

Report of the Consultative Group to the President of the Human Rights Council relating to the vacancies of mandate holders to be appointed at the fifty-sixth session of the Human Rights Council

**Two vacancies (mandates on the Islamic Republic of Iran and on transnational corporations
and other business enterprises)**

20 May 2024

I. Background

1. In paragraphs 47 and 49 of the annex to its resolution 5/1, the Human Rights Council decided to establish a Consultative Group comprised of five members appointed by regional groups and serving in their personal capacity. The Consultative Group is mandated by the Council 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. Recommendations to the President of the Human Rights Council are required to be made public and substantiated pursuant to paragraph 50 of the annex to resolution 5/1.

2. The members of the Consultative Group for the selection of the mandate holders to be appointed at the fifty-sixth session of the Human Rights Council are: His Excellency Mr. Emmanuel Kwame Asiedu ANTWI (Ghana), Her Excellency Mrs. Michèle TAYLOR (United States of America), and Dr. LI Xiaomei (China). The working cycle of the current Consultative Group commenced on 1 April 2024 and will end on 31 March 2025, pursuant to paragraph 1(b) of Council decision 30/115. The Consultative Group held its initial organizational meeting on 24 April 2024.

3. A total of three vacancies of special procedure mandate holders are to be filled at the Council's fifty-sixth session, as follows (listed in alphabetical order):

- 1. Special Rapporteur on the situation of human rights in the Islamic Republic of Iran** (Human Rights Council resolution 55/19)
- 2. Working Group on the issue of human rights and transnational corporations and other business enterprises, member from Eastern European States** (Human Rights Council resolution 53/3)
- 3. Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, member from Western European and other States** (Human Rights Council resolution 51/13)

4. The present report contains the list of recommended candidates proposed by the Consultative Group to the President of the Council for vacancies 1 and 2 (as numbered above). The Consultative Group has not been in a position to consider the applications received for the vacancy of member from Western European and other States in the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination. This is due to the fact that, given its incomplete composition and the recusal of H.E. Mrs. Michèle Taylor pursuant to paragraph 13 of President's statement PRST OS/14/2 on the methods of work of the Consultative Group of the Human Rights Council following the application of an eligible candidate from the United States of America to this mandate, the Consultative Group has not been able to reach the minimum quorum required for decision-making.¹

¹ See letter of the Consultative Group addressed to the President of the Human Rights Council, dated 30 April 2024 (available on [Human Rights Council Extranet](#)).

5. In its initial organizational meeting of 24 April 2024, the Consultative Group decided that the chairing function for the interview and selection process for the entire period of 1 April 2024 to 31 March 2025 would be equally shared among its members through a rotation. It is understood that such an arrangement would be subject to adjustment upon the future nomination of the Consultative Group members from the Groups of Eastern European States and of Latin American and Caribbean States, as well as upon the possibility of recusal of members of the Consultative Group, in accordance with paragraph 13 of President's statement PRST OS/14/2 on the methods of work of the Consultative Group of the Human Rights Council. The chairing arrangements for the specific mandates under consideration are noted below under each respective mandate.

II. Process

6. The application period for the submission of applications for the three positions opened on 23 February 2024 and was scheduled to close on 8 April 2024 (12 noon Geneva time). Due to the initially limited number of eligible applications received, the application period was extended until 16 April 2024 (12 noon Geneva time) for the three positions.

7. The Consultative Group considered 22 individual applications from 22 eligible candidates submitted for the two mandates covered in this report in accordance with the relevant paragraphs of Human Rights Council resolution 16/21. The applications of the eligible candidates were made public on the designated web page² of the Office of the United Nations High Commissioner for Human Rights (OHCHR) as provided for in paragraph 22 (b) of the annex to Council resolution 16/21 and paragraph 26 of President's statement PRST OS/14/2 (see also annex I of this report for the alphabetical list of the eligible candidates per mandate for the two mandates covered in this report).

8. The Consultative Group held a total of six formal meetings on 29 April, from 8 to 10 May, and on 13 May 2024 to consider and interview candidates for the two mandates covered in this report. These included one fully virtual meeting.

9. In accordance with paragraph 34 of President's statement PRST OS/14/2, each member of the Consultative Group individually ranked the most qualified candidates for each vacancy drawing on the written applications received, reflecting on their stated 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, President's statement PRST OS/14/2 and also Council resolutions relating to the specific mandates under consideration. On the basis of the list of ranked candidates and after consideration of all the aforementioned elements, the Consultative Group had a discussion and established a shortlist of candidates to be interviewed for each mandate.

10. The members of the Consultative Group took into full consideration the technical and objective requirements as stipulated in paragraphs 39-41, 44-46, 48, 50-51 of the annex to Human Rights Council resolution 5/1, decision 6/102, paragraph 22 of resolution 16/21, paragraph 31 of President's statement PRST OS/14/2 and also Council resolutions relating to the specific mandates under consideration.

