁹⁶ WEF gender gap report

Assessing the Effectiveness of National Human Rights Institutions says:

To be useful, indicators must be both reliable and valid.

To be reliable, data must first be accurate. In addition, results must be replicable, regardless of who gathers the data. For example, the results of collecting information through monitoring should not depend on who the monitor is.

To be valid, indicators must genuinely show what they are supposed to show.²⁹⁷

Emphasis in original shown with underlining

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

An institution may have to define its own success indicators in some circumstances. If so, it is important that the indicator should be relevant, understandable and useable. A good indicator measures what it says it measures.²⁹⁸

11.4 Assessing Quality of programs and policies

When monitoring human rights, it is not sufficient to only monitor the existence of a program or policy intended to fulfil a human rights obligation, the **adequacy, accessibility, availability, adaptability, acceptability and quality** of programs and policies needs to be considered.

NHRI's monitoring should include these aspects, and ensure programs and services provided to men are of sufficient and equal quality to women's programs.

*It is sometimes suggested, for instance in the case of most economic, social and cultural rights, that a generic approach should be adopted to the identification of attributes or indicators based on the notions of **adequacy, accessibility, availability, adaptability, acceptability and quality** that are defined in the general comments adopted by the Committee on Economic, Social and Cultural Rights.³ These are the principles that are expected to guide the duty bearer in facilitating and providing relevant "goods and services" to the rights holders, in the course of meeting its human rights obligations.²⁹⁹*

Human Rights Indicators – A Guide to Measurement and Implementation says:

*To monitor human rights, special attention must be given to indicators that capture the extent to which the discrimination of individuals and population groups influences the level of realization of their human rights. **Consequently, the notion of "accessibility" as against mere "availability" has a particular importance in the human rights monitoring framework. It is not sufficient, for***

²⁹⁷ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

²⁹⁸ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

²⁹⁹ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

*instance, to ensure the availability of such commodities and services that correspond to the realization of human rights; it is equally important to ensure that they are accessible to all individuals in keeping with the human rights principles of non-discrimination and equality. Accordingly, it is important to identify relevant information on discrimination and tailor the data-generating mechanisms so that they collect, compile and present such information as appropriate indicators*³⁰⁰

Accessibility includes physical accessibility, economic accessibility, information accessibility and non-discrimination.

For further information about adequacy, accessibility, availability, adaptability, acceptability and quality see general comments from Committee on Economic, Social and Cultural Rights

General Comment 12 – The Right to Adequate Food³⁰¹

General Comment 13 – The Right to Education³⁰²

General Comment 14 – The Right to The Highest Attainable Standard of Health³⁰³

General Comment 15 – The Right to Water³⁰⁴

General Comment 17 – The Right of Everyone to Benefit From the Protection of the Moral and Material Interests Resulting from any Scientific, Literary or Artistic Production of Which He or She is the Author³⁰⁵

General Comment 21 – Right of Everyone to Take Part in Cultural Life³⁰⁶

General Comment 22 – The Right to Sexual and Reproductive Health³⁰⁷

11.5 Must monitor structure, process and outcomes

NHRIs must monitor the human rights situation at different levels.

Firstly, at a structural level. This is monitoring duty-bearer's acceptance and commitment to human rights standards. Do they have structures, such as laws and policies, in place to protect men's human rights?

³⁰⁰ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

³⁰¹ [Committee On Economic, Social And Cultural Rights – General Comment No. 12 – The right to adequate food](#)

³⁰² [Committee On Economic, Social And Cultural Rights – General Comment No. 13 – The right to education](#)

³⁰³ [Committee on Economic, Social & Cultural Rights – General Comment 14 – The right to the highest attainable standard of health](#)

³⁰⁴ [Committee On Economic, Social And Cultural Rights – General Comment No. 15 – The right to water](#)

³⁰⁵ [Committee On Economic, Social And Cultural Rights – General Comment No. 17 – The right of everyone to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he or she is the](#)

³⁰⁶ [Committee on Economic, Social and Cultural Rights - General comment No. 21 – Right of everyone to take part in cultural life](#)

³⁰⁷ [Committee on Economic, Social and Cultural Rights - General comment No. 22 - the right to sexual and reproductive health](#)

Secondly, at a process level. Does the conduct of duty-bearers ensure men's human rights will be protected?

Finally, at the level of outcomes or results. Do men enjoy their rights in practice?

Assessing the Effectiveness of National Human Rights Institutions says:

National institutions need a methodology to determine how far human rights are respected, protected and fulfilled in their countries.³⁰⁸ Useful indicators will need to measure not only the government's commitment to human rights, but the enjoyment of rights by the population (inputs as well as outputs) – for example, the amount spent on education and its real impact on school enrolment, improved literacy, and so on.³⁰⁹

Manual on Human Rights Monitoring says:

Human rights indicators, unlike other social or demographic indicators, are grounded in provisions of international human rights treaties ...[T]he indicators in the OHCHR conceptual and methodological framework bring to the fore an assessment of the steps taken by a State party in addressing its obligations:

■ *Structural indicators: commitment to and acceptance of international human rights obligations and legislation...*

■ *Process indicators: efforts made by the State to meet its obligations...*

■ *Outcome indicators: outcomes as experienced by the rights holders...*

Importantly, indicators can provide objective data which can be widely accepted, but they cannot provide the "full picture". It is always necessary to analyse and interpret what indicators indicate.³¹⁰

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

Two types of indicators are typically used in monitoring progressive realization: process indicators and result indicators. Process indicators are the actions (legislative, regulatory, policy and practice) that have been taken to ensure that the right in question is being effectively implemented and adequately protected.

Result indicators, on the other hand, show the extent to which a right is being enjoyed. That the Government has passed a law outlawing torture is a process

³⁰⁸ Most human rights thinkers now see three related sets of obligations in relation to rights: *respecting rights* is the obligation not to do something that would interfere with the enjoyment of rights (no arbitrary arrest or eviction from homes); *protecting rights* is the obligation to ensure that other bodies, such as individuals, businesses or foreign governments, do not prevent enjoyment of rights (no-one held in servitude; equal pay for comparable work); and *fulfilling rights* is the obligation to take steps to make all necessary provisions for the enjoyment of rights (establishing an independent judicial system; providing affordable housing).

³⁰⁹ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

³¹⁰ [Monitoring economic, social and cultural rights - Manual on human rights monitoring – chapter 20](#)

indicator; that torture has decreased is a result indicator.³¹¹

Human Rights Indicators – A Guide to Measurement and Implementation

Moreover, focusing solely on outcomes, whether positive or negative, undermines the importance of monitoring the obligation of **conduct**, accepted by States by ratifying the relevant human rights treaties. **It is therefore necessary to focus not only on the realization of outcomes consistent with the implementation of human rights standards, but also on the process of realizing such outcomes.**³¹²

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Measuring human rights commitments-efforts-results

The realization of human rights requires continuous efforts on the part of the duty bearer, primarily the State, to respect, protect and fulfil them, and for rights holders to stake their claims

In monitoring the implementation of human rights it is important, therefore, to assess, at a given point in time, the identified outcomes that correspond to their realization. **It is equally important to assess whether the processes underpinning those outcomes conform, over time, to the relevant human rights standards. This necessity to monitor outcomes as well as underlying processes** is, perhaps, not always equally recognized for civil and political rights and economic, social and cultural rights³¹³

In other words, in monitoring the realization of civil and political rights, it is equally **important to assess the conduct of the process that supports their protection.** Thus, any approach to developing indicators as useful tools for furthering human rights implementation will have to address the importance of quantifying human rights outcomes, as well as the processes underlying those outcomes.³¹⁴

11.5.1 Structural indicators

NHRIs must monitor the structures in place to protect men's rights.

What evidence is there that the Government is committed to protecting, respecting and fulfilling men's rights?

Has the Government adopted international human rights treaties?

Is there legislation to protect, respect and fulfil men's rights?

What government departments/organisations exist to protect, respect and fulfil men's rights?

What structures are in place for women that men would also benefit from (e.g. men's health strategy required by legislation)

Is there any direct discrimination against men?

³¹¹ National Human Rights Institutions - History, Principles, Roles and Responsibilities

³¹² [Human Rights Indicators – A Guide to Measurement and Implementation](#)

³¹³ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

³¹⁴ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

Once a State has ratified a human rights treaty, **there is a need to assess its commitment to implementing the standards it has accepted.** Structural indicators help in such an assessment. They reflect the ratification and adoption of legal instruments **and the existence as well as the creation of basic institutional mechanisms deemed necessary for the promotion and protection of human rights.**

Box 5 structural indicators

Structural indicators help in **capturing the acceptance, intent and commitment** of the State to undertake measures in keeping with its human rights obligations. Some common structural indicators are:

- International human rights treaties, relevant to the right to adequate housing, ratified by the State;
- Time frame and coverage of national policy on vocational and technical education; and
- Date of entry into force and coverage of formal procedure governing the inspection of police cells, detention centres and prisons by independent inspection entities.

Structural indicators have to focus first and foremost on the nature of domestic law in relation to a specific right... **Structural indicators also need to look at the State's policy framework and strategies as applicable to that right.** These are particularly important for furthering the implementation of human rights.

A national policy statement on a subject is expected to outline the Government's objectives, policy framework, strategy and/or concrete plan of action to address issues under that subject.

Moreover, a policy statement is a means of translating the human rights obligations of a State party into an implementable programme of action that helps in the realization of human rights. It is therefore important that, in identifying structural indicators for different rights, an attempt is made to highlight the need to have specific policy statements on issues of direct relevance to the implementation of those human rights.³¹⁵

An important structural indicator that appears in most tables relates to State policy and strategy on specific human rights attributes.

A policy statement of the State on a given issue outlines its position on it and, in a sense, binds the State to undertake the measures outlined in its policy document or policy framework. It is an instrument for translating the normative standards into an operational framework of public policies and programmes. It helps in making the State accountable and constitutes an important reference for the justiciability of economic, social and cultural rights.³¹⁶

Human Rights Indicators – A Guide to Measurement and Implementation says:

³¹⁵ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

³¹⁶ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

*The other important consideration in formulating a structural indicator is to seek information that shows how the State's commitment, as reflected in the enactment of domestic human rights law, is translated into an enforceable programme of action stemming from that standard.*³¹⁷

11.5.2 Process indicators

NHRIs need to monitor the government's actions to respect and fulfil men's rights.

Are the Government's commitments being translated into practical measures to respect and fulfil men's rights?

Are the laws, policies, and programs to protect men's rights functioning properly? EG Is the section 7 process to identify inconsistency with the Bill of Rights actually identifying inconsistencies when they affect men?

Do politicians and public servants understand their responsibilities to respect and fulfil men's rights?

Process indicators measure duty bearers' ongoing efforts to transform their human rights commitments into the desired results. Unlike with structural indicators, this involves indicators that continuously assess the policies and specific measures taken by the duty bearer to implement its commitments on the ground.

State policy measures refer to all such steps, including public programmes for development and governance, budget allocations and specific regulatory or redress interventions, that a State is willing to take to give effect to its intent or commitments to attain outcomes associated with the realization of a given human right. Thus, a process indicator links State policy measures with milestones that over time could consolidate and result in the desired human rights outcomes. By defining the process indicators in terms of an implicit "cause and effect relationship" and as a "monitorable intermediate" between commitment and results, the accountability of the State for its human rights obligations can be better assessed. At the same time, these indicators help in directly monitoring the progressive fulfilment of a right or the process of protecting a right, as the case may be. Process indicators are more sensitive to changes than outcome indicators; hence, they are better at capturing the progressive realization of a right or at reflecting the ongoing efforts of the State parties in protecting it.

Box 6 process indicators

Process indicators help in assessing a State's efforts, through its implementation of policy measures and programmes of action, to transform its human rights commitments into the desired results. Some common process indicators are:

- Indicators based on budget allocations;*
- Coverage of targeted population groups under public programmes;*
- Human rights complaints received and the proportion redressed;*
- Incentive and awareness measures extended by the duty bearer to address specific human rights issues; and*
- Indicators reflecting functioning of specific institutions (e.g., NHRI, legal*

³¹⁷ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

system).

There are two considerations that are important in the selection and formulation of process indicators. The first is to ensure that a process indicator links, preferably through a conceptual or an empirical relationship, a structural indicator to its corresponding outcome indicator.

The second consideration in giving shape to a process indicator is to bring out explicitly some measure of the effort being made by the duty bearer in meeting its obligation.

Also, it is desirable for the process indicator to be measured in terms of the physical and other tangible improvement that it generates rather than in terms of the resources that go into the process concerned. ³¹⁸

11.5.3 Outcome indicators

NHRIs should monitor outcomes for men and boys.

NHRIs should identify gender-sensitive indicators that identify areas of concern for men and boys.

Human Rights Indicators – A Guide to Measurement and Implementation says:

Outcome indicators capture individual and collective attainments that reflect the state of enjoyment of human rights in a given context. An outcome indicator consolidates over time the impact of various underlying processes (that can be captured by one or more process indicators); it is often a slow-moving indicator, less sensitive to capturing momentary changes than a process indicator.

For example, life expectancy or mortality indicators could be a function of immunization of the population, public health awareness of the population, accessibility to adequate nutrition or a reduction in physical violence and crime.

Similarly, outcomes related to reported cases of torture or cruel, inhuman or degrading treatment can ordinarily be related to processes that seek to train law enforcement officials in undertaking investigations, measures for improved accountability of their conduct and the conditions of detention.

It is sometimes helpful to view the process and outcome indicators as flow and stock variables, respectively. A “flow” indicator allows monitoring of changes over a period of time, for instance, the production, import or export of food grains, or the number of reported entries in and releases from arbitrary deprivation of liberty during a reference period.

A “stock” indicator measures the consolidated result of changes at one point in time, for instance, per capita availability of food grains, anthropometric measures for schoolchildren or the number of persons reported to be arbitrarily deprived of their liberty at the end of the reference period

Box 7 outcome indicators

Outcome indicators help in assessing the results of State efforts in furthering the enjoyment of human rights. Some common examples are:

- *Proportion of labour force participating in social security scheme(s);*
- *Reported cases of miscarriage of justice and proportion of victims who received compensation within a reasonable time; and*
- *Educational attainments (e.g., youth and adult literacy rates) by targeted population group.*³¹⁹

11.6 Baseline for men and boys

NHRIs must conduct a baseline survey of the human rights situation for men and boys. Without a baseline, an NHRI cannot track the progress or regression of those rights. This is essential for rights that are subject to ‘progressive realisation’.

A baseline also allows the NHRI to identify where and special measures may be required, or where special measures should be ended.

