



Elections 2018

Committee on the Rights of Persons with Disabilities (CRPD)

Committee on the Elimination of Discrimination against Women (CEDAW)

Human Rights Committee (HRCttee)

Committee on the Rights of the Child (CRC)

Questionnaire for candidates

Four UN Treaty Bodies (Committee on the Rights of Persons with Disabilities (CRPD), Committee on the Elimination of Discrimination against Women (CEDAW), Human Rights Committee (HRCttee) and Committee on the Rights of the Child (CRC)) will have elections organised in June 2018.

In order to strengthen the treaty bodies, the International Disability Alliance, Child Rights Connect together with its member CRIN, IWRAW Asia-Pacific and the Centre for Civil and Political Rights – as part of TB-Net, the NGO network on the UN Treaty Bodies – seek to promote quality, independence and diversity of treaty body membership through transparent and participators nomination and elections processes.

This questionnaire, which is sent to all nominated candidates and is based on the criteria set forth in the relevant treaties and in the GA Resolution 68/268, will enable all States and other stakeholders to better understand the skills, experiences and motivation of running candidates to CRPD, CEDAW, HRCttee, and CRC committees in advance of the elections.

The written responses to the questionnaires will be made available on the website www.untbelections.org, while the video responses will be shared on a dedicated [YouTube page](#). The responses will also be shared with all UN Member States through a side event which will take place in New York during the week of the treaty bodies Chairpersons' meeting (more information on [TB-Net Facebook page](#)).

This initiative does not imply that we support or oppose any individual candidates.



Questions for all treaty bodies candidates

1. Name: **Ana Peláez Narváez**
2. Gender: **woman**
3. Nationality: **Spanish**
- 4 Language skills: **Spanish (native language), English and French**
5. Current position/s:

Executive Councillor for International Relations and External Development at the Spanish National Organisation of the Blind (ONCE).

Executive Vice-President of the CERMI Women Foundation.

Vice-President of the European Disability Forum (EDF).

Current position/s and independence

6. According to the Addis Ababa Guidelines (Guidelines on the independence and impartiality of members of the human rights treaty bodies), “the independence and impartiality of treaty body members is compromised by the political nature of their affiliation with the executive branch of the State. Members of treaty bodies shall consequently avoid functions or activities which are, or are seen by a reasonable observer to be, incompatible with the obligations and responsibilities of independent experts under the relevant treaties.”

Are you currently holding or have you previously held any position on behalf of, or for, your Government (Executive branch), that may compromise your actual or perceived independence and impartiality?

If so, please give details:

No, I have no political affiliation and I am not holding any position on behalf of my Government.

7. The Addis Ababa guidelines say that “real or perceived conflicts of interest and challenges to the requirements of independence and impartiality may be generated by many factors, such as a member’s nationality, place of residence, current and past employment, membership of or affiliation with an organization, or family and social relations (...) or the interest of a State of which a member is a national or resident”.

Please indicate, if any, current or potential conflict of interest that may undermine the independence and impartiality of your work as a member of a UN Treaty Body. In particular, do you have any financial ties to any governmental or private industry related to the subjects addressed by the Committee, which may compromise your actual or perceived independence and impartiality?

If so, please give details:



None.

Nomination and Elections processes

8. Was the nomination process at the national level for your candidacy a transparent and participatory process? Was civil society or other relevant stakeholders involved? If yes, please explain how civil society was involved.

The nomination is the response from the Spanish government to requests from the disability movement channelled through the Spanish Committee of Representatives of Persons with Disabilities (CERMI in Spanish) and its member organisations. The nomination is endorsed by the European Disability Forum (EDF) and its member organisations, and by the International Disability Alliance (IDA) and its member organisations.

9. What do you think, if any, should be improved in the process of the election of Committee members? How do you think civil society should be involved in the process?

