**Report of the Consultative Group to the President of the Human Rights Council relating to the vacancies of special procedures mandate holders which were scheduled to be appointed at the twenty-seventh session
of the Human Rights Council**

**ADDENDUM
Mandate of the Independent Expert on the situation of human rights in the Sudan**

1. **Background**
2. In a letter dated 24 September 2014, the President of the Human Rights Council proposed a list of candidates to be appointed by the Human Rights Council at its twenty-seventh session to fulfil seven proposed special procedures mandate-holders positions[[1]](#footnote-2). This list was based on the report of the Consultative Group circulated to all Member States on 9 September 2014.
3. The Human Rights Council, at its 42nd meeting on 26 September 2014, decided to postpone the appointments to an organizational meeting of the Council to be held any time before the end of the twentieth session of the Working Group on the Universal Periodic Review (27 October to 7 November 2014). That organizational meeting has subsequently been scheduled for 6 November 2014.
4. In a letter dated 1 October 2014, and further to additional consultations with Member States, the President of the Human Rights Council invited the Consultative Group[[2]](#footnote-3) to reconsider the list of candidates proposed for the position of the Independent Expert on the situation of human rights in the Sudan and to provide a new recommendation to him within three weeks.
5. In reflecting on the President’s invitation, the Consultative Group considered several factors. First, that of the two recommended candidates for the position, one has notionally been identified for another mandate, as he has been included in the list of the President proposed to the Human Rights Council for endorsement. Second, and related, the initial pool of eligible candidates for this position was limited[[3]](#footnote-4), and a larger pool would be required in order to fulfil the President’s request. Therefore, subsequent to an exchange with the Chairperson of the Consultative Group, H.E. Ms. Elissa Golberg (letter of 3 October 2014), the President of the Council invited the Secretariat of the Council, in collaboration with the Chairperson, to take the steps necessary to enlarge the pool of candidates to be interviewed solely for the mandate of the Independent Expert on the situation of human rights in the Sudan (letter of 3 October 2014).
6. **Process**
7. In view of the aforementioned facts, including the limited initial pool of applicants and compressed timelines to fulfil the President’s request, the Consultative Group underscores that this selection process constitutes “*exceptional circumstances*” under the provisions outlined in paragraph 50 of the annex to Human Rights Council resolution 5/1 and paragraph 22(c) of the annex to Council resolution 16/21, the latter of which provides that “*the Consultative Group will consider, in a transparent manner, candidates having applied for each specific mandate. However, under exceptional circumstances and if a particular post justifies it, the Group may consider additional candidates with equal or more suitable qualifications for the post. The Group shall interview shortlisted candidates to ensure equal treatment of all candidates*.”
8. As such, the Consultative Group requested the Secretariat to compile a list of candidates who had previously applied for vacancies in 2014 as special procedures mandate holders in working groups or country-specific mandates, or who possessed specific experience in technical assistance and capacity-building, and who had been shortlisted and interviewed by the Consultative Group but were not appointed as mandate-holders by the Human Rights Council.
9. Drawing on the Secretariat’s inventory, and in accordance with established practice, each member of the Consultative Group proposed a list of candidates to be interviewed, reflecting on the candidates’ 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, as well as Council resolution 27/29 that had renewed the Independent Expert mandate. Each list was subsequently compared and jointly assessed. As a result of this exercise, an additional shortlist of candidates to be interviewed was established for this mandate.
10. The Secretariat subsequently contacted the shortlisted candidates to confirm their interest to be considered for the mandate of the Independent Expert on the situation of human rights in the Sudan. As a result, six additional candidates were interviewed (see annex).
11. The Consultative Group held one formal meeting on 23 October 2014 to consider and interview additional candidates for the vacancy of the Independent Expert on the situation of human rights in the Sudan. H.E. Mr. Rytis Paulauskas, Vice-Chair of the Consultative Group, presided over this meeting.
12. The Group spent some six hours interviewing a total of six additional shortlisted candidates for the aforementioned vacancy. Each candidate was asked similar questions based on the relevant provisions of Council resolution 5/1, decision 6/102, resolution 16/21, and Council resolution 27/29. Subsequent deliberations were held to determine which additional candidates would be proposed.
13. **Candidates proposed by the Consultative Group to the President for the Independent Expert on the situation of human rights in the Sudan**
14. As noted above, the Consultative Group interviewed an additional six candidates for this vacancy who demonstrated relevant experience and competencies, as well as a readiness to assume the role. It should be noted that the Consultative Group considers these candidates to be in addition to the first recommended candidate (Mr. Edward THOMAS) proposed in the report of the Consultative Group circulated to all Member States on 9 September 2014, whose recommendation remains valid. The Group has clarified to its satisfaction the circumstances surrounding information that was brought forward subsequent to the circulation of its report, and continues to believe Mr. Thomas has the ability to effectively perform the functions expected of the mandate holder and should be considered a viable candidate.
15. The Group therefore decided to recommend in addition to Mr. Thomas the following four additional candidates as qualified to fulfil the Independent Expert role, listing them in alphabetical order below:

Mr. Enoch MULEMBE (Zambia)

Mr. Aristide NONONSI (Benin)

Mr. John PACE (Malta)

Mr. Donald RUKARE (Uganda)

1. Mr. Mulembe currently works as the Director of the Zambia Institute of Advanced Legal Education in Zambia. He served in the Human Rights Commission of Zambia for fifteen years, including in senior positions such as Head of Research and Planning and Director and Chief Executive Officer. He has also lectured in human rights law at the University of Zambia. Previously, Mr. Mulembe served as a member of the United Nations Committee on Enforced Disappearances and also provided expert advice and training on State reporting to various treaty bodies. He has also engaged with non-governmental organizations and is the current Chairperson of the Zambia Civic Education Association which focuses on children's rights.
2. Mr. Nononsi is currently the Executive Director of the Institute of Human Rights and Development in Africa. As Associate Director of the Centre for Developing Area Studies and Associate Member of the Centre for Human Rights and Legal Pluralism at McGill University in Montreal, Canada, Mr. Nononsi has direct experience coordinating multi-stakeholder post-conflict projects on peace and development in several African countries. He has also worked for the African Development Bank and for the International Labour Organization in Côte d’Ivoire, as well as in Tunisia, Algeria and Switzerland and has engaged in training and capacity-building activities on human rights systems and procedures in Africa.
3. Mr. Pace is a Senior Visiting Fellow at the Faculty of Law at the University of New South Wales in Australia and Board member for the Diplomacy Training Programme. His career as an international civil servant, academic and consultant has included extensive service with the UN, most recently as Chief of the Human Rights Office for the UN Assistance Mission for Iraq, and various assignments in the UN Division of Human Rights, Centre for Human Rights and OHCHR including as Chief of Special Procedures, Secretary to the Commission on Human Rights and Coordinator of the World Conference on Human Rights in Vienna. Mr. Pace has extensive experience inter alia in training, reporting on and monitoring treaty obligations, technical assistance, reform of the administration of justice, the assessment of national human rights institutions. He has also done initial work on a regional human rights mechanism for ASEAN. Mr. Pace has served as Chief Executive of Australian Legal Resources International.
4. Mr. Rukare is a professor of international law and has been working since 2010 as the Country Director of the Uganda office of Global Rights, a civil society organization involved in the promotion and protection of human rights. He has more than ten years of experience teaching and working as a consultant for various international organizations and development aid agencies including UNDP, World Bank and Irish Aid on issues related to human rights, access to justice, good governance and development. Mr. Rukare has lectured in international law and human rights inter alia at Makerere University in Uganda and the Center for Human Rights at the University of Pretoria in South Africa. He has written and published in the area of human rights and governance including on the role of development assistance in the promotion and protection of human rights in Uganda.

*Annex*

*List of additional shortlisted candidates interviewed by the Consultative Group[[4]](#footnote-5)*

**Independent Expert on the situation of human rights in the Sudan**

**Candidates Nationality**

Mr. Olivier BERCAULT France

Mr. Enoch MULEMBE Zambia

Mr. Aristide NONONSI Benin

Mr. John PACE Malta

Mr. Donald RUKARE Uganda

Ms. Sima SAMAR Afghanistan

1. Available on the OHCHR web page for appointments to be made at the twenty-seventh session of the Human Rights Council: <http://www.ohchr.org/EN/HRBodies/SP/Pages/HRC27.aspx> [↑](#footnote-ref-2)
2. The members of the 2014 Consultative Group are: H.E. Mr. Luis Enrique Chávez Basagoitia, Permanent Representative of Peru; H.E. Ms. Elissa Golberg (Chairperson), Permanent Representative of Canada; H.E. Mr. Omar Hilale, Permanent Representative of Morocco; H.E. Mr. Rytis Paulauskas (Vice-Chairperson), Permanent Representative of Lithuania; and H.E. Mr. Yoo Yeonchul, Deputy Permanent Representative of the Republic of Korea. [↑](#footnote-ref-3)
3. There were five eligible applicants for the position. [↑](#footnote-ref-4)
4. The list of candidates is provided in alphabetical order. [↑](#footnote-ref-5)