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

*Most institutions monitor progress over time. This requires the monitor to know what the situation was at a given point in time (the baseline) and what factors (indicators) will demonstrate that there have been positive changes. Sometimes, monitors will also set goals (benchmarks) for those involved in promoting and protecting the right. This approach may be used for all categories of rights, but is particularly useful in tracking achievements relating to economic, social and cultural rights. This is because many of these rights are meant to be realized progressively.*³²⁰

Equality for Women: A Handbook for NHRIs on Economic, Social and Cultural Rights emphasises the importance to baseline data and long-term tracking:

*Monitoring State performance with regard to the ESC rights of women is strongly linked to the obligation of the progressive realization of ESC rights. The only way to determine progress is to evaluate and analyze progress over time. This underscores the importance of long-term tracking, baseline data, targets and indicators. "Progressively" means that although the benchmark or target can be reached over time, there has to be measurable progress and effort. The NHRI can examine Government resources to determine whether the Government is devoting the "maximum of its available resources" to meeting its obligations.*³²¹

Assessing the Effectiveness of National Human Rights Institutions points out that monitoring should be able to measure progression or regression:

Moreover, indicators should be both dynamic and comparative – able to measure progress and regression over time. They may take account of how far governments allocate resources to fulfilling rights rather than on other items of

³¹⁹ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

³²⁰ *National Human Rights Institutions – History, Principles, Roles and Responsibilities*

³²¹ [Equality for Women: A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas](#)

| expenditure, as well as to **measure inequality in the provision of rights**.³²² |

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices highlights the importance of tracking gender data:

| *Special attention should be paid to data providing information on the dynamics of gender relations: **what is changing, where and at what rate?***³²³ |

11.6.1 Maintaining institutional knowledge

As part of their monitoring practice, NHRIs must maintain institutional knowledge when monitoring the human rights of men and boys. This is essential for monitoring progressive realisation of rights.

NHRIs must have a system to ensure leadership and staff can access the NHRI's accumulated knowledge on the rights of men.

A Human Rights Approach to Data says NHRIs should maintain institutional knowledge:

| *Maintain knowledge holdings and institutional memory in relation to information gathered through participatory processes*³²⁴ |

| *Information provided by members of the public through participatory processes should be retained and appropriately archived to contribute to organizational knowledge holdings.*³²⁵ |

11.7 Monitoring gender equality for men and boys

Gender equality is a cross-cutting principle that applies to other human rights. Article 3 of both CCPR and ICESCR require States to ensure equal enjoyment of rights between women and men. NHRIs should monitor States compliance with these articles in relation to men and boys.

International Covenant on Civil and Political Rights (1966):

| *"Article 3 — The States Parties to the present Covenant undertake to **ensure the equal right of men and women** to the enjoyment of all civil and political rights set forth in the present Covenant."* |

International Covenant on Economic, Social and Cultural Rights (1966):

| *Article 3 — The States Parties to the present Covenant undertake to **ensure the equal right of men and women** to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.* |

General Comments from both the UN Human Rights Committee and the Committee

³²² [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

³²³ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

³²⁴ [A human rights approach to data](#) – UN 2018

³²⁵ [A human rights approach to data](#) – UN 2018

on Economic, Social and Cultural Rights expand on States obligations to ensure equal rights for women and men. These documents lay out the areas NHRIs should be monitoring with regards to equal rights between women and men.

General Comment No. 16 (2005) The Equal Right of Men And Women to the Enjoyment of All Economic, Social and Cultural Rights says:

38. National policies and strategies should provide for the establishment of effective mechanisms and institutions where they do not exist, including administrative authorities, ombudsmen and other **national human rights institutions**, courts and tribunals. These institutions **should investigate and address alleged violations relating to article 3** and provide remedies for such violations. States parties, for their part, should ensure that such remedies are effectively implemented³²⁶

The *Manual on Human Rights Monitoring* says a gender perspective in monitoring includes both men and women:

Integrating a gender perspective in human rights monitoring is a process to ensure that all violations against men and women of all ages and sections of society are recognized and accounted for. It is also a strategy for making women's as well as men's experiences and concerns an integral dimension of the design and implementation of the monitoring cycle. It helps to better understand the causes and types of human rights violations and, hence, the measures required for prevention and protection.

*Integrating gender implies a **proactive** attitude of looking at and analysing how situations affect women, girls, men and boys differently. It is also about making such differences **visible** throughout the monitoring cycle.*³²⁷ *Emphasis in original*

NHRIs must approach monitoring with an open mind regarding gender issues.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says, it may not be initially obvious what the gender dimension of a human rights issue is.

*Compilation and gender analysis of disaggregated statistics as well as tailored interviews to the direct victims and their relatives can be instrumental to assess the impact of any given violation on the direct victims and on others, including relatives, who may be affected, in different ways. Violations that initially appear to be male specific in fact may be affecting women as extensively as men.*³²⁸

NHRIs should collect data on men for human rights that are considered “women’s issues”. *Human Rights Indicators – A Guide to Measurement and Implementation* says monitoring gender equality requires gathering data on men’s experiences of

³²⁶ General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights

³²⁷ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

³²⁸ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

what is considered women's issues:

*In addition to disaggregating commonly compiled statistics by sex... monitoring gender equality require women-specific statistics(e.g., maternal morbidity and mortality statistics)... It also calls for the compilation of information on men that was traditionally collected only for women (e.g., contraceptive use).*³²⁹

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says that monitoring should be proactive and ensure that monitoring sufficiently captures issues for men and boys:

*Investigation teams should be **proactive** in reaching out to different types of sources and intermediaries, making sure the selection of sources and intermediaries is conducive to gathering information on... gender issues. It is important to remember, when identifying sources, not to rely too heavily on entities or service providers that target only one segment of the population. **For example, psychosocial services that only target women and girls may not be good sources of information on trauma suffered by men or boys***³³⁰

11.7.1 All necessary steps

States are required to take *all necessary steps* to ensure men have equal enjoyment of their rights. NHRIs should be monitoring the steps governments take to ensure men have equal enjoyment of their rights.

CCPR General Comment No. 28 – The Equality of Rights Between Men and Women says:

3. The obligation to ensure to all individuals the rights recognized in the Covenant, established in articles 2 and 3 of the Covenant, **requires that States parties take all necessary steps to enable every person to enjoy those rights.** These steps include the removal of obstacles to the equal enjoyment of such rights, the education of the population and of State officials in human rights, and the adjustment of domestic legislation so as to give effect to the undertakings set forth in the Covenant...
4. States parties are responsible for ensuring the equal enjoyment of rights without any discrimination. Articles 2 and 3 **mandate States parties to take all steps necessary**, including the prohibition of discrimination on the ground of sex, to put an end to discriminatory actions, both in the public and the private sector, which impair the equal enjoyment of rights.³³¹

11.7.2 Removal of obstacles

States are required to remove obstacles to men's equal enjoyment of their rights. NHRIs should be monitoring the steps governments take to identify and remove obstacles to men's equal enjoyment of their rights.

CCPR General Comment No. 28 – The Equality of Rights Between Men and Women says:

³²⁹ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

³³⁰ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

³³¹ CCPR General Comment No. 28: Article 3 (The Equality of Rights Between Men and Women)

3. The obligation to ensure to all individuals the rights recognized in the Covenant, established in articles 2 and 3 of the Covenant, requires that States parties take all necessary steps to enable every person to enjoy those rights. **These steps include the removal of obstacles to the equal enjoyment of such rights**, the education of the population and of State officials in human rights, and the adjustment of domestic legislation so as to give effect to the undertakings set forth in the Covenant...

6. In order to fulfil the obligation set forth in article 3, **States parties should take account of the factors which impede the equal enjoyment** by women and men of each right specified in the Covenant.³³²

11.7.3 Tradition and culture

States are required to ensure that traditional, historical, religious or cultural attitudes are not used to justify violations of men's equal enjoyment of their rights. NHRIs should be monitoring the steps governments take to identify and address attitudes that justify the violation of men's equal enjoyment of their rights.

CCPR General Comment No. 28 – The Equality of Rights Between Men and Women says:

...States parties should ensure that traditional, historical, religious or cultural attitudes are not used to justify violations of women's [and men's] right to equality before the law and to equal enjoyment of all Covenant rights.³³³

General Comment No. 16 (2005) The Equal Right of Men And Women to the Enjoyment of All Economic, Social and Cultural Rights says:

19. The obligation to protect requires States parties to take steps aimed directly at the elimination of prejudices, customary and all other practices that perpetuate the notion of inferiority or superiority of either of the sexes, and stereotyped roles for men and women.³³⁴

11.7.4 Maximum available resources

States are required to use 'maximum available resources' to fulfil their obligation to ensure men have equal enjoyment of their rights. NHRIs should monitor the resources the State has dedicated to ensuring men, and women, have equal enjoyment of their rights.

Maastricht Guidelines on Violations of Economic, Social and Cultural Rights says:

Violations of economic, social, cultural rights can also occur through the omission or failure of States to take necessary measures stemming from legal obligations. Examples of such violations include...

(e) The failure to utilize the maximum of available resources towards the full realization of the Covenant;

³³² CCPR General Comment No. 28: Article 3 (The Equality of Rights Between Men and Women)

³³³ CCPR General Comment No. 28: Article 3 (The Equality of Rights Between Men and Women)

³³⁴ General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights

11.7.5 Substantive equality

States are required to ensure equal enjoyment of rights between women and men in law and *in practice*. NHRIs should monitor if men have equal enjoyment of their rights *in practice*.

General Comment No. 16 (2005) The Equal Right of Men And Women to the Enjoyment of All Economic, Social and Cultural Rights says:

6. *The essence of article 3 of ICESCR is that the rights set forth in the Covenant are to be enjoyed by men and women on a basis of equality, a concept that carries substantive meaning. While expressions of formal equality may be found in constitutional provisions, legislation and policies of Governments, **article 3 also mandates the equal enjoyment of the rights in the Covenant for men and women in practice.***

7. *The enjoyment of human rights on the basis of equality between men and women must be understood comprehensively. Guarantees of non-discrimination and equality in international human rights treaties mandate both de facto and de jure equality. De jure (or formal) equality and de facto (or substantive) equality are different but interconnected concepts. Formal equality assumes that equality is achieved if a law or policy treats men and women in a neutral manner. Substantive equality is concerned, in addition, with the effects of laws, policies and practices and with ensuring that they do not maintain, but rather alleviate, the inherent disadvantage that particular groups experience.*

8. *Substantive equality for men and women will not be achieved simply through the enactment of laws or the adoption of policies that are, prima facie, gender-neutral. In implementing article 3, States parties should take into account that such laws, policies and practice can fail to address or even perpetuate inequality between men and women because they do not take account of existing economic, social and cultural inequalities, particularly those experienced by women.*³³⁵

11.8 Monitoring discrimination

When monitoring the full realization of women's ESC rights, it is useful for NHRIs to consider:

- *Recognition of women's ESC rights both in law and policy as well as the social barriers to recognition of these rights (e.g. attitudes, etc.)*
- *Intersectional approaches to address the situation of disadvantaged groups of women*

• **Whether or not women actively claim and exercise their ESC rights.** This is an indicator of overall empowerment and levels of information, as well as an indicator of the existence of effective mechanisms for redress for women

³³⁵ General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights

In international human rights law, States have a non-derogable and immediate requirement to eliminate gender discrimination.

NHRIs should monitor gender discrimination, including against men and boys.

Human Rights Indicators – A Guide to Measurement and Implementation emphasises the importance of monitoring discrimination:

*To monitor human rights, **special attention must be given to indicators that capture the extent to which the discrimination** of individuals and population groups influences the level of realization of their human rights.* ³³⁷

It is important for NHRIs to monitor discrimination against men because discrimination affects the enjoyment of all other rights.

The *Manual on Human Rights Monitoring* explains how discrimination affects women's rights. This also applies to men:

***Discrimination curtails the enjoyment of all women's human rights, and capturing discrimination in all its facets is a key aspect of monitoring them,** from the right to quality education to meaningful political and public participation, full participation in economic, social and cultural life, health, access to justice, and so on. Systematically collecting and analysing disaggregated information and data are key to identifying and documenting discrimination, and they need to be a core methodological aspect of monitoring women's rights.* ³³⁸

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice defines gender-based discrimination:

Gender-based discrimination includes any distinction, exclusion or restriction due to gender that has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise of human rights and fundamental freedoms. ³³⁹

Therefore, NHRIs should monitor any distinction, exclusion or restriction on men and/or boys that has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise of their human rights and fundamental freedoms.

A *distinction* includes anything that specifies different treatment or outcomes for men and boys.

An *exclusion* includes anything that provides benefits to women, but not to men. Are women provided benefits that are not extended to men?

A *restriction* includes anything that prevents men from exercising their rights and freedoms. Is there anything that prevents men from exercising their rights?

³³⁶ [Equality for Women: A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas](#)

³³⁷ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

³³⁸ [Manual on human rights monitoring – Chapter 28 – Monitoring and Protecting Women's Rights](#)

³³⁹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

Recognition of men's human rights means identifying and treating men as rights-holders.

Men's *enjoyment* or *exercise* of their rights means men receive practical benefit from their rights. That is, their rights make a beneficial difference to their lives.

Impairing means that men's enjoyment of their rights should not be worse or made worse, than women's enjoyment of their rights.

Nullification means men do not have enjoyment of, or cannot exercise their rights.

To monitor discrimination, including discrimination against men NHRIs must

Identify *distinctions* between women and men. For more see section on Disaggregated data.

Identify areas where men are *excluded* for policies and programs even if the exclusion seems justified. For more, see section on Temporary special measures.

Identify areas where men are *restricted* from exercising or enjoying their rights. This might include areas where there is only a poor comparison between women and men, such as issues around paternity uncertainty and men's reproductive rights.

Human Rights Indicators – A Guide to Measurement and Implementation says:

...the term "discrimination"... is understood to imply any distinction, exclusion, restriction or preference or other differential treatment that is directly or indirectly based on the prohibited grounds of discrimination and which has the intention or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all civil, cultural, economic, political and social human rights. **In identifying attributes and selecting indicators on non-discrimination and equality, it is therefore essential to adequately capture the elements highlighted in this definition.**³⁴⁰

To monitor discrimination against men, NHRIs need to understand the State's obligations towards men. The *Manual on Human Rights Monitoring* says:

Human rights monitoring to identify discrimination also requires analysing the gaps between the obligations of the State and the actual situation of specific individuals or groups of individuals, depending on several criteria: age, sex, ethnic or religious background, disability, socio-economic condition, marital status, sexual orientation, etc. Identifying these gaps sheds light on the actual limitations of an existing policy or law, or helps identify what particular actions – including temporary special measures – are needed to address specific marginalized group and subgroups and the obligations of the duty bearer(s).³⁴¹

NHRIs should be aware of the limited explicit jurisprudence on States' obligations towards men and how this creates barriers to protecting men's human rights.

