



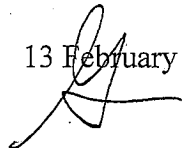
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The Office of the High Commissioner for Human Rights presents its compliments to the President of the Human Rights Council and has the pleasure to transmit on behalf of the Consultative Group, the report of the Consultative Group to the President relating to the special procedures mandate holders to be appointed at the 19th session of the Human Rights Council.

The Office of the High Commissioner for Human Rights avails itself of this opportunity to renew the assurances of its highest consideration.

13 February 2012

A handwritten signature in black ink, appearing to be the name of the High Commissioner for Human Rights at the time, Navi Pillay.

**Report of the Consultative Group to the President of the Human Rights Council relating to the
Special Procedures mandate holders to be appointed at the 19th session of the Human Rights
Council**

I. Background

1. Further to Human Rights Council resolution 5/1, a Consultative Group was established to propose to the President, at least one month before the beginning of the session in which the Council would consider the selection of mandate holders, a list of candidates who possess the highest qualifications for the mandates in question and meet the general criteria and particular requirements. The Members of the Consultative Group serving in their personal capacity are H.E. Dian Triansyah DJANI, Permanent Representative of Indonesia; H.E. Roberto FLORES BERMUDEZ, Permanent Representative of Honduras; H.E. Peter GOODERHAM, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland, H.E. Umunna H. ORJIAGO, Permanent Representative of Nigeria and H.E. Fedor ROSOCHA, Permanent Representative of Slovakia.

II. Process

2. The Consultative Group held 10 formal meetings on 13, 18 (morning and afternoon) and 19 (morning and afternoon) January and 1 (morning and afternoon), 6 and 8 (morning and afternoon) February 2012 to consider candidates for the 5 vacancies of mandate holders to be appointed at the nineteenth session of the Council. Based on a decision of the Consultative Group, H.E. Roberto FLORES BERMUDEZ chaired all the aforementioned meetings.

3. The Consultative Group was informed that a total of 37 candidates submitted specific applications for the aforementioned vacancies, and the applications were made public on the designated web page of Special Procedures as provided for in paragraph 22 (b) of Annex to Council resolution 16/21 (see annex I).

4. The members of the Consultative Group took into consideration the technical and objective requirements as stipulated in the annex to Council resolution 5/1, in paragraphs 39, 40, 41, 44, 45, 46, 48 and 50, as well as in Council decision 6/102. The Group also paid due attention to geographical and gender balance in the consideration of candidates.

5. In accordance with established practice, it was decided that each member of the Consultative Group would suggest a number of candidates based on the candidates' qualifications, relevant experience, expertise, independence, impartiality, personal integrity, objectivity, availability and motivation in compliance with relevant provisions of Council resolution 5/1 and decision 6/102.

6. The Group interviewed a total of 18 shortlisted candidates, as provided for in paragraph 22 (c) of Annex to Council resolution 16/21. The list is attached for information (see annex II). All the candidates were interviewed either by telephone or by Skype (audio only), and were asked questions based on the relevant provisions of Council resolutions 5/1, 16/21 and decision 6/102 as outlined above.

III. Candidates proposed by the Consultative Group to the President

**1. Special Rapporteur on the promotion of truth, justice, reparation and
guarantee of non-recurrence**

7. The Consultative Group was impressed by the significant number of high quality applications for this vacancy. The Group interviewed 5 candidates and considered that all of those interviewed demonstrated a strong level of knowledge and experience in the different areas of the mandate. The group considered that there were 3 candidates who performed particularly strongly and were best qualified to fulfil the mandate.

In light of the Group's assessment that all 3 of the candidates performed so well and the proximity in the Group's consideration of the candidates' performance, the Group unanimously recommended the 3 candidates below, without wishing to specify a clear ranking between the candidates.

Ms. Monica MCWILLIAMS (Ireland)

Ms. Yasmin Louise SOOKA (South Africa)

Mr. Pablo DE GREIFF (Colombia)

8. Ms. McWilliams has a strong human rights background with extensive experience including as Chief Commissioner of the Northern Ireland Human Rights Commission, as a political representative in peace negotiations and as a Professor in the Transitional Justice Institute, University of Ulster, Northern Ireland. She has worked for many years on issues relating to transitional justice and gender based violence. She presented a clear and convincing vision for the mandate of Special Rapporteur which focused on engaging with states in dialogue, while maintaining a victim-centred approach. The Consultative Group was impressed by the fact that she had worked on these issues from a diverse range of perspectives as well as by her clear vision, motivation and diverse experience in different countries in the area relating to the mandate. She also demonstrated clearly her ability to work with a diverse range of actors.

