

**Report of the Consultative Group to the President of the Human Rights Council
relating to the vacancies of mandate holders to be appointed
at the thirty-seventh session of the Human Rights Council**

Part I: Eight mandates

2 February 2018

I. Background

1. In paragraph 47 of the annex to its resolution 5/1, the Human Rights Council decided to establish a Consultative Group comprised of Permanent Representatives identified by Regional Groups and serving in their personal capacity. The Consultative Group is mandated by the Council to propose to the President a list of candidates who possess the highest qualifications for the mandate in question and meet the general criteria and particular requirements. Recommendations to the President of the Human Rights Council are required to be made public and substantiated pursuant to paragraph 50 of the annex to resolution 5/1.
2. The members of the Consultative Group for the selection of mandate holders to be appointed at the thirty-seventh session of the Human Rights Council (26 February - 23 March 2018) are: H.E. Mr. Hans Brattskar (Permanent Representative of Norway), H.E. Mr. Israhyananda Dhalladoo (Permanent Representative of Mauritius), H.E. Mr. Giampaolo Carmelo Rizzo Alvarado (Permanent Representative of Honduras), H.E. Mr. Amran Mohamed Zin (Permanent Representative of Malaysia) and H.E. Ms. Vesna Batistić Kos (Permanent Representative of Croatia) who assumed her functions as the Eastern European member of the Group on 28 June 2017. The working cycle of the current Consultative Group commenced on 1 April 2017 and will end on 31 March 2018, pursuant to paragraph 1(b) of Council decision 30/115.
3. A total of nine mandate holder vacancies are to be filled at the Council's thirty-seventh session as follows (listed in alphabetical order):
 1. **Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), member from Africa** [HRC resolution 33/25]
 2. **Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), member from North America** [HRC resolution 33/25]
 3. **Independent Expert on the promotion of a democratic and equitable international order** [HRC resolution 36/4]
 4. **Independent Expert on the situation of human rights in Mali** [HRC resolution 34/39]
 5. **Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence** [HRC resolution 36/7]
 6. **Special Rapporteur on the rights to freedom of peaceful assembly and of association** [HRC resolution 32/32]
 7. **Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from African States** [HRC resolution 33/4]
 8. **Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Eastern European States** [HRC resolution 33/4]

9. Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Latin American and Caribbean States [HRC resolution 33/4]

4. The present report contains the list of recommended candidates proposed by the Consultative Group to the President of the Council for eight of the nine mandates.
5. Two of the above vacancies, namely those of the Independent Expert on the situation of human rights in Mali and the Special Rapporteur on the rights to freedom of peaceful assembly and of association, were not initially foreseen and arose due to the resignation of two mandate holders, Mr. Suliman Baldo (Sudan) and Ms. Annalisa Ciampi (Italy), from their respective posts.
6. Due to the more recent resignation and subsequent launch, on 18 December 2017, of the call for applications for the Special Rapporteur on the rights to freedom of peaceful assembly and of association, recommendations of the Consultative Group in relation to this mandate will be the subject of Part II of the Group's report (forthcoming as a separate document).

II. Process

7. For the following seven mandates, the application period for the submission of applications was from 16 October to 28 November 2017, extended to 6 December 2017 due to the initially limited number of applications received:
 - Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), member from Africa;
 - Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), member from North America;
 - Independent Expert on the promotion of a democratic and equitable international order
 - Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence;
 - Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from African States;
 - Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Eastern European States;
 - Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Latin American and Caribbean States;
8. The application period for the submission of applications for the Independent Expert on the situation of human rights in Mali was from 30 October to 28 November 2017, extended to 6 December 2017 due to the initially limited number of applications received.
9. The Consultative Group considered 53 individual applications from 51 eligible candidates submitted for the eight aforementioned specific vacancies in accordance with the relevant paragraphs of Human Rights Council resolution 16/21.¹ The applications of eligible candidates were made public on the designated OHCHR web page² of special procedures as provided for in paragraph 22 (b) of the annex to Council resolution 16/21 (see annex I of this report).
10. In accordance with established practice, it was decided that each member of the Consultative Group would individually rank and propose a list of candidates for each vacancy drawing on the

¹ There were two candidates who each submitted applications for two different mandates in this selection round.

² <http://www.ohchr.org/EN/HRBodies/SP/Pages/HRC37.aspx>

written applications received, reflecting on their stated qualifications, relevant experience, expertise, independence, impartiality, personal integrity, objectivity, availability and motivation in compliance with relevant provisions of Human Rights Council resolution 5/1, decision 6/102, resolution 16/21 and relevant Council resolutions establishing the specific mandates under consideration. As a result of this ranking exercise, a shortlist of candidates to be interviewed was established for each mandate.

11. As decided by the Group, as a matter of principle, at its organizational meeting on 19 April 2017, and referred to in its previous reports (respectively, paragraph 12 of report dated 12 May 2017³ and paragraph 14 of report dated 10 August 2017⁴) on the actual or perceived conflict of interest that may arise when a member of the Group has the same nationality as an eligible candidate, concerned members did not participate either in the shortlisting of candidates or in the interviews and evaluation after the interviews when such a situation occurred (see also paragraphs 37 and 45 below). All the members were nevertheless present during the whole process to ensure the equal treatment of all candidates.