NHRIs should maintain institutional knowledge of States' obligations to men and boys.

³⁴⁰ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

³⁴¹ Manual on human rights monitoring chapter 20

11.8.1 Discrimination through actions or failure to act

Discrimination can be through

Actions that result in violation of men's enjoyment of their rights
Failure to act which results in men not being able to fully enjoy or exercise their rights. For example, allowing existing discrimination to continue, or allowing boys to fall behind girls in educational achievement.

The European Institute for Gender Equality identifies both kinds of discrimination in relation to women. This also applies to men:

*It can occur **both through acts** that result in, or have the effect of, women being denied the exercise of a right because of a lack of recognition of pre-existing gender-based disadvantage and inequality that women face (non-intended or indirect discrimination), **and through the omissions of acts**, i.e. the failure to take necessary legislative measures to ensure the full realisation of women's rights, the failure to adopt and implement national policies aimed at achieving gender equality, and the failure to enforce relevant laws.*³⁴²

NHRIs should monitor both actions and failures to act that result in discrimination against men.

11.8.2 De jure and De facto discrimination

States are obligated to eliminate *de jure* discrimination immediately and *de facto* discrimination as quickly as possible. NHRIs should monitor *de jure* and *de facto* discrimination against men and the State's commitment to eliminating it.

The *Limburg Principles* says:

37. Upon becoming a party to the Covenant States **shall eliminate de jure discrimination** by abolishing without delay any discriminatory laws, regulations and practices (including acts of omission as well as commission) affecting the enjoyment of economic, social and cultural rights.

38. **De facto discrimination** occurring as a result of the unequal enjoyment of economic, social and cultural rights, on account of a lack of resources or otherwise, **should be brought to an end as speedily as possible.**³⁴³

11.8.3 Direct discrimination

NHRIs should monitor direct discrimination against men and boys. Direct discrimination is discrimination in laws, policies, practices etc. that penalises men, fails to provide equal benefits to men, or otherwise inhibits men's enjoyment of their rights.

The *New Zealand Human Rights Commission* says:

'Direct discrimination' occurs when an individual is treated less favourably than

³⁴² <https://eige.europa.eu/publications-resources/thesaurus/terms/1221>

³⁴³ Limburg Principles

someone else in a similar situation, for a reason related to a prohibited ground.

Direct discrimination also includes detrimental acts or omissions even where there is no comparable situation (for example, in the case of a woman who is pregnant).³⁴⁴

NHRIs should monitor issues that only affect men. For example, paternity fraud is a situation where a woman extorts benefits from a man by taking advantage of the ambiguous nature of paternity. That is, a woman can claim a man is the father of her child when he is not.

General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights says:

12. Direct discrimination occurs when a difference in treatment relies directly and explicitly on distinctions based exclusively on sex and characteristics of men or of women, which cannot be justified objectively.³⁴⁵

11.8.4 Indirect discrimination

NHRIs should monitor indirect discrimination against men and boys. Indirect discrimination is when a law, policy, programme or practice appears to be neutral but has a disproportionately negative effect on men when implemented.

The *New Zealand Human Rights Commission* says:

'Indirect discrimination' describes the situation where an apparently neutral practice or condition has a disproportionate, negative impact on one of the groups against whom it is unlawful to discriminate, and the practice or condition cannot be justified objectively.³⁴⁶

General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights says:

13. Indirect discrimination occurs when a law, policy or programme does not appear to be discriminatory, but has a discriminatory effect when implemented. This can occur, for example, when women are disadvantaged compared to men with respect to the enjoyment of a particular opportunity or benefit due to pre-existing inequalities. Applying a gender-neutral law may leave the existing inequality in place, or exacerbate it.³⁴⁷

NHRIs should monitor the effects of apparently gender-neutral policies on men and boys.

General Comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights says:

³⁴⁴ <https://tikatangata.org.nz/human-rights-in-aotearoa/equality-and-freedom-from-discrimination>

³⁴⁵ General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights

³⁴⁶ <https://tikatangata.org.nz/human-rights-in-aotearoa/equality-and-freedom-from-discrimination>

³⁴⁷ General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights

18. ...In particular, it is incumbent upon States parties to take into account the effect of apparently gender-neutral laws, policies and programmes and to consider whether they could result in a negative impact on the ability of men and women to enjoy their human rights on a basis of equality.³⁴⁸

11.8.5 Systemic discrimination

NHRIs should monitor systemic/structural discrimination against men.

Systemic/structural discrimination “results from bias in multiple systems and institutions of public policy, which separately and together perpetuate and reinforce barriers to equality.”³⁴⁹

A fair go for all? Rite tahi tātou katoa? Addressing Structural Discrimination in Public Services identifies the mundane nature of structural discrimination:

*Structural discrimination can occur unintentionally, and includes informal practices that have become embedded in everyday organisational life and effectively become part of the system, i.e. “how we do things around here.” Put simply, it can be discrimination by habit, rather than intent.*³⁵⁰

The *Handbook for National Human Rights Institutions on Women’s Rights & Gender Equality* recommends identifying and responding to systemic discrimination.

Questions to consider

... What processes, such as issue-management strategies, media analysis and independent research, can be used to support efforts to identify and respond to **systemic gender-based discrimination**...?³⁵¹

NHRIs should identify how systems and structures inhibit or nullify men’s enjoyment of their rights. See section Structural indicators and Process indicators for more information.

Manual on Human Rights Monitoring recommends gender analysis to identify invisible structural discrimination:

*Gender analysis helps... to address “invisible” structural discrimination that would otherwise appear “natural” or “neutral” and, if not questioned or challenged, would remain part of socio-political life and social structures. It also helps to uncover human rights violations that tend to pass unnoticed when other violations occur.*³⁵²

Handbook for National Human Rights Institutions on Women’s Rights & Gender

³⁴⁸ General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights

³⁴⁹ UN Human Rights Chief, Michelle Bachelet –

<https://www.ohchr.org/en/stories/2021/06/seminal-un-report-offers-agenda-dismantle-systemic-racism>

³⁵⁰ *A fair go for all? Rite tahi tātou katoa? Addressing Structural Discrimination in Public Services*

³⁵¹ *Handbook for National Human Rights Institutions on Women’s Rights & Gender Equality* OSCE 2012

³⁵² *Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15*

Equality says:

*Those NHRIs that have enforcement or compliance-related powers **should examine the extent to which complaints reflect problems at a structural level**, and should focus on systemic initiatives to address as wide a number of individual complaints as possible, as well as to address the underlying causes of discrimination or human rights violations.*³⁵³

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

■ *The ability to identify and address systemic issues is a key indicator of whether an institution has matured*³⁵⁴

Equality for Women: A Handbook for NHRIs on Economic, Social and Cultural Rights, identifies the importance of monitoring whether people are active in claiming and exercising their rights.

When monitoring the full realization of women's ESC rights, it is useful for NHRIs to consider...

Whether or not women actively claim and exercise their ESC rights. *This is an indicator of overall empowerment and levels of information, as well as an indicator of the existence of effective mechanisms for redress for women affected by ESC rights violations*³⁵⁵

This applies to men as well, so NHRIs should monitor whether or not they actively claim and exercise their rights. A low level of men actively claiming and exercising their rights may indicate a structural bias against them.

11.8.6 Gender discrimination and other characteristics

NHRIs should monitor how multiple forms of discrimination affect men. For example, some groups of men are subject to discrimination on the grounds of sex and race.

CCPR General Comment No. 28 says

30. *Discrimination against women is often intertwined with discrimination on other grounds such as race, colour, language, religion, political or other opinion, national or social origin, property, birth or other status. **States parties should address the ways in which any instances of discrimination on other grounds affect women in a particular way**, and include information on the measures taken to counter these effects.*³⁵⁶

NHRIs should not assume that the situation for men in general, or specific groups of men, is the same for other groups of men. For example, men in general may not face employment discrimination, but men in female dominated professions might. Likewise, men generally may not face discrimination when renting a house but among a certain ethnicity, landlord's may prefer women tenants over men.

³⁵³ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

³⁵⁴ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

³⁵⁵ [Equality for Women: A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas](#)

³⁵⁶ CCPR General Comment No. 28: Article 3 (The Equality of Rights Between Men and Women)

There may even be specific situations where men generally receive more favourable treatment than women, but in a certain minority group men receive less favourable treatment than women in the same minority group.

The *Manual on Human Rights Monitoring* says:

Noting differences between how groups of men and women access their rights and seek protection from human rights violations is the first step of gender analysis.

However, **it is not enough to note that such disparities exist; gender analysis provides more in-depth analysis of their causes.** It is important to note that in many contexts gender analysis is not enough. The intensity or severity of discrimination that individuals may face depends on the number and **interplay of their personal characteristics** that generate discrimination against them. The interplay of identities linked to gender, ethnicity, religion, race, sexual orientation, disability, national origin, age, etc. results in experiences of exclusion and disadvantage that are unique to those with multiple identities. This is known as multiple discrimination. The interplay of different grounds of discrimination is analysed by intersectional analysis, which **acknowledges that human rights violations rarely occur merely on the grounds of gender but are often the result of the intersection of age, ethnicity, national origin, sexual orientation, class, health status, etc. with gender.**³⁵⁷

11.8.7 Challenges in monitoring discrimination against men

NHRIs should account for difficulties and challenges in monitoring discrimination against men. For example,

Men who are victims of discrimination do not see their experience as discrimination. For example, male victims of partner violence often do not see the lack of services for them as discrimination because they believe that they are not 'real victims'.

Discrimination against men is seen as normal and overlooked, or tolerated. For example, men being overrepresented in prison. While observers see over-representation of some populations, like ethnic minorities, as discrimination, observers do not see men's over-representation as discrimination.

Resistance to monitoring discrimination against men from people who believe:

- Discrimination against men does not exist because they define discrimination to only affect those without power and also make assumptions about who has power.
- Monitoring discrimination against men is a zero-sum game that takes resources away from women.

Human Rights Indicators – A Guide to Measurement and Implementation

Box 23 measuring discrimination

Measuring discrimination is not easy. A different treatment or outcome is not necessarily the result of clearly identified acts of discrimination, but the result of complex processes involving multiple and cumulative discrimination, or simply due to other factors. Moreover, victims are sometimes unable to identify the discrimination that they are subjected to. Certain social and cultural practices create high tolerance levels for discrimination among certain population groups, which results in the acts of discrimination being frequently overlooked. Also,

they are often unaware of the available legal remedies or unable to use them. Thus, the number of convictions for discrimination in court is not a good indicator for assessing discrimination in a country. Given these limitations in using the events-based information in monitoring discrimination, statistical techniques, as well as direct surveys, are vital for assessing the prevalence of discriminatory practices in a country. Some useful statistical tools in this context are:

- Socioeconomic statistics disaggregated by prohibited grounds of discrimination (e.g., life expectancy, age-specific sex ratios and unemployment rates broken down by ethnic origin) measure disparities and differential outcomes that are often the result of multiple and accumulative discrimination;
- Econometric models based on multiple regression analysis help in estimating the portion of differences in outcomes attributable to discrimination as opposed to observable variables (e.g., percentage of the wage differential between women and men that cannot be explained by “observable” criteria, such as the number of working hours or socio-professional characteristics, etc.);
- Population surveys measuring experiences, perceptions and attitudes regarding discrimination (e.g., percentage of members of ethnic minorities reporting racially motivated victimization and discrimination by public/private personnel); and
- Discrimination or situation-testing surveys to measure directly discrimination in specific instances, such as those related to access to work, housing, health care, private educational institutions or other public services (see box 24).

It may be desirable to use any of these procedures to assess periodically the extent of discrimination in a country, especially where multicultural, racial, religious and linguistic communities are seen to be competing for scarce resources and opportunities. Concrete evidence in support of discriminatory practices in different social spaces of human engagement, including the political space, could facilitate the strengthening of legal and administrative remedial measures in such instance

11.8.8 Disaggregated data

Disaggregated data is essential for assessing discrimination. NHRIs must collect and evaluate disaggregated data.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

While respecting the principles of self-identification, investigators should seek to obtain disaggregated data. ...**This is key to determining the gender specificities of human rights violations as well as to giving an accurate account of the particular experience of women, girls, men and boys and to identifying potentially discriminatory practices or targeting.**³⁵⁸

Men are more vulnerable to gender-related human rights violations if disaggregated data is not collected, and included in reports. Duty-bearers cannot respond to men’s rights issues if they do not know about them.

The *Manual on Human Rights Monitoring* says:

Lack of access to disaggregated information and statistics may render marginalized communities and **sectors of the population even more vulnerable as their actual situation would not appear in reports and aggregated charts, and hence cannot inform policymaking processes.** Disaggregated information can also reveal the de facto discriminatory nature of some policies and laws that would otherwise appear neutral.³⁵⁹

The *Manual on Human Rights Monitoring* says:

Disaggregation of information is critical to monitoring discrimination and inequality, whether in the realization of economic, social and cultural rights or of civil and political rights. Quantitative data, such as socio-economic statistics, that are not disaggregated offer an overview of the situation, but may also at times mask inequality between different sectors of the population or between different regions or locations within a country.³⁶⁰

Human Rights Indicators – A Guide to Measurement and Implementation says:

In the international human rights normative system, there is a strong demand for statistical information that goes beyond national averages, reveals the most deprived or vulnerable population groups and helps measure inequality and discrimination.

...

Assessing gender discrimination also requires the disaggregation of statistics by sex (see chap. IV, box 22 on statistics on gender and the human rights of women). In relation to the right to education, for instance, the ratio of female to male for the mean years of schooling shows that in all regions girls receive significantly less school education than boys.³⁶¹

Disaggregation allows more detailed data analysis to identify inequalities

An HRBAD **requires a move from traditional data collection and analysis, which concentrate on national averages and risk[s] masking underlying disparities.** An HRBAD incorporates data on the most disadvantaged or marginalized in national/large-scale data collections. As a result, it provides data that **identify and measure inequalities** among population groups.^{362 363}

Where possible, data should be published in a format that permits identification and analysis of multiple and intersecting disparities and discrimination. Individuals may experience discrimination and inequality along multiple axes (for example, gender and disability). Analyzing data at the subgroup level allows for understanding of multiple and intersecting inequalities.³⁶⁴

Disaggregation requires more intensive data collection

³⁵⁹ Manual on human rights monitoring chapter 20

³⁶⁰ Manual on human rights monitoring chapter 20

³⁶¹ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

³⁶² Application of the three perspectives of average, deprivation and inequality has been recommended and illustrated in “Human Rights Indicators: A Guide to Measurement and Implementation” (HR/PUB/12/5) available in Arabic, English, French and Spanish, p. 127-128.