9. Ms. Sooka has broad and diverse experience in a variety of challenging situations, including as Executive Director for the Foundation for Human Rights, as a human rights attorney, as a commissioner on the South African Truth and Reconciliation Committee, as a high court judge, and as an international commissioner to the Truth Commission in Sierra Leone. Ms. Sooka has also carried out numerous missions on behalf of OHCHR, advising on issues of truth, justice and reparations in Ghana, Timor-Leste, Burundi and Nepal as well as serving on an advisory panel providing advice to the Secretary General of the UN regarding accountability for war crimes in Sri Lanka. The Consultative Group was impressed by her emphasis on best practices and the importance of integrating victims' rights and a gender perspective in the mandate.

10. Mr. De Greiff had an impressive and authoritative command of the subject matter and a broad span of experience over many years in Latin America, Africa, the Middle East and Asia, particularly in his role as the Director of Research at the International Center for Transitional Justice and as a professor at Princeton University and the State University of New York at Buffalo. He has provided technical advice to governments, truth commissions, NGOs, civil society groups and UN organizations. The Consultative Group took note of the clarity of his vision and his skill at articulating the issues facing the Special Rapporteur. He gave very coherent explanations and examples, detailing his commitment and motivation.

2. Expert Mechanism on the rights of indigenous peoples

11. The Consultative Group considered that there were 3 candidates best qualified to fulfil the mandate. The Group unanimously recommended the following candidates according to the ranking below:

1. Mr. Danfred TITUS (South Africa, Indigenous Origin: Mixed)

2. Mr. Vital BAMBANZE (Burundi, Indigenous Origin: Batwa)

3. Ms. Nnenna ELUWA (Nigeria, Indigenous Origin: Igbo)

12. Mr. Titus has broad practical and academic experience concerning the issues covered by the mandate, with in-depth knowledge in the areas of international human rights law and the study of language and culture. He has worked as a law school professor and dean, as the Executive Director of the Africans Language and Cultural Organization and as a commissioner on the South African Human Rights

Commission. Mr. Titus clearly expressed his vision of the mandate, emphasizing the importance of the context of slavery and colonialism and the historic marginalization of indigenous culture in Africa. The Consultative Group was impressed by Mr. Titus' ability to clearly lay out his vision of the mandate, his strong motivation and his ability to address a broad range of issues relevant to the mandate.

13. Mr. Bambanze has a strong background in indigenous issues, with international, regional and national experience representing the interests of indigenous people. Mr. Bambanze serves as an expert for the Expert Mechanism on the Rights of Indigenous Peoples and as a Senator representing the interests of indigenous people to participate in government institutions and advocating for rights to land. The Consultative Group noted his strong motivation as an advocate for indigenous people as well as the diversity of his experience from grassroots groups, to regional bodies and the UN.

14. Ms. Eluwa has national and regional experience in Nigeria and West Africa, including work with the Startright Educational Foundation and the Save Our Youths Campaign. She presented her vision for the mandate with an emphasis on access to education, economic development, and improving awareness of indigenous rights.

3. Independent Expert on the promotion of a democratic and equitable international order

15. The Consultative Group considered that there were 3 candidates best qualified to fulfil the mandate. The Group unanimously recommended the following candidates according to the ranking below:

1. **Mr. Miloon KOTHARI** (India)
2. **Mr. Alfred DE ZAYAS** (USA)
3. **Mr. Vugar MAMMADOV** (Azerbaijan)

16. Mr. Kothari demonstrated extensive knowledge of the international human rights system, with a wide range of UN, regional body and NGO experience. Mr. Kothari's experience as a former Special Rapporteur, Independent Expert and civil society leader gave him valuable knowledge to carry out the mandate. The Consultative Group was impressed by his awareness of the relevant issues, his skill in conveying his ideas and his vision of the mandate, and his ability to work with various stakeholders.

