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# **Elections 2020**

# **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 2020.

In order to strengthen the treaty bodies, the International Disability Alliance, Child Rights Connect and IWRAW Asia-Pacific– 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, and CRC in advance of the elections.

The written responses to the questionnaires will be made available on the website [www.untbelections.org](http://www.untbelections.org).

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

## Questions for all treaty bodies candidates

1. Name: Bandana Rana

2. Nationality: Nepali

3. Current position: Vice Chair, CEDAW Committee

4. 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

5. Please indicate any current or potential conflict of interest that may prevent you from exercising independence and impartiality in your work as a member of a UN treaty body:

NA

6. Was the nomination process for your candidacy a transparent and participatory process? Was civil society or other relevant stakeholders involved?

Yes

7. During your possible service as a Committee member, what other positions or professional activities do you intend to engage in?

I have been an independent civil society gender advocate for the last 30 years. I will continue to engage independently with civil society in Nepal and the region for the promotion of gender equality and addressing different forms of violence against women, strengthening collaborative partnership between government entities and women’s rights organisations and convening local, national and regional dialogues and conferences for the promotion of generation equality.

8. The commitments as a Committee member are very time-consuming during and outside session time. Will you have the capacity to dedicate the necessary time to the work of the Committee?

Yes! I am fully committed to providing needed time during the sessions and outside session time as the work of the Committee is only an extension of what I am already doing and continue to do i.e. working for the promotion of gender equality and ending violence against women locally, regionally and globally. Besides this I am not engaged in any other work or profession.

9. What are the current and main challenges that you see for the treaty body system and what are your ideas for improvement?

The current and main challenges that I see in the treaty body system are-- late reporting and non-reporting by member states, backlog of the cases and reports due to capacity constraints of the secretariat, multiple reporting burden upon states, diverging or layered  interpretations on some of the issues by different treaty bodies, low authority and monitoring capacity of decisions on implementation, insufficient follow-up measures, high cost of translations, low awareness of the system in the broader field.

Ideas for improvement would be-- finding creative methods for monitoring and follow-up, establishing new integrated treaty system, streamlining engagement of states preferably by a single window system for all treaty bodies, involving experts throughout the year and supporting them with needed resources, structuring post-sessional meetings better to gear for coherence of the work of the treaty bodies, synchronization of work with other human rights mechanisms, very importantly with the UPR, increasing capacity of the secretariat to reduce backlogs of reports and cases.

Link to your full resume:

https://www.ohchr.org/EN/HRBodies/CEDAW/Pages/Elections2020.aspx



**Questions for candidates to the UN Committee on Elimination for All Forms of Discrimination Against Women (CEDAW Committee)**

*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?

I have worked for women’s rights from the grassroots to the national and regional level for the last 30 years. In fact, I have had no other profession except as a broadcast journalist in the early years of my career and even through that profession I made huge contribution to harness the potential of the media for addressing gender stereotypes and the promotion of gender equality. Throughout my professional journey I have on numerous occasions used the CEDAW mandate and concluding observations to strengthen accountability of government and other stakeholders towards women and bring about legislative and policy changes through collective advocacy. I have been in the Committee for the first term and am running for the second term now. During my first term I have felt immensely gratified to have made a difference through my ground level experiences in many of the jurisprudence and concluding observations. With my more enhanced and grounded knowledge I strongly feel I can contribute more substantially and also strengthen the work of the Committee in the second term. It is with this conviction and my passion for the rights of women and girls that I would like to be a member of the Committee

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

- My most significant expertise is my ground level knowledge working directly with women survivors of violence through livelihood, shelter support, legal and reintegration programs

- Expertise in developing national and regional strategy plans, policies, draft legislations based on CEDAW as well as other UN Frameworks – BPFA, ICPD and SDGs

- Significant expertise working in the area of women peace and security both at the national and global level hence can provide a leadership role in strengthening the reporting of member states through the CEDAW GR 30

- With a communications background and experience negotiating with different stakeholders including as a government delegate in inter-governmental UN conferences I can contribute in harmonising and building synergy within and outside the committee.

