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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 holder to be appointed at the 21st 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.

7 September 2012
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**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 21st 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 current Members of the Consultative Group, who serve in their personal capacity pursuant to paragraph 49 of Annex to Council resolution 5/1, are H.E. Mohamed Ali Alhakim, Permanent Representative of Iraq; Ms. Harriet Elisabeth Berg, Minister-Councillor of the Permanent Mission of Norway; H.E. Umunna H. Orijako, Permanent Representative of Nigeria; H.E. Rodolfo Ryes Rodriguez, Permanent Representative of Cuba and H.E. Fedor Rosocha, Permanent Representative of Slovakia.

II. Process

2. The Consultative Group held 3 formal meetings on 30 August, 3 and 4 September 2012 to consider candidates for the 3 vacancies of mandate holders to be appointed at the twenty-first session of the Council. Based on a decision of the Consultative Group, H.E. Fedor Rosocha chaired all the aforementioned meetings.

3. The Consultative Group reviewed the applications of 25 candidates who submitted specific applications for the aforementioned vacancies in accordance with the relevant paragraphs of Council resolution 16/21. 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 9 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 by telephone, and were asked identical 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 situation of human rights in Eritrea

7. The Consultative Group considered that there were 3 candidates best qualified to fulfil the mandate. In light of the Group's assessment, it decided to recommend the following candidates, in order of preference:

- 1. Ms. Beedwantee KEETHARUTH** (Mauritius)
- 2. Mr. Pekka HAAVISTO** (Finland)
- 3. Ms. Gay MCDOUGALL** (United States of America)

8. Ms. Keetharuth has a strong human rights background with extensive experience in functions such as Executive Director of Institute for Human Rights and Development in Africa and Interim Head of Office of the Africa Regional Office of Amnesty International. She has worked for many years with civil society as well as on issues relating to human rights and social justice in Africa, and has attended the first consultation between Special Mechanisms of the United Nations and the African Commission on Human and People's Rights. As barrister at law, Ms. Keetharuth has also participated in human rights fact-finding missions in several countries in Africa. In addition, she has led a team of lawyers working with partners in selected countries to encourage the use of international treaties having a relevance to basic human rights in arguments before national jurisdictions.

9. Mr. Haavisto has broad and extensive experience in dealing with different actors in the Horn of Africa region in particular as former Special Representative of the European Union for Sudan and Darfur during which he participated in the Abudja peace process and reported on the human rights issues. Previously he worked on human rights issues as the Minister for Development Cooperation of Finland, as well as on the questions of human rights and environmental rights. Mr. Haavisto has also been working as a Special Envoy of the Finnish Foreign Minister to the Horn of Africa and Sudan. He has good knowledge of international human rights instruments and norms.

10. Ms. McDougall has extensive knowledge of international human rights instruments, norms, principles and the institutional mechanisms of the UN from her previous experiences as the Independent Expert on Minority Issues, Executive Director of the NGO Global Rights and member of the Committee on Elimination of All Forms of Racial Discrimination. She was invited to serve as the Drinan Visiting Professor of Human Rights at the Georgetown Law School and is a faculty member at the American University Academy of Human Rights and Humanitarian Law.

2. Special Rapporteur on the situation of human rights in Belarus

11. The Consultative Group considered that there were 3 candidates best qualified to fulfil the mandate. In light of the Group's assessment, it decided to recommend the following candidates, in order of preference:

- 1. Ms. Sophie Hanne GREVE** (Norway)
- 2. Mr. Miklós HARASZTI** (Hungary)
- 3. Mr. Jared GENSER** (United States of America)

12. Ms. Greve has a strong legal background from various institutions, including the European Court of Human Rights where she served as a judge and from the Council of Europe Group of Experts on Action against Trafficking in Human Beings of which is currently a member. She has also served as a Commissioner in the United Nations Commission of Experts established pursuant to Security Council Resolution 780 (1992) to examine and analyse information on the evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia.

13. Mr. Haraszti has acted as the Head of Organisation for Security and Cooperation in Europe (OSCE) election missions and as the OSCE's Representative on Freedom of the media. He has experience in human rights and working with civil society, and as OSCE's representative, he co-issued recommendations jointly with the freedom of expression Special Rapporteurs of the United Nations, the African Commission on Human and Peoples' Rights and the Organization of American States. Mr. Haraszti has also published several works and reports relating to human rights and media, journalists and freedom of expression.

