

November 2011



## Call for candidates and checklist for selection of candidates for the mandate of UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

At the 19<sup>th</sup> session of the UN Human Rights Council (27 February - 23 March 2012) the President of the Council is to appoint an independent human rights expert to serve as the new Special Rapporteur on promotion of truth, justice, reparation and guarantees of non-recurrence.

The HRC intends the process of selection 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<sup>1</sup>. The process is subject to the general criteria and technical and objective requirements set out in HRC resolution 5/1 and decision 6/102, respectively.

The checklist that follows is intended as an interpretative aid for applying the criteria and requirements set out in these Human Rights Council resolutions.

Amnesty International, the International Commission of Jurists, Human Rights Watch and the Commonwealth Human Rights Initiative call on Governments, NGOs and others, including relevant professional networks, to use this checklist to identify eligible candidates for consideration for the upcoming vacancy for the new Special Rapporteur on promotion of truth, justice, reparation and guarantees of non-recurrence.

The organizations also 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 send the names of eligible candidates to the Office of the High Commissioner for Human Rights (OHCHR) by **30 November 2011 (midnight, GMT)** at the latest for inclusion in the public list (roster), used

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<sup>1</sup> Resolution 5/1 paragraph 41

as a basis for the appointment. Applications must be done through the new on-line application procedure (<http://www2.ohchr.org/english/bodies/chr/special/nominations.htm>). Candidates must submit an application form and a motivation letter.

Field Code C

Further information on vacancies for Special Procedures mandate-holders to be filled in February/March 2012 can be found here:

<http://www2.ohchr.org/english/bodies/chr/special/nominations.htm>.

Field Code C

### **Checklist for selection of candidates**

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 communications skills in two of the official 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;
- Academic publications or other published material, including by NGOs (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 communications skills in at least one of the UN working languages (English, French and Spanish) and good communication skills in at least one other of these languages. Knowledge of other widely-used or official UN languages, such as Arabic, Chinese or Russian, would be an asset;
- Extensive experience in public speaking (for example, in expert seminars), and ideally also communicating with governments, media, and other relevant stakeholders.

**2. Relevant expertise:** *knowledge of international human rights instruments and standards; knowledge of institutional mandates related to the UN or other international or regional organizations' 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, international humanitarian law, and international criminal law, including standards on the right to remedy and reparation and on the combating of impunity;
- At least 10 years of work experience in the field of human rights, in particular in work on the right of victims to know the truth, the protection and promotion of human rights through action to combat impunity, and the right to a remedy and reparation for victims of gross violations of international human rights law and serious violations of international humanitarian law, and experience in conducting or monitoring human rights investigations and/or advising governments or institutions on human rights compliance in these areas;
- Substantial experience in relation to countries where gross human rights violations occurred.
- Excellent knowledge of international and regional legal frameworks and case law relevant to areas related to the mandate, as well as of institutional mandates of the UN or other international or regional organizations in the area of human rights.

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

Checklist:

- Experience in designing and implementing strategies, policies and measures to address gross human rights violations and serious violations of international humanitarian law, with a view to preventing the recurrence of crises and future violations of human rights and experience addressing human rights challenges in situations of transitional justice;
- Extensive experience in critically analysing information and data, in order to be able to review individual cases as well as identify trends and best practices and make effective recommendations;
- The ability to conduct both theoretical and field research required in conducting fact finding missions; knowledge of human rights-based principles and methodologies for fact-finding visits and interviewing individuals;
- Awareness of the importance of a comprehensive approach incorporating a full range of judicial and non-judicial measures, including, among others, individual prosecutions, reparations, truth-seeking, institutional reform, vetting of public employees and officials, in order to, *inter alia*, ensure accountability, serve justice, provide remedies and reparations to victims, establish independent oversight of the security system and restore confidence in the institutions of the State and promote the rule of law in accordance with international human rights law;
- Experience in interacting with the families of victims of, and witnesses to, human rights violations;

- Experience in working with authorities and persons who may be responsible for human rights violations or violations of international humanitarian law, including relevant military, police and prison officials, and with authorities responsible for holding to account those responsible for such violations;
- Sensitivity to the political nuances and challenges that may be faced in seeking truth, combating impunity and promoting full reparation for victims;
- Awareness of the particular vulnerabilities of specific individuals and groups (such as members of minorities, opposition supporters, detainees, human rights defenders) who may face a heightened risk of becoming a victim of serious human rights violations seeking truth, justice, reparation and guarantees of non-recurrence;
- Commitment to work closely with a range of stakeholders, including NGOs.

**4. Flexibility/readiness and availability of time** *to perform effectively the functions of the mandate and to respond to its requirements, including conducting country visits, writing reports in a timely fashion and attending Human Rights Council and General Assembly sessions.*

Checklist:

- Willingness and ability to conduct in-country assessments, in all regions of the world, of situations of gross human rights violations or violations of international humanitarian law and/or international criminal law;
- A demonstrated commitment to international human rights law, standards and values, including a principled approach to the right to truth, justice and reparation; and strong **dedication to work towards ending impunity**;
- 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 country missions, 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.

While the organizations proposing these criteria consider commitment to universal human rights, relevant experience and competence, and personal integrity to be obligatory requirements for any individual to become an eligible candidate for this mandate, the organizations do 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 the desirable qualifications of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.

Prospective mandate holders should be aware that this is a voluntary, unpaid role. It will require a substantial time commitment from the individual, including readiness to respond to urgent situations, as explained above.