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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, 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, 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), while the video responses will be shared on a dedicated [YouTube page](https://www.youtube.com/channel/UC3AE1yyjFFbfT9G9lFKAaTQ).

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

## Questions for all treaty bodies candidates

1. Name: **Ann Skelton**

2. Nationality: **South African**

3. Current position: **Currently a member of the Committee on the Rights of the Child (first term of office) and also a Professor of Law at the University of Pretoria.**

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:

**None.**

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

**The South African government does not have an open process of nomination. The Department of Justice and the Department of Social Development were consulted by the Department of International Relations prior to my nomination and re-nomination. However, I have worked in civil society for almost my entire career, and I believe that I do have the support of South African civil society.**

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

 **I will continue with my work as a Professor in the Faculty of Law at the University of Pretoria.**

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 have managed a good balance between my University work and my work on the Committee.**

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

**The Treaty Body system is ‘over-productive’ in the sense that States may feel they are being asked repetitive questions by TBs that have overlapping mandates. I think that the move to the simplified reporting procedure as the general approach, with an opt out possibility, is the way to solve some of these problems. I also believe that moves towards a fixed calendar and more alignment would alleviate the reporting fatigue of states without compromising quality. The States need to re-engage with the Treaty Body system, and I hope that the wake up that the world is having through the COVID-19 pandemic will make people more aware of how important human rights are and make states re-commit to multi-lateralism.**

Link to your full resume:

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**Questions for candidates to the UN Committee on the Rights of the Child (CRC)**

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

1.What motivates you to be a member of the Committee on the Rights of the Child? ([video option](https://www.childrightsconnect.org/wp-content/uploads/2020/04/crc_guidelinesvideo_en.docx))

**I have worked at the countrylevel in South Africa for my entire career on children’s rights, and the opportunity to bring that experience to the international level is a logical next step for me. Although TB work can sometimes takes one very far away from the children one aims to serve, but that ‘birds eye view’ also makes one acutely aware of the inequality need for development if all children’s rights are to be achieved, everywhere. That is certainly a goal to strive for and I am happy to play my role.**

2. Taking into account the current composition and expertise of the Committee, what would it be your added value? ([video option](https://www.childrightsconnect.org/wp-content/uploads/2020/04/crc_guidelinesvideo_en.docx))

**I am a legal academic but have been a practitioner, as a systems and law reformer and also as a litigator. This means I have a practical understanding of how things work on the ground. Having worked in developing country situations I understand many of the challenges that many states are faceting I also know that there are cost effective and efficient solutions to these problems and I am part of the collective that urges states to come up with the innovative solutions to ensure the realisation of children’s rights. On the Committee, I have played an important role in the Working Group on Communications(which deals with individual complaints and inquiries under the 3rd Option Protocol to the CRC), which I currently chair. It is an important time for the work under the 3rd Optional Protocol, as the Committee builds its early jurisprudence, which needs to set a standard that enhances the Committee’s integrity. My experience in strategic litigation at the national level is valuable. I also have a broad knowledge of children’s rights, across a wide range of subject areas. I consider my areas of deep specialisation to be children’s access to justice, children deprived of their liberty, and children’s right to education.**

3. What do you think are the emerging issues and challenges in the implementation of the CRC and its Optional Protocols on a global scale as well as in your country/region?

**In South Africa, inequality is the biggest barrier to achievement of rights. Even if you have 99% of children in school, it is not possible to say the right has been fully achieved if the majority are receiving a poor quality education, or dropping out early. The right to education looms large as a key issue that will bring the next generation out of poverty, and the fact that all states have committed to this under the SDGs is encouraging, but we all know it will be a challenge to achieve it in practice. Which ever problem one looks at – whether it is education, health care, climate change, deprivation of liberty – the children most impacted are always the poor.**

4. What do you think are the areas where the Committee needs to strengthen international child rights standards?

T**here are many ways to answer this question, one could give a list of thematic issues, one could focus on the rights that are least developed in the Convention, one could look at cutting edge new areas of concern – I am sure many of us are thinking about children’s rights under public health emergencies. However, rather than list thematic areas, I think it is important for the Committee to be contextual in its approach, particularly in relation to the State Party review process, and to continue to promote the idea that rights are inter-related. The Committee must strive to understand the stage at which a particular state is in its implementation of the Convention, and provide concrete, tailor made recommendations that allow that state to move to the next step. For some states, the most important rights to focus on might be access to education, ending child marriage and abolishing FGM. For another state it might be having better policies and practices for migrant children, children deprived of their liberty and inclusive education for children with disabilities. For another state it might be important to give guidance to ensure an end to unnecessary surgery for intersex children, better regulation of surrogacy, and reduction of emissions to promote environmental health. These are all important concerns – and the Committee must assist States to reach the next level of implementation as effectively and efficiently as possible. I am a supporter of the simplified reporting procedure because I believe that it will assist the committee to focus and to provide targeted guidance.**

5. How do you envision the work of the CRC Committee in the achievement of the Sustainable Development Goals?

**The next 10 years are crucial. Some states are already reporting that they have achieved some of the goals, while other states are further behind than they expected to be. The economic shocks arising from the COVID-19 pandemic will clearly have an impact. The state party review process offers a good opportunity for states to take stock and offer an honest appraisal of their own progress. The Committee must continue to flag the SDGs in its oversight work, while also ensuring that the content of children’s rights is not whittled down to a list of statistics. The quality and depth of rights enjoyment is not always easily measured through the reciting of numbers and percentages.**

6. How do you think the Committee could advance the standards and practices on child participation and particularly children’s right to participate in political life?

**Children’s meaningful participation means being consulted and listened to in decisions made about them – in individual cases (within the family, care and protection, child justice etc), as well as in policies that directly affect them such as school policy, and, through representation by children and young people in broader consultative policy making such as the formulation of budgets and laws. Children’s access to justice is crucially important – because they cannot currently vote in most states (an ongoing and interesting area for debate), then complaints mechanisms, courts and even non-violent forms of protest are very important channels for children to influence societal change. The Committee must therefore continue to be vigilant about these opportunities for children’s participation in State Party reviews and must continue to strengthen, within its scope and means, child participation in its own processes, including reviews, days of general discussion and drafting of general comments.**

7. What can the Committee do to further strengthen its engagement with civil society?

**Civil society already plays a significant role in all aspects of the Committee’s work –through complementary reports, their strong involvement in days of general discussion, and through comments that they make on General Comments. The Committee has recently published guidelines for third party interventions in its communications procedure, and remains open to such interventions in the development of its work under the third optional protocol. The Committee is briefed by civil society in informal meetings during the period of session. As this opportunity is only available for those organisations that can actually get to Geneva, more use could possibly be made of technology for the Committee to receive briefings electronically.**