

AMNESTY INTERNATIONAL

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United Nations: Call to nominate independent and qualified candidates for the election of members to the Human Rights Committee

Amnesty International calls on all states parties to the International Covenant on Civil and Political Rights (ICCPR) to nominate independent and highly qualified candidates for the election of members to the Human Rights Committee.

The term of service of half of the current members of the Committee expires on 31 December 2008. States parties have been invited to submit by 14 May 2008 nominations of candidates for the elections to fill the vacancies, which will take place in New York in September 2008. The effectiveness and efficiency of the Committee depends on the election of independent and highly qualified members with strong commitment to human rights.

The quality of the Committee's monitoring of states parties' fulfilment of their obligations under the ICCPR and of the Committee's examination of individual complaints with regard to alleged violations of the ICCPR depends primarily on the Committee's membership. Similarly, the credibility of the Committee as independent and impartial body is a reflection of its membership.

In the interest of ensuring that the Committee membership includes a broad range of expertise and experience, it is important that there be a large pool of highly qualified candidates from which to choose. The national process for attracting and selecting candidates must be open, transparent and fair.

Amnesty International therefore calls on each state party to:

- o Nominate a candidate, ensuring that nominations take full consideration of the criteria established in the text of the ICCPR. States should nominate candidates with practical experience in human rights and a high degree of expertise relevant to the work of the Committee.
- o Establish an open and inclusive process to select and nominate candidates for the elections to the Committee.
- o Ensure that the national procedures for attracting candidates are widely publicized and advertised throughout the country and that civil society organizations competent in the areas covered by the ICCPR are involved in all stages of the nomination procedure.
- o Encourage civil society organizations to participate at all stages of the nomination procedure, particularly to assist states in obtaining applications from highly qualified candidates and providing information on how the applicants meet the criteria.
- o Announce their candidate at the earliest possible time and also provide information about the nominees' qualifications and how they meet the criteria.

- o Refrain from nominating candidates who have already served two consecutive terms.
- o Refrain from nominating candidates who hold any paid or unpaid position within the government that could compromise their independence and impartiality.
- o Review the knowledge diversity, geographical and gender balance in the committee's composition before every election takes place. States should bear this information in mind when nominating and electing candidates.
- o Vote only for candidates that meet the highest standards of independence, impartiality and expertise.

Background information

The Human Rights Committee monitors states parties' implementation of the International Covenant on Civil and Political Rights (ICCPR).

According to Article 28 of the ICCPR, the Committee shall consist of 18 experts:

- o who are nationals of the states parties to the ICCPR;
- o who are persons of high moral character and recognized competence in the field of human rights (consideration being given to the usefulness of the participation of some persons having legal experience);
- o and who shall serve in their personal capacity

States parties elect the members of the Committee by secret ballot from a list of persons who possess the above qualifications and who are nominated by states parties as candidates. Each state party may nominate not more than two candidates from among its nationals. (Article 29 ICCPR).

In the election of the Committee, states shall further give consideration to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems. The Committee may not include more than one national of the same state (Article 31 ICCPR).

Elections take place every two years for 9 seats out of 18 in order to ensure the complete composition is not changed at one occasion. Among the current members whose term of office continues until 31 December 2010 are nationals of France, India, Japan, Peru, Romania, South Africa, Switzerland, Tunisia and the USA.

The full text of the International Covenant on Civil and Political Rights (ICCPR) is available at: <http://www2.ohchr.org/english/law/ccpr.htm>.

For more information on the Human Rights Committee see:

<http://www2.ohchr.org/english/bodies/hrc/index.htm>

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