12. The Consultative Group held nine formal meetings, including two meetings with interpretation, from 8 to 12 January 2018, to consider shortlisted candidates for eight out of the nine aforementioned vacancies.

13. Following the Group's previous decision, the chairing function continued to be equally shared amongst the five members on a rotational basis according to the overall number of mandates to be considered during this cycle.

14. The members of the Consultative Group took into full consideration the technical and objective requirements as stipulated in paragraphs 39-41, 44-46, 48, 50-51 of the annex to Human Rights Council resolution 5/1, decision 6/102 and paragraph 22 of resolution 16/21, and relevant Council resolutions establishing the specific mandates under consideration. In addition, for the vacancies in the Expert Mechanism on the Rights of Indigenous Peoples, the Group took into consideration paragraph 6 of Council resolution 33/25, which strongly recommends that, in the selection and appointment process, due regard be given to recognized competence and experience in the rights of indigenous peoples, experts of indigenous origin, and gender balance; in addition to the criteria for nominating, selecting and appointing mandate holders established by the Human Rights Council in paragraphs 39 to 53 of the annex to its resolution 5/1. Accordingly, the Group gave due regard, *inter alia*, to the indigenous origin of the candidates as per their self-identification in their application forms.

15. As per paragraph 51 of the annex to Council resolution 5/1, the Consultative Group took note of the perspectives offered by stakeholders including current or outgoing mandate holders in determining the necessary expertise, experience, skills and other relevant requirements for the mandates in question.⁵

16. The Group held a total of 34 interviews with 33 shortlisted candidates for the eight aforementioned vacancies (see annex II of this report).⁶ These interviews occurred from 8 to 12 January 2018, pursuant to paragraph 22 (c) of the annex to Human Rights Council resolution 16/21.

³ Report of the Consultative Group (dated 12 May 2017, see http://www.ohchr.org/Documents/HRBodies/SP/CallApplications/HRC35/CGReportHRC35_12May17_for_circulation.docx).

⁴ Report of the Consultative Group (dated 10 August 2017, see <http://www.ohchr.org/Documents/HRBodies/SP/CallApplications/HRC36/CGReportHRC36%2010aug17%20final.docx>).

⁵ As per paragraph 51 of the annex to Human Rights Council resolution 5/1. Letter from the Chairperson of the Coordination Committee of Special Procedures (dated 5 January 2018, see <http://www.ohchr.org/Documents/HRBodies/SP/LetterCoordinationCommitteetoCG-Jan52018.pdf>).

⁶ One candidate was interviewed for two mandates.

Each candidate was asked similar questions based on the relevant provisions of Council resolution 5/1, decision 6/102, resolution 16/21 and relevant Council resolutions establishing the specific mandates under consideration.

17. Shortlisted candidates were able to request in advance and make use of interpretation in one of the six official languages of the United Nations during their telephone interviews, pursuant to the President's statement 29/1 of 3 July 2015.

18. The decisions of the Consultative Group were taken by consensus.

III. Issues discussed

19. The Consultative Group wishes to note certain issues that emerged during this selection round in relation to the pool of qualified candidates for the mandates to be filled. The Group faced difficulties regarding an insufficient number of qualified candidates in some instances and is considering the possibility of making certain recommendations in this regard at the conclusion of its term.

20. From the outset, the Consultative Group has made a strong commitment to pay due attention to gender balance throughout its term to address the lack of gender parity among appointed mandate holders. The Group noted that there has generally been a low number of eligible and qualified women candidates for many of the vacant mandates. In this selection round, from the total number of 51 eligible candidates who applied within the deadline, only 12 candidates were women, representing approximately 24 per cent of all eligible candidates.

21. In assessing the candidates in this selection round, the Consultative Group was mindful of previous situations when current mandate holders were applying to new mandates, including the situation that arose at the thirty-second session of the Council in June 2016. In his letter of 30 June 2016⁷ and also at the time of the adoption of his list of candidates, the President of the Human Rights Council referred to the difficulties that arose by proposing a candidate for a new mandate who was still serving the term as a current mandate holder on a different mandate. The President noted in particular that the appointment of a current mandate holder for another mandate entails a possible protection gap or an extension of service of an outgoing mandate holder, and this should be discouraged. More importantly, he emphasized the clear understanding that this should not serve as a precedent and not be repeated in future circumstances. In this context, the Consultative Group recalled also its own previous consideration as referenced in paragraph 16 of its report dated 12 May 2017.⁸ Accordingly, for one of the mandates in the current selection round, the Group decided not to recommend a serving mandate holder for another mandate.

IV. Candidates proposed by the Consultative Group to the President for the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), member from Africa

22. Meetings held by the Consultative Group in relation to this mandate were chaired by the Permanent Representative of Mauritius. There were six eligible candidates for this vacancy. Of the

⁷ Letter from the President of the Human Rights Council containing the list of candidates proposed for the five vacancies of special procedure mandate holders to be appointed at the thirty-second session of the Human Rights Council (dated 30 June 2016, see <http://www.ohchr.org/Documents/HRBodies/SP/CallApplications/HRC32/LetterPresident30June2016.pdf>).