³⁶³ [A human rights approach to data](#) – UN 2018

³⁶⁴ [A human rights approach to data](#) – UN 2018

Disaggregation of data relies on the collection of data about personal characteristics (e.g. religion, gender) and other relevant information (e.g. location). To allow data to be disaggregated by variables of interest, relevant information must be sought from all individuals within a dataset (either a survey sample or through administrative data capture). Where information is collected or recorded inconsistently, it will not be possible to disaggregate the full data set; this can introduce bias and other data quality issues. Where information relevant for disaggregation is collected directly from individuals, the principle of self-identification (see below) should be considered.³⁶⁵

Disaggregation requires not only that data collection approaches include relevant characteristics, but that data recording systems can incorporate new data items as needs arise.³⁶⁶

A related concern is the lack of appropriate statistics at the required level of disaggregation to support analysis of non-discrimination and equality—a principal focus in any human rights assessment. It is, therefore, argued that unless there are adequate data to capture the enjoyment or violation of human rights across context-relevant population groups, it is meaningless to rely on indicators in such assessments.³⁶⁷

11.8.9 Temporary special measures

NHRIs should monitor temporary special measures in two ways.

Firstly, to identify areas where temporary special measures are appropriate for men and boys and whether they are being implemented. Failing to apply temporary special measures to men when they would be applied to women in the same situation is discrimination.

For example, TSMs to increase women's enrolment at university when they were under-represented by 2:1 should be applied to men when they are under-represented by 2:1. If measures to achieve equality are not equally applied, that indicates discrimination.

Secondly, to ensure that temporary special measures for women are appropriately implemented and not discriminatory against men

Chapter 28 of the *Manual on Human Rights Monitoring* says:

Monitoring activities relating to TSMs could include:

- *Identifying equality gaps that could be remedied by TSMs;*
- *Monitoring the implementation and impact of TSMs;*
- *Collecting disaggregated data on beneficiaries of TSMs to identify possible patterns of exclusion;*

³⁶⁵ [A human rights approach to data](#) – UN 2018

³⁶⁶ [A human rights approach to data](#) – UN 2018

³⁶⁷ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

CCPR General Comment No. 18: Non-discrimination says required to take affirmative action:

10. The Committee also wishes to point out that the principle of equality sometimes requires States parties to take affirmative action in order to diminish or eliminate conditions which cause or help to perpetuate discrimination prohibited by the Covenant. For example, in a State where the general conditions of a certain part of the population prevent or impair their enjoyment of human rights, the State should take specific action to correct those conditions. Such action may involve granting for a time to the part of the population concerned certain preferential treatment in specific matters as compared with the rest of the population. However, as long as such action **is needed to correct discrimination in fact**, it is a case of legitimate differentiation under the Covenant.³⁶⁹

11.8.9.1 Temporary

Special measures must be temporary and have an end condition. If special measures are not temporary, then they are a privilege, rather than a measure to alleviate discrimination.

General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights says:

15. ... However, the application of the principle of equality will sometimes require that States parties take measures in favour of women in order to attenuate or suppress conditions that perpetuate discrimination. As long as these measures are necessary to redress de facto discrimination and **are terminated when de facto equality is achieved**, such differentiation is legitimate.³⁷⁰

11.8.9.2 Necessary

Special measures must be necessary. If the issue can be resolved without a temporary special measure, then the special measure is discriminatory. Alternatives to special measures that may be suitable include universal measures or measures that address the needs of both men and women in a gender-specific way.

If men could also benefit from the program or policy, but a TSM is used for women only, that is discriminatory, because a universal, or gender-specific, program or policy would work.

General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights says:

³⁶⁸ Manual on human rights monitoring – Chapter 28 – Monitoring and Protecting Women's Rights

³⁶⁹ [CCPR General Comment No. 18: Non-discrimination](#)

³⁷⁰ General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights

15. ... However, the application of the principle of equality will sometimes require that States parties take measures in favour of women in order to attenuate or suppress conditions that perpetuate discrimination. **As long as these measures are necessary** to redress de facto discrimination and are terminated when de facto equality is achieved, such differentiation is legitimate.³⁷¹

11.8.9.3 Not based on stereotypes and assumptions

TSM should not be applied to specific, identifiable situations, not based on stereotypes or generalisations about women's marginalisation or vulnerability. Women are not inherently vulnerable.

HROs should avoid making wrong assumptions, such as:

- *Identifying all women as victims.*
- **Labelling all women as a "group" that is inherently "vulnerable" or "marginalized" in its entirety and in all circumstances.** Women are rights holders and active members of society. Those in positions of authority are also part of the range of duty bearers that may potentially constitute strong, reliable allies in certain circumstances. Women constitute half of the local, national and world population.

*Stereotyping attributes are also common, such as portraying men as active and women as passive, men as leaders and women as followers. Avoid the systematic categorization of women as "vulnerable", as well as lumping together "woman and children" into a homogenous group.*³⁷²

...it is important to remember that, in general, women as such do not constitute a "vulnerable group", but are half of the population and their presence (or absence) has to be acknowledged and analysed in all spheres of life for the analysis of the contextual situation to be complete³⁷³

11.8.9.4 Carried out in good faith

TSM should be carried out in good faith. Acting with *good intentions* does not necessarily mean acting in *good faith*. A *good faith* TSM requires due diligence to establish that the proposed action meets the requirements for TSM and does not violate the rights of those not included in the TSM.

Duty-bearers have an obligation to respect, protect and fulfil the human rights of those not included in the TSM.

Assessing the Effectiveness of National Human Rights Institutions says:

*Most human rights thinkers now see three related sets of obligations in relation to rights: **respecting rights is the obligation not to do something that would interfere with the enjoyment of rights** (no arbitrary arrest or eviction from*

³⁷¹ General comment No. 16 (2005) The equal right of men and women to the enjoyment of all economic, social and cultural rights

³⁷² [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

³⁷³ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

*homes); protecting rights is the obligation to ensure that other bodies, such as individuals, businesses or foreign governments, do not prevent enjoyment of rights (no-one held in servitude; equal pay for comparable work); and fulfilling rights is the obligation to take steps to make all necessary provisions for the enjoyment of rights (establishing an independent judicial system; providing affordable housing).*³⁷⁴

Objective and reasonable grounds to exclude men and boys (e.g. programs targeting women) requires due diligence, including:

- Gathering sufficient evidence about the impact on men and boys
- Establishing that men and boys would not also benefit from the same activity
- Establishing that men's and boy's rights will not be undermined or harmed by the activity
- Having a specific and measurable goal
- Providing evidence that the activity will likely produce the desired outcome
- Having measurable criteria for stopping a targeted program, or for changing the target to men and boys.

11.8.9.5 Tailored to reduce the actual disadvantage of the group it is aimed at

Generalised programs for women are not TSMs. TSM must be specific to an identified disadvantage, with a specific goal.

11.8.9.6 The impact of the measure on those to whom it does not apply should be considered.

TSM for women can negatively affect men, and the relationship between women and men.

Men have a right to participate in decisions that affect them, including decisions to adopt a TSM for women.

11.8.9.7 Should be proportional to the degree of under-representation or disadvantage.

TSM should not seek to over-compensate.

11.8.10 Monitoring must recognise human rights norms

Human Rights Indicators – A Guide to Measurement and Implementation says:

The conceptual framework adopted to identify indicators for promoting and monitoring the implementation of human rights:

...

*Recognizes and reflects the cross-cutting human rights norms, such as **non-discrimination, equality, participation, accountability, the rule of law, due process, good governance and remedy** (at the national and international*

³⁷⁴ From a footnote in: Assessing the Effectiveness of National Human Rights Institutions

11.8.10.1 Indicators for cross-cutting human rights norms or principles

The indicators that capture the cross-cutting human rights norms or principles cannot be associated exclusively with the realization of a specific human right, but are meant to capture the extent to which the process of implementing and realizing human rights respects, protects and promotes, for instance, non-discrimination and equality, participation, access to remedy and accountability.⁹ There is neither an easy nor a single way of reflecting these transversal norms and principles explicitly in the selection of indicators.

To capture the norm of non-discrimination and equality in the selection of structural, process and outcome indicators, a starting point is to seek disaggregated data by prohibited grounds of discrimination, such as sex, disability, ethnicity, religion, language, social or regional affiliation. For instance, primary education should be available free of charge for all. If the indicator on the proportion of children enrolled in primary schools is broken down by ethnic group or minority for a country, it may reveal disparities between the different population groups and perhaps also discrimination faced by some groups or minorities.

...

Also, in reflecting the cross-cutting norm of non-discrimination and equality the emphasis has to be on indicators that capture the “accessibility” to, and not just the “availability” of, such goods and services that allow an individual to enjoy her/his rights.

A cross-cutting norm may also be addressed as a “procedural right” that has a bearing on the realization of a specific “substantive right”; hence, it is defined in reference to that right. Thus, compliance with the norm of “access to remedy” in the context of freedom from torture or cruel, inhuman or degrading treatment or punishment could be captured using an indicator like the “proportion of victims of sexual or other violence with access to appropriate medical, psychosocial and legal services”

Similarly, compliance with the norm of non-discrimination in the context of the right to education, as a substantive right, could be captured using an indicator like the proportion of school-age girls actually enrolled in school to the proportion of boys in the same age group enrolled in school

For the human rights principle of participation, the aim is to reflect whether segments of the population in a country have been participating in the adoption of measures that the duty bearer is implementing and that concern its obligations or the extent to which they have been consulted in the selection of indicators included in the country’s reporting procedure (see chap. V)

At a more aggregate level, changes in the magnitude of indicators, like the Gini coefficient,¹² that reflect the distribution of household consumption expenditure or income to assess whether the development process in a country is encouraging participation, inclusion and equality in the distribution of returns, could be used as proxy indicators.¹³

Indicators on work participation and educational attainment of the population, in general, and of specific groups, in particular (for instance, women and minorities), could also be useful in this context (see further discussion in chaps. IV and V on specific examples of indicators to capture cross-cutting norms as well as the right to participate in public affairs)

Finally, the first steps in the implementation of the principle of accountability are already being taken as one translates the normative content of a right into relevant and reliable quantitative and qualitative indicators. Indeed, the availability of information sensitive to human rights, and its collection and dissemination through independent mechanisms using transparent procedures, reinforces accountability. Moreover, the suggested process indicators, by definition, seek to promote accountability of the duty bearers in discharging their human rights obligations. In addition, specific indicators on the functioning of accountability mechanisms at the national (NHRI) and the international levels (e.g., special procedures of the Human Rights Council) for monitoring the implementation of human rights obligations by the duty bearer are also included in the framework³⁷⁶

11.9 Areas of monitoring

11.9.1 Legislation

NHRIs must monitor legislation for violations of men's rights. NHRIs should also monitor the implementation of laws ensuring men's rights to see if they are working.

Monitoring work on legislation and women's human rights falls into two broad categories:

a. Monitoring the legal framework and law reform processes with a view to ensuring conformity with international and regional standards and norms on women's rights; and

b. Monitoring the implementation of legislation on women's rights.³⁷⁷

Legislation that does not comply with international standards on women's human rights is a persistent concern in many countries and in all regions. It requires constant attention from field presences to monitor legal developments and provide advisory services and, in addition, to advocate for a human rights-compliant legal framework and for rights-based processes of law development and law reforms.

Legislation that discriminates against women can exist in all branches of law, so a comprehensive "scanning" of national legislation is required in order to identify problematic areas for women's rights, and tackle them. The advice of actors with relevant expertise is a valuable support in performing this task.³⁷⁸

³⁷⁶ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

³⁷⁷ [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

³⁷⁸ [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

NHRIs should monitor legislation for:

Discrimination against men and boys
Lack of, or inadequate, legislation prohibiting discrimination based on a comprehensive definition of discrimination against men.
Inadequate legislation on paternity leave, different retirement ages for women and men, discriminatory treatment with regard to pensions and other work-related benefits.
Discrimination in (and a lack of gender-sensitive) procedural laws and sentencing
Discriminatory laws in relation to marriage, the marital power of the husband (e.g., in allowing their wives to travel, work or receive health treatment – or not), divorce, the custody of children, legal age for marriage, inheritance.
Laws recognising and permitting harmful practices [like circumcision]
Laws that perpetuate harmful gender stereotypes.
Is the law known to those who should enforce it, and to rights holders? Is it justiciable? Is it applied by courts?
Are the structures and mechanisms provided for by law in place? Do they function? Do rights holders use them?
Is the law achieving its objectives? Should it be changed to achieve more, or to adapt to new circumstances?
If law reform is envisaged, is there a risk that the amended law may be more regressive than the existing one? What are the forces at play, and how can they be influenced? Do all stakeholders participate adequately in the law reform process?

List adapted from *Manual on Human Rights Monitoring*.³⁷⁹

11.9.2 Gender stereotypes

NHRIs should monitor gender stereotypes and attitudes towards men and boys. It is especially important to monitor stereotypes that are in government policy and practice.

Stereotypes could include:

Male deficit model (toxic masculinity)
Male privilege
Women being a vulnerable/marginalised group while men are not
Dumb dads trope
Men are violent
Women are passive, victims of circumstance, men are active and complicit
Men's suffering is not as important as women's
Men oppress and exploit women

The *Manual on Human Rights Monitoring* says monitoring women's rights entails identifying stereotypes. This applies for men as well:

*Monitoring women's human rights also entails identifying and **analysing gender stereotypes** and how they impact on the enjoyment of rights. Key areas to*

³⁷⁹ [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

monitor, because of their role in channelling and amplifying gender stereotypes, include:

The media, the entertainment industry and advertising

Education, school and university textbooks, curricula and teaching methods .

Attitudes and behaviour of leaders and decision makers.

Traditional or customary laws and practices relating to women's role in society.

Culture, sports and science.

The judiciary and the administration of justice and law enforcement .

The workplace.

The digital space and technology.

The private sphere.³⁸⁰

The *Manual on Human Rights Monitoring* says:

*Paying attention to the gender dimension of violations perpetrated in the private sphere also means looking at violations perpetrated against boys and men, such as sexual exploitation or abuse and some forms of child labour, **as well as gender stereotypes** about their primary role as breadwinners and not care givers, which are often overlooked.*³⁸¹

11.9.3 The private sphere

NHRIs should monitor violations of human rights against men in the private sphere.