Article 17 of CEDAW states that in the election of experts to its monitoring committee, States Parties shall submit nominations, “consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems.” However, in my opinion consideration should also be given to gender equality and human diversity, including disability, in representation and in the composition of this treaty body.

Availability during your mandate if elected

10. During your possible service as a member of a UN Treaty Body, what other positions or professional activities do you intend to engage in?

I intend to continue working for the Spanish National Organisation of the Blind (ONCE), the CERMI Women’s Foundation, and the European Disability Forum (EDF).

11. How do you plan to dedicate time to the treaty body, including for any work outside the official session (e.g. unofficial country visits)?

The organisations I work for and I are fully aware of the large workload I will be expected to perform if I am elected to serve on the committee, so we shall make sure all the measures I need to ensure my commitment to the role, including country visits between official sessions, are in place.

I shall plan my time management by attempting to know as far in advance as possible the committee’s work agenda and clearly identifying the responsibilities which fall on me based on my role within the committee.



Thirdly, I shall maximise use of the human, financial and technological resources available to perform these tasks.

Your view on the treaty body system

12. What do you think are the main challenges facing the treaty body system in general and what are your ideas for improvement?

I intend to contribute to the process to strengthen co-operation among UN treaty bodies so that they enrich each other's work and can adopt a coherent approach, working in the same direction when addressing the same questions.

Having served on the CRPD Committee for two consecutive terms of office, I believe I can bring to the CEDAW Committee a permanent link in order to address questions related to women and girls with disabilities.

Link to your full resume:

https://disabilityforcedaw.es/wp-content/uploads/2018/02/Ana_Pel%C3%A1ez_Narv%C3%A1ez_CV_CEDAW_English.pdf

Treaty-specific section:

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Please provide responses that are as precise as possible and in no more than 200 words per question.

1. Why do you want to be a member of the Committee on the Elimination of All Forms of Discrimination against Women?

First, I believe that women and girls with disabilities must be considered systematically in the work of the CEDAW Committee because it is estimated that women and girls with disabilities account for 20% of the global population of women. They are among the poorest population and suffer aggravated forms of discrimination.

I would also like to focus on reinforcing the work of CEDAW Committee relating to multiple discrimination that many invisible women suffer, and this means making progress in the drafting of guidelines for States Parties regarding intersectional discrimination so that we ensure no one is left behind.

Thirdly, I believe the 2030 Agenda and the SDGs are key tools for women. The CEDAW Committee can enrich its work by including the agenda for sustainable development, taking it into consideration in its dialogues and discussions with States Parties in order to implement the convention.



Fourthly, I want to give my input towards strengthening collaboration between UN Treaty Bodies so that they mutually enrich each other's work and adopt a coherent approach, working on the same lines when they are dealing with the same issue.

Finally, I believe it is necessary to identify efforts to ensure there is a greater dimension of human diversity and all women are identified, especially those who come from invisible and forgotten populations in the composition of CEDAW Committee.

2. What are your specific areas of expertise in relation to the CEDAW? Please provide examples as appropriate.

The specific areas in which I have more expertise are women and girls with disabilities, the multiple discrimination many women in this group suffer, development in disadvantaged and excluded populations, and human development in general terms. I also have ample expertise in the empowerment of women and girls and promoting leadership by women and girls.

My specific areas of expertise would be related to the obstacles women and girls with disabilities face in accessing their rights, particularly with regard to equality and non-discrimination of less visible populations, empowerment and decision making, political participation, violence, accessibility, compliance with the Sustainable Development Goals and 2030 Agenda, inclusion, right to sexual and reproductive health, legal capacity and access to justice.

3. a. What do you think are the critical and emerging issues for women's human rights and gender equality? Please provide some 1-2 examples.

