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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 20th session of the Human Rights Council.

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

21 May 2012

Report of the Consultative Group to the President of the Human Rights Council relating to the Special Procedures mandate holder to be appointed at the 20th 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. Umunna H. ORJIAKO, Permanent Representative of Nigeria; H.E. Fedor ROSOCHA, Permanent Representative of Slovakia and Ms. Harriet Elisabeth BERG, Minister Counsellor of Norway.

II. Process

2. The Consultative Group held 3 formal meetings on 14, 15 and 16 May 2012 to consider candidates for the vacancy of Independent Expert on the issue of human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment to be appointed at the twentieth session of the Council. Based on a decision of the Consultative Group, H.E. Umunna H. ORJIAKO chaired all the aforementioned meetings.

3. The Consultative Group was informed that a total of 19 candidates submitted specific applications for the vacancy, 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, 46, 48 and 50, as well as in Council decision 6/102. The Group 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 6 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 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

7. The Consultative 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, the Group decided to recommend the 3 candidates below, in order of preference.

1. Mr. David BOYD (Canada)

2. Mr. John KNOX (USA)

3. Ms. Dinah SHELTON (USA)

8. Mr. Boyd is an adjunct professor at Simon Fraser University of Canada. He is an expert on the right to a healthy environment through national constitutions and has provided advice to governments on this matter. He also has the experience of working with indigenous people in relation to human rights and environment. He has published books and articles on environment law and policy, aboriginal people's rights, human rights, international law and constitutional law. Mr. Boyd is the co-chair of Vancouver's Greenest City Action Team. He has also worked in the Canadian government as a special advisor on sustainability, providing advice on environment policy issues and on sustainable development in particular in the Kyoto Protocol process.

9. Mr. Knox is a professor at the Wake Forest University of the United States of America. He has published articles and book chapters on human rights, environment rights, and climate change. He has the experience working with the United Nations mechanisms on human rights and climate change and has provided advice to governments on issues related to climate change. Mr. Knox has participated in the negotiation process of several human rights instruments and has worked with governments and non-governmental organization in the field of international environment law.

10. Ms. Shelton is a professor at the George Washington University of the United States of America and a member of the Inter-American Commission on Human Rights. She has worked as a consultant of the United Nations Environment Programme and the Office of the High Commissioner for Human Rights. Ms. Shelton has published books on human rights and the environment and has received awards and prizes for her work on international environment law and human rights law.

Annex I List of candidates nominated

**Independent Expert on the issue of human rights obligation related to the enjoyment of
a safe, clean, healthy and sustainable development**

<u>Candidates</u>			<u>Nationality</u>
Mr.	Donald	ANTON	Australia
Mr.	Daniel	BODANSKY	United States of America
Mr.	David	BOYD	Canada
Ms.	Maria	CARMONA	Mexico
Ms.	Raquel	GUTIERREZ NAJERA	Mexico
Mr.	John	KNOX	United States of America
Mr.	Yves	LADOR	Switzerland
Mr.	Cesare	LOMBRASSA	Italy
Mr.	Daniel	MAGRAW	United States of America
Mr.	Thilo	MARAUHN	Germany
Ms.	Sandrayati	MONIAGA	Indonesia
Mr.	Angel Daen	MORALES GARCIA	Mexico
Mr.	Marcos	ORELLANA	Chile
Mr.	Cesare	ROMANO	Italy
Mr.	Prem Chand	SHARMA	India
Mr.	Rajiv	SHARMA	India
Ms.	Dinah	SHELTON	United States of America
Ms.	Gulazat	TURSUN	China
Ms.	Fatma-Zohra	VESELY	Algeria

Annex II List of candidates interviewed by the Consultative Group

Independent Expert on the issue of human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment

<u>Candidates</u>			<u>Nationality</u>
Mr.	David	BOYD	Canada
Mr.	John	KNOX	United States of America
Mr.	Daniel	MAGRAW	United States of America
Mr.	Marcos	ORELLANA	Chile
Ms.	Dinah	SHELTON	United States of America
Ms.	Fatma-Zohra	VESELY	Algeria