

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Appeal for prompt nominations of independent, competent and experienced human rights experts for United Nations Special Procedures posts

In June 2010, Mr. Alex Van Meeuwen, the President of the United Nations Human Rights Council, is expected to appoint eight independent human rights experts to serve as Special Procedures mandate-holders.

The vacancies are for the following thematic and country mandates:

- the Special Rapporteur on the right to education;
- the member of the Working Group on Enforced or Involuntary Disappearances from the Latin American and Caribbean region
- the Special Rapporteur on extrajudicial, summary or arbitrary executions;
- the Special Rapporteur on freedom of religion or belief
- the member of the Working Group on Mercenaries from the Asian Group;
- the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights;
- the Independent Expert on the situation of human rights in Burundi; and
- the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea¹.

The vacancies for these *pro bono* positions have arisen because all of the current mandate-holders have served for two consecutive three-year terms, which is the limit imposed on mandate-holders.

The appointment of independent, impartial, competent and expert men and women from all regions of the world to the Special Procedures mandates is key to a well-functioning system of Special Procedures, and to the ability of the Human Rights Council to protect and promote human rights.

Amnesty International calls on Governments, NGOs and other stake-holders, including relevant professional networks, to encourage without delay potential nominees who are competent, independent candidates to send their candidacy 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 advertisements, and consult civil society nationally before nominating candidates. Candidates should specify clearly the mandate or mandates in which they are interested.

The deadline for the submission of nominations for the June appointments is 31 March 2010. The website of the Office of High Commissioner for Human Rights offers more information on

¹ Vacancies based on Appendix II to the Annex to Human Rights Council's resolution 5/1 "Institution-building of the United Nations Human Rights Council"

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 later sessions of the Council. These will be for the post of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, and the Representative of the Secretary-General on the human rights of internally displaced persons.

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 Human Rights Council's 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. The public list is available from the Special Procedures extranet, which is accessible via the Human Rights Council [extranet](#) (once logged in, go to <http://portal.ohchr.org/portal/page/portal/HRCExtranet/SpecialProcedures>).

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 (<http://www.amnesty.org/en/united-nations/special-procedures/checklist>)

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.

The Consultative Group that will make recommendations to the President of the Council for appointments consists of Ambassadors Mr. Darlington Mwape, Mr. Baodong Li, Mr. Tomáš Husák, Mr. Alberto Navarro Brin and Mr. Christian Strohal. Although they are respectively the Geneva United Nations Ambassadors of Zambia (African Group), China (Asian Group), Czech Republic (Eastern European Group), Panama (GRULAC) and Austria (Western European and Others Group), they serve on the Consultative Group in their personal capacities. (See: <http://daccessdds.un.org/doc/UNDOC/GEN/G07/141/13/PDF/G0714113.pdf?OpenElement> pages 53-54, pars. 39-53.)

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