17. Mr. De Zayas has a strong background in many areas of Human Rights Law. He is currently a Professor of International Law at the Geneva School of Diplomacy and a visiting professor at numerous institutions. He has had high level and long-term work experience with the United Nations human rights mechanisms and has served as the Secretary of the Human Rights Committee.

18. Mr. Mammadov has a solid legal and medical background, with a focus on medical ethics. He has worked in business and has a good awareness of political and economic issues relevant to the mandate.

4. Special Rapporteur on the situation of human rights in the Syrian Arab Republic

19. The Consultative Group considered that there were 3 candidates best qualified to fulfil the mandate. The Group unanimously recommended the following candidates according to the ranking below:

1. **Mr. Paulo PINHEIRO** (Brasil)
2. **Mr. Amin MEDANI** (Sudan)
3. **Mr. Steven HEYDEMANN** (United States of America)

20. Mr. Pinheiro has more than 30 years of practical and academic experience in research and monitoring human rights including as a professor, research coordinator, Commissioner and Rapporteur on Children at the Inter-American Commission on Human Rights, and as an international advisor to the International

Committee of the Red Cross. He has broad UN and regional experience, including as a Special Rapporteur on the human rights situations in Burundi and Myanmar, chair of the Independent Special Commission of Inquiry on Timor-Leste and as a member of the UN International Commission of Inquiry on Alleged Violations in Togo. Mr. Pinheiro also serves as a member of the UN fact finding mission in the Syrian Arab Republic. The Consultative Group were impressed by Mr. Pinheiro's experience, his ability to engage States, opposition groups and civil society and his focus on the rights of victims.

21. Mr. Medani is a human rights lawyer and senior partner in a law firm in Khartoum. He held senior positions with the UN system, including Representative in the Regional Office of the Office of the High Commissioner for Human Rights for the Arab Regions in Beirut and Legal Advisor to the Special Representative of the Secretary-General in Afghanistan and Legal Advisor to the Special Representative of the Secretary-General in Iraq. He clearly articulated his vision for the mandate and demonstrated a strong ability to work with a diverse range of actors in the field of Human Rights.

22. Mr. Heydemann is a senior advisor to the US Institute for Peace and a specialist on governance in Syria and the Middle East. He has broad experience as an advocate of political reform, rights, and democratization as an academic and practitioner.

5. Independent Expert on the situation of human rights in the Sudan

23. The Consultative Group considered that there were 3 candidates best qualified to fulfil the mandate. The Group unanimously recommended the following candidates according to the ranking below:

1. Mr. Mashood BADERIN (Nigeria)

2. Mr. Makau MUTUA (Kenya)

3. Mr. Edward THOMAS (Ireland)

24. Mr. Baderin has extensive academic and in country experience as a specialist in human rights and Islamic law, including as Head of the International Law and Human Rights Unit at the University of the West of England, Bristol and as a visiting expert in Sudan for the UK Department for International Development. The Consultative group was impressed by Mr. Baderin's awareness of the issues specific to the situation in Sudan, his ability to express a clear, focused and practical approach to the mandate and his knowledge of the legal and cultural context. The Group remarked in particular his ability to articulate the relationships between Islamic law and culture within Sudan.

25. Mr. Mutua has a long-standing background in human rights as both a practitioner and as an academic. He has experience in the area of the mandate with a strong focus on non-discrimination and the equal protection of individuals. He has drafted bills of rights and human rights legislation for governments and founded the Kenyan Human Rights Commission. The Consultative Group remarked his strong motivation and his diverse and high level achievements in the field of human rights.

26. Mr. Thomas has a long academic experience with a specialization in Sudanese social and legal history as well as broad experience for the UN and NGO's in a range of countries. He has worked in Sudan as a childrens' rights advisor and has experience engaging a broad range of actors, including State forces and independent armed groups. The Consultative Group noted his expertise in Sudanese culture and law.

