



AI Index: IOR 40/5435/2017
17 January 2017

PROPOSED CRITERIA FOR SELECTION AND APPOINTMENT OF A NEW MEMBER OF THE WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES: JOINT¹ WRITTEN STATEMENT TO THE 34TH SESSION OF THE UN HUMAN RIGHTS COUNCIL (27 FEBRUARY – 24 MARCH 2017)

The Human Rights Council will appoint a new member, from the Latin American and Caribbean States, to serve on the Working Group on Enforced or Involuntary Disappearances in March 2017.

Candidacies have now closed and are available [here](#).

Human Rights Council resolution 5/1 sets out the formal 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.”

Resolution 5/1 provides that to be **independent** “individuals holding decision-making positions in Government or in any other organisation or entity which may give rise to a conflict of interest with the responsibilities inherent to the mandate shall be excluded.” The conflict of interest provision has also been interpreted to mean that candidates are expected to clarify how, if appointed, they would deal with any perceived or actual conflict of interest in relation to governments, inter-governmental organisations, or non-governmental organisations.

Human Rights Council decision 6/102 establishes four technical and objective requirements to be considered in the selection of Special Procedures mandate-holders:

- (a) qualifications,
- (b) relevant expertise,
- (c) established competence and
- (d) flexibility/readiness and availability of time

Due consideration should be given to **gender balance** and to an appropriate **representation of different legal systems**. The selected candidate should be a highly qualified individuals who possess established competence, relevant expertise and extensive professional experience in the field of human rights (paras. 39-41).

The following checklist is intended as an interpretive aid for those requirements:

¹ This joint written statement is submitted by Amnesty International together with the International Federation for Human Rights (FIDH), International Lesbian and Gay Association (ILGA), International Service for Human Rights, Trial International, World Organisation against Torture (all Special consultative status) and Alkarama Foundation (non-ECOSOC NGO).

CHECKLIST FOR SELECTION OF A MEMBER FOR THE WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES

1. QUALIFICATIONS (AND SKILLS): RELEVANT EDUCATIONAL QUALIFICATIONS AND EQUIVALENT PROFESSIONAL EXPERIENCE IN THE FIELD OF HUMAN RIGHTS.

Checklist:

- A university degree or equivalent in a discipline directly related to the mandate, preferably specialising in human rights law, international criminal law or international humanitarian law;
- Academic publications or other published material (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 communication skills in at least one of the UN working languages (English, French and Spanish – knowledge of other widely-used or official UN languages, such as Arabic, Chinese or Russian, would be an asset);
- Excellent communication skills, in particular in communicating and/or working together with relevant stakeholders, especially states, all parts of government, including security forces, judges and lawyers, inter-governmental organisations, national human rights institutions, NGOs, media and/or non-state actors.
- Diplomatic skills and/or experience.

2. RELEVANT EXPERTISE: KNOWLEDGE OF INTERNATIONAL HUMAN RIGHTS INSTRUMENTS, NORMS, STANDARDS AND PRINCIPLES; AS WELL AS KNOWLEDGE OF INSTITUTIONAL MANDATES RELATED TO THE UNITED NATIONS OR OTHER INTERNATIONAL OR REGIONAL ORGANISATIONS' 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;
- Several years of progressively responsible work experience in the field of human rights, in particular in relation to enforced or involuntary disappearances or other crimes under international law or human rights violations;
- Excellent knowledge of the international and regional legal frameworks and case law relevant to the deprivation of liberty of individuals, compensation and rehabilitation for victims and their families, prosecution and sanction of perpetrators and other related matters as well as of institutional mandates of the United Nations or other international or regional organisations in this area of human rights.

3. ESTABLISHED COMPETENCE: NATIONALLY, REGIONALLY OR INTERNATIONALLY RECOGNISED COMPETENCE RELATED TO HUMAN RIGHTS.

Checklist:

- A demonstrated commitment to human rights law and standards;
- Experience in investigating cases/aspects of enforced or involuntary disappearances;
- Knowledge of NGO, academic institutions and other expert's work in the field of enforced or involuntary disappearances;
- Knowledge of human rights-based research and/or fact-finding methodology;
- Extensive experience in critically analysing human rights related information and data, in order to review individual cases as well as identify trends and challenges, and make effective recommendations;
- The ability to conduct both academic and field research required in conducting fact-finding missions;
- Experience in working with authorities and other relevant actors responsible for cases/aspects of enforced or involuntary disappearances and with family members of victims;
- Experience in handling cases of enforced or involuntary disappearances before judicial and quasi-judicial bodies would also be an asset;
- Sensitivity to the particular vulnerabilities of specific persons and groups who experience or suffer disproportionately from enforced or involuntary disappearances;
- Sensitivity to the challenges faced by victims and their representatives, including the issue of reprisals or intimidation which may be experienced by persons who interact with the Working Group in any way.

4. FLEXIBILITY/READINESS AND AVAILABILITY OF TIME TO PERFORM EFFECTIVELY THE FUNCTIONS OF THE MANDATE AND TO RESPOND TO ITS REQUIREMENTS, INCLUDING ATTENDING HUMAN RIGHTS COUNCIL SESSIONS.

Checklist:

- Willingness to conduct in-country investigations, in all regions of the world, into alleged cases of, and phenomena conducive to enforced or involuntary disappearances;
- Preparedness and willingness to devote a substantial amount of time to fulfilling the mandate, which includes participating on at least one field-mission per year, attending three meetings of the Working Group throughout the year, participating in preparing reports to the Human Rights Council, including annual reports and country mission reports and attending seminars and other UN meetings;
- Ability to act urgently and efficiently on cases or situations requiring immediate attention;
- A demonstrated commitment to human rights in general, and a commitment to uphold the integrity, objectivity, discretion, independence and impartiality of the Working Group's mandate and the Special Procedures system as a whole;
- A strong and independent personality ready to fulfil the Working Group's mandate under political pressure.
- Working as part of a team together with other experts and OHCHR.