⁸ Report of the Consultative Group (dated 12 May 2017, see http://www.ohchr.org/Documents/HRBodies/SP/CallApplications/HRC35/CGReportHRC35_12May17_for_circulation.docx).

five candidates interviewed, the Consultative Group decided to recommend the following three candidates as best qualified to fulfil the mandate, ranking them in the order of preference below.

1. Albert Kwokwo BARUME (M) (Democratic Republic of the Congo)

Indigenous origin: not specified

2. Paul Kanyinke SENA (M) (Kenya)

Indigenous origin: Ogiek/Maasai

3. Sanji MONAGENG (F) (Botswana)

Indigenous origin: not specified

23. **Albert Kwokwo Barume** is a human rights lawyer with some 20 years of experience specialised on the rights of indigenous peoples in Africa. He is the current outgoing EMRIP chair and member from Africa.⁹ At the regional level, he served as an independent expert on indigenous peoples' rights with the African Commission on Human and Peoples' Rights. He also worked for the International Labour Organization as a coordinator and senior specialist on indigenous peoples' rights, participated in several United Nations standard-setting processes and initiatives and contributed to the recent review of the EMRIP mandate by the Human Rights Council. In his work on indigenous issues in Africa and around the world he has engaged with officials, national human rights institutions and civil society organizations in different regions and promoted a multi-stakeholder approach. The Consultative Group noted his extensive experience at the international, regional and national levels on this issue, together with his active role in the recent revision of the EMRIP mandate, and demonstrated motivation to contribute further to the promotion, protection and fulfilment of the rights of indigenous peoples in particular through the new provision for technical assistance, which made him well-suited to continue serving on this mandate for another term. The Group considered that the candidate's unspecified indigenous origin was not a hindrance, attested by his commitment and experience in the promotion of the rights of indigenous peoples.

24. **Paul Kanyinke Sena** is a lecturer in human rights law at Egerton University, Kenya, and serves as Kenya Advocacy Officer for the organization Minority Rights Group International. He teaches an annual indigenous peoples' rights course at the Centre for Human Rights of the University of Pretoria in South Africa. He is a current member of the Working Group on Indigenous Populations / Communities of the African Commission on Human and Peoples' Rights. From 2011 to 2013, he served as member and chair of the United Nations Permanent Forum on Indigenous Issues. Throughout his professional career, he has engaged with the United Nations mechanisms, including the EMRIP, treaty bodies and the Human Rights Council, and with national and regional human rights mechanisms, including while serving as the East Africa regional representative for the Indigenous Peoples of Africa Coordinating Committee (IPACC), a large network of African indigenous peoples' organizations. He participated in the negotiations leading to the adoption of the United Nations Declaration on the Rights of Indigenous Peoples. The Consultative Group noted his enthusiasm and outstanding understanding of the challenges faced by indigenous communities in the continent and around the world. The Group noted his excellent assessment and vision of the contribution of the EMRIP mandate to promote and protect the rights of indigenous peoples, also due to his wide international exposure and experience.

25. **Sanji Monageng** is presently a Judge at the International Criminal Court in The Hague in the Netherlands. She previously served as a Judge at the High Court Swaziland and at the High Court of the Gambia. She also served as Commissioner and Chairperson of the African Commission on Human and Peoples' Rights from 2003 to 2009. Ms. Monageng was the Founder and Chief Executive Officer

⁹ He was appointed in March 2015 is eligible for reappointment for a second three-year term pursuant to paragraph 7 of Council resolution 33/25.

of the Law Society of Botswana and a Magistrate in Botswana. She has worked with women's and children's human rights organizations in Botswana, including Women and Law in Southern Africa and Emang Basadi Women's organization. She is also an active member of the International Commission of Jurists and the International Association of Women Judges. The Consultative Group noted her impressive professional qualifications and legal background, as well as her extensive experience at the institutional level. The candidate displayed a good knowledge of the legal and institutional challenges faced by indigenous communities and shared her willingness and passion to transpose her regional institutional expertise to the international level.

V. Candidates proposed by the Consultative Group to the President for the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), member from North America

26. Meetings held by the Consultative Group in relation to this mandate were chaired by the Permanent Representative of Mauritius. There were three eligible candidates for this vacancy. The Consultative Group interviewed all three candidates and decided to recommend them as qualified to fulfil the mandate, ranking them in the order of preference below.