 - South Asia is a complex region. I have worked in the region for many years and understand the region well. I also come from a small developing country and can significantly represent the voices and realities of such countries in all CEDAW observations and jurisprudence. I am the only candidate from South Asia.

- With my journalistic editorial skills I can contribute in simplifying and presenting numerous CEDAW communications in a more comprehensible manner and enhancing its outreach

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

The most critical issue facing women’s human rights now is the present pandemic and the emerging evidence of its impact on women’s human rights and its implications for violence against women and girls in the long term. Violence against women in its different forms was already the most critical issue and now with the impact that the COVID 19 is having on rates of violence against women and the inability of many member states to undertake evidence-based prevention is the most critical issue facing the global community with rolling effects to be expected in the aftermath.

The other critical issue that underlies all policy battles is the continued lack of women in positions of power. The lack of women in senior positions continues to obstruct progress on issues of equal pay for work of equal value, humanitarian aid, harmful stereotypes and discrimination against women and margialised community in all its forms. From the economy to climate change to criminal justice reform to national security, all issues are women’s issues and the key to tackling these challenges is ensuring women are at the decision making tables

4. How will you ensure that the rights and issues of the most marginalised groups of women are addressed by the Committee? What measures should States take to ensure the political participation of marginalized groups of women in political life, at the local, national and international levels, including enhancing representation within the CEDAW Committee?

Based on my experience working at the grassroots with marginalised women and girls in addressing the violence and the discrimination they face I have been consistently addressing this issue during the constructive dialogues with member states and in the formulation of concluding observations and will continue to do so if I get the opportunity to serve the committee for the second term. Though the concerns of marginalised women is addressed in all of the articles, where their participation is concerned I am engaged most fervently in the dialogue under the mandate of article 4 of the Convention on temporary special measures. I also bring in the experience of Nepal and its gender electoral polices which enabled inclusive and proportional participation of all marginalised groups in the parliament and the local elections which could be replicable by other states as well. However, in terms of enhancing representation in the national and international arena as well as the CEDAW Committee State Parties should perhaps have a gender and social inclusion policy and a transparent selection process in nominating candidates for the elections.

5. What do you think are the areas where the Committee can further strengthen international women’s rights standards?

The Committee which began its work in 1982 based on the Convention adopted in 1979, is in great need of the hour to keep up with the pressing problems of the current times. Discrimination of women and violence against women and girls in current times are perpetuated in more complex forms and means, such as on digital platforms, to give one example. Monitoring the application of customary international laws to secure accountability of states parties on cases of violence against women needs to be strengthened with utmost importane. While participation of women in decision making has garnered strong recognition and movement, ensuring women's leaderships from the ground to the top, in all facets, and not just limiting their participation for namesake are the current needs.

Additionally, addressing the gender dimensions of climate change, preventing compounded violations of rights of women in fragile and modern day conflict scenarios and enabling socio-economic holistic empowerment of women, now more so to combat the disproportionate impacts of the disasters and pandemics such as COVID-19, I believe are the significant areas where the Committee can further strengthen international women's rights standards.

6. What has been your experience of working with the women’s rights movement in your country or globally?

I have been part of the women’s movement of Nepal since 30 years. I co-founded the first women’s shelter in Nepal in 1995 and have established 4 women’s and 5 children’s shelters. I worked directly with survivors of violence and used their case to introduce new jurisprudence. I led the campaign for the Domestic Violence Law which was adopted in 2009. I led advocacy programs for policy changes to eliminate discrimination against women. I was actively engaged in the development of national plans and polices on BPFA, CEDAW, GBV and UNSCR 1325 on women peace and security and other national polices also as the chair of the National Commission for Women.