11. As per paragraph 51 of the annex to Council resolution 5/1 and paragraph 33 of President's statement PRST OS/14/2, the Consultative Group took note of the perspectives offered by

² See <https://www.ohchr.org/en/hr-bodies/hrc/sp/hrc56>

stakeholders, including current or outgoing mandate holders, in determining the necessary expertise, experience, skills and other relevant requirements for the mandates in question.³

12. The Consultative Group gave due consideration to gender balance, equitable geographic representation, as well as representation of different legal systems as stipulated in paragraph 40 of Council resolution 5/1 and in paragraphs 31 and 48 of President's statement PRST OS/14/2.

13. In connection with the aforementioned, the Consultative Group affirmed its commitment to ensuring that the most qualified candidates are recommended to the positions under consideration, that the process of selection is objective and transparent, ensures equal treatment of all candidates, and that the recommendations to the President are public and substantiated pursuant to Council resolutions 5/1 and 16/21 and President's statement PRST OS/14/2.

14. The Consultative Group adhered to paragraph 14 of President's statement PRST OS/14/2, which provides that the members of the Consultative Group, in the event that they have been approached by any Member State, organization or individual with regard to the application of a candidate, shall inform the other members in order to ensure maximum transparency.

15. In accordance with paragraphs 44 and 46 of the annex to Human Rights Council resolution 5/1 and paragraphs 35 to 38 of President's statement PRST OS/14/2, the Consultative Group sought to address consistently the observance of the principle of non-accumulation of human rights functions and the potential for conflict of interest of all candidates holding decision-making positions in Government or in any other organization or entity. These issues were clarified during interviews to ensure, inter alia, that if appointed, the candidate should state what steps he or she would be prepared to take with regard to any functions or duties that may give rise to an accumulation of human rights functions and/or any potential conflict of interest. When necessary, further clarifications were requested in writing.

16. The Consultative Group held a total of 10 interviews with 10 shortlisted candidates for the two mandates covered in this report (see annex II of this report for the alphabetical list of interviewees per mandate). These interviews took place from 8 to 10 May 2024, pursuant to paragraph 22 (c) of the annex to Human Rights Council resolution 16/21. Each candidate was asked similar questions based on the relevant provisions of Council resolution 5/1, decision 6/102, resolution 16/21, President's statement PRST OS/14/2 and Council resolutions relating to the specific mandates under consideration.

17. Shortlisted candidates were able to request in advance and make use of interpretation in one of the six official languages of the United Nations during their interviews, pursuant to the President's statements PRST 29/1 and PRST OS/14/2. Fluency in one of the two working languages of the United Nations was also assessed by the members of the Consultative Group for all candidates.

18. The Consultative Group carried out interviews by video calls through the platform Webex and through the platform Zoom when the interviewees requested interpretation.

19. The decisions of the Consultative Group were taken by consensus and on the basis of the information provided by the candidates, both in their application forms and during the interviews.

III. Candidates proposed by the Consultative Group to the President for the mandate of Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

³ See letter from the Chair of the Coordination Committee of Special Procedures to the members of the Consultative Group on the selection process of special procedure mandate holders, dated 24 April 2024 (available [here](#)).

20. The meetings held by the Consultative Group in relation to this mandate were chaired by H.E. Mr. Emmanuel Kwame Asiedu Antwi (Ghana). There were 11 eligible candidates for this vacancy. Of the five candidates interviewed, the Consultative Group decided to recommend the following three candidates as best qualified to fulfil the mandate, ranking them in the order of preference below.

1. Mai SATO (F) (Japan)

2. Amal DE CHICKERA (M) (Sri Lanka)

3. Ahmed BOUHOUBEYNI (M) (Mauritania)

21. **Mai Sato** is an Associate Professor at Monash University in Australia, where she also directs Eleos Justice. She is also the Deputy Director of CrimeInfo in Japan. In addition, she inter alia contributes to the Australian Government's Consultative Group on the Death Penalty; assists a Malaysian non-governmental organization with the drafting of a sentencing guideline following the abolition of the mandatory death penalty in the country; and serves as independent expert for the World Coalition Against the Death Penalty. Previously, she was a Research Fellow and Associate Professor at the Australian National University as well as Lecturer and Associate Professor at the University of Reading and Research Officer and Oxford-Howard Post-Doctoral Fellow at the University of Oxford, both in the United Kingdom of Great Britain and Northern Ireland. She also worked as Research Fellow at the Institute for Crime and Justice Policy Research in the United Kingdom; Post-Doctoral Fellow at the Max Planck Institute for Foreign and International Criminal Law in Germany; and International Short-Term Expert with the United Nations Development Program in Türkiye. Ms. Sato has authored numerous publications in the field of human rights. She holds a Bachelor of Arts in Politics and Sociology from the University of York, a Master of Laws in Human Rights and Criminology from the University of London, and a Ph.D. in Law from King's College London, all in the United Kingdom. Ms. Sato described the measures that she would be willing to take to avoid any real or perceived conflict of interest should she be appointed mandate holder, including stepping down as director of Eleos Justice, as independent expert of the World Coalition Against the Death Penalty and from the Australian Government's Consultative Group on the Death Penalty. The Consultative Group noted Ms. Sato's skills relevant for the mandate and her vast experience in the field of human rights. The Consultative Group also noted her clear understanding of the mandate and its challenges as well her vision and priorities for its implementation, including the integration of a gender perspective. The Consultative Group further noted the importance that Ms. Sato placed on independence, impartiality, integrity and objectivity for the implementation of the mandate. The Consultative Group appreciated Ms. Sato's cooperative and constructive approach.