1. Kristen CARPENTER (F) (United States of America)

Indigenous origin: not specified

2. Robin THOMPSON (F) (Canada)

Indigenous origin: Swampy Cree Metis

3. Ben SHERMAN (M) (United States of America)

Indigenous origin: Oglala Sioux Tribe, Pine Ridge Indian Reservation

27. **Kristen Carpenter** is the Council Tree Professor of Law at the University of Colorado Law School in the United States of America and the current outgoing EMRIP member from North America.¹⁰ She is a founding member of the Center for Native American and Indigenous Studies at the University of Colorado and an elected member of the American Law Institute and the Federal Bar Association's Indian Law Section. She has worked as a pro bono lawyer with tribes, the Native American Rights Fund, National Congress of American Indians and other entities. Her research focuses on the legal claims of indigenous peoples, especially with respect to issues of property, freedom of religion, cultural heritage, child protection and human rights. She has published her research on indigenous peoples in international law and a number of articles on the rights of indigenous people and participated in public events and presentations in a variety of settings including the United Nations in New York, at universities and for tribes. She has engaged with the Human Rights Council and its mechanisms as well as international organizations such as the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Intellectual Property Organization (WIPO), and regionally with the Inter-American Commission on Human Rights. The Consultative Group noted her specialized legal expertise and her life-long commitment in promoting the rights of indigenous peoples at the international, regional and national levels. Her participation in the recent review of the EMRIP mandate, including her clear vision of how to move forward the role of the mechanism in particular regarding the implementation of the Declaration and its operationalization made her very well-suited to continue to serve the mandate for another term. The Group considered that the candidate's unspecified indigenous origin was not a hindrance.

28. **Robin Thompson** is an independent indigenous legal expert. She was the co-founder and Chief Executive Officer of Stonebridge Indigenous Justice Inc., a Canadian indigenous organization

¹⁰ She was appointed in March 2017 for an exceptional one-year transitional term and is eligible for reappointment for a three-year term pursuant to, respectively, paragraphs 5 and 7 of Council resolution 33/25.

dedicated to educating legal professionals on the colonial policies affecting indigenous peoples. She engaged directly with EMRIP as an Indigenous Fellow at the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2015. She has been working with indigenous peoples and communities in the areas of over-incarceration as an indigenous rights issue, self-determination, self-government and economic development, and is a board member of the Canadian organization Centre for First Nations Governance. Ms. Thompson is a Gladue report writer, preparing reports prior to bail or sentencing on behalf of indigenous offenders to identify alternatives to incarceration. The Consultative Group noted her commitment to promoting the right to self-determination of indigenous peoples and to ensuring the protection of their land and resources. Her legal expertise and work at the local level would be assets to the revised EMRIP mandate.

29. **Ben Sherman** is the founding member and chair of the World Indigenous Tourism Alliance (WINTA), an international network of indigenous individuals and groups. His work and training activities focus on the issue of indigenous tourism development and advocacy for indigenous human rights to international audiences. He has personal experience of growing up in a reservation as member of an indigenous tribe in the United States of America and of transitioning into the non-indigenous community to pursue his education. He has participated in a number of public events on indigenous tourism and attended a session of the EMRIP in Geneva. The Consultative Group noted his lived experience as a member of an indigenous community and his strong interest in advancing indigenous human rights at the international level.

V. Candidates proposed by the Consultative Group to the President for the Independent Expert on the promotion of a democratic and equitable international order

30. Meetings held by the Consultative Group in relation to this mandate were chaired by the Permanent Representative of Mauritius. There were eight eligible candidates for this vacancy. The Consultative Group noted the absence of female candidates for the position. Of the five candidates interviewed, the Consultative Group decided to recommend the following three candidates as best qualified to fulfil the mandate, ranking them in the order of preference below.

1. Livingstone SEWANYANA (M) (Uganda)

2. Ibrahim ALJAZY (M) (Jordan)

3. Carlos VILLÁN DURÁN (M) (Spain)

31. **Livingstone Sewanyana** is the Founder and Executive Director of the Foundation for Human Rights Initiative, a human rights advocacy group in Uganda and in the East African region. He is a human rights lawyer and advocate in the High Court of Uganda and has provided leadership and expertise to several organizations including Penal Reform International, Defend Defenders and the Citizens Coalition for Electoral Democracy in Uganda. He works on issues such as human rights and democracy, access to justice, electoral reform and civic education. He has engaged with the United Nations human rights mechanisms, including through submissions to the treaty bodies and the universal periodic review of the Human Rights Council. He has published and made statements on human rights non-governmental organizations and human rights in the African system, and has been awarded several prizes in the field of human rights including the 2015 European Union Human Rights Defender Award. The Consultative Group noted his engagement with various United Nations human rights mechanisms and his in-depth understanding of the dynamics of international processes. It also noted with interest the candidate's understanding and thoughtful approach to the mandate, also linking it with the candidate's legal findings on national elections in the advancement of democratic processes.

32. **Ibrahim Aljazy** is a Professor of International Public Law at the University of Jordan. His work focuses, inter alia, on human rights law, environmental law, humanitarian law and democracy. His professional experience includes previous service as Minister of Justice and State Minister of Legal Affairs in Jordan, Director of the Rule of Law and Anti-Corruption Center in Doha, Qatar, and membership in a number of organizations including the Jordan Bar Association, Arab Organization of Human Rights and presidency of the Jordanian Branch of the International Law Association. He has published on human rights issues in the Arab region, and has engaged with the United Nations human rights mechanisms. The Consultative Group noted his rich legal and academic background, as well as his national political exposure and experience, which were put at the service of more a concrete and practical approach at the regional level.

