

KEY CRITERIA FOR MEMBERSHIP OF THE UNITED NATIONS COMMITTEE AGAINST TORTURE

In October 2019, elections to the UN Committee against Torture will take place as the term of five Committee members ends on 31 December 2019. To this end, States parties are invited to take into account the below criteria for the selection of candidates to this election:

BE PERSONS OF HIGH MORAL STANDING¹

Candidates must be people of high integrity in their personal and public life, including with respect to financial matters. Candidates must not have been involved, by act or omission, in any violation of international human rights law or international humanitarian law.

HAVE RECOGNIZED COMPETENCE AND EXPERIENCE IN THE FIELD OF HUMAN RIGHTS, IN PARTICULAR IN THE FIELD COVERED BY THE RELEVANT TREATY²

Candidates must have demonstrated expertise within a field relevant to the mandate of the Committee, e.g. through past or present professional activities, work-related achievements, or holding of other relevant expert positions. Such experience may relate to prevention of torture or other ill-treatment, monitoring of places of detention, experience in the documentation, investigation or prosecution of cases of torture and other ill-treatment, medical or health expertise in the rehabilitation of survivors of torture or other ill-treatment. Candidates shall also have experience in working in a multidisciplinary environment with a diverse group of stakeholders.

According to the Convention, consideration should be given to the "usefulness of the participation of some persons having legal experience."³ To ensure a multidisciplinary perspective in the Committee's work, States shall also consider nominating experts with backgrounds in other fields that are relevant to torture and other forms of ill-treatment. Legal and other expertise in areas of specific relevance to the Convention among others criminal law, asylum, immigration law, extradition law, detention law and standards, including with respect to detention conditions and regimes, juvenile justice, and gender-based violence would be particularly important.

SERVE IN THEIR PERSONAL CAPACITY AND IN FULL INDEPENDENCE⁴

Candidates must be independent of all States. States should therefore refrain from nominating candidates who hold any paid or unpaid position within the executive or legislative branch of government, unless situated within an independent authority, or who perform any other functions that could compromise their independence and impartiality (real or perceived).

PROMOTING DIVERSITY IN MEMBERSHIP⁵

When nominating candidates to the Committee, States should also give due consideration to a diverse membership with balanced geographical and gender representation. Diversity in the membership could include, in addition to equal gender representation and gender diversity, experts from diverse ethnic, cultural, religious and secular backgrounds, experts from Indigenous communities, and experts with disabilities. Consideration should also be given to the nomination of victims of torture or other forms of ill-treatment.

Finally, a balance between Committee members from civil law and common law jurisdictions should be sought in order to give representation to "different forms of civilization and the principal legal systems."⁶

¹ *United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention)*, Article 17.1 and Statement of the [Committee against Torture] adopted on 4 November 2013, at its fifty-first session (28 October–22 November 2013), UN Doc. CAT/C/51/2.

² Convention, Article 17.1 and [General Assembly Resolution 68/268](#) on the *Strengthening and enhancing the effective functioning of the human rights treaty body system*, 21 April 2014, (hereinafter GA res 68/268).

³ Convention, Article 17.1.

⁴ Convention, Article 17.1. See also "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, "[Guidelines on the independence and impartiality of members of the human rights treaty bodies](#) (*Addis Ababa guidelines*), para. 12.

⁵ GA Res 68/268, at para. 13 and Convention, Article 17.1.

⁶ Convention, Article 17.1.