

**14th UN Congress on Crime Prevention and Criminal Justice Thematic Discussions on
the Implementation of the Kyoto Declaration**

7 December 2022

MAINSTREAMING A GENDER PERSPECTIVE INTO CRIMINAL JUSTICE SYSTEMS

Excellencies,

Distinguished panellists and experts,

Ladies and gentlemen,

Respect for the rights of women and girls in the administration of justice without discrimination and on an equal basis with others constitutes an international human rights obligation, and good practices and promising initiatives shared in this thematic session should encourage us to make further progress towards developing gender responsive criminal justice systems.

In his recent report on the situation of women and girls in the administration of justice,¹ the UN Secretary-General has noted that an important element in this direction is the elimination of the **barriers preventing women and girls from gaining access to justice**. Women and girls should be able to rely on an administration of justice that is **free from stereotypes and discrimination**, and on an impartial judiciary **free from biased assumptions**. This requires the **sensitization** of judges as well as other professionals working in the judiciary and law enforcement. **The media** can also play an important role in dismantling gender-based stereotypes that may obstruct access to justice for

¹ A/77/364.

women and girls, paying particular attention to **cultural stereotypes** concerning gender-based discrimination and violence.

The principle of **equality before the law** must also be given full effect by incorporating international human rights into national legal frameworks and abolishing or amending laws, procedures and regulations that directly or indirectly discriminate against women, especially with regard to their **access to justice**. Specific laws directed towards ensuring equality of women and girls, including laws combating gender-based violence, are necessary.

In addition, it is critical that **courts, tribunals and other justice bodies be created**, maintained and developed to guarantee women's and girls' right to access to justice without discrimination, including in remote, rural and isolated areas.

Investment in legal services and legal empowerment of poor and marginalized women, including indigenous women and women of African descent, and survivors of gender-based violence should be prioritized.

Effective and timely remedies that respond to the various types of violations experienced by women and girls should be provided through the administration of justice and ensure the provision of **adequate, timely and comprehensive reparations**. To this end, States **should combat impunity** by ensuring that violations of women's rights are properly **investigated, prosecuted and punished**.

The UN Secretary-General has also encouraged States to **develop effective and independent mechanisms to observe and monitor women's access to justice** in order to ensure that justice systems are in accordance with the principles of justiciability, availability, accessibility, good quality and effectiveness of remedies, including through the periodic auditing and review of justice bodies that take decisions affecting women's

rights. This requires appropriate investment in **disaggregated data** to enable the analysis of women's legal needs and challenges in gaining access to justice, as well as the adoption of appropriate **indicators** to measure women's access to justice.

Distinguished delegates,

Including women as decision makers and increasing the number of women employed in the administration of justice at all levels is a key element in this process.

As noted by the Special Rapporteur on the independence of judges and lawyers in his report on the participation of women in the administration of justice,² States have an obligation to ensure full participation of women in the judicial and prosecutorial system. **The mere adoption of laws and public policies, though very important, will not change structural and systemic discrimination against women.**

The affirmation of women's rights in their role as judges or prosecutors, more female role models, and support networks can contribute to encourage the incorporation of women at all levels of the judicial profession. Countries with **strong associations of women judges and prosecutors** have a better platform to defend their rights and to denounce discriminatory conduct. The creation and strengthening of **networks of women legal professionals** provides an opportunity for career counselling, skills development and timely advocacy. Such networks help women in the justice sector make professional connections to advance their careers, and provide them with platforms to train, challenge barriers and support each other.

² A/76/142

Excellencies,

This event takes place within the **16 Days of UN Activism against Gender-based Violence**, which started on the **International Day for the Elimination of Violence against Women on 25 November**. As part of this campaign, Governments and other stakeholders are encouraged to **act now to end gender-based violence against women and girls**, and in particular, to:

- **increase long-term funding and support to women's rights organizations;**
- **mobilize more actors** to join global efforts to end violence against women;
- **promote the leadership and participation of women** in policy-making and decision-making spaces, including in the administration of justice; and
- **strengthen protection mechanisms** to prevent and eliminate violence, harassment, threats, intimidation, and discrimination against women.

The road to gender equality and non-discrimination in the administration of justice is feasible, and key to crime prevention and justice for all. I am hopeful we can reaffirm, including through today's discussion, our joint commitment towards gender-responsive criminal justice systems.

Thank you.