33. **Carlos Villán Durán** is the Co-Director and Professor at the Master on International Protection of Human Rights of the University of Alcalá and Professor of International Human Rights Law at the University of the Basque Country, both in Spain. He also serves as President of the Spanish Society for International Human Rights Law. He previously worked on various human rights issues as staff member of OHCHR. He has engaged with the Human Rights Council and its mechanisms on human the right to peace and other human rights issues. The Consultative Group noted his knowledge and understanding of the international human rights mechanisms and processes, as well as his broad approach to the mandate.

VI. Candidates proposed by the Consultative Group to the President for the Independent Expert on the situation of human rights in Mali

34. The Consultative Group makes the below recommendation for the mandate of the Independent Expert on the situation of human rights in Mali with the understanding that the appointment will be confirmed only provided that the mandate itself is renewed by the Human Rights Council at its thirty-seventh session.

35. Meetings held by the Consultative Group in relation to this mandate were chaired by the Permanent Representative of Norway. There were seven eligible candidates for this vacancy. Of the five candidates interviewed, the Consultative Group decided to recommend the following expert as the only candidate qualified to fulfil the mandate.

1. Alioune TINE (M) (Senegal)

36. **Alioune Tine** is the Regional Director for West and Central Africa of Amnesty International. He is also the founder and former President of the non-governmental organization Rencontre Africaine pour la Défense des Droits de l'Homme (RADDHO) and former Director of the Senegalese Committee of Human Rights. He has experience in human rights at the national, regional and international level and in his human rights advocacy work he has engaged with United Nations human rights mechanisms including the Human Rights Council and treaty bodies, and at the regional level, with the African Union, African Commission on Human and Peoples' Rights and the Economic Community of West African States (ECOWAS). He has facilitated political dialogue and observed elections in various African countries, including in Mali. He has published on human rights issues, with a particular focus on West Africa. He is the recipient of several awards including Chevalier de la Légion d'Honneur (2011). The Consultative Group noted the candidate's vast experience in human rights in the civil society sector, his knowledge of the situation of human rights in Mali and his commitment to promoting human rights and upholding international standards.

VII. Candidates proposed by the Consultative Group to the President for the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

37. Meetings held by the Consultative Group in relation to this mandate were chaired by the Permanent Representative of Norway. There were 19 eligible candidates for this vacancy. As indicated in paragraph 11 above and based on the principled decision of the Consultative Group on the actual or perceived conflict of interest that may arise when a member of the Group has the same nationality as an eligible candidate, the Permanent Representatives of Honduras and Norway did not participate in the short listing of the candidates to be interviewed. In view of the fact that neither the Honduran nor the Norwegian candidate was shortlisted, both Permanent Representatives took part in the interview process.

38. Of the six candidates interviewed, the Consultative Group decided to recommend the following four candidates as best qualified to fulfil the mandate, ranking them in the order of preference below, with two candidates ranked equally and listed alphabetically in the third place.

1. R. Maria VICIEN-MILBURN (F) (Argentina)

2. Alexander MAYER-RIECKH (M) (Austria)

3. Zonke MAJODINA (F) (South Africa) and Fabián SALVIOLI (M) (Argentina)

39. **R. Maria Vicien-Milburn** is an attorney admitted to practice in Argentina and in the State of New York, United States of America, currently acting as an independent arbitrator in international commercial disputes. This former United Nations civil servant practiced public international law within the United Nations system, while holding posts inter alia as Executive Secretary of the United Nations Administrative Tribunal and Director of the General Legal Division in the Office of Legal Affairs. She has expertise and provided advice on the establishment and functioning of a number of institutions intended to address human rights violations in post-conflict situations, such as the International Criminal Tribunal for the former Yugoslavia, the Special Court for Sierra Leone, the International Criminal Court, as well as a series of peacekeeping operations, particularly the United Nations Interim Administration Mission in Kosovo (UNMIK).¹¹ As General Counsel at UNESCO, she advised inter alia on the operation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and on issues arising out of the Israel-Palestine conflict. The Consultative Group noted her extensive legal background and expertise, including on the establishment of mechanisms of transitional justice, and her vast experience in dealing, in different capacities, with legal and commercial disputes. It also noted her commitment to engage with and consult all relevant stakeholders.

40. **Alexander Mayer-Rieckh** is an independent consultant on human rights, transitional justice and security sector reform issues. He has expertise in the issues of guarantees of non-recurrence, institutional reform in post-conflict and other transitional settings, and his work focuses on advising multilateral actors, donor Governments and governmental actors in post-conflict settings on security and justice sector reform to prevent recurrence of human rights violations, training and developing policy in this area. He served as the Deputy Chief and then Chief of the Human Rights Office of the United Nations Mission in Bosnia and Herzegovina, and the Head of the Operations and Documentation Unit of the United Nations Human Rights Field Operation in Rwanda. He also worked as Director of the Security Sector Reform Programme at the International Center for Transitional

¹¹ All references to Kosovo in the present document should be understood in full compliance with Security Council resolution 1244 (1999) and without prejudice to the status of Kosovo.

Justice. He has published, lectured and made public statements on topics related to transitional justice. The Consultative Group noted his impressive experience and expertise on transitional justice, including through his close cooperation with the previous mandate holder. The Group also noted his vision on how to move forward the mandate, including his outstanding understanding of the gender dimension of the mandate.