NHRIs should monitor the government's *due diligence* to address these violations against men in the private sphere.

The *Manual on Human Rights Monitoring* says:

*Paying attention to the gender dimension of violations perpetrated in the private sphere **also means looking at violations perpetrated against boys and men**, such as sexual exploitation or abuse and some forms of child labour, as well as gender stereotypes about their primary role as breadwinners and not care givers, which are often overlooked.*³⁸²

See also Violence against men

11.9.4 Participation in political and public life

NHRIs should monitor if men advocate for men's rights and barriers that limit this.

³⁸⁰ [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

³⁸¹ [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

³⁸² [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

Equality for Women: A Handbook for NHRIs on Economic, Social and Cultural Rights, identifies the importance of monitoring whether people are active in claiming and exercising their rights.

When monitoring the full realization of women's ESC rights, it is useful for NHRIs to consider...

*Whether or not women actively claim and exercise their ESC rights. This is an indicator of overall empowerment and levels of information, as well as an indicator of the existence of effective mechanisms for redress for women affected by ESC rights violations*³⁸³

Are men advocating for their rights as men? For example, men's right to be free from discrimination, men's right to equality.

Are politicians and other influential people advocating for men's human rights?

Are there human rights issues for men that are not being publicly discussed?

Things that are barriers for men to advocate for their rights

Protests, assaults against men and men's advocates
Shutting down, cancelling men's events etc. Through political pressure or violence eg. bomb threats
Media and news reports denouncing men's advocacy eg
Stigma for men in advocating for themselves, especially when discriminated against, or sexism against men

11.9.5 Violence against men

NHRIs should identify and monitor gender-based violence against men.

Integrating a Gender Perspective into Human Rights Investigations defines gender-based violence:

*Gender-based violence (GBV) is violence directed towards, or disproportionately affecting, someone because of their gender or sex.*³⁸⁴

Violence directed specifically at men or disproportionately at men includes;

Homicides (most victims are men)
Administrative violence. That is, a perpetrator using the apparatus of the State to harm the victim. For example, making, or threatening to make, false claims to the police to have the victim arrested.
Non-medical circumcision is a form of sexual violence.

Integrating a Gender Perspective into Human Rights Investigations says:

[Gender-based Violence(GBV)], including sexual violence, is a human rights

³⁸³ [Equality for Women: A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas](#)

³⁸⁴ Integrating a gender perspective into human rights investigations

*violation that can be committed by a variety of perpetrators, including state and non-state actors and/or individuals. Moreover, **the State is in breach of its human rights obligations if it fails to respond appropriately to GBV**, that is, to act with due diligence to prevent GBV, bring perpetrators to justice and ensure that victims have access to an adequate and effective remedy and full redress, including for acts or omissions by state and non-state actors and/or individuals.*

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NHRIs should monitor:

Laws and policies to protect men from violence, including if there is equal protection with women

Governments *due diligence* to prevent violence against men

Equal application of the laws to protect people from violence

Societal attitudes to violence against men, is it seen as more acceptable than violence against women? is it seen as inevitable?

Are male victims treated the same as female victims in the media and public discourse?

Efforts to counteract societal attitudes that minimise the seriousness of violence against men.

The education of law enforcement and public officials on the issue for male victims.

The amount of research on male victims of violence. Is there sufficient research for policy makers to meet due diligence requirements?

Disaggregated data on victimisation

Support services for male victims, are they available and are men accessing them? What are the barriers for men in accessing services?

Prevalence of all kinds of violence against men, including proxy violence and administrative violence

In particular relation to sexual violence NHRIs should monitor:

Laws protecting men from sexual violence. For example, is the definition of rape gendered?

Policies and practices of the justice system and law enforcement when dealing with male sexual violence victims. Do sentencing guidelines treat the harm to male and female victims equally? Are police officers trained to deal with male victims of sexual violence, including when the perpetrator is female?

Societal attitudes to male victims of sexual violence, especially of female perpetrators. EG Do male victims of women see themselves as victims of crime?

List adapted from *Manual on Human Rights Monitoring*³⁸⁶ and *Integrating a Gender Perspective Into Human Rights Investigations*.³⁸⁷

Amman Declaration and Programme of Action says NHRIs agreed to:

| *The Conference agreed to the following action points on these themes, to* |

³⁸⁵ Integrating a gender perspective into human rights investigations

³⁸⁶ [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

³⁸⁷ Integrating a gender perspective into human rights investigations

which NHRIs will give priority over the next decade, and beyond...

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;

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

...

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;³⁸⁸

Manual on Human Rights Monitoring says:

“Gender-based violence” is an umbrella term used to distinguish common violence from violence that is directed against individuals or groups of individuals on the basis of their sex, gender identity or socially ascribed gender roles. Gender-based violence encompasses a range of forms of violence, such as physical and sexual violence, emotional and psychological violence, socio-economic violence and harmful practices. While women, men, boys and girls can all be victims of gender-based violence, the primary victims have been women and girls. Violence against lesbian, gay, bisexual, transgender and intersex people also often based on gender.³⁸⁹

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

Male survivors of sexual violence are often reluctant to step forward due to the risk of stigmatization and prosecution. Domestic legislation might lack legal protections for male victims of sexual violence due to gendered definitions of rape that exclude male rape. The legislation may criminalize sexual intercourse between men without distinguishing between consensual and nonconsensual sexual intercourse. In addition, the types of sexual violence to which men are exposed differ from those against women and girls, and are often underreported and less commonly acknowledged. Investigators may not be familiar with the stigma around sexual violence against men and boys and consequently, they might overlook the gathering of such information from sources and/or fail to look for possible signals that sexual violence has taken place. For instance, sexual violence can be used as a form of torture and ill-treatment in detention, but may not be reported as such by survivors themselves and by the investigators. Thus the importance of training and of following specific methodologies (e.g. on interviews technique, selection of

³⁸⁸ Amman Declaration and Programme of Action

³⁸⁹ [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

*intermediaries/sources and information gathering) to be conducive to the disclosure of this information by survivors and the adequate documentation of these forms of violence.*³⁹⁰

11.9.6 Access to justice and treatment in the justice system-wide

NHRIs should monitor:

Treatment of men in the justice system

Laws and policies that treat men differently from women. EG rape laws that exclude men, sentencing guidelines that punish men more or give more leniency to women.

Treatment of male victims in the justice system. E.g. do male victims receive the same treatment as women, are they stigmatised, especially if they are victims of women

Application of stereotypes in judgement and decisions.

De facto or substantive discrimination, biases against men among practitioners from law enforcement agents to prosecutors, judges and lawyers. EG from knowledge gaps

Judicial gender stereotyping, when judges or other legal practitioners reach conclusions based on preconceived beliefs about women rather than on the basis of the facts of the case

Social, cultural and institutional barriers – or a lack of access – to effective, gender-sensitive remedies,

11.9.7 Education

NHRIs should monitor:

Disaggregated data on school completion rates, drop-out rates, expulsions and other disciplinary measures.

Disaggregated data on academic achievement ensuring that under-achieving boys are captured in the data and not obscured by boys with high achievement.

Other obstacles that may hinder men's and boys' access to education

The differences in educational and scholarship opportunities granted to women and girls on the one hand and men and boys on the other.

Discrimination against boys in treatment and marking etc.

Enrolment rates in tertiary education

11.9.8 Housing

NHRIs should monitor:

Male homelessness and deaths from rough sleeping

Discrimination of single men in renting

11.9.9 Work

NHRIs should monitor:

Workplace Safety

Occupations where men are under-represented, like teaching (especially

³⁹⁰ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

early childhood) and nursing. Is there discrimination? Are there cultural barriers? What measures are being taken to ensure men are encouraged to take these jobs?

11.9.10 (Sexual and reproductive) health and rights

NHRIs should monitor men's health rights:

The regulations, policies or plans providing for men's particular health-care needs. For example, is there a men's health policy?

Disaggregated data, ensuring areas where men are disproportionately disadvantaged are captured. EG amenable mortality, life-expectancy, injuries, suicide, alcohol and drug issues
Areas which exclusively affect males, e.g. prostate cancer, erectile dysfunction

Health spending for reserved for men compared to women

Policies or strategies for a medical response to violence against men, and the availability of health services staffed by health providers specialized in or with training on the issue of violence against men. This includes physical and mental health care for survivors of sexual and domestic violence in all situations,

Whether States are actively addressing and seeking to modify social misconceptions, prejudices and taboos about masturbation, wet dreams, involuntary erections, vasectomy, and male sexuality

The regulations, policies or plans for sexual and reproductive health care for men, including access to contraception, and restrictions that require men to seek third-party authorization (e.g., parental, spousal or judicial) in order to access them (e.g., do men have to get their partners permission for a vasectomy)

The availability and accessibility of publicly funded health-care services to prevent, detect and treat illness and conditions specific to men

The extent to which health-care services are provided, and are being accessed, by men in vulnerable, marginalized or disadvantaged situations

The availability of treatments for prostate cancer, erectile dysfunction and other male reproductive issues.

Remedies available for men whose rights have been violated. Are they gender sensitive?

NHRIs should monitor men's reproductive rights

The laws and policies about men becoming parents. EG can a man be forced to become a parent by the mother of the child?

Does the law require proof that a man is the father of the child before he is forced by the state to support the child?

Laws and policies about men finding out they have a child and access to their children on equal terms with women

Laws and policies on paternal surrender

Are there laws protecting boys from genital cutting, how many boys have their genitals cut, instances of severe adverse effects from boy's genital cutting.

Remedies available for men whose rights have been violated. Are they gender sensitive?

Amman Declaration and Programme of Action says:

The Conference agreed to the following action points on these themes, to which NHRIs will give priority over the next decade, and beyond...

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 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.³⁹¹

Assessing the Effectiveness of National Human Rights Institutions says:

Since the right to health can be disaggregated, indicators can be devised for each of its elements. A general indicator can be broken down to shed light on the access to health of particular groups: children, the elderly or women; or on the allocation of investments: in medical services, housing or sanitation; or on the availability of drugs. Indicators can equally track what proportions of the health budget are spent on drugs, personnel, building hospitals, immunisation, urban versus rural areas, etc. All these figures can be analysed over time to show trends and priorities and make comparison between heads of expenditure. Taken further, such indicators can be compared with statistical information on infant mortality rate and life expectancy – for example, in rural areas, to help set policy priorities and analyse given changes in public health policies.³⁹²

Other indicators can be developed to make comparisons across sectors. Health spending can be calculated as a proportion of the government budget and gross domestic product, and compared with other areas of spending such as education, the judiciary or defence. Such indicators can help to show whether progress is being made towards realising the right to health, or if the sector is slipping backwards. Along with other forms of budget analysis, they can be a helpful guide to the government's priorities, year by year, and over time. reproductive rights³⁹³

Reproductive Rights are Human Rights – A Handbook for National Human Rights Institutions Says:

MEN AND REPRODUCTIVE RIGHTS

The focus of reproductive rights has been on protecting the reproductive rights

³⁹¹ Amman Declaration and Programme of Action

³⁹² [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

³⁹³ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

of women, and reproductive rights are part of women's rights. For biological and social reasons women are more directly affected than men by decisions with respect to reproduction; decisions which in turn are shaped by issues related to gender equality, stereotypical gender roles and the role of women in society more broadly. Reproductive rights matters are crucially important to women as they affect women's mental and physical integrity, their health and sexual autonomy, "their ability to enter and end relationships, their education and job training, their ability to provide for their families, and their ability to negotiate work-family conflicts in institutions organized on the basis of traditional sex-role assumptions".

Nonetheless, men too should be involved in sexual and reproductive health programmes. "Men's general knowledge and attitudes concerning the ideal family size, gender preference of children, ideal spacing between child births, and contraceptive method use greatly influence women's preferences and opinions". Only in societies where men and women have equal rights and responsibilities will reproductive rights be equally shared by all.

The non-involvement of men and boys in matters related to reproductive rights contributes to "the poor preparation of men for adulthood, contraceptive use, and safe sex". As men are usually responsible for the decision making processes within families, including with regard to reproduction, family size and contraception use, involving men can assist in the process of empowering women.

Men have a stake in reproductive rights through their multiple roles as sexual partners, husbands, fathers, family and household members, community leaders and gatekeepers to health information and services. In addition, not all men live in traditional families but still have needs related to their sexual and reproductive health. **To be effective, reproductive health programmes need to address men's** behaviour in these various roles as well as their **reproductive rights needs simply as human beings**. Involving men can:

- Enhance equity and gender equality;
- Share the burden of preventing diseases and health complications;
- Promote satisfying sexual lives for men and women;
- Inform men and women about male and female anatomy, contraception, STIs and HIV/AIDS prevention and women's health care needs during pregnancy and childbirth.

Men's sexual and reproductive health must also be addressed by focusing on:

- Uro-genital infections;
- STIs;
- Infertility and erectile dysfunction; and
- Prostate and testicular cancer.³⁹⁴

11.9.11 Men human rights defenders (MHRDs)

NHRIs should monitor the treatment and attitudes to MHRDs and MRAs.

• *NHRIs should raise awareness of the Declaration on Human Rights Defenders, and on the legitimate and important role played by women human rights defenders in particular. Any attacks against human rights defenders should be condemned and appropriate measures taken.*³⁹⁵

Things to monitor include:

Portrayal of MRAs and MHRDs in the media.
The inclusion of MRAs and MHRDs in public discourse, government consultations, etc.
Public attitudes to MRAs and MHRDs
Restrictions on MRA and MHRDs' freedom of opinion and expression, freedom of movement, assembly and association.
Violence, threats and harassment of MRAs and MHRDs.

*The work of WHRDs can be perceived as challenging a society's traditional notions of family and gender roles, which can lead to hostility from the general population and the authorities. They can therefore be stigmatized and ostracized by community leaders, faith-based groups, families and communities that consider them to be threatening religion, honour or culture through their work. This increases their risk of becoming the target of attacks.*³⁹⁶

11.9.12 Circumcision

Non-medical circumcision of boys is a human-rights violation.