14. Mr. Genser has experience as a practitioner advocating for the release of prisoners of conscience. Mr. Genser has also worked extensively with Council's special procedures both country and thematic mandates. He is currently acting as the Managing Director of a law firm focused on public international law, human rights, and corporate social responsibility projects.

2. Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes

15. The Consultative Group considered that there were 3 candidates best qualified to fulfil the mandate. In light of the Group's assessment, it decided to recommend the following candidates, in order of preference:

1. Mr. David BOYD (Canada)
2. Mr. Marc PALLEMAERTS (Belgium)
3. Ms. Fatma-Zohra VESELY (Algeria)

16. Mr. Boyd is an adjunct professor at the Simon Fraser University of Canada. He has published numerous articles on environment law, hazardous substances and human rights, and has worked on matters involving the Basel Convention, the Rotterdam Convention, the Stockholm Convention on Persistent Organic Pollutants, and other UN-led efforts to protect human health and the environment from hazardous substances. As Special Advisor on Sustainability to Canada's Prime Minister, he has worked on a national strategy to reduce the health effects of toxic substance. He has broad experiences in working with stakeholders on environmental and human rights issues, including private sector and civil society.

17. Mr. Pallemerts has a broad background in issues relating to hazardous substances through his experience as head of the Belgian delegation to the International Negotiating Committee in the negotiation of several environment related standards. He is an alternate and additional legal member of the Board of Appeal of the European Chemicals Agency. Mr. Pallemerts is also involved in civil society work including the Pesticides Action Network and European Centre on Sustainable Policies for Human and Environmental Rights.

18. Ms. Vesely has knowledge of international instruments, norms and principles acquired while participating in various human rights institutions such as the Working Group on situations, the 1503 procedure, and the Working Group on contemporary forms of slavery. She has worked on human rights and the environment and on human rights and toxic wastes under the former Human Rights Commission.

Annex I List of candidates nominated by mandate

Special Rapporteur on the situation of human rights in Eritrea

<u>Candidates</u>	<u>Nationality</u>
Mr. Jose DOUGAN-BEACA	Equatorial Guinea
Mr. Pekka HAAVISTO	Finland
Ms. Beedwantee KEETHARUTH	Mauritius
Ms. Gay MCDOUGALL	United States of America
Ms. Caroline Joelle NWABUEZE	Cameroon
Ms. Habiba OSMAN	Malawi
Ms. Patricia TAPPATÁ VALDEZ	Argentina

Special Rapporteur on the situation of human rights in Belarus

<u>Candidates</u>	<u>Nationality</u>
Mr. Georgy DZHIBLADZE	Russian Federation
Mr. Jared GENSER	United States of America
Mr. Antonio GONCALVES	Portugal
Ms. Sophie Hanne GREVE	Norway
Mr. Miklós HARASZTI	Hungary
Mr. Jean-Marie HEYDT	Switzerland
Mr. Neil JARMAN	United Kingdom of Great Britain and Northern Ireland
Mr. Serghei OSTAF	Republic of Moldova
Mr. Pavel SEIFTER	Czech Republic
Mr. Andrey YUROV	Russian Federation
Mr. Yevgeniy ZHOVTIS	Kazakhstan

Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes

<u>Candidates</u>			<u>Nationality</u>
Mr.	David	BOYD	Canada
Ms.	Yuyun	ISMAWATI	Indonesia
Mr.	Marc	LIMON	United Kingdom of Great Britain and Northern Ireland
Mr.	Marc	PALLEMAERTS	Belgium
Mr.	Dalindyebo	SHABALALA	South Africa
Ms.	Fatma-Zohra	VESELY	Algeria
Mr.	Imeru Tamrat	YIGEZU	Ethiopia

Annex II List of candidates interviewed by the Consultative Group

Special Rapporteur on the situation of human rights in Eritrea

<u>Candidates</u>			<u>Nationality</u>
Mr.	Pekka	HAAVISTO	Finland
Ms.	Beedwantee	KEETHARUTH	Mauritius
Ms.	Gay	MCDUGALL	United States of America

Special Rapporteur on the situation of human rights in Belarus

<u>Candidates</u>			<u>Nationality</u>
Mr.	Jared	GENSER	United States of America
Ms.	Sophie Hanne	GREVE	Norway
Mr.	Miklós	HARASZTI	Hungary

Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes

<u>Candidates</u>			<u>Nationality</u>
Mr.	David	BOYD	Canada
Mr.	Marc	PALLEMAERTS	Belgium
Ms.	Fatma-Zohra	VESELY	Algeria