

PROPOSED CRITERIA FOR THE SELECTION OF CANDIDATES FOR THE UNWORKING GROUP ON DISCRIMINATION AGAINST WOMEN

In March 2011 at the 16th session of the United Nations Human Rights Council (HRC), the President of the Council is to appoint five independent human rights experts to serve as the Working Group on Discrimination against Women, created by the HRC at its 15th session by resolution 15/23.

Suggestions for appointment should be based on the technical, professional and other requirements for eligible candidates for Special Procedure mandate holders.

Human Rights Council (HRC) resolution 5/1 sets general 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.'

HRC decision 6/102 establishes four specific technical and objective requirements to be considered in the selection of Special Procedures mandate-holders: qualifications, relevant expertise, established competence and flexibility/readiness and availability of time.

The following checklist presents the elaboration of the mandate-holder selection criteria as an interpretive aid for those requirements. It has been developed by Action Canada for Population and Development, The African Women's Development and Communication Network (FEMNET), Akina Mama wa Afrika, Amnesty International, the Committee for Latin America and the Caribbean for the Defence of the Rights of Women (CLADEM), Equality Now, Femmes Africa Solidarité, Human Rights Watch, the International Commission of Jurists, Women and Law in Southern Africa and Women in Law and Development in Africa (WiLDAF) Ghana.

Our organisations call on governments, NGOs and others, including relevant professional networks, to use the following checklist to identify eligible candidates for consideration for the upcoming nomination of the Working Group on Discrimination against Women. In addition, we believe that attention should be given by the Human Rights Council to ensuring that the Working Group appointees reflect a representation of legal systems and traditions and that Working Group members have a demonstrated knowledge of economic, social and cultural rights as well as civil and political rights. We urge governments to call publicly for candidates eg through media advertisement, and to consult civil society nationally before nominating candidates.

NGOs and others wishing to nominate candidates should send the names of eligible candidates to the Office of the High Commissioner for Human Rights for inclusion in the public list (roster) used as a basis for the appointment (<http://www.2ohchr.org/english/bodies/chr/special/nominations.htm>). The deadline for receipt of nominations is Friday, 3 December 2010.

1. Qualifications (and skills): *relevant educational qualifications and equivalent professional experience in the field of human rights; good communication skills in at least one of the official working languages of the United Nations.*

Checklist:

- A post-graduate university degree or equivalent in a discipline directly related to the mandate with a substantial focus on law, which should include public international law and international human rights law;
- Excellent oral and written communication skills in at least one and preferably more of the UN working languages;
- Extensive experience in dealing with different actors, including governments, civil society and media.

2. Relevant expertise: *knowledge of international human rights instruments and standards; 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, particularly as they relate to the implementation in practice of states' obligations to ensure gender equality in all areas of life where women experience discrimination in law and practice. This should include strategic awareness of the challenges of enforcement of women's rights to equality in the enjoyment of their human rights, whether civil, political, economic, social or cultural, and noting that women's human rights are universal, indivisible, interdependent and inter-related;
- At least 10 years of progressively responsible work experience in the field of human rights, in particular in addressing issues of gender equality in law and practice;
- Experience in assessing law and regulations and their implementation from a human rights and gender equality perspective and knowledge of good practices in legislation that promote gender equality. Knowledge of differing legal systems an added advantage;
- Practical experience of working through law to access justice and advance women's equality, and ancillary methods to law, such as legal education and paralegal services, which provide enabling environments for implementation of gender equality;
- Good knowledge of the international and regional legal frameworks and case law relevant to the requirement of gender equality and the prohibition of discrimination against women, as well as of institutional mandates of the United Nations or other international or regional organisations in the area of human rights.

3. Established competence: *nationally, regionally or internationally recognised competence related to human rights.*

Checklist:

- The ability to conduct both academic and field research required in conducting fact-finding missions;
- Extensive experience in critically analysing information and data, including in order to be able to identify and document trends and make effective recommendations;
- Experience in interacting with women victims of human rights violations, in particular of discrimination and inequality;
- Experience in interacting with state authorities (including parliamentarians, law makers, law enforcement personnel and other officials);
- Awareness of the intersectionality of multiple forms of discrimination against women, (eg women with disabilities and other socially-marginalised women who face a heightened risk of discrimination);
- Commitment to working closely with a range of stakeholders, including NGOs.

Experience in handling cases of discrimination against women before judicial and quasi-judicial bodies would also be an asset.

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 and ability to conduct or support and assess national level reviews of laws that discriminate against women and provide concrete suggestions based on knowledge of good practices to eliminate such discrimination;
- A demonstrated belief in and commitment to human rights in general, and women's equality in law and practice in particular;
- A commitment to uphold the integrity, independence and impartiality of the working group's mandate;
- Willingness and ability to devote a substantial proportion of working hours to fulfilling the mandate, preparing and presenting reports to the Human Rights Council and attending UN meetings.

The organisations which developed this list do not consider that a mandate holder must meet each and every specification in the above checklist. However, the strongest candidates should meet a substantial number of them. Please note also that this checklist is not intended to be exhaustive as to desirable qualifications for the role of members of the Working Group on Discrimination against Women.

11 November 2010