



## CHECKLIST- CRITERIA FOR MEMBERSHIP OF THE COMMITTEE AGAINST TORTURE

Members of the Committee against Torture shall:

- Be persons of high moral standing<sup>1</sup>**

Candidates must be people of high integrity in their personal and public life, including with respect to financial matters. Candidates must not have been involved, by act or omission, in any violation of international human rights law or international humanitarian law.<sup>2</sup>

- Have “recognized competence and experience in the field of human rights<sup>3</sup>, in particular in the field covered by the relevant treaty”<sup>4</sup>**

Consideration should be given to the “usefulness of the participation of some persons having legal experience.”<sup>5</sup> Legal expertise in areas of specific relevance to the Convention, among others criminal law, asylum, immigration and extradition, detention law and standards, including with respect to detention conditions and regimes, juvenile justice, and gender-based violence would be particularly important.

Candidates must have demonstrated expertise within a field relevant to the mandate of the Committee, e.g. through past or present professional activities, work-related achievements, or holding of other relevant expert positions. Such experience may relate to prevention of torture or other ill-treatment, monitoring of places of detention, experience in the documentation, investigation or prosecution of cases of torture and other ill-treatment, medical or health expertise in the rehabilitation of survivors of human rights abuses. Candidates shall also have experience in working in a multidisciplinary environment with a diverse group of stakeholders.

- Serve in their personal capacity<sup>6</sup>**

Candidates must be independent of all States. States should therefore refrain from nominating candidates who hold any paid or unpaid position within the executive or legislative branch of government, unless situated within an independent authority, or who perform any other functions that could compromise their independence and impartiality (real or perceived).<sup>7</sup>

<sup>1</sup> *United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention)*, Article 17.1

<sup>2</sup> See Statement of the [Committee against Torture] adopted on 4 November 2013, at its fifty-first session (28 October–22 November 2013), UN Doc. CAT/C/51/2.

<sup>3</sup> Convention, Article 17.1

<sup>4</sup> General Assembly Resolution 68/268 on the *Strengthening and enhancing the effective functioning of the human rights treaty body system*, 21 April 2014, available: [http://www.ohchr.org/Documents/HRBodies/TB/HRTD/A-RES-68-268\\_E.pdf](http://www.ohchr.org/Documents/HRBodies/TB/HRTD/A-RES-68-268_E.pdf) (hereinafter GA res 68/268)

<sup>5</sup> Convention, Article 17.1

<sup>6</sup> Convention, Article 17.1

<sup>7</sup> “The independence and impartiality of treaty body members is compromised by the political nature of their affiliation with the executive branch of the State. Members of treaty bodies shall consequently avoid functions or activities which are, or are seen by a reasonable observer to be, incompatible with the obligations and responsibilities of independent experts under the relevant treaties.” *Guidelines on the independence and impartiality of members of the human rights treaty bodies (Addis Ababa guidelines)*, p. 12, available at [http://www2.ohchr.org/english/bodies/icm-mc/docs/Guidelines\\_on\\_independence.doc](http://www2.ohchr.org/english/bodies/icm-mc/docs/Guidelines_on_independence.doc).

When nominating candidates to the Committee, States should also give due consideration to:

**Equitable geographical distribution<sup>8</sup>**

The Committee should be composed of a diverse membership representing “different forms of civilization and the principal legal systems”.<sup>9</sup> A balance between members from civil law and common law jurisdictions should therefore also be sought.

**Promoting diversity of membership including balanced gender representation<sup>10</sup>**

All States parties should value diversity in the membership of UN Treaty Bodies. Diversity in membership of Treaty Bodies should include in addition to equal gender representation and gender diversity, experts from diverse ethnic, cultural, religious and secular backgrounds, Indigenous Peoples and experts with disabilities.<sup>11</sup> Consideration should also be given to the nomination of victims of torture or other forms of ill-treatment.

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<sup>8</sup> Convention, Article 17.1

<sup>9</sup> GA res 68/268 at para.13.

<sup>10</sup> GA res 68/268, at para. 13.

<sup>11</sup> GA res 68/268, at para. 13.