



2 March 2011

**Call for candidates and proposed selection criteria  
for the mandate of the UN Special Rapporteur on the human rights of migrants**

At the 17<sup>th</sup> session of the United Nations Human Rights Council in June 2011 the President of the Council is to appoint an independent human rights expert to serve as the next Special Rapporteur on the human rights of migrants.

The following checklist is intended as an interpretive aid for the requirements set in Council resolution 5/1 of 18 June 2007 and decision 6/102.

Human Rights Council, resolution 5/1, 18 June 2007:

*“The following general criteria will be 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” (Annex, para39).*

*“Technical and objective requirements for eligible candidates for mandate-holders will be approved... in order to ensure that eligible candidates are highly qualified individuals who possess established competence, relevant expertise and extensive professional experience in the field of human rights” (Annex, para41).*

Human Rights Council decision 6/102 of 27 September 2007 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 mandate holders.

Amnesty International, the Jesuit Refugee Service and Migrant Forum in Asia call on governments, NGOs and others, including relevant professional networks, to use this checklist to identify eligible candidates for nomination. The organizations urge governments to call publicly for candidates, e.g. through media advertisement, and consult civil society nationally before nominating candidates. NGOs and others wishing to nominate candidates should, after checking with the person(s) concerned, send the names of eligible candidates to the Office of the High Commissioner for Human Rights (OHCHR) **by Monday 14 March 2011 at the latest** for inclusion in the list used as a basis for the appointment. Further information on the application process can be found at this link: <http://www2.ohchr.org/english/bodies/chr/special/nominations.htm>.

The organisations proposing these criteria do not consider that an eligible candidate must meet each and every specification in the checklist below. This checklist is not intended to be exhaustive. However, the strongest candidates should meet a substantial number of them. Additionally, commitment to universal human rights, relevant experience, competence, independence, impartiality and personal integrity should be obligatory requirements for any individual to become an eligible candidate.

Prospective mandate holders should be aware that this **is a voluntary, unpaid role**. Reasonable expenses for mandate-related work will be paid, but no salary is available. The post will require a substantial time commitment from the individual, including readiness to respond to urgent situations, as explained in the checklist.

***“1. Qualifications: relevant educational qualifications or equivalent professional experience in the field of human rights; good communication skills in one of the official languages of the United Nations.”***

In particular, eligible candidates for the post of Special Rapporteur on the human rights of migrants should meet the following criteria:

- A post-graduate university degree or equivalent in a discipline directly related to the human rights of migrants, preferably with a substantial focus on public international law, international human rights law, international refugee law, international humanitarian law and/or international criminal law.
- Academic publications or other published material (articles, studies, reports, research papers or any similar written material) demonstrating in-depth knowledge on the issues related to the human rights of migrants, children’s rights, women’s rights, labour rights and the right to non-discrimination.
- Excellent oral and written communication skills in at least two of the UN working languages (English, French and Spanish). Knowledge of one or more of the other official UN languages (Arabic, Chinese and Russian) would be an asset.
- Extensive experience in communicating with governments, the media, civil society organizations and other relevant stakeholders. Extensive experience of public speaking (for example in expert seminars).

***“2. Relevant expertise: knowledge of international human rights instruments, norms and principles; as well as 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.”***

In particular, eligible candidates for the post of Special Rapporteur on the human rights of migrants should meet the following criteria:

- Recognised international standing and extensive professional experience in the field of human rights, including at the international level. In particular, recognised experience of work for the full and effective respect, protection and promotion of the human rights of migrants.
- Excellent knowledge of international human rights law and standards. In particular, excellent knowledge of the International Convention on Protection of the Rights of All Migrant Workers and Members of Their Families (ICMRW), core international human rights conventions<sup>1</sup> and other international and regional legal frameworks and case law relevant to the human rights of migrants and the right to non-discrimination.
- Extensive knowledge of key global trends and challenges relevant to the protection of the human rights of migrants, including but not limited to: migration detention and criminalization; labour exploitation; violence by non-state actors; rights of those undocumented or in an irregular situation, etc.
- Excellent knowledge 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.”***

In particular, eligible candidates for the post of Special Rapporteur on the human rights of migrants should meet the following criteria:

- Extensive experience in conducting fact-finding missions, academic and field research, including critically analysing information and data; using human-rights based methodologies; taking into account a gender perspective when requesting and analysing information.
- Experience in interacting with victims of human rights violations. Experience of interacting with migrants.

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<sup>1</sup> International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 1965; International Covenant on Civil and Political Rights (ICCPR) 1966; International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966; Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1979; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) 1984; Convention on the Rights of the Child (CRC) 1989; International Convention on Protection of the Rights of All Migrant Workers and Members of Their Families (ICMRW) 1990.

- Experience in working with various stakeholders including governments, policy makers, UN agencies, NGOs, civil society organisations and other social movements.
- Experience in working with national authorities responsible for the design and implementation of migration policies in origin, transit and destination countries, including law enforcement authorities.
- Awareness of the particular vulnerabilities of specific groups (women, children, the elderly, persons with disabilities, etc.) within the migrant population. Commitment to address intersectional discrimination and ability to give special attention to the impact of multiple identities on the human rights of migrants.
- Knowledge of gender issues and ability to give special attention to the occurrence of multiple discrimination and violence against migrant women.

***“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.”***

In particular, eligible candidates for the post of Special Rapporteur on the human rights of migrants should meet the following criteria:

- A demonstrated commitment to human rights in general and the human rights of migrants in particular, as well as to preventing and addressing racism, racial discrimination, xenophobia and related intolerance.
- Willingness and ability to conduct in-country and cross-country investigations, in all regions of the world, into violations of the human rights of migrants as well as into situations and practices that facilitate their denial.
- 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.
- Commitment to work closely with a range of stakeholders, including NGOs.