Annex I List of candidates nominated by mandate

Special Rapporteur on the promotion of truth, justice, reparation and guarantee of non-recurrence

	<u>Candidates</u>	<u>Nationality</u>
Mr.	Geoffrey BIRD	Australia
Mr.	Santiago CORCUERA-CABEZUT	México
Mr.	Pablo DE GREIFF	Colombia
Mr.	Alfred DE ZAYAS	United States of America
Ms.	Dora Ruth DEL VALLE COBAR	Guatemala
Mr.	Mohab EL SHORBAGI	Egypt
Ms.	Suzannah LINTON	Germany
Mr.	Vugar MAMMADOV	Azerbaijan
Ms.	Julissa MANTILLA	Peru
Ms.	Monica MCWILLIAMS	Ireland
Mr.	Abdelhay MOUDDEN	Morocco
Ms.	Diane ORENTLICHER	United States of America
Mr.	Horacio RAVENNA	Argentina
Mr.	Ronald SLYE	United States of America
Ms.	Yasmin Louise SOOKA	South Africa

Expert Mechanism on the rights of indigenous peoples

	<u>Candidates</u>	<u>Nationality, Indigenous Origin</u>
Mr.	Vital BAMBANZE	Burundi, Batwa
Ms.	Nnenna ELUWA	Nigeria, Igbo
Ms.	Patronella Phindi MOLOPYANE	South Africa, African/Tswana
Mr.	Danfred TITUS	South Africa, Mixed

Independent Expert on the promotion of a democratic and equitable international order

	<u>Candidates</u>	<u>Nationality</u>
Mr.	Alfred DE ZAYAS	United States of America
Mr.	Miloon KOTHARI	India
Mr.	Vugar MAMMADOV	Azerbaijan
Mr.	Jean ZIEGLER	Switzerland

Special Rapporteur on the situation of human rights in the Syrian Arab Republic

	<u>Candidates</u>	<u>Nationality</u>
Mr.	Steven HEYDEMANN	United States of America
Mr.	Amin MEDANI	Sudan
Mr.	Aly MOHAMED SALEM	Mauritania
Mr.	Paulo PINHEIRO	Brasil

Independent Expert on the situation of human rights in the Sudan

	<u>Candidates</u>	<u>Nationality</u>
Ms.	Hadial AL ASMAR	Syrian Arab Republic
Mr.	Mashood BADERIN	Nigeria
Ms.	Karima BENNOUNE	United States of America
Mr.	Ahmed ELMOFTI	Sudan
Mr.	Mohab ELSHORBAGI	Egypt
Mr.	Hassan KAYA	Tanzania
Mr.	Mohamed MANDOUR	Egypt
Mr.	Makau MUTUA	Kenya
Mr.	Kiritkumar PARMAR	India
Mr.	Edward Boyd THOMAS	Ireland

Annex II List of candidates interviewed by the Consultative Group

Special Rapporteur on the promotion of truth, justice, reparation and guarantee of non-recurrence

	<u>Candidates</u>	<u>Nationality</u>
Mr. Santiago	CORCUERA-CABEZUT	México
Mr. Paulo	DE GREIFF	Columbia
Ms. Monica	MCWILLIAMS	Ireland
Ms. Diane	ORENTLICHER	United States of America
Ms. Yasmin Louise	SOOKA	South Africa

Expert Mechanism on the rights of indigenous peoples

	<u>Candidates</u>	<u>Nationality, Indigenous Origin</u>
Mr. Vital	BAMBANZE	Burundi, Batwa
Ms. Nnenna	ELUWA	Nigeria, Igbo
Mr. Danfred	TITUS	South Africa, Mixed

Independent Expert on the promotion of a democratic and equitable international order

	<u>Candidates</u>	<u>Nationality</u>
Mr. Alfred	DE ZAYAS	United States of America
Mr. Miloon	KOTHARI	India
Mr. Vugar	MAMMADOV	Azerbaijan

Special Rapporteur on the situation of human rights in the Syrian Arab Republic

	<u>Candidates</u>	<u>Nationality</u>
Mr. Steven	HEYDEMANN	United States of America
Mr. Amin	MEDANI	Sudan
Mr. Paulo	PINHEIRO	Brazil

Independent Expert on the situation of human rights in the Sudan

	<u>Candidates</u>	<u>Nationality</u>
Mr. Mashood	BADERIN	Nigeria
Mr. Hassan	KAYA	Tanzania
Mr. Makau	MUTUA	Kenya
Mr. Edward Boyd	THOMAS	Ireland