



PROPOSED CRITERIA FOR SELECTION AND APPOINTMENT OF MEMBERS FOR THE UN WORKING GROUP ON THE ISSUE OF DISCRIMINATION AGAINST WOMEN IN LAW AND IN PRACTICE

The Human Rights Council will appoint four new members of the UN **Working Group on the issue of discrimination against women in law and in practice** at its 36th regular session in September 2017.

Amnesty International, Alkarama Foundation, the Global Initiative for Economic, Social and Cultural Rights, the International Commission of Jurists, the International Lesbian, Gay, Bisexual, Trans and Intersex Association, the International Service for Human Rights and the World Organization against Torture, call on States, NGOs and others, including relevant professional networks, to use the checklist attached to identify eligible candidates. The strongest candidates should meet a substantial number of the criteria in the checklist. The deadline for applications expired on 1 June 2017 (12h00 GMT).¹

Human Rights Council resolution 5/1 sets out the formal 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.”

Resolution 5/1 provides that to be **independent** “individuals holding decision-making positions in Government or in any other organisation or entity which may give rise to a conflict of interest with the responsibilities inherent to the mandate shall be excluded.” The conflict of interest provision has also been interpreted to mean that candidates are expected to clarify how, if appointed, they would deal with any perceived or actual conflict of interest in relation to governments, inter-governmental organisations, or non-governmental organisations.

We call for attention to be given to **geographical representation** and **gender diversity**, encompassing all forms of gender identity and expression, noting that in the resolution “due consideration should be given to gender balance and equitable geographic representation, and to an appropriate representation of different legal systems” (para. 40). The selected candidate should be a “**highly qualified** individuals who possess established **competence**, relevant **expertise** and extensive professional **experience** in the field of human rights” (para. 41).

Human Rights Council decision 6/102 establishes four technical and objective requirements to be considered in the selection of Special Procedures mandate-holders:

1. qualifications,
2. relevant expertise,
3. established competence and
4. flexibility/readiness and availability of time.

The following checklist is intended as an interpretive aid for those requirements and is not intended to be exhaustive:

¹ <http://www.ohchr.org/EN/HRBodies/SP/Pages/HRC36.aspx>

CHECKLIST FOR SELECTION OF MEMBERS FOR THE UN WORKING GROUP ON THE ISSUE OF DISCRIMINATION AGAINST WOMEN IN LAW AND IN PRACTICE

1. QUALIFICATIONS (AND SKILLS): RELEVANT EDUCATIONAL QUALIFICATIONS AND EQUIVALENT PROFESSIONAL EXPERIENCE IN THE FIELD OF HUMAN RIGHTS.

Checklist:

- An advanced university degree, or equivalent experience, that includes a discipline directly related to the mandate of the Working group, preferably with a substantial focus on international human rights law.
- Academic publications or other published material (articles, studies, reports, research papers or any similar written material demonstrating in-depth knowledge) addressing issues relevant to the mandate, from a human rights perspective.
- Excellent oral and written communication skills in at least one of the UN working languages (English, French and Spanish). Communication skills in other UN working language are highly desirable. Knowledge of other widely-used or official UN languages, such as Arabic, Chinese or Russian, would also be an asset.
- Extensive experience in public speaking (for example in expert seminars) and also in communicating with governments, the media and other relevant stakeholders.
- Extensive experience in dealing with different actors, including governments, civil society and media.

2. RELEVANT EXPERTISE: KNOWLEDGE OF INTERNATIONAL HUMAN RIGHTS INSTRUMENTS, NORMS, STANDARDS AND PRINCIPLES; AS WELL AS 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:

- A substantial level of progressively responsible experience in the field of human rights, including in conducting or monitoring human rights investigations.
- Extensive experience in critically analysing information and data, in order to be able to review individual cases as well as identify trends and make effective recommendations to States and other actors.
- Experience in interacting with women victims of human rights violations, in particular of discrimination and inequality and awareness of the situation of women human rights defenders;
- Extensive experience in working in varied socio-cultural, legal and religious contexts to raise awareness on, and foster understanding of, human rights.
- Experience in interacting with state authorities (including parliamentarians, law makers, law enforcement personnel and other officials);
- Experience in handling cases of discrimination against women before judicial and quasi-judicial bodies would also be an asset.
- Awareness of the intersectionality of multiple forms of discrimination against women, (eg women with disabilities, LGBTI women and socially-marginalised women who face a heightened risk of discrimination);
- Commitment to working closely with a range of stakeholders, including women human rights defenders and NGOs.

3. ESTABLISHED COMPETENCE: NATIONALLY, REGIONALLY OR INTERNATIONALLY RECOGNISED COMPETENCE RELATED TO 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;
- A substantial level of progressively responsible 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;
- In-depth understanding of the concepts of gender, gender identity and gender expression.
- 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.

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 promote sexual and gender equality and 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.