



E-mail: hrcpresidency@unog.ch

HUMAN RIGHTS COUNCIL

1 July 2015

Excellencies,

In my capacity as President of the Human Rights Council, I have the honour to submit for your attention the list of candidates proposed for the six vacancies of special procedures mandate holders to be appointed at the twenty-ninth session of the Human Rights Council, namely the:

- **Independent Expert on the enjoyment of human rights by persons with albinism;**
- **Special Rapporteur on the independence of judges and lawyers;**
- **Special Rapporteur on the right to privacy;**
- **Special Rapporteur on violence against women, its causes and consequences;**
- **Working Group on Arbitrary Detention, member from Western European and other States; and**
- **Working Group on Enforced or Involuntary Disappearances, member from Asia-Pacific States.**

I have held broad consultations, in particular through the regional coordinators, based on the recommendations of the Consultative Group, to ensure the endorsement of my proposed candidates in accordance with paragraphs 52 and 53 of the annex to Council resolution 5/1.

Following my broad consultations with States and other relevant stakeholders, I have decided, in five out of six cases, to propose the candidate recommended and ranked first by the Consultative Group for approval by the Council while in one case, I propose the candidate recommended and ranked second.

For the position of the Independent Expert on the enjoyment of human rights by persons with albinism, and following the Consultative Group, I propose **Ms. Ikponwosa ERO (Nigeria)**. As stated by the Consultative Group, Ms. Ero has extensive experience and expertise in the field of albinism and human rights. I also took note of Ms. Ero's clear commitment to prevent any actual or potential conflict of interest between her present activities and the mandate of the Independent Expert by resigning from her current position as International Advocacy and Legal Officer.

In relation to the mandate of the **Special Rapporteur on the independence of judges and lawyers**, and following the Consultative Group, I would like to nominate **Ms. Mónica PINTO (Argentina)**. The Consultative Group noted her extensive work experience as an academic and as a law practitioner, including her previous experiences serving as Special Procedure mandate-holder. Please note that I have considered

concerns expressed by States relating to the perceived lack of geographical balance over time with regard to this mandate, as the previous mandate-holder also came from the Latin America and the Caribbean region.

In relation to the mandate for the **Special Rapporteur on the right to privacy**, the Consultative Group ranked first Ms. **Katrin NYMAN METCALF (Estonia)**. Notwithstanding her expertise and experience, concerns were raised as to whether she was the best qualified candidate for this specific position, while there was also support for the ranking made by the Consultative Group. After careful consideration of all views conveyed to me from group representatives and States, I believe that the concerns of what seems to be a cross-regional majority of Council members, many observer States and civil society stakeholders should be reflected in my proposal. I therefore propose **Mr. Joseph CANNATACI (Malta)**, recommended and ranked second by the Consultative Group, who has long-standing experience in the field of human rights and privacy. Please note that as a matter of course (due diligence) I have also spoken to Ms. Nyman Metcalf addressing the concerns raised by States and relevant stakeholders. Please note further that in order to avoid any perceived conflict of interest on my part in this particular case (Germany was a main sponsor of the resolution establishing the mandate), I discussed this proposal with the Bureau, referring to potential perceptions of a conflict of interest and seeking their advice. The Bureau concurred with my proposal.

For the **Special Rapporteur on the violence against women**, I have decided to follow the suggestion of the Consultative Group and propose to the Human Rights Council **Ms. Dubravka ŠIMONOVIC (Croatia)**. As the Consultative Group has noted, she has in-depth knowledge of the subject matter, a clear vision of how to implement the mandate as well as extensive work experience on the national, regional and international level. Please note that as a matter of course (due diligence) I spoke to Ms. Šimonović and discussed that her husband being the UN Assistant-Secretary General for Human Rights could give rise to perceptions of a possible conflict of interest. As a result, I assessed that her responses with regard to this issue were satisfactory and no impediment for her appointment, including her clear commitment to the independence of Special procedures mandate-holders, in accordance with Human Rights Council resolution 5/2.

Following the Consultative Group's recommendation, I would like to nominate **Ms. Leigh TOOMEY (Australia)** as the Member from the Western European and other States Group for the **Working Group on Arbitrary Detention** due to her professional experience, including in Africa, Europe, Asia and the Pacific, her multi-stakeholder engagement and her enthusiasm in implementing the mandate of the Working Group. I am also pleased to note that the gender balance within the Working Group, which is currently composed of 5 male experts, would improve.

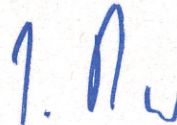
As Member from Asia-Pacific States of the **Working Group on Enforced or Involuntary Disappearances**, and following the Consultative Group, I would like to recommend to the Council **Mr. Tae-Ung BAIK (Republic of Korea)**. As stressed by the Consultative Group, I welcome his strong victims-centred approach to the mandate, drawing on his academic expertise as well as on his own personal experience.

I would like to commend and thank the members of the Consultative Group for their work of having considered 117 individual applications and having conducted 32

interviews for the six vacancies. I particularly welcome that the Consultative Group continued to discuss ways to alleviate concerns about possible or perceived conflict of interest. Let me take the opportunity to compliment the Consultative Group on their on-going work on how best to ensure the integrity of the process as well as compliance with relevant Human Rights Council resolutions and decisions.

Lastly, I am pleased to inform you that if the Council was to endorse the proposed candidates, there would be an improvement in the gender balance among mandate holders.

Please accept, Excellencies, the assurances of my highest consideration.



Joachim Ruecker
President of the Human Rights Council



To all Permanent Representatives to the United Nations Office at Geneva

List of special procedures mandate-holders scheduled to be appointed at the 29th session of the Human Rights Council

- 1. Independent Expert on the enjoyment of human rights by persons with albinism
Ms. Ikponwosa ERO (Nigeria).**
- 2. Special Rapporteur on the independence of judges and lawyers
Ms. Mónica PINTO (Argentina)**
- 3. Special Rapporteur on the right to privacy
Mr. Joseph CANNATACI (Malta)**
- 4. Special Rapporteur on violence against women, its causes and consequences
Ms. Dubravka ŠIMONOVIC (Croatia)**
- 5. Working Group on Arbitrary Detention, member from Western European and other States
Ms. Leigh TOOMEY (Australia)**
- 6. Working Group on Enforced or Involuntary Disappearances, member from Asia-Pacific States
Mr. Tae-Ung BAIK (Republic of Korea)**