41. **Zonke Majodina** is a human rights consultant and former Commissioner at the South African Human Rights Commission from 1999 to 2009, working on, inter alia, the harmonization of South African laws with international standards, encouraging ratification of international and regional human rights treaties and contributing to reports to United Nations treaty bodies and other mechanisms. Her international experience includes two terms as Member of the Human Rights Committee (2007-2014), of which two years serving as its Chair and also as the rapporteur in deliberations of the Committee on petitions involving claims to reparation. She has lectured on forced migration and other human rights issues. The Consultative Group noted her enthusiasm and passion for human rights, in particular with regard to the challenge posed by post-conflict reparation and reintegration of child soldiers. It also noted her experience with and knowledge of human rights mechanisms.

42. **Fabián Salvioli** is a human rights lawyer, professor of International Public Law, Director of the Human Rights Institute and the Director of the Human Rights Master Program at the National University of La Plata, Argentina, with several visiting professor posts in other foreign academic institutions. His two terms as a member of the Human Rights Committee (2009-2016) included service as rapporteur of the Committee for the establishment of guidelines on reparations and the Chair of the Committee for the period 2014-2016. Regionally, he submitted petitions before the Inter-American Commission on Human Rights and litigated cases before the Inter-American Court of Human Rights. He has published and lectured extensively on a variety of human rights issues. The Consultative Group noted his expertise and publications on transitional justice, as well as his direct involvement in various transitional justice institutions and commissions. It took note of his commitment to promote dialogue between all parties and stakeholders and to uphold international human rights norms and standards.

VIII. Candidates proposed by the Consultative Group to the President for the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from African States

43. Meetings held by the Consultative Group in relation to this mandate were chaired by the Permanent Representative of Norway. There were three eligible candidates for this vacancy. The Consultative Group interviewed all three candidates and decided to recommend the following candidate as best qualified to fulfil the mandate, bearing in mind the principled consideration regarding a current mandate holder applying for another mandate as outlined in paragraph 21 above.

1. Chris KWAJA (M) (Nigeria)

44. **Chris Kwaja** is a Senior Lecturer and Researcher at the Centre for Peace and Security Studies of Modibbo Adama University of Technology in Nigeria and a Trustee of the organization “Synergia - Initiative for Human Rights”, a cross-regional organization focusing on security and protection, rights and advocacy. His doctoral work for a Ph.D. in International Relations and Strategic Studies focused on security sector reform and peacebuilding in Liberia. His work, research and publications has focused on the activities of private military and security companies and the use of mercenaries, particularly in Nigeria, Liberia, Sierra Leone, Darfur (Sudan) and West Africa. He has participated in public events and presentations including on the involvement of the private security sector in peacekeeping missions. The Consultative Group noted his strong regional expertise on the subject

matter, in particular with regard to the nexus between national security breaches and the activities of private military companies. The Group noted his keenness to translate international human rights norms and standards into local and regional action, as well as his readiness to build on local and regional concerns to feed in the discussion at the international level.

IX. Candidates proposed by the Consultative Group to the President for the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Eastern European States

45. Meetings held by the Consultative Group in relation to this mandate were chaired by the Permanent Representative of Honduras. There were four eligible candidates for this vacancy. Of the four candidates interviewed, the Consultative Group decided to recommend the following two candidates as best qualified to fulfil the mandate, ranking them in the order of preference below and expressing a strong preference for the first candidate who demonstrated her qualifications, experience and motivation for the mandate convincingly. As indicated in paragraph 11 of the present report and based on the principled decision of the Consultative Group on the actual or perceived conflict of interest that may arise when a member of the Group has the same nationality as a candidate, the Permanent Representative of Croatia did not take part in the interview and in the evaluation after the interview, but was present during the process.

1. Jelena APARAC (F) (Croatia)

2. Kinga DÉRY (F) (Hungary)

46. **Jelena Aparac** is assistant professor and a final-year Ph.D. candidate in International Law at the University of Paris Nanterre. She has lectured on subjects such as international humanitarian law, fundamental freedoms, corporate liability and sexual violence in armed conflicts. Her research explores the involvement in, and legal liability of, private military companies for international crimes occurring in the context of non-international armed conflicts and the application of international human rights law and international humanitarian law to economic actors. As field worker and legal counsel for Médecins sans Frontières (MSF) she worked in conflict areas such as South Sudan, Chad, the Democratic Republic of the Congo and the Central African Republic. She has been an Academic Friend of the Advisory Committee of the Human Rights Council since 2016 and her previous experience includes an internship with the International Criminal Tribunal for Rwanda and with the Office for the Coordination of Humanitarian Affairs (OCHA). She has participated in numerous conferences and published a number of articles and research on private military companies and corporate liability in armed conflicts. The Consultative Group noted her demonstrated strong familiarity with current issues and challenges faced by the Working Group and her keen interest in using a collaborative approach, reinforced dialogue with States and a wide range of stakeholders and lessons learnt in the implementation of the mandate.