I believe a critical issue is the lack of recognition of the rights of all women and girls. It is necessary to adopt measures aiming at their development, advancement and empowerment and recognise all women and girls within their diversity as distinct right holders, providing channels for voice, and increasing their power and authority to take decisions in all areas affecting their lives. The lack of inclusion of a gender perspective in disability policies, the lack of a disability rights perspective in gender policies, as it happens with the lack of accessibility remedies when women and girls with disabilities are victims of violence are examples of this.

Another critical issue is the lack of equality. Ensuring women's human rights requires a comprehensive understanding of the social structures and power relations that frame the economy and social dynamics. Gender stereotypes are very harmful. For example, harmful stereotypes of women with disabilities include but are not limited to beliefs they are: asexual, incapable, irrational, lacking control and/or hypersexual. Like all women, women with disabilities have the right to choose the number and spacing of their children, as well as the right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence.

b. How will you ensure the rights and issues of the most marginalised and invisible women will be addressed by the Committee?



In my view it is necessary to follow a twin track approach. On the one hand, systematically mainstreaming the interests and rights of the most marginalised and invisible women across CEDAW Committee and jointly with other Committees, UN Agencies, Special Rapporteurs and Civil Society using the existing tools such as final observations, holding joint Days of General Debate and drafting General Comments and General Recommendations, among others. On the other hand, it is necessary to follow up on the implementation of the Convention by States Parties with the support of the UN Agencies in the field and civil society.

4. What do you think are the challenges in the implementation of the CEDAW? (For example normative, legal, structural, ideological, cultural, or resource-related). Please provide some examples and your recommendations for addressing them through the review process.

Multiple discrimination must be combatted by, inter alia,:

- **Repealing discriminatory laws, policies and practices that prevent women and girls from enjoying all the rights of the Convention; outlawing gender-based discrimination and its intersectional forms.**
- **Adopting appropriate laws, policies and actions to ensure the rights of women and girls are included in general policies and the rights of the most marginalised women are also included in general policies for women.**
- **Addressing all barriers that prevent or restrict the participation of women and ensuring that women and their representative organizations are included in the design, implementation and monitoring of all programmes which have an impact on their lives.**
- **Collecting and analysing data on the situation of women and girls in all areas relevant to them in consultation with their organizations.**
- **Ensuring that all international cooperation is gender sensitive and include data and statistics on women in the implementation of Agenda 2030 and the Sustainable Development Goals, targets and indicators, as well as other international frameworks.**

It is necessary to take all appropriate measures to ensure the development, advancement and empowerment of women through, inter alia:

- **Repealing any law or policy that restricts women from their effective and full participation in political and public life on an equal basis with others, including the right to form and join organizations and networks of women.**
- **The adoption of affirmative action measures for the development, advancement and empowerment of women, in consultation with their organizations.**
- **Support and promotion of the creation of organizations and networks of women; the promotion and support for women to take leadership roles in public decision-making bodies at all levels.**



- The promotion of specific research on the situation of women, and in particular research on the impediments to the development, advancement and empowerment of women.

- Support and promotion of international cooperation and assistance in a manner consistent with all national efforts to eliminate the legal, procedural, practical or social barriers to the full development, advancement and empowerment of women in their communities as well as at the national, regional and global levels.

5. State parties to the CEDAW are required to take steps to implement the Convention. How do you propose to help guide States in the effective implementation of Convention standards? How will you guide States in the removal of reservations to the Convention especially reservations that relate to the object and purpose of the Convention (Articles 2 and 16)?

I suggest the CEDAW Committee focuses its action on the main obstacles found in order to implement the Convention, so it should hold days of general debate, draft general recommendations and give technical advice to States parties on these issues.

It would be interesting for the CEDAW Committee to consider a General Recommendation (GR) on Article 5 of the convention: Stereotyping and Cultural Prejudices. It is necessary to ask States what means they are using to change attitudes at all levels of society, from the government to the village, in the informal as well as formal education and employment, political parties, in trade unions, the army and among religious and traditional leaders.