Globally I led the South Asia Campaign for GE with more than 200 institutions and linking it to the GEAR (Gender Equality Architecture Reform) global campaign for the creation of UN Women. I was a member of the UN Women Global Civil Society Advisory Group and also a member of the High Level Advisory Group of the UNSG for the global study on UNSCR 1325. I led the Global Network of Women Shelters and convened two world conferences. Presently I chair the board of Global Network of Women Peacebuilders

7. State parties to 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)?

The framework of international human rights standards, is backed well for guidance to States through availability of options such as support of technical and field expertise by the UN secretariat. Such help can be discharged upon request of the states parties. The support includes technical cooperation to bolster national mechanisms in the implementation of the Convention, knowledge sharing to enhance the capacities for effective monitoring, better reporting, collaborating regionally, and engaging stakeholders in the process. The Committee in two of the general recommendations and its statement on reservations has called on the States to re-examine their self-imposed limitations to full compliance with all the principles in the Convention by the entry of reservations. I would emphasize that removal or modification of reservations, particularly to articles 2 and 16, would indicate a State party's determination to remove all barriers to women's full equality and its commitment to ensuring that women are able to participate fully in all aspects of public and private life without fear of discrimination or recrimination. States which remove reservations would be recognized and reviewed as making a major contribution to achieving the objectives of both formal and de facto or substantive compliance with the Convention.

8. What can the Committee do to further strengthen its engagement with other stakeholders and accountability mechanisms at country level, including gender machinery, national human rights institutions (NHRIs), members of parliament, judicial actors, civil society organizations and UN agencies?

I realise the need for the Committee to strengthen its engagement with diverse stakeholders for strengthening accountability and visibility as well as in providing guidance to member states in addition to the Constructive Dialogue. To engage more effectively with the NHRIs the Committee has a guidance note and I too was a member of that Working Group. We need to ensure its implementation for greater collaboration with NHRIs.

Though the present COVID pandemic has surfaced critical challenges it has also opened up new avenues for organising possible virtual meetings and dialogues. I feel that we need to intensify our follow up assessment of state parties not just by waiting for their reports (which the present crisis may delay further) the committee members could be engaged at the regional and sub-regional level with member states, key national actors and civil society as part of follow up assessment and building on the knowledge hub initiative of the Committee. I have already initiated this dialogue in the Committee and will take it further if elected to serve the second term. Moreover, we can also interact on the CEDAW Guidance Note on COVID 19 the drafting of which was led by me

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

CEDAW provisions has scope to deal with situations involving responsibility of business enterprises, such as through employment, health and financial services. Arts. 13 and 14 require measures by States to eliminate discrimination against women in economic and social life. The Committee has explicitly referred to private enterprises when speaking more generally about private actors. For example, General Recommendations emphasize that temporary special measures under Art. 4 should also cover the activities of private enterprises. Further, the Committee regularly calls on States to combat abuse in the labor market and to regulate publicly listed companies and smaller enterprises. The Committee has also discussed the health industry, to ensure equal access to services and to combat coercive procedures. It has implicitly referred to the need to regulate financial institutions to eliminate discrimination in the provision of credit and loans and also to ensure the media and advertising agencies respect and promote rights. The Committee has also indicated for greater regulation of the tourism industry to stop exploitation of prostitution where women are vulnerable of exploitation under the cover of business enterprises.

Thus, the CEDAW Committee can pivot on the Convention to work in more effective ways in the areas of holding business and private actors responsible for violations under the Convention

10. 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?

CEDAW provides critical normative standards that are linked to Agenda 2030 related to food, education, health, non-discrimination, legal capacity, political participation and equal family relations. The adoption of a SDG guiding framework based on these standards by the Committee for the human rights of women helps to underpin the principle of “ensuring that no one is left behind”.

The constructive dialogues with member states is an important mechanism which helps in assessing the legislative, administrative and judicial national frameworks and the factors that shape women’s daily lives and their ability to realize rights. These factors include many of the indicators considered in the SDGs 5 and in the other targets of the Agenda 2030 related to gender equality, for instance, the impact of sexual stereotypes and gender based violence against women; the conditions and type of work in paid employment; the burden of unpaid care work, as well as the impact of armed conflicts on the situation of women and girls.

The substantive content received by the CEDAW committee , recommendations provided to the States parties, increased awareness among the CSOs by the work of the Committee, I believe can contribute to strengthening machineries on gender equality as per the 2030 agenda for sustainable development.