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CONSEIL DES DROITS DE L'HOMME



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HUMAN RIGHTS COUNCIL

17 October 2011

Excellencies,

I have the pleasure to submit to your attention the report of the Consultative Group regarding the selection of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. As agreed on 30 September 2011, this appointment will take place at the resumed 18th session of the Human Rights Council, on 21 October, at 12.00 p.m, in room XX.

In this regard, I take the opportunity to recall that according to paragraph 52 of the annex to HRC resolution 5/1: "on the basis of the recommendations of the Consultative Group and following broad consultations, in particular through the regional coordinators, the President of the Council will identify an appropriate candidate for each vacancy."

In line with this paragraph, I shall be happy to hold broad consultations with all concerned parties based on the report of the Consultative Group, with a view to identifying the appropriate candidate for the above-mentioned vacancy.

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

A handwritten signature in black ink, appearing to read "Laura Dupuy Lasserre".

Laura Dupuy Lasserre
President of the Human Rights Council

To all Permanent Representatives to the United Nations Office at Geneva

Annex: Report of the Consultative Group

**Report of the Consultative Group to the President of the Human Rights Council relating to the
Special Procedures mandate holders to be appointed at the resumed 18th session of
the Human Rights Council**

I. Background

1. Following the resignation in September 2011 of Mr Githu Muigai from the position of Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and further to Human Rights Council resolution 5/1, a Consultative Group was established to propose to the President, a list of candidates who possess the highest qualifications for the mandate 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. Peter GOODERHAM, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland, H.E. Umunna H. ORJIAKO, Permanent Representative of Nigeria and H.E. Fedor ROSOCHA, Permanent Representative of Slovakia.

II. Process

2. The Consultative Group held 2 formal meetings on 11 and 13 October 2011 to consider candidates for the vacancy of mandate holder of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to be appointed at the resumed eighteenth session of the Council. Based on a decision of the Consultative Group, H.E. Mr. Peter GOODERHAM chaired all the aforementioned meetings.

3. The Consultative Group was informed that a total of 17 candidates submitted a specific application for the aforementioned 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, 45, 46, 48 and 50, as well as in Council decision 6/102. 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 and decision 6/102.

6. The Group interviewed a total of 4 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 either telephone or skype, and were asked identical 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. During the meeting on 13 October 2011, the Consultative group decided that there were 3 candidates best qualified to fulfil the mandate. The Group unanimously recommended to the President of the Human Rights Council the following candidates according to the ranking below:

1. Mr. Mutama RUTEERE (Kenya)

2. Mr. Makau MUTUA (United States of America, Kenya)

3. Ms. Adelle BLACKETT (Canada, Barbados)

8. Mr. Ruteere has a strong human rights background with extensive experience including as Director of the Centre for Human rights and Policy Studies and as Dean of the Kenya Human rights Institute. He has worked for many years on issues relating to ethnic conflict, discrimination and exclusion in a range of African countries, with a particular emphasis on research into and monitoring of human rights violations. He presented a clear and convincing vision for the mandate of Special Rapporteur which focused on engaging with states in dialogue, while maintaining a victim-centred approach.

9. Mr. Mutua has a broad and long-standing background in human rights as both a practitioner and as an academic. He has substantial experience in the area of the mandate with a strong focus on non-discrimination and the equal protection of individuals. He has drafted bills of rights and human rights legislation for governments and founded the Kenyan Human Rights Commission. The Consultative Group was impressed by his strong motivation and his diverse and high level achievements in the field of human rights.

11. Ms. Blackett has a strong academic background with expert knowledge on international labour law and standards. She had published articles on the issues of racism and equality and has conducted research on migrants and people of African Descent. She demonstrated a strong awareness of other UN human rights mandates, a number of which she has worked with in an expert capacity. She presented a sound vision for the mandate and demonstrated an impressive range of relevant skills and experience.

12. Completed application forms for all candidates are available at:

http://www2.ohchr.org/english/bodies/chr/special/candidates_SRRacism2011.htm

Annex I List of candidates nominated

Candidates			Nationality
Mr.	Babagana	ABUBAKAR	Nigeria
Ms.	Doris	ANGST	Switzerland
Mr.	Ahmedou Tidjane	BAL	Mauritania
Ms.	Adelle	BLACKETT	Canada/Barbados
Mr.	Suhas	CHAKMA	India
Mr.	Joris	DE BRES	New Zealand/Netherlands
Mr.	Mohab	EL SHORBAGI	Egypt
Ms.	Nazila	GHANEA HERCOCK	United Kingdom of Great Britain and Northern Ireland
Mr.	David Theo	GOLDBERG	United States of America
Mr.	Makau	MUTUA	United States of America/Kenya
Mr.	Alioune	NDIAYE	Senegal
Mr.	Horacio	RAVENNA	Argentina
Mr.	Mutama	RUTEERE	Kenya
Ms.	Victoria Lucia	TAULI-CORPUZ	Philippines
Ms.	Jurema	WERNECK	Brazil
Mr.	Mirosław	WROBLEWSKI	Poland

Annex II List of candidates interviewed by the Consultative Group

	Candidates	Nationality
Ms. Doris	ANGST	Switzerland
Ms. Adelle	BLACKETT	Canada/Barbados
Mr. Makau	MUTUA	United States of America/Kenya
Mr. Mutama	RUTEERE	Kenya