47. **Kinga Déry** is a former Senior Adviser at the Embassy of the Netherlands in Hungary where she worked on identifying pertinent areas of justice cooperation between State and non-State partners in Hungary and the Netherlands. She was previously staff and later consultant at OHCHR on issues related to mercenaries and private military and security companies and supporting the work of special procedures including the Working Group on the use of mercenaries. Her prior experience also includes work as project manager and legal adviser for the International Committee of the Red Cross and at the Office of the Parliamentary Commissioner for Human Rights (ombudsman) of Hungary. She has conducted research on international humanitarian law and on the activities of private military and security companies abroad. The Consultative Group noted her knowledge of the work of the Working Group and that of other human rights mechanisms, as well as her expertise in both human rights and humanitarian law.

X. Candidates proposed by the Consultative Group to the President for the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Latin American and Caribbean States

48. Meetings held by the Consultative Group in relation to this mandate were chaired by the Permanent Representative of Croatia. There were three eligible candidates for this vacancy. The Consultative Group interviewed all three candidates and decided to recommend them as qualified to fulfil the mandate, ranking them in the order of preference below.

1. Lilian BOBEA (F) (Dominican Republic)

2. Juan Carlos SAINZ BORGÓ (M) (Bolivarian Republic of Venezuela)

3. José Augusto LINDGREN ALVES (M) (Brazil)

49. **Lilian Bobea** is a policy consultant whose research and work focus on the intersection of security policies, democracy and human rights. Previously she was Professor of Sociology at Bentley University in the United States of America. She specializes on human security and issues such as regional and national security, citizen security, international organized crime, non-state actors and violence, police, military and justice reform and the privatization of security, primarily in Latin America and the Caribbean. Her current consulting work for Chemonics and USAID concerns mediation centres to diminish conflict and prevent abuse against Haitian immigrants in the border region between Haiti and the Dominican Republic. She is a founding member of PROCIVIL and Creating Community, education and training initiatives seeking to empower civilians to become stakeholders in security matters. Her consulting, publications and conference participation have brought her into contact with a variety of actors including governments, universities, non-governmental organizations as well as INSTRAW (United Nations International Research and Training Institute for the Advancement of Women). The Consultative Group noted her strong experience in applied research and expertise on the Latin American and Caribbean region. The Group noted her extensive published research in the field of human security and her strong commitment to fundamental human rights principles.

50. **Juan Carlos Sainz Borgo** is the Dean, Professor of International Law and President of the Human Rights Centre at the University for Peace in Costa Rica. His previous experience includes work as legal adviser of the International Committee of the Red Cross for the Regional Delegation of Venezuela and the Caribbean, as research coordinator of the Human Rights Centre of the Universidad Central de Venezuela and consultancies for the Inter-American Court of Human Rights and other entities. His work focuses on conflict in Colombia, post-conflict violence in Central America, interactions between human rights and international humanitarian law and the environmental consequences of conflict. He has published on the issues of access to justice, humanitarian law and poverty and has participated in public conferences and events including on post-conflict and peace-building. The Consultative Group noted his innovative and collaborative approach to the mandate of the Working Group, as well as his dedication and commitment to the ideals of peace of the United Nations as also embodied by the University for Peace.

51. **José Augusto Lindgren Alves** is the Executive-Secretary of the Institute for Public Policies of Human Rights of MERCOSUR (Southern Common Market) in Buenos Aires, Argentina. He has held a number of positions in United Nations bodies, including in the areas of human rights and social issues, the latest being the four-term membership of the Committee on the Elimination of Racial Discrimination (CERD) from 2002 to 2017. A retired career diplomat, he held various diplomatic positions in Brazilian Embassies and representations, including as Ambassador in Bulgaria, Hungary and Bosnia and Herzegovina, and was Head of the United Nations Division in the Ministry of Foreign

Affairs. He has published and participated in public events and conferences, including on human rights, racism and truth and justice. The Consultative Group noted his vast experience of the functioning of human rights mechanisms, his understanding of human rights dynamics, as well as his diplomatic skills.

Annex I - List of eligible candidates considered by mandate¹²**Expert Mechanism on the Rights of Indigenous Peoples, member from Africa**

First name	Last name	Nationality	Gender
Abdelgalil	AGABAIN	Sudan	M
Albert Kwokwo	BARUME	Democratic Republic of Congo	M
Sanji	MONAGENG	Botswana	F
Paul Kanyinke	SENA	Kenya	M
Severin	SINDIZERA	Burundi	M
Mouhamadou Moustapha	THIOUNE	Senegal	M

Expert Mechanism on the Rights of Indigenous Peoples, member from North America

First name	Last name	Nationality	Gender
Kristen	CARPENTER	United States of America	F
Ben	SHERMAN	United States of America	M
Robin	THOMPSON	Canada	F

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

First name	Last name	Nationality	Gender
Ibrahim	ALJAZY	Jordan	M
Giancarlo	GUARINO	Italy	M
Muhammad Muzahidul	ISLAM	Bangladesh	M
Hafez	SEADA	Egypt	M
Livingstone	SEWANYANA	Uganda	M
Darjel	SINA	Albania	M
Abdul Majid	TRAMBOO	United Kingdom of Great Britain and Northern Ireland	M
Carlos	VILLÁN DURÁN	Spain	M

¹² The list of mandates and of candidates is provided in alphabetical order.