Circumcision of boys is a controversial area of human rights, even so, States have an obligation to equally protect girls and boys from harmful practices. The *Committee on the Elimination of Discrimination Against Women* and the *Committee on the Rights of the Child* jointly say that boys' right to be free from harmful practices must be protected:

4. *Moreover, the Committees recognize that **boys are also the victims of violence, harmful practices and bias and that their rights must be addressed for their protection** and to prevent gender-based violence and the perpetuation of bias and gender inequality later in their lives. Accordingly, reference is made herein to the obligations of States parties to the Convention on the Rights of the Child regarding harmful practices stemming from discrimination that affect boys' enjoyment of their rights.*³⁹⁷

23. *The Convention on the Rights of the Child... **obliges States parties to***

³⁹⁵ [Handbook for National Human Rights Institutions on Women's Rights & Gender Equality OSCE 2012](#)

³⁹⁶ [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

³⁹⁷ [Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child \(2019\) on harmful practices](#)

take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children (art. 24 (3)). In addition, it provides for the right of the child to be protected from all forms of violence, including physical, sexual or psychological violence (art. 19) and requires States parties to ensure that no child is subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a)). It applies the four general principles of the Convention to the issue of harmful practices, namely protection from discrimination (art. 2), ensuring the best interests of the child (art. 3 (1)),¹⁵ upholding the right to life, survival and development (art. 6), and the right of the child to be heard (art. 12).

NHRIs should support the State to protect boys from harmful practices.

The *Committee on the Rights of the Child* says:

*48. National human rights institutions have a key role to play in promoting and protecting human rights, including the right of individuals to be free from harmful practices, and enhancing public awareness of those rights.*³⁹⁸

NHRIs should monitor

Laws and policies that protect boys from non-medical circumcision.
Differences in laws and policies for protecting boys and girls from genital cutting/mutilation or circumcision.
Reasons (justifications) for the non-medical circumcision, e.g. religious or cultural traditions
How many boys are circumcised each year
Who is performing circumcisions
Cultural attitudes to circumcision

NHRIs should still monitor circumcision even if they think that a parent's right to practice their traditions is more important than a child's rights, such as the right to bodily autonomy. Not all non-medical circumcisions will be for religious or cultural reasons. These circumcisions are unambiguously violations of human rights, and NHRIs duty to protect human rights requires monitoring of these violations.

Integrating a Gender Perspective into Human Rights Investigations says forced circumcision is a form of sexual violence:

Footnote 43

*... Sexual violence against men and boys includes... forced circumcision, castration and other forms of genital mutilation.*³⁹⁹

The Yogyakarta Principles Plus 10 emphasises the importance of the right to bodily integrity:

³⁹⁸ [Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child \(2019\) on harmful practices](#)

³⁹⁹ Footnote 43 from *Integrating a gender perspective into human rights investigations*

Principle 32 The Right to Bodily and Mental Integrity

*Everyone has the right to bodily and mental integrity, autonomy and self-determination irrespective of sexual orientation, gender identity, gender expression or sex characteristics. Everyone has the right to be free from torture and cruel, inhuman and degrading treatment or punishment on the basis of sexual orientation, gender identity, gender expression and sex characteristics. **No one shall be subjected to invasive or irreversible medical procedures that modify sex characteristics without their free, prior and informed consent, unless necessary to avoid serious, urgent and irreparable harm to the concerned person.***

STATES SHALL:

A. Guarantee and protect the rights of everyone, including all children, to bodily and mental integrity, autonomy and self-determination;

B. Ensure that legislation protects everyone, including all children, from all forms of forced, coercive or otherwise involuntary modification of their sex characteristics;

*C. Take measures to address stigma, discrimination and stereotypes based on sex and gender, and **combat the use of** such stereotypes, as well as marriage prospects and **other social, religious and cultural rationales, to justify modifications to sex characteristics, including of children;***

*D. Bearing in mind the child's right to life, non-discrimination, the best interests of the child, and respect for the child's views, ensure that children are fully consulted and informed regarding any modifications to their sex characteristics necessary to avoid or remedy proven, serious physical harm, and **ensure that any such modifications are consented to by the child concerned** in a manner consistent with the child's evolving capacity;*

E. Ensure that the concept of the best interest of the child is not manipulated to justify practices that conflict with the child's right to bodily integrity;

F. Provide adequate, independent counselling and support to victims of violations, their families and communities, to enable victims to exercise and affirm rights to bodily and mental integrity, autonomy and self-determination;

G. Prohibit the use of anal and genital examinations in legal and administrative proceedings and criminal prosecutions unless required by law, as relevant, reasonable, and necessary for a legitimate purpose.

11.9.13 Retrogression

NHRIs should monitor regression in men's rights to ensure there are no backwards steps.

It is, of course, impossible for NHRIs to impose budget allocations on the State. However, in light of the above examples, an NHRI can monitor progress and make recommendations to create budgets for specific women's programs, and can ensure that there is no retrogression or roll-back on previous commitments or budget cuts to established programs.⁴⁰⁰

⁴⁰⁰ [Equality for Women – A Handbook for NHRIs on Economic, Social and Cultural Rights – Equitas – International Centre for Human Rights Education](#)

11.10 Identify vulnerable groups

Combine with Prioritisation and Vulnerable groups ??

During monitoring, NHRIs should identify vulnerable groups of men, and the situations where men are vulnerable as a whole.

A Manual on National Human Rights Institutions says:

GOOD PRACTICE

An NHRI should be aware of the particular groups within its society that are especially vulnerable to human rights violations, either through their experiences of human rights violations or their particular risks of human rights violation... It should develop specific mechanisms through which the needs and concerns of those groups will be made visible within the NHRI itself.⁴⁰¹

Manual on Human Rights Monitoring says:

Vulnerability

- *Do threats affect women and men differently? If so, how?*
- *Are there threats specifically targeting men or women? If so, is it because of their gender?*
- *Are men and women vulnerable in a different way to threat(s)? If so, how?* ⁴⁰²

11.11 Referral

NHRIs should refer victims of human rights abuses to relevant services.

NHRIs should maintain a directory of men's services to refer men to.

Referral 9

Referral should be a part of monitoring women's rights. Whenever appropriate, and with the informed consent of the individuals concerned, for the people they come into contact with HROs should facilitate access to structures and organizations that can provide psycho-social support, legal aid, shelter, physical protection, health care services, etc. This entails mapping existing referral pathways or networks, and establishing contacts with these organizations and services in advance so as to be in a position to advise on how to access them and to facilitate contact when needed. Coordination with other actors is thus essential to ensuring a wider availability of services, but also to ensuring that a referral respects confidentiality and protects the security of the individuals assisted. For instance, HROs can forge good links with special police units responsible for investigating cases of violence against women, check whether they have and use Standard Operating Procedures (SoPs) for the referral of victims to appropriate services, and assist in the

⁴⁰¹ A Manual on National Human Rights Institutions - Asia Pacific Forum of National Human Rights Institutions May 2015 (updated May 2018)

⁴⁰² [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

12 Reporting

NHRIs should include men's rights issues in their reports and communication. This includes internal reports, public reports, government advice, United Nations submissions etc.

The *Manual on Human Rights Monitoring* says:

*When writing human rights reports, [Human Rights Officers] need to ensure that a **gender perspective** is integrated. This means for example that a **gender analysis** is undertaken to assess the different impact of violations on women, men, girls, boys and others, that **sex-disaggregated data** are included and that **gender-sensitive language** is used.*⁴⁰⁴

The “term gender is not interchangeable with women”⁴⁰⁵ so only including women's issues is not enough to incorporate gender into a report. “Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration”,⁴⁰⁶ so incorporating gender into a report means including issues for both women *and men*.

NHRIs reports should clearly identify and highlight gender issues for men and boys. Gender issues are issues that affect men *because they are men*, such as discrimination, or issues that predominantly affect men, such as treatment of prisoners.

The *Manual on Human Rights Monitoring* says:

*Integrating gender... is also about **making such differences visible** throughout the monitoring cycle.*⁴⁰⁷

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

*[G]ender-specific concerns should be addressed both in stand-alone sections and throughout the report.*⁴⁰⁸

Failing to make men's rights visible makes them more vulnerable to human rights abuses because policy makers will be uninformed and therefore unable to address their human rights issues.

The *Manual on Human Rights Monitoring* says:

⁴⁰³ [Monitoring and Protecting the Human Rights of Women – Manual on Human Rights Monitoring – Chapter 28](#)

⁴⁰⁴ Manual on Human Rights Monitoring – Chapter 13

⁴⁰⁵ [Women's Rights are Human Rights 2014](#)

⁴⁰⁶ [UN Women Training Centre Gender Equality Glossary](#)

⁴⁰⁷ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

⁴⁰⁸ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

*Lack of access to disaggregated information and statistics may **render marginalized communities and sectors of the population even more vulnerable as their actual situation would not appear in reports and aggregated charts, and hence cannot inform policymaking processes.** Disaggregated information can also reveal the de facto discriminatory nature of some policies and laws that would otherwise appear neutral.*⁴⁰⁹

Likewise, *Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice* says including gender-specific analysis in reports is essential for supporting efforts to address those issues:

*All efforts should be made to include key gender issues in the report itself, as well as in its summary. The analysis that reveals the differential impact on men and women of the violations suffered should be considered an integral part of the scope of the investigation and mandate and should be reflected among the findings and conclusions of the report. Moreover, considering that the report is likely to serve as the basis for follow-up actions, this **gender-specific analysis is instrumental in supporting efforts and tailored initiatives aimed at promoting victims' access to justice and effective remedies.***⁴¹⁰

The Manual on Human Rights Monitoring has a checklist for ensuring gender, and therefore men and boys, are included in reports:

Gender checklist for reports

- Does the report address gender as a specific subject?
- Does the report address gender in a specific section and/or is it mainstreamed throughout?
- Does the report contain sex-disaggregated data or information? When is gender identification used (i.e., mentioning women, men, girls, boys and others)?
- Do the sources of information of the report include women's groups or women human rights defenders?
- Does the report use gender-sensitive language?
- Does the report represent the point of view of women, men, girls, boys and others?
- Are the pictures contained in the report representative of the reality of women, men, girls, boys and others? Do they convey stereotypical images of some of these groups?
- Does the report analyse how human rights violations affect women, men, girls, boys and others differently?
- If the report deals with specific cases, do these concern women, men, girls, boys and others?
- If the report mentions human rights or development indicators, does it include

⁴⁰⁹ Manual on human rights monitoring chapter 20

⁴¹⁰ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

indicators to measure gender equality?

• Does the report explicitly indicate the action(s) taken or the position and policies adopted by... the Government to promote gender equality or women's human rights?⁴¹¹

• Does the report refer to:

◦ International and regional human rights instruments or national legislation on gender equality?

◦ Concluding observations, recommendations and reports of international and regional mechanisms on women's rights and gender equality (Committee on the Elimination of Discrimination against Women, Special Rapporteur on violence against women, Special Rapporteur on the Rights of Women in Africa of the African Commission on Human and Peoples' Rights, etc.)?

◦ **Jurisprudence on gender** and women's rights?

◦ International, regional and national policies on equality and non-discrimination and on gender (e.g., Beijing Declaration and Platform for Action, national action plans on gender equality)?

◦ Institutions for the promotion of gender equality (e.g., national machineries for the advancement of women) or other governmental or non-governmental actors dealing with gender issues?

◦ Literature, tools or other documents on gender equality?⁴¹²

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

CHECKLIST FOR REPORT WRITING

🌐 **Integrate gender throughout the chapters of the report; gender analysis should not be an occasional add-on, or the subject of an occasional paragraph, but, rather, a core part of the report.**

🌐 **Ensure that gender-sensitive language is applied consistently throughout the report.**

🌐 **Use age and sex gender-disaggregated data and avoid gender-neutral terms that could hide the experiences/roles of women.**

🌐 **Use the checklist provided in Chapter 15 of the Manual on Human Rights Monitoring to integrate gender into reports.**⁶⁷

🌐 **Acknowledge that "gender" implies more than women's issues and sexual violence.**

🌐 **Prioritize issues to be included in the report while keeping in mind the most serious gender-based violations/impacts.**

⁴¹¹ Manual on Human Rights Monitoring – Chapter 13

⁴¹² [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

- 🌐 Include background information in the report and contextualize the situations of women and men.
- 🌐 Include a gender perspective when analysing a pattern of human rights violations, such as multiple or intersectional and/or compounded discrimination.
- 🌐 Ensure that the international human rights legal framework is used along with international humanitarian and international criminal law, when applicable, in the legal analysis of the report, **fully reflecting the gender-specific impacts and human rights violations** that occurred during the situation under investigation.
- 🌐 Pay attention to consistency between the findings and the recommendations, **making sure that relevant gender-specific findings and conclusions on gendered violations are accompanied by tailored recommendations.**
- 🌐 Ensure that the report includes relevant recommendations that will contribute to ensuring respect for women's human rights and the enhancement of women's status and security.⁴¹³

12.1 Accuracy

The *Manual on Human Rights Monitoring* says:

*Human rights reports should be accurate and precise, based on information that has been carefully corroborated according to agreed standards... [Human Rights Officers] should provide sufficient detail and information to accurately portray the human rights situation or problem in a way that can be understood by the intended audience, while also being concise.*⁴¹⁴

NHRI reports should be accurate and provide an accurate analysis and understanding of the situation. It is not enough to report facts, accuracy requires providing context to make facts understandable.

Facts are often used to support narratives which paint an inaccurate picture of the human rights situation.

NHRIs should have a consistent standard for highlighting gender-related issues in reports. They should not minimise gender when men are uniquely or predominantly affected, while highlighting gender when women are uniquely or predominantly affected.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

*It is particularly important to avoid referring specifically to women when speaking only about certain violations (ex. sexual violence) while using gender neutral nouns when reporting on others (ex. killings, torture, etc.).*⁴¹⁵

⁴¹³ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁴¹⁴ Manual on human rights monitoring - reporting

⁴¹⁵ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice highlights the need to accurately depict the human rights situation, including for men and boys:

*This publication provides practical guidance on the integration of a gender perspective throughout the work of investigative bodies or entities, from the planning phase to the investigations and to writing the report and presenting its findings. It specifically aims to strengthen the content of human rights reports in order to accurately depict the different experiences of women, men, girls and boys.*⁴¹⁶

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

*[A]n institution is obliged to be rigorous in its own fact-gathering and analysis when forming a recommendation, opinion or report. Ultimately, its credibility will be assessed by the quality and pertinence of its recommendations and opinions. If these are too often ill-founded or flawed, the institution will find that all sides easily dismiss them and its subsequent recommendations will not be taken seriously.*⁴¹⁷

12.1.1 Sex-disaggregated data

Disaggregated data is essential for accurate human rights monitoring

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

*At a minimum, information on violations should be broken down by sex and age and, where possible, on the basis of other status. This is key to determining the gender specificities of human rights violations as well as to giving an accurate account of the particular experience of women, girls, men and boys and to identifying potentially discriminatory practices or targeting (e.g. based on ethnicity, religion, political affiliation, sexual orientation, disability, etc.).*⁴¹⁸

NHRIs should always report sex-disaggregated data unless sex-disaggregated data is not available.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

Always use available disaggregated data on age and sex (e.g. instead of saying “five journalists were arbitrarily detained”, use “three female and two male journalists were arbitrarily detained”; instead of saying “twenty-four persons, including two women and two children”, use “twenty men, two women, one boy and one girl”).

