



AI Index: IOR 40/002/2013

Check against delivery

**CIVIL SOCIETY FORUM ON STRENGTHENING OF THE UNITED NATIONS TREATY BODIES
New York, 26 February 2013**

Ambassador Gunnarsdottir and Ambassador Percaya,

This statement is made on behalf of the following non-governmental organizations (NGOs) who have a shared interest in strengthening the membership of the treaty bodies: Advocates for Human Rights, Alkarama, Amnesty International, the Cairo Institute for Human Rights Studies, the Centre for Civil and Political Rights, the Center for Legal and Social Studies (CELS), Human Rights Foundation of Aotearoa of New Zealand, Human Rights House Foundation, Human Rights Watch, International Rehabilitation Council for Torture Victims (IRCT), International Disability Alliance (IDA), International Movement Against All Forms of Discrimination and Racism (IMADR), International Service for Human Rights, the NGO Group for the CRC, Open Society Justice Initiative and the World Organisation against Torture (OMCT). The need to strengthen treaty body membership has been the recurring theme of all previous discussions about treaty body reform. The current strengthening initiative presents real opportunities for making modest, yet significant, advances to encourage the selection of members who are truly independent and expert. None of the proposals put forward in this statement require treaty-change. Rather, they require all states parties to exercise political will to improve a system that functions on the basis of vote-trading, secret ballots and clean slates, rather than seeking to ensure the best candidates are appointed to these positions.

The starting point of the process is the selection of candidates at the national level. In a document written in 2010 as a response to the Dublin initiative on treaty body strengthening, NGOs identified a number of measures to be taken.¹ These included that:

¹ *Dublin statement on the process of strengthening the United Nations human rights treaty body system: a response by non-governmental organizations*, November 2010, AI Index: IOR 40/023/2010

- Each state should nominate candidates taking full consideration of the criteria established in the relevant treaty at a minimum, and ensure the nomination of candidates with practical experience in human rights and a high degree of expertise relevant to the work of the committee concerned.
- States should establish an open, transparent and inclusive process at the national level to identify and nominate candidates to treaty bodies.
- States should facilitate the participation of civil society organizations and parliamentary bodies with relevant knowledge and expertise at all stages of the nominations procedure. In particular, civil society can assist in obtaining applications from highly qualified candidates and providing information on how the applicants meet the criteria.
- States should support the candidature of under-represented groups such as persons with disabilities, and persons from minority, ethnic and indigenous groups, across all treaty bodies.
- Given the significant disparity between men and women serving currently on the treaty bodies, specific measures should be taken to encourage women to apply for treaty body positions.

We welcome the recommendation made by the High Commissioner for Human Rights (HCHR) for states to put in place national policies and processes that are transparent, open and inclusive to encourage the widest participation of qualified candidates. In this way, the overall quality of candidates going forward for nomination will be improved.

There are also steps to be taken at the next stage of the process to make it more transparent and to encourage interest by a range of stakeholders.

The establishment of a single accessible webpage – or “open public space”, as proposed by the HCHR - would bring to one place information that is currently spread between different committee pages, such as upcoming elections. Information about the results of treaty body elections would also be hosted on this site, along with information about the expectations, availability and workload of treaty body members, as recommended by the HCHR. Up-to-date information about treaty body composition, including data disaggregated by gender, disability, geographic breakdown, legal systems and professions, would also be on this page.

There is a deficit of relevant and standardized information about treaty body candidates’ experience and competences prior to elections.² Each nomination for treaty body membership

² The Committee on the Rights of the Child utilizes a standard biographical data form, which the Office of the High Commissioner for Human Rights circulates to states parties in advance of elections. This form includes the candidate’s occupation and experience in the

should be supported by a core set of nomination documents including the candidate's curriculum vitae, a completed candidate questionnaire and the written outcome of an interview. In addition to providing information about occupation, professional history, publications, language skills, it would be useful to know how the candidate's knowledge, competence and qualifications are relevant to the mandate; a description of the candidate's availability to discharge their functions as a treaty body member; their personal motivation for applying to the post; and any conflicts of interest.

The nomination documents should be made accessible and available on the open public space, and submitted to an independent advisory panel to assess whether the intended candidate meets the requirements as stipulated in the relevant human rights instrument. States parties, treaty body members, civil society organizations and other stake-holders would be able to submit questions to the candidates on the on-line platform. Candidates could then give an oral presentation of his or her candidacy at a public hearing. This could also be made available on the on-line platform.

We believe that the above steps would make the election process more transparent, open and inclusive and result in strengthened membership of the treaty bodies.

Thank you for your attention.

Advocates for Human Rights
Alkarama
Amnesty International
Cairo Institute for Human Rights Studies
Centre for Civil and Political Rights
Center for Legal and Social Studies (CELS)
Human Rights Foundation of Aotearoa of New Zealand
Human Rights House Foundation
Human Rights Watch
International Rehabilitation Council for Torture Victims (IRCT)
International Disability Alliance (IDA)
International Movement Against All Forms of Discrimination and Racism (IMADR)
International Service for Human Rights
NGO Group for the CRC
Open Society Justice Initiative
World Organisation against Torture (OMCT)

human rights field as related to the relevant Committee's mandate. It also details for candidates the time commitments expected from Committee members. For the Committee on the Rights of Persons with Disabilities, the International Disability Alliance (IDA) asks all candidates to complete a standardized questionnaire, which covers the candidates' expertise, experience and views regarding the human rights of persons with disabilities. IDA shares these replies with all states parties and publishes them on their website.