



AI Index: IOR 40/001/2010

CINAT* proposed criteria for selection of candidates for mandate of UN Special Rapporteur on Torture

Proposed candidates for the mandate should be put forward on the basis of technical, professional and other requirements.

Human Rights Council (HRC) resolution 5/1 sets general criteria that are of 'paramount importance while nominating, selecting and appointing mandate-holders: (a) expertise; (b) experience in the field of the mandate; (c) independence; (d) impartiality; (e) personal integrity; and (f) objectivity.'

HRC decision 6/102 establishes four technical and objective requirements (qualifications, relevant expertise, established competence and flexibility/readiness and availability of time) to be considered in the selection of Special Procedures mandate-holders.

The following checklist is intended as an interpretive aid for those requirements:

1. Qualifications (and skills): *relevant educational qualifications and equivalent professional experience in the field of human rights; good communication skills in two of the official working languages of the United Nations.*

Checklist:

- A post-graduate university degree or equivalent in a discipline directly related to the mandate, preferably with a substantial focus on public international law, international human rights law, international humanitarian law and/or international criminal law;

* Coalition of International NGOs Against Torture. CINAT member organisations are (in alphabetical order): Amnesty International, the Association for the Prevention of Torture, the International Commission of Jurists, the International Federation of ACAT, the International Rehabilitation Council for Torture Victims, REDRESS and the World Organisation Against Torture.

- Academic publications or other published material (articles, studies, reports, research papers or any similar written material demonstrating in-depth knowledge) on human rights issues relevant to the mandate;
- Excellent oral and written communication skills in at least two of the UN working languages (English, French and Spanish – knowledge of other widely-used or official UN languages, such as Arabic, Chinese or Russian, would also be an asset);
- Extensive experience in public speaking (for example in expert seminars), and ideally also communicating with the media, governments, and other relevant stakeholders.

2. Relevant expertise: *knowledge of international human rights instruments and standards; knowledge of institutional mandates related to the United Nations or other international or regional organisations' work in the area of human rights; proven work experience in the field of human rights.*

Checklist:

- Extensive knowledge of international human rights law and standards;
- At least 10 years of progressively responsible work experience in the field of human rights, in particular in protecting persons at risk and/or supporting victims of torture and other cruel, inhuman or degrading treatment or punishment;
- Good knowledge of the international and regional legal frameworks and case law relevant to the prohibition of torture and other cruel, inhuman or degrading treatment or punishment; the right to life; enforced disappearances; fair trial rights; reparation, including compensation and rehabilitation of victims; prosecution and sanction of perpetrators, as well as of institutional mandates of the United Nations or other international or regional organisations in the area of human rights.

3. Established competence: *nationally, regionally or internationally recognised competence related to human rights.*

Checklist:

- Knowledge of human rights-based methodologies for visiting places of detention and interviewing individuals who are deprived of their liberty, and preferably also experience in these fields, including in difficult circumstances in various countries;
- The ability to conduct both academic and field research required in conducting fact-finding missions;
- Extensive experience in critically analysing information and data, in order to be able to review individual cases as well as identify trends and make effective recommendations;
- Experience in interacting with victims of torture and other cruel, inhuman or degrading treatment and punishment;
- Experience in working with authorities responsible for persons deprived of their liberty (including prison guards, police, medical personnel and other officials);
- Awareness of the particular vulnerabilities of specific groups (eg women, children, indigenous people, persons with disabilities and other socially-marginalised populations who face a heightened risk of torture and other cruel, inhuman or degrading treatment or punishment);
- Commitment to work closely with a range of stakeholders, including NGOs.

Experience in handling cases of torture and other cruel, inhuman or degrading treatment and punishment before judicial and quasi-judicial bodies would also be an asset.

4. Flexibility/readiness and availability of time *to perform effectively the functions of the mandate and to respond to its requirements, including attending Human Rights Council sessions.*

Checklist:

- Willingness and ability to conduct in-country investigations, in all regions of the world, into alleged cases of, and phenomena conducive to, torture and cruel, inhuman or degrading treatment or punishment (including places where people are deprived of their liberty and other places of limited access where victims of torture or ill treatment might be found);
- A demonstrated commitment to human rights in general, and in particular to the absolute, non-derogable prohibition on torture and cruel, inhuman or degrading treatment or punishment;
- A commitment to uphold the integrity, independence and impartiality of the Special Rapporteur's mandate;
- Willingness and ability to devote a substantial proportion of working hours to fulfilling the mandate, which includes undertaking two to three country missions per year, preparing and presenting reports to the Human Rights Council and the General Assembly (including annual and country mission reports), and attending seminars and other UN meetings;
- Willingness and ability to act urgently on cases or situations requiring immediate attention.

CINAT does not consider that a mandate holder must meet each and every specification in the above checklists. However, the strongest candidates should meet a substantial number of them. Please note also that these checklists are not intended to be exhaustive as to desirable qualifications for the role of Special Rapporteur on Torture.

18 December 2009