If disaggregated data is not available, NHRIs should explain why it is not available.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

The report should address any possible gaps in information and/or challenges

⁴¹⁶ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁴¹⁷ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

⁴¹⁸ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

| to obtaining information due to gender dynamics and gender-based discrimination, in order not to present a distorted image of the reality.⁴¹⁹ |

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice recommends avoiding gender-neutral terms to avoid hiding the experiences of women. This applies to men as well:

| Use age and sex gender-disaggregated data and **avoid gender-neutral terms that could hide the experiences/roles of women.** |

NHRIs should publish data that allows all kinds of discrimination against men to be identified

A Human Rights Approach to Data says:

| Where possible, **data should be published in a format that permits identification and analysis of multiple and intersecting disparities and discrimination.** Individuals may experience discrimination and inequality along multiple axes (for example, gender and disability). Analyzing data at the subgroup level allows for understanding of multiple and intersecting inequalities.⁴²⁰ |

Human Rights Indicators – A Guide to Measurement and Implementation says:

| A related concern is the lack of **appropriate statistics at the required level of disaggregation to support analysis of non-discrimination and equality—a principal focus in any human rights assessment.**⁴²¹ |

12.2 Gender Sensitive language

NHRIs should use gender-sensitive language in reports. This includes:

Using language that clearly identifies gender issues for men and boys
Focusing on men as rights-holders, rather than perpetrators or duty-bearers.

Avoiding language that reinforces stereotypes

The Manual on Human Rights Monitoring says:

| Human rights reports should... **Integrate a gender analysis and use gender-sensitive language;** |

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

| The reports on the outcome, findings and conclusions of the human rights investigation should illustrate the experiences of women and men, as well as specific instances and larger systematic patterns of discrimination and oppression. Accordingly, reports should use a gender-sensitive approach throughout, including in the recommendations. **Gender-sensitive report writing does not simply refer to the choice of language or disaggregated data, but also relates to the report's content, structure and focus.** This chapter will build on the guidance provided in the previous chapters and present aspects to

⁴¹⁹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁴²⁰ [A human rights approach to data](#) – UN 2018

⁴²¹ [Human Rights Indicators – A Guide to Measurement and Implementation](#)

12.2.1 Don't use or reinforce stereotypes in reports

NHRIs should not reinforce gender stereotypes in reports. Stereotypes can be reinforced by the language used and also the content or focus of the report.

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice gives examples of stereotypes:

*Stereotyping attributes are also common, such as portraying men as active and women as passive, men as leaders and women as followers. Avoid the systematic categorization of women as “vulnerable”, as well as lumping together “woman and children” into a homogenous group.*⁴²³

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says:

*The use of gender-sensitive language and disaggregated data helps to avoid a style of writing that “erases” women and omits phrases that reaffirm harmful gender stereotypes. This can in fact contribute to building a distorted, male-dominated narrative of fact depicting women solely as passive bystanders of conflict and agentless victims, in turn contributing to their exclusion from peace-making, peacebuilding and reconciliation efforts.*⁴²⁴

The *Manual on Human Rights Monitoring* makes recommendations about using gender-sensitive language in regards to women. This applies to men as well:

[Human Rights Officers] should be aware of these risks: they should objectively analyse their own stereotypes, biases and approach to this area of work, and should act in a way that empowers women rights holders rather than relegating them to the role of victims in need of sympathy and assistance. This can be done, inter alia, by:

Using gender-sensitive and empowering language in interactions and reporting. This language evolves over time and is context-specific. In using empowering language, HROs should also be aware of legally correct terminology, while also being receptive to the terminology women rights holders consider appropriate and preferable.

As this chapter suggests, monitoring a broader range of women's rights violations (beyond violence against women), and fully integrating a gender perspective throughout their monitoring and reporting.

Consulting, partnering and engaging extensively with women, women's organizations and WHRDs, including at community level.

*# Undertaking work to counter harmful gender stereotypes.*⁴²⁵

Gender Mainstreaming – Conceptual Framework, Methodology and Presentation of Good Practices highlights the issue of reinforcing a male norm:

⁴²² [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁴²³ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁴²⁴ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁴²⁵ Manual on Human Rights Monitoring – Chapter 28 – Monitoring and Protecting Women's Rights

From a gender mainstreaming perspective, the problem is not the fact that there are differences but that they are connected to a hierarchical ranking and that **there is a danger of measuring all citizens to a male norm.**⁴²⁶

If the report merits a section on women's issues, then a section should be included for men's issues. If there is not enough information, or another reason that a men's section seems unneeded, this should be briefly explained in the men's section. And an explanation of what measures were taken to include men.

Including sections for both women and men

- Accuracy portray the human rights situation
- Helps to reduce gender-stereotypes
- Helps inform the public
- Help improve understanding between men and women
- Demonstrates universality of human rights
- Helps reduce barriers for men advocating for their rights.

A section of the report that focuses on how the issue affects women, without a complementary section on how the issue affects men, reinforces the stereotype that women are victims. It also reinforces the stereotype that men are not vulnerable. It also implies that men are the norm, and women are distinct from it.

Data collection activities should not have a negative impact

The overriding human rights principle do no harm should always be respected. Historically, there have been cases of misuse of data collected by National Statistical Offices (and others), with extremely detrimental human rights impacts.⁴²⁷ Other principles outlined in this guidance note address the measures that data collectors must take to ensure that data on personal characteristics, when collected for reasonable statistical purposes, is kept safe and used only for the benefit of the groups it describes and society as a whole.

Data collection exercises, whether through census, specialized population surveys or administrative records (e.g., vital statistics), should not create or reinforce existing discrimination, bias or stereotypes exercised against population groups, including by denying their identity(ies). Any objections by these populations must be taken seriously by the data producers. Data collectors should only include characteristics that relate to personal identity in data collection exercises where it is necessary and appropriate to do so. Questions about personal identity characteristics should be voluntary and a non-response option should be provided; this is especially important where personal characteristics may be sensitive.

Do no harm also means that nothing in this guidance note should be interpreted as an invitation, encouragement or endorsement of any initiative or practice that seeks to discriminate against population groups and expose them

⁴²⁶ [Gender Mainstreaming – Conceptual framework, methodology and presentation of good practices – Council of Europe](#)

⁴²⁷ Luebke, D. & Milton, S. 1994. 'Locating the Victim: An Overview of Census-Taking, Tabulation Technology, and Persecution in Nazi Germany'. IEEE Annals of the History of Computing, Vol. 16 (3).

| to risks of serious human rights violations (or which has this effect).⁴²⁸ |

12.2.2 Focus on men as rights-holders

NHRIs should focus on men as rights-holders in their reports.

The *Manual on Human Rights Monitoring* highlights the importance of recognising people as independent rights holders:

| *Avoid the “women and children” categorization The use of the category “women and children” should be avoided. It obscures the fact that different substantive human rights guarantees may apply to women and to children, and reinforces the historical tendency to make concern for women’s human rights derivative of their roles as mothers, rather than **recognizing their status as independent rights holders**.*⁴²⁹ |

Focusing on men as rights-holders means:

Using language that empowers men
Identifying duty-bearers’ obligations to men
Identifying duty-bearers shortcomings in their obligations to men
Supporting men’s right to data about them by including data about men and boys
Including recommendations to address the human rights issues faced by men and boys

| *Transparency of public information* |

| *The principle of transparency is closely linked with those of participation (see first section) and accountability in an HRBAD (see final section). Also referred to as **the right to information**, it is a fundamental attribute of the freedom of expression. The freedom to seek, receive and impart information is specified in **international human rights treaties**.*⁴³⁰ |

For example, the use of the word ‘but’ instead of ‘and’ in this sentence:

| *Men were 40% of victims, but made up 70% of perpetrators.* |

Using ‘but’ minimises men’s victimisation. A better way to write this would be:

| *The victims were 60% women, and 40% men. The perpetrators were 70% men and 30% women.* |

This avoids associating either sex with victimisation or perpetration.

For example, that men are perpetrators of human rights violations. Reports that emphasise men’s perpetration reinforce negative stereotypes and a deficit model of men.

⁴²⁸ [A human rights approach to data](#) – UN 2018

⁴²⁹ [Integrating gender into human rights monitoring – Manual on Human Rights Monitoring – Chapter 15](#)

⁴³⁰ For instance, Article 19 of the International Covenant on Civil and Political Rights.

12.3 Reporting should benefit men and boys and be useful for men's advocates

NHRI reports should benefit rights-holders, including men and boys.

NHRI reports should provide information that supports men's advocate's ability to advocate for change. For example, by providing sex-disaggregated data and other information relevant to men's advocates.

A Human Rights Approach to Data says:

Data can be used to hold human rights actors to account

Appropriately anonymized microdata should be made available to academics, CSOs and other stakeholders to facilitate the development of accountability systems. The publication of relevant and disaggregated indicators can aid accountability by supporting CSOs in formulating human rights claims, for example, by adding evidence to submissions to the United Nations Human Rights Monitoring Mechanisms. Data can also add weight to submissions to complaint mechanisms, both to demonstrate issues and provide context to events and observations.

Putting collected data back in the hands of disadvantaged population groups and strengthening their capacity to use them is essential for accountability. When data is used by the groups affected by policymakers to advocate for change, it adds weight to their arguments and assists decision-makers in understanding the issues and devising solutions. ⁴³¹

NHRI reports should encourage and support duty-bearers to improve the human rights outcomes for men and boys.

A Human Rights Approach to Data says:

*Where groups have participated in data collection processes, data collectors should ensure that the resulting data is shared appropriately with these groups. This 'return' of data **should be meaningful to the population of interest** and delivered in culturally appropriate ways. This demonstrates the impact of their inputs and **encourages their ongoing use of data** and engagement with the activities of the data collector.* ⁴³²

Data collection activities should not have a negative impact

The overriding human rights principle do no harm should always be respected. Historically, there have been cases of misuse of data collected by National Statistical Offices (and others), with extremely detrimental human rights impacts. ⁴³³ *Other principles outlined in this guidance note address the measures that data collectors must take to ensure that data on personal characteristics, when collected for reasonable statistical purposes, is kept safe **and used only for the benefit of the groups it describes and society as a whole.***

⁴³¹ [A human rights approach to data](#) – UN 2018

⁴³² [A human rights approach to data](#) – UN 2018

⁴³³ Luebke, D. & Milton, S. 1994. 'Locating the Victim: An Overview of Census-Taking, Tabulation Technology, and Persecution in Nazi Germany'. IEEE Annals of the History of Computing, Vol. 16 (3).

Data collection exercises, whether through census, specialized population surveys or administrative records (e.g., vital statistics), should not create or reinforce existing discrimination, bias or stereotypes exercised against population groups, including by denying their identity(ies). Any objections by these populations must be taken seriously by the data producers. Data collectors should only include characteristics that relate to personal identity in data collection exercises where it is necessary and appropriate to do so. Questions about personal identity characteristics should be voluntary and a non-response option should be provided; this is especially important where personal characteristics may be sensitive.

Do no harm also means that nothing in this guidance note should be interpreted as an invitation, encouragement or endorsement of any initiative or practice that seeks to discriminate against population groups and expose them to risks of serious human rights violations (or which has this effect).⁴³⁴

Men and men's advocates have a right to information about the disparities that affect them.

Transparency of public information

The principle of transparency is closely linked with those of participation (see first section) and accountability in an HRBAD (see final section). Also referred to as the right to information, it is a fundamental attribute of the freedom of expression. The freedom to seek, receive and impart information is specified in international human rights treaties.⁴³⁵

The United Nations Fundamental Principles of Official Statistics state that statistics play a fundamental role in the information system of a democratic society, and beyond serving the Government and the economy, in honouring a population's entitlement to public information.⁴³⁶

CSOs' access to data and reports informing them of existing inequalities among population groups is essential to the realization of the right to information, and the monitoring and realization of human rights more generally. Such data may relate to, for instance, access to education, health, protection from violence, work, participation, social security and justice.⁴³⁷

Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice says reports should make recommendation to address gender issues for

⁴³⁴ [A human rights approach to data](#) – UN 2018

⁴³⁵ For instance, Article 19 of the International Covenant on Civil and Political Rights.

⁴³⁶ “Official statistics provide an indispensable element in the information system of a democratic society, serving the Government, the economy and the public with data about the economic, demographic, social and environmental situation. Official statistics that meet the test of practical utility are to be compiled and made available on an impartial basis by official statistical agencies to honour citizens’ entitlement to public information”. The Fundamental Principles of Official Statistics were endorsed by the United Nations General Assembly on 29 January 2014 (A/Res/68/261). In the context of discussions on SDG indicators, this right to public information was increasingly referred to, in particular by civil society groups, who underlined a role for official statistics that should go beyond own government’s needs.

⁴³⁷ [A human rights approach to data](#) – UN 2018

men and boys:

*The findings of the report related to gendered violations or gender-specific impacts should be addressed in the recommendations, in order to promote equal and inclusive accountability and redress.*⁴³⁸

12.4 Making recommendations & giving advice

NHRIs should take opportunities to recommend changes and give advice on how to improve the human rights situation for men and boys.

Recommended changes could include:

Changes to laws, policies and practices to prevent systemic and structural discrimination of men and boys.

- Repeal/revise discriminatory laws
- Training of judiciary, police, etc. to address bias against men
- A government department to provide expertise and advice on men's issues Eg a Ministry for Men

The adoption of temporary special measures to address existing discrimination and disadvantages faced by men and boys.

Measures to ensure male victims of violence have quality services available to them

Accountability measures to ensure discrimination against men and boys are addressed and there is a suitable mechanism for redress.

Mechanisms to monitor men's human rights

Awareness raising campaigns to educate the public on men's human rights issues.

List adapted from *Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice*.⁴³⁹

12.5 National plan of action

NHRIs play an important role in the creation of a National Plan of Action to address human rights issues.⁴⁴⁰ Some NHRIs are required to create a National Plan of Action. For example, the New Zealand Human Rights Act 1993 requires the Human Rights

⁴³⁸ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁴³⁹ [Integrating a Gender Perspective into Human Rights Investigations – Guidance and Practice](#)

⁴⁴⁰ Handbook on National Human Rights Plans of Action

Commission to develop a National Plan of Action.⁴⁴¹

NHRIs should ensure National Plans of Action include strategies to ensure men have equal enjoyment of their rights.