Independent Expert on the situation of human rights in Mali

First name	Last name	Nationality	Gender
Nadège	CHELL	France	F
Ravind	LUGUN	Mauritius	M
Mike	MWIKI KABANGE	Democratic Republic of the Congo	M
Cyrille	OGUIN	Benin	M
M. Abraham	SANYOH	Stateless	M
Souvi	SIDI BATT	Mauritania	M
Alioune	TINE	Senegal	M

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

First name	Last name	Nationality	Gender
Ibrahim	ALJAZY	Jordan	Male
Kerem	ALTIPARMAK	Turkey	Male
Mads	ANDENAS	Norway	Male
Daniel	BEKELE	Ethiopia	Male
Carlos	CASTRESANA FERNANDEZ	Spain	Male
Christina	CERNA	United States of America	Female
Mario	CORIOLANO	Argentina	Male
Daniel	FEIERSTEIN	Argentina	Male
Laurel	FLETCHER	United States of America	Female
Muhammad Muzahidul	ISLAM	Bangladesh	Male
Roselyn	KARUGONJO-SEGAWA	Uganda	Female
Karim Asad Ahmad	KHAN	United Kingdom of Great Britain and Northern Ireland	Male
Zonke	MAJODINA	South Africa	Female
Alexander	MAYER-RIECKH	Austria	Male
Stephan	PARMENTIER	Belgium	Male
Fabián	SALVIOLI	Argentina	Male
Goran	ŠIMIĆ	Bosnia and Herzegovina	Male
Leo	VALLADARES LANZA	Honduras	Male
R. Maria	VICIEN-MILBURN	Argentina	Female

Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from African States

First name	Last name	Nationality	Gender
Sabelo	GUMEDZE	South Africa	M
Justinian	KATEERA	Uganda	M
Chris	KWAJA	Nigeria	M

Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Eastern European States

First name	Last name	Nationality	Gender
Jelena	APARAC	Croatia	F
Kinga	DÉRY	Hungary	F
Ireneusz Cezary	KAMINSKI	Poland	M
Vakhtang	MAISAIA	Georgia	M

Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Latin American and Caribbean States

First name	Last name	Nationality	Gender
Lilian	BOBEA	Dominican Republic	F
Juan Carlos	SAINZ BORG	Venezuela (Bolivarian Republic of)	M
José Augusto	LINDGREN ALVES	Brazil	M

Annex II – List of shortlisted candidates interviewed by the Consultative Group¹³**Expert Mechanism on the Rights of Indigenous Peoples, member from Africa**

First name	Last name	Nationality	Gender
Albert Kwokwo	BARUME	Democratic Republic of Congo	M
Sanji	MONAGENG	Botswana	F
Paul Kanyinke	SENA	Kenya	M
Severin	SINDIZERA	Burundi	M
Mouhamadou Moustapha	THIOUNE	Senegal	M

Expert Mechanism on the Rights of Indigenous Peoples, member from North America

First name	Last name	Nationality	Gender
Kristen	CARPENTER	United States of America	F
Ben	SHERMAN	United States of America	M
Robin	THOMPSON	Canada	F

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

First name	Last name	Nationality	Gender
Ibrahim	ALJAZY	Jordan	M
Muhammad Muzahidul	ISLAM	Bangladesh	M
Hafez	SEADA	Egypt	M
Livingstone	SEWANYANA	Uganda	M
Carlos	VILLÁN DURÁN	Spain	M

¹³ The list of mandates and of candidates is provided in alphabetical order.

Independent Expert on the situation of human rights in Mali

First name	Last name	Nationality	Gender
Nadège	CHELL	France	F
Mike	MWIKA KABANGE	Democratic Republic of the Congo	M
Cyrille	OGUIN	Benin	M
Souvi	SIDI BATT	Mauritania	M
Alioune	TINE	Senegal	M

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

First name	Last name	Nationality	Gender
Muhammad Muzahidul	ISLAM	Bangladesh	Male
Karim Asad Ahmad	KHAN	United Kingdom of Great Britain and Northern Ireland	Male
Zonke	MAJODINA	South Africa	Female
Alexander	MAYER-RIECKH	Austria	Male
Fabián	SALVIOLI	Argentina	Male
R. Maria	VICIEN-MILBURN	Argentina	Female

Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from African States

First name	Last name	Nationality	Gender
Sabelo	GUMEDZE	South Africa	M
Justinian	KATEERA	Uganda	M
Chris	KWAJA	Nigeria	M

Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Eastern European States

First name	Last name	Nationality	Gender
Jelena	APARAC	Croatia	F
Kinga	DÉRY	Hungary	F
Ireneusz Cezary	KAMINSKI	Poland	M
Vakhtang	MAISAIA	Georgia	M

Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Latin American and Caribbean States

First name	Last name	Nationality	Gender
Lilian	BOBEA	Dominican Republic	F
Juan Carlos	SAINZ BORGÓ	Venezuela (Bolivarian Republic of)	M
José Augusto	LINDGREN ALVES	Brazil	M
