



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • FAX: +41 22 917 9011 • E-MAIL: hcrspecialprocedures@ohchr.org

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 Independent Expert on the situation of human rights in Haiti and the Independent Expert on the situation of human rights in Mali to be appointed at the 23rd session of the Human Rights Council.

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

15 May 2013

Report of the Consultative Group to the President of the Human Rights Council relating to the vacancies of the Independent Expert on the situation of human rights in Haiti and the Independent Expert on the situation of human rights in Mali to be appointed at the 23rd 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 current members of the Consultative Group, who serve in their personal capacity, pursuant to paragraph 49 of the Annex to Council resolution 5/1, are: H.E. Anayansi Rodríguez Camejo, Permanent Representative of Cuba; H.E. András Dékány, Permanent Representative of Hungary; H.E. Mohamed Siad Doualed, Permanent Representative of Djibouti; H.E. Rajab M. Sukayri, Permanent Representative of Jordan; and H.E. Peter Woolcott, Permanent Representative of Australia.

II. Process

2. The Consultative Group held three formal meetings on 6, 7 and 8 May 2013 to consider candidates for the two vacancies of the Independent Expert on the situation of human rights in Mali and the Independent Expert on the situation of human rights in Haiti to be appointed at the twenty-third session of the Council. Based on a decision of the Consultative Group, H.E. Peter Woolcott chaired all the meetings held by the Consultative Group.

3. The Consultative Group considered the applications of 20 candidates who submitted specific applications for the aforementioned vacancies in accordance with the relevant paragraphs of Council resolution 16/21. 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 paragraphs 39, 40, 41, 44, 45, 46, 48 and 50 of the Annex to Council resolution 5/1, Council decision 6/102, and paragraph 22 of Council Resolution 16/21. The Group also 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, decision 6/102, and Council resolution 16/21.

6. The Group interviewed three shortlisted candidates for the vacancy of the Independent Expert on the situation of human rights in Haiti and three shortlisted candidates for the vacancy of the Independent Expert on the situation of human rights in Mali, pursuant to paragraph 22 (c)

of the Annex to Council resolution 16/21 (see annex II). All the candidates were interviewed by telephone, and were asked identical questions based on the relevant provisions of Council resolution 5/1, decision 6/102, and Council resolution 16/21.

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

7. The Consultative Group considered that there were two candidates best qualified to fulfil the mandate. Despite several attempts, the Group was not able to complete the interview of the third short-listed candidate due to technical reasons. However, based on a careful and thorough consideration of both the written applications and the interviews, and considering the strong performance of the two candidates interviewed, the Group decided to recommend them, listed below in the order of preference.

1. Mr. Gustavo GALLÓN (Colombia)

2. Ms. Rocío BARAHONA-RIERA (Costa Rica)

8. Mr. Gallón is a long-time advocate of the promotion and respect of human rights. He is the founder and director of the Colombian Commission of Jurists since 1988 and was appointed as Special Representative of the United Nations' Human Rights Commission for Equatorial Guinea from 1999 to 2002. He has extensive experience of monitoring violations of economic, social, cultural, civil and political rights, he has worked on strengthening the rule of law, and on the development of human rights norms and standards. The Consultative Group noted his participation at every session of the Human Rights Council and strong commitment for the promotion and protection of human rights.

9. Ms. Barahona-Riera is a professor of international law and international human rights law. She was member of the Committee on Economic, Social and Cultural Rights for 12 years and has a in-depth knowledge of these rights. Currently she is working as a consultant for national and international non-governmental organizations, international agencies, as well as for government agencies.

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

10. The Consultative Group considered that there were three candidates best qualified to fulfil the mandate, and it decided to recommend them, listed below in the order of preference. The Group unanimously recommended the first candidate who demonstrated his qualifications and experience convincingly through the written application and during the interview.

1. Mr. Suliman BALDO (Sudan)

2. Mr. Koffi KOUNTE (Togo)

3. Mr. Michel Xavier BIAN (Gabon)

11. Mr. Baldo is an internationally recognized expert on human rights and peace-building issues related to Africa. He has an extensive experience on field investigations of human rights violations and on publicly reporting the findings and recommendations at the national, regional and international levels. He has worked for many years with civil society as a human rights defender and researcher and has a very good understanding of the situation of human rights in

Mali and of the functioning of different United Nations mechanisms. Mr. Baldo clearly expressed his vision on the implementation of the mandate and demonstrated a solid ability to perform the related functions. The Consultative Group was impressed by Mr. Baldo's capacity to address a broad range of issues relevant to the mandate, his strong motivation and expertise.

12. Mr. Kounte has an extensive experience in the administration of justice and in human rights issues. As magistrate at the Togolese judicial system and as Chairperson of the National Commission for Human Rights, Mr. Kounte bears more than 15 years of experience and knowledge of legal issues with a focus on human rights.

13. Mr. Biang is a career diplomat with more than 12 years of experience in international affairs, including as a Legal Advisor to the President of the 59th session of the General Assembly. Mr. Biang clarified during his interview that he is a career diplomat and in this context the Group noted the application of paragraph 46 of Council resolution 5/1.

Annex I List of candidates considered by mandate

Independent Expert on the situation of human rights in Haiti

<u>Candidates</u>		<u>Nationality</u>	
Ms.	Rocio	BARAHONA-RIERA	Costa Rica
Mr.	François	CANTIER	France
Ms.	Mireille	FANON MENDES	France
Mr.	Salifou	FOMBA	Mali
Mr.	Gustavo	GALLÓN	Colombia
Mr.	Roland	KPOTSRA	Togo
Mr.	Denis	PETIT-BENOPOULOS	France

Independent Expert on the situation of human rights in Mali

<u>Candidates</u>		<u>Nationality</u>	
Mr.	Suliman	BALDO	Sudan
Mr.	Michel Xavier	BIANG	Gabon
Mr.	Mohab	ELSHORBAGI	Egypt
Ms.	Mireille	FANON-MENDES	France
Mr.	Kamel	FILIALI	Algeria
Mr.	Hugo	JOMBWE	France
Mr.	Abdoulaye	KANNI	Niger
Mr.	Dominique	KOUNKOU	Congo
Mr.	Koffi	KOUNTE	Togo
Mr.	Belkacem	LOUNES	France
Mr.	Abdoulaye	NDIAYE	Senegal
Mr.	Frederic	NIKIEMA	Burkina Faso
Ms.	Justine Marie	WERLEIGH	Haiti

Annex II List of candidates interviewed by the Consultative Group

Independent Expert on the situation of human rights in Haiti

<u>Candidates</u>			<u>Nationality</u>
Ms.	Rocío	BARAHONA-RIERA	Costa Rica
Mr.	Gustavo	GALLÓN	Colombia
Mr.	Roland	KPOTSRA	Gabon

Independent Expert on the situation of human rights in Mali

<u>Candidates</u>			<u>Nationality</u>
Mr.	Suliman	BALDO	Sudan
Mr.	Michel Xavier	BIANG	Gabon
Mr.	Koffi	KOUNTE	Togo