General Comment No. 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights says:

32. The most appropriate ways and means of implementing the right under article 3 of the Covenant will vary from one State party to another. Every State party has a margin of discretion in adopting appropriate measures in complying with its primary and immediate obligation to ensure the equal right of men and women to the enjoyment of all their economic, social and cultural rights. **Among other things, States parties must, integrate into national plans of action for human rights appropriate strategies to ensure the equal right of men and women to the enjoyment of economic, social and cultural rights.**

General Comment No. 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights says:

33. These strategies should be based on the systematic identification of policies, programmes and activities relevant to the situation and context within the State, as derived from the normative content of article 3 of the Covenant and spelled out in relation to the levels and nature of States parties' obligations referred to in paragraphs 16 to 21 above. The strategies should give particular attention to the elimination of discrimination in the enjoyment of economic, social and cultural rights.⁴⁴²

General Comment 16 requires the National Plan of Action to:

Recognise the equal enjoyment of rights is mandatory, immediate and non-derogable obligation

Have strategies to:

- Stop existing discrimination
- Prevent discrimination and stereotypes.
- Establish agencies to protect from discrimination
- Ensure women and men enjoy their rights **in practice**

A National Plan of Action requires a comprehensive baseline study.

Handbook on National Human Rights Plans of Action says:

A comprehensive and accurate baseline study is a key element in any systematic approach to the development of a national action plan. For a country to move forward towards better observance of human rights, it is important to know where it stands at present.⁴⁴³

⁴⁴¹ [Human Rights Act 1993, Section 5 \(2\)](#) The Commission has, in order to carry out its primary functions under subsection (1), the following functions: ... (m) to develop a national plan of action, in consultation with interested parties, for the promotion and protection of human rights in New Zealand

⁴⁴² General Comment No. 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights

⁴⁴³ Handbook on National Human Rights Plans of Action

Handbook on National Human Rights Plans of Action makes recommendations for the baseline study:

It should examine the legal framework, institutions for the protection of human rights and the state of human rights education and awareness

...It should focus also on the situation of vulnerable groups and the picture presented by social indicators.

...It is important to provide disaggregated data, including for race, gender and other criteria, so that the incidence of discrimination is apparent.

*...The study should list groups in society that are regarded as vulnerable or requiring some form of special attention. It should make an assessment of their human rights situation.*⁴⁴⁴

NHRIs should ensure baseline studies of human rights reflect gender issues, including the issues faced by men and boys. This includes areas where men and boys face discrimination and/or areas where men and boys are vulnerable to human rights violations.

See section on Prioritisation and Vulnerable groups for more.

NHRIs should ensure that plans to address gender inequality and/or gender-based violence include inequality and violence faced by men and boys.

13 Prioritisation and Vulnerable groups

NHRIs must prioritise in order to efficiently allocate their limited resources.

NHRIs should identify which groups rights are being violated and which groups are at risk of human rights violations.

NHRIs should objectively consider if men are vulnerable to human rights violations.

A Manual on National Human Rights Institutions says NHRIs have a responsibility to prioritise those who face human rights violations or are at risk of human rights violations:

*Within this broad, comprehensive responsibility for every person, **NHRIs have a priority concern for those whose rights have been violated and those whose rights are at particular risk of violation.** While everyone has human rights, not everyone has equal experience of human rights and not everyone is at equal risk of human rights violation. Indeed some have particular responsibilities for the promotion and protection of the human rights of others in their role as duty bearers. Others may be perpetrators of human rights violations. NHRIs have responsibilities towards them all, even protecting the human rights of alleged perpetrators when they are charged and brought before the courts. **However, the priorities of NHRIs are victims and those at risk.***

In giving priority to victims and those at particular risk of human rights violation, NHRIs recognise that in every country members of some groups are over-represented among both victims and those at risk. These groups are

⁴⁴⁴ Handbook on National Human Rights Plans of Action

especially vulnerable to human rights violation. NHRIs should identify these groups and ensure that their work in promoting and protecting human rights is targeted specifically to them.

*The groups at risk will vary from country to country. Part of each NHRI's analytical work is to identify those groups present in its country that are at risk.*⁴⁴⁵

13.1 How men and boys are vulnerable to human rights violations.

NHRIs should consider how men and boys are vulnerable to human rights violations.

Neither women or men are inherently more vulnerable to rights violations. Specific situations can mean women or men are more vulnerable than the other.

The *Manual on Human Rights Monitoring* says to avoid making assumptions about vulnerability:

[Human Rights Officers] should avoid making wrong assumptions, such as:

- *Identifying all women as victims.*
- *Labelling all women as a "group" that is inherently "vulnerable" or "marginalized" in its entirety and in all circumstances.*⁴⁴⁶

13.1.1 How men are vulnerable

See also the Remove Barriers & Address Existing Discrimination section

Inadequate legal protection for men and boys

Men and boys are more vulnerable to human rights violations if legislation does not provide equal protection for them.

Discrimination written into law

Men and boys are vulnerable to rights violations if the law discriminates against them

Fewer mechanisms to identify and address men's rights.

Men and boys are more vulnerable to human rights violations if there are fewer mechanisms to identify and address their human rights issues. For example:

Governmental bodies for women but not men
CEDAW but no equivalent for men
UN Women but no UN Men
Lack of jurisprudence explicitly recognising men's rights

Also, men and boys are more vulnerable to human rights violations if the mechanisms to protect their rights are not protecting their rights in practice.

Poorer visibility of men's rights issues

Men and boys are more vulnerable to human rights violations if men's rights issues are not well known or understood. Poor knowledge or understanding of men's rights

⁴⁴⁵ [A Manual on National Human Rights Institutions - APE](#)

⁴⁴⁶ Manual on Human Rights Monitoring – Chapter 28 – Monitoring and Protecting Women's Rights

issues among policy-makers increases the risk that men's rights are violated.

The *Manual on Human Rights Monitoring* says:

*Lack of access to disaggregated information and statistics **may render... sectors of the population even more vulnerable as their actual situation would not appear in reports and aggregated charts, and hence cannot inform policymaking processes.** Disaggregated information can also reveal the de facto discriminatory nature of some policies and laws that would otherwise appear neutral.*⁴⁴⁷

Attitudes and stereotypes

Men and boys are more vulnerable to human rights violations if people have attitudes or believe stereotypes that devalue men's rights. The biggest risk comes from the attitudes of policy-makers, police, judges, health-care workers, teachers, or others directly responsible for ensuring rights are respected.

For example, if people believe that men's disadvantages are normal or natural, or that men cannot be discriminated against, they are unlikely to recognise violations against men.

Prisoners

Men are more vulnerable to human rights violations that occur in the prison system, because they make up the vast majority of prisoners.

13.2 Marginalisation

The *Manual on Human Rights Monitoring* identifies marginalised people as those who have difficulty accessing protection mechanisms:

*HROs should make special efforts to ensure the participation and consultation with the most marginalized members of society, who face more difficulties in accessing the field presence and/or other protection mechanisms and institutions.*⁴⁴⁸

NHRIs should consider how men and boys may be marginalised and excluded in their work.

See Remove Barriers & Address Existing Discrimination for more

13.3 Prioritisation must follow human rights principles

NHRIs should follow human rights principles when prioritising.

13.3.1 Open & Transparent

NHRIs prioritisation process must be open to scrutiny by rights holders.

⁴⁴⁷ Manual on human rights monitoring chapter 20

⁴⁴⁸ [Manual on Human Rights Monitoring – Chapter 2 – Basic principles.](#)

Rights-holders must be able to see and understand how decisions about priorities are made. This is especially important for rights-holders who have not been prioritised.

NHRIs must consider the effect of prioritisation on the people who are not prioritised.

13.3.1.1 Defining terms

To be open and transparent, NHRIs should clearly define what they mean by 'vulnerable' or 'marginalised' groups.

Undefined terms mean that:

- rights-holders are uninformed about how an NHRI has made its decisions.
- NHRI staff may not properly understand each other leading to confusion
- NHRI communication may not be understood correctly by government, and the public

13.3.2 Non-discrimination

NHRIs prioritisation must be based on objective and reasonable grounds and not discriminate arbitrarily.

13.3.3 Participatory

NHRIs must engage with right-holders when deciding on priorities.

NHRIs must consider the effect of prioritisation on the people who are not prioritised and engage with them.

13.3.4 Accountable

NHRIs must be accountable to rights-holders. If an NHRIs process of developing its priorities or the decisions about priorities negatively affect some rights-holders, those rights holders should have a means of redress.

14 Accountability

It is critical that NHRIs respect human rights, including the human rights of men and boys. An NHRI that does not respect human rights loses its credibility and cannot be effective.

NHRIs are legally accountable to the government for their actions regarding men's rights. NHRIs must not break laws and ensure their own policies and practices do not discriminate.

As duty-bearers, NHRIs are morally accountable to the public for their actions regarding men's rights.

National Human Rights Institutions – History, Principles, Roles and Responsibilities says:

*National human rights institutions **have two levels of accountability, one to the State and one to the public.** Being accountable to the public also strengthens their independence.*⁴⁴⁹

Assessing the Effectiveness of National Human Rights Institutions says:

*Most NHRIs are legally required to report regularly on their work, usually annually. **The line of accountability should extend** not only to the state body to which the national institution reports directly (such as a parliamentary committee), but **to the public as a whole.***⁴⁵⁰

NHRIs have an obligation to men and boys who have been victims of human rights abuses.

A Manual on National Human Rights Institutions says:

***NHRIs also have moral accountability obligations to the community, especially to those who are victims of or at risk of human rights violations. The mandate to promote and protect human rights is a mandate of leadership on behalf of actual and potential victims of violations, as well as one of service to actual and potential victims. NHRIs owe the community generally, and victims particularly, reports on their work, including their effectiveness and their failings. This is not a legal obligation but a moral and ethical one.** It certainly requires NHRIs to release publicly and promote their reports to parliaments and to make them generally available. However, it also requires a variety of less formal reporting mechanisms, including briefings, consultation meetings, regular statements, news reports and so on. Accountability to the community is not an annual activity but a continuing process of reporting and seeking feedback, of consulting and listening.*⁴⁵¹

14.1 Effectiveness

NHRIs should be effective in their work to protect and promote the human rights of men and boys. NHRIs should monitor their effectiveness in protecting and promoting the human rights of men and boys.

National Human Rights Institutions Best Practice says:

Accountability to the Public

- ***An NHRI should actively evaluate the effectiveness of its activities, including through the engagement of independent consultants, and it should incorporate the results of such evaluations in its annual reports.***
- ***Evaluations should examine the quality of the NHRI's programmes and the extent to which existing programmes sufficiently address the human rights issues in the country. The evaluations should include both qualitative and quantitative analysis.***

⁴⁴⁹ [National Human Rights Institutions – History, Principles, Roles and Responsibilities](#)

⁴⁵⁰ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

⁴⁵¹ *A Manual on National Human Rights Institutions - Asia Pacific Forum of National Human Rights Institutions May 2015 (updated May 2018)*

...

*NHRIs exist to serve the public, and accordingly, the public should have a mechanism for assessing how effectively an NHRI is performing its mandate. Public assessment requires that NHRIs evaluate their own programmes regularly and include the results of such evaluations in their annual reports. The evaluations undertaken by NHRIs should analyse all of their functions, including the resolution of complaints, the prevention of human rights abuses, as well as the promotional and educational aspects of their work.*⁴⁵²

Assessing the Effectiveness of National Human Rights Institutions says:

*The public and partner organisations should be confident that NHRIs will be welcoming and will take them seriously. **Organisations that are open, collaborative and self-critical are far more likely** to respond well to the needs of the public and other organisations and **to identify shortcomings in their practice.***⁴⁵³

Assessing the Effectiveness of National Human Rights Institutions says:

*The public and other stake-holders **should be able to know (and evaluate) the content of the national institution's work** across the range of its activities, including complaints received and investigated, monitoring, and advice given to government.*⁴⁵⁴

Assessing the Effectiveness of National Human Rights Institutions says:

***Accountability cannot be a one-way and once-a-year process.** NHRIs should consult with civil society and other relevant bodies at all stages of planning and executing their programmes. Strategic plans should be discussed with all stakeholders and should be made publicly available so that an NHRI's objectives and strategies are well known not only to organisations that co-operate with it but also to the institution's staff.*⁴⁵⁵

14.2 Complaints

NHRIs should have a robust complaints procedure to deal with complaints made about the NHRIs actions or policies.

NHRIs should be responsive to feedback and complaints from men and men's advocates.

NHRIs should provide redress or remedy when they have failed in their obligations to men and boys.

A Manual on National Human Rights Institutions says:

⁴⁵² [National Human Rights Institutions Best Practice – Commonwealth Secretariat](#)

⁴⁵³ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

⁴⁵⁴ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

⁴⁵⁵ [Assessing the Effectiveness of National Human Rights Institutions – International Council on Human Rights Policy](#)

*NHRIs also have moral accountability obligations to the community... Accountability to the community is not an annual activity but a continuing process of reporting and seeking feedback, of consulting and listening.*⁴⁵⁶

The New Zealand Ombudsman outline an effective complaints process:

Overview of an effective complaints process

An effective complaints process should aim to achieve the following:

- *a user friendly system;*
- *complainants are heard and understood;*
- *complainants are respected;*
- *explanations and apologies are provided where appropriate;*
- *action is taken as soon as possible;*
- *clear delegations and procedures for staff to deal with complaints and provide remedies;*
- *a recording system to capture complaints data;*
- *the use of complaint data to identify problems and trends; and*
- *an outcome of improved service delivery in identified areas.*⁴⁵⁷

*7 The Commission will regularly examine and report on measures to support the operational implementation of this policy and will actively encourage other entities to adopt and implement a human rights policy.*⁴⁵⁸

15 Recommended priorities for men and boys

make recommendations & checklist*

Recommendations should be clear and actionable. Start with simple, low-resource things that can be implemented almost immediately.

*A checklist of things the NHRI should be doing for men and boys as described in this document.

1. Most important one here

⁴⁵⁶ A Manual on National Human Rights Institutions - Asia Pacific Forum of National Human Rights Institutions May 2015 (updated May 2018)

⁴⁵⁷ [Effective complaint handling](#) – New Zealand Ombudsman

⁴⁵⁸ https://www.hrc.co.nz/files/2114/7147/3368/Human_Rights_Policy_Statement.pdf

2. Explicitly include men in NHRI policy
3. Assign a staff member the responsibility of men's rights
4. Forming relationships with men's experts and advocates
 1. Create and maintain a directory of men's experts, advocates, and service providers