

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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UN Special Procedures June 2009 appointments: Help the UN find five independent experts it needs

In June 2009, the President of the United Nations Human Rights Council is to appoint five independent human rights experts to serve as Special Procedures mandate-holders.

The vacancies are for the Special Rapporteur on violence against women, its causes and consequences; the Special Rapporteur on the independence of judges and lawyers; the Western member of the Working Group on Arbitrary Detention; the Asian member of the Working Group on enforced and or involuntary disappearances; and the Western member of the Working Group on peoples of African Descent.

Amnesty International calls on Governments, NGOs and others, including relevant professional networks, to send names of eligible candidates to the Office of the High Commissioner for Human Rights for consideration for the above-mentioned positions. Governments should call publicly for candidates, e.g. through newspaper advertisement, and consult civil society nationally before nominating candidates.

The deadline for the submission of nominations is set at 8 April 2009. The website of the Office of High Commissioner for Human Rights offers more information on this process, including on where and how to send nominations (visit: <http://www2.ohchr.org/english/bodies/chr/special/nominations.htm>). More appointments are expected to be made at future sessions of the Council.

In line with the provisions of Chapter II A of the Annex to Human Rights Council resolution 5/1 of 18 June 2007, Amnesty International also reiterates the following recommendations in the selection of the mandate-holders:

- Member and observer states of the Council promote the vacancies for Special Procedures mandate-holders and the nomination of women and men of the highest standards of expertise, relevant experience, independence, impartiality, personal integrity, and objectivity;
- The Consultative Group consult with stakeholders, and in particular the current or outgoing mandate-holders, to determine the necessary expertise, experience, skills, and other relevant requirements for each mandate to be filled; the Consultative Group should determine such requirements before proceeding to review the list of experts on the public list to make suggestions to the President;
- The Consultative Group ensure that it recommends to the President a list of candidates for each vacancy;
- The Consultative Group's public report to the President contain specific information on its meetings, the consultations held, and the process followed by the Group to recommend candidates for each vacancy, including the particular requirements used as a basis to select candidates;

- The Consultative Group's public report substantiate its recommendations to the President, in particular by describing how the candidates it proposes meet the general criteria for mandate-holders (expertise, experience, independence, impartiality, personal integrity and objectivity) and the specific criteria for each mandate to be filled;
- The Consultative Group ensure that it proposes a list of candidates that includes men and women sufficiently representative of diverse geographic origin and legal backgrounds to ensure that the President can give due consideration to overall gender balance, equitable geographic representation and appropriate representation of different legal systems across all existing Special Procedures mandates.

In keeping with long-established policy, Amnesty International does not take a position in favour or against any candidate. Consequently, the organization will not put forward names for special procedures appointments

Background

The new appointment process, established in the annex to resolution 5/1 of 18 June 2007 has several stages. The basis of the appointment process is a public list of eligible candidates, reflecting technical and objective requirements, to be prepared, administered and regularly updated by the OHCHR.

Resolution 5/1 sets out general criteria for nominating, selecting and appointing mandate-holders. It calls for eligible candidates for appointment as Special Procedures to have demonstrated expertise, relevant experience, independence, impartiality, personal integrity and objectivity. These criteria are to be reflected in the "technical and objective requirements for eligible candidates" to have their name placed on the roster and in the determination of specific requirements for individual mandates by the Consultative Group. The first set of requirements were adopted by the Council at its sixth session in September 2007 in decision 6/102, part C, "Technical and objective requirements for eligible candidates for mandate holders". Amnesty International has developed a checklist interpreting each requirement.

In determining the second set of requirements, i.e. the necessary expertise, experience, skills, and other relevant requirements for each mandate, resolution 5/1 calls on the Consultative Group to take into account, as appropriate, the views of stakeholders, including the current or outgoing mandate-holders. Resolution 5/1 also requires that all the Consultative Group's recommendations to the President be public and substantiated. On the basis of the recommendations of the consultative group and following broad consultations, in particular through the regional coordinators, the President of the Council is to identify an appropriate candidate for each vacancy and to present to member States and observers a list of candidates to be proposed at least two weeks prior to the beginning of the session in which the Council will consider the appointments. The appointment of the mandate-holders is completed upon the approval by the Council of the President's appointments. (See: <http://daccessdds.un.org/doc/UNDOC/GEN/G07/141/13/PDF/G0714113.pdf?OpenElement> at pages 53-54, pars. 39-53.)

The Consultative Group consists of Ambassadors Alejandro Artucio Rodríguez, Petko Draganov, Javier Garrigues Flórez, Dayan Jayatilleka and Babacar Carlos Mbaye . Although they are respectively the Geneva United Nations Ambassadors of Uruguay (GRULAC), Bulgaria (Eastern European Group), Spain (Western European and Others Group), Sri Lanka (Asian Group) and Senegal (African Group) they serve on the Consultative Group in their personal capacities.

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Public Document

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