CEDAW Committee could also engage with civil society and provide it with examples of best practice that have succeeded in altering the situation and improving the rights of women and girls, changing mind sets, starting in the family, so that small boys are taught to respect their mothers and their sisters, and see girls and women as equal partners in the development of their communities and society generally.

6. What can the Committee do to further strengthen its engagement with other stakeholders and accountability mechanisms at country level including the gender machinery, National Human Rights Institutions (NHRI), Members of the Parliament, judicial actors, civil society and UN agencies?

The CEDAW Committee could engage with other treaty bodies and mainstream issues concerning women and girls with disabilities in the work it performs, specially through general recommendations and general comments. It is necessary for committees to be more open and not work as in isolated compartments since all issues dealt with in the different treaty bodies are relevant for all populations.

At national level, it is necessary to give training on the principles and follow up of the convention to the different stakeholders and to involve them in all the implementation and follow up process.

7. How do you see the CEDAW Committee strengthening the domestic and international environment for holding business/private actors responsible for violations under the Convention?

This is a complicated question when addressing private operators. Despite the difficulty, we must find ways and means to make treaty obligations binding on the private sector also.



Some of these could be:

- **Urging States Parties to introduce legislation to impose equality and outlaw non-discrimination on the grounds of gender which also covers private actors. Such laws should contain rigorous definitions of breaches and administrative sanctioning procedures, as well as the possibility to turn to legal recourse for more serious cases. Private operators who do not respect equality or discriminate, either directly or indirectly, would be subject to these sanctioning procedures.**
- **Encourage States Parties to promote public policies, strategies, programmes and actions to raise awareness, so that society as a whole takes on board the culture of equality for women:**
 - **Include these topics in education curricula with the countries' education systems;**
 - **Support and subsidies for private actors to promote actions to foster equality which are in line with the convention;**
 - **Make it obligatory for medium-sized and large companies to put in place equality plans;**
 - **Secure a commitment to support equality from public media outlets, with such a commitment clearly expressed in the content and in programming;**
 - **Create and expand quality marks for private operators, as a way to recognise those who consistently carry out actions in line with the convention, and offer them advantageous conditions in relation with state entities;**
 - **Make it obligatory to include equality in collective bargaining processes (employees-trades unions) to reach the whole productive process;**
 - **Foster corporate social responsibility/equality for companies to take on board a culture of equality beyond the requirements set down in law;**
 - **Set up observatories to monitor equality and the real status within countries with regard to progress towards real and effective equality. Publish an annual national report on equality in the private sector to measure progress and identify trends;**
 - **Public promotion of and support for the feminist movement and women's organisations within civil society, thus enabling them to act as agents in fostering equality and a driving force for the values enshrined in the convention in all areas of society;**
 - **Other similar measures.**
- **Establish public procurement regulations which are favourable towards those companies that can demonstrate compliance with the values and rules concerning equality and which 'punish' those that do not respect them. Include obligatory social clauses and equality plans and ban procurement from companies which cannot demonstrate respect for equality and compliance with the regulations fostering equality.**
- **Introduce fiscal regimes that favour private actors operating in line with equality.**



- **Regulate all public subsidies in order to ban access by companies and actors which do not meet equality standards.**

8. How do you see the CEDAW Committee and the review process contributing to the delivery of global commitments on gender equality including under the 2030 Agenda for Sustainable Development?

The role of the CEDAW Committee is crucial in ensuring States Parties make general commitments to foster gender equality and, as a result, we are able to achieve the Sustainable Development Goals set out within the 2030 Agenda - both Goal number 5, which focuses specifically on gender equality, and the rest of the goals which mainstream gender. CEDAW Committee general recommendations and concluding observations for States Parties promote development from a human rights perspective, so States Parties' development and poverty reduction policies and legislation must consider the rights of women and girls and should include, among others, the principle of gender equality. The 2030 Agenda and CEDAW are two crucial human rights instruments that reinforce one another, so the role of the CEDAW Committee is vital in this respect.