22. **Amal De Chickera** is the Co-Director of the Institute on Statelessness and Inclusion and a Lecturer and Visiting Fellow at Middlesex University, both in the United Kingdom of Great Britain and Northern Ireland. Previously, he was the Head of Statelessness and Nationality Projects at The Equal Rights Trust in the United Kingdom. In addition, he worked as Research Officer at Law and Society Trust; Research Officer at the Human Rights Commission of Sri Lanka; Consultant for the International Labour Organisation; and Research Assistant at the International Centre for Ethnic Studies, all in Sri Lanka. Mr. De Chickera has published extensively on various human rights issues. He holds a Bachelor of Laws from the University of Colombo in Sri Lanka and a Master of Laws from University College London in the United Kingdom. He also passed the Bar Exam at the Sri Lanka Law College. With regard to his position as Co-Director of the Institute on Statelessness and Inclusion, Mr. De Chickera indicated that, if appointed mandate holder, he would be willing to step back from any public facing international advocacy work before United Nations mechanisms in particular, to avoid a perceived conflict of interest. The Consultative Group noted Mr. De Chickera's broad human rights experience and his clear understanding of the mandate and its challenges. The

Consultative Group also noted his vision for the implementation of the mandate and appreciated his cooperative approach. The Consultative Group further noted the importance that Mr. De Chickera placed on independence for the implementation of the mandate.

23. **Ahmed Bouhoubeyni** is the President of the National Human Rights Commission of Mauritania. Previously, he served as the European Union Representative to the Commission of Inquiry for Chad in Mauritania and as President of the National Bar Association of Mauritania. He also practiced law in Mauritania for 30 years. Mr. Bouhoubeyni holds a *Maîtrise en droit privé* as well as *première* and *deuxième certificats d'études supérieures en droit*, all from Mohamed V University in Morocco. The Consultative Group noted Mr. Bouhoubeyni's human rights experience in Mauritania as well as with human rights mechanisms. The Consultative Group also noted that his background and experience are relevant for the mandate.

IV. Candidates proposed by the Consultative Group to the President for the mandate of Working Group on the issue of human rights and transnational corporations and other business enterprises, member from Eastern European States

24. The interviews held by the Consultative Group in relation to this mandate were chaired by Dr. Li Xiaomei (China) and the meetings by H.E. Mr. Emmanuel Kwame Asiedu Antwi (Ghana). There were 11 eligible candidates for this vacancy. Of the five candidates interviewed, the Consultative Group decided to recommend the following two candidates as best qualified to fulfil the mandate, ranking them in the order of preference below.

1. Lyra JAKULEVIČIENĖ (F) (Lithuania)

2. Jernej LETNAR ČERNIČ (M) (Slovenia)

25. **Lyra Jakulevičienė** is the Dean of the Law School of, and Professor at, Mykolas Romeris University in Lithuania. She also serves as member of the Management and Executive Board of the European Union Fundamental Rights Agency and as member of the European Commission against Racism and Intolerance. Previously, she worked as Head of the United Nations Development Programme (UNDP) Office in Lithuania; Advisor to the United Nations Resident Coordinator and UNDP Representative in Lithuania; Liaison Officer and Legal Adviser at the United Nations High Commissioner for Refugees (UNHCR) office in Lithuania; and Head of the Cross-Border Cooperation Secretariat at the UNHCR/International Organization for Migration (IOM)/International Centre for Migration Policy Development (ICMPD) consortium in Ukraine. Ms. Jakulevičienė has published extensively in the field of human rights, including on issues relating to the field of the mandate. She holds a university degree in law and a doctorate degree in social sciences (law) from Vilnius University in Lithuania as well as a Habilitated Doctor degree in social sciences (law) from Mykolas Romeris University. Ms. Jakulevičienė described the measures that she would be willing to take to avoid an accumulation of human rights functions and/or any real or perceived conflict of interest should she be appointed mandate holder, including relinquishing her positions with the European Union Fundamental Rights Agency and the European Commission against Racism and Intolerance. The Consultative Group noted Ms. Jakulevičienė's skills relevant for the mandate, including her ability to work with a variety of stakeholders, as well as her vast experience and expertise in the field of the mandate. The Consultative Group also noted her excellent knowledge of and strong commitment to the mandate as well as her understanding of the obstacles it faces. The Consultative Group further noted Ms. Jakulevičienė's clear vision for the implementation of the mandate and her experience with the United Nations system. The Consultative Group appreciated her constructive and cooperative approach.

26. **Jernej Letnar Čerňič** is a Full Professor of Human Rights Law at the Faculty of Government and European Studies of Nova Univerza in Slovenia, where he previously held other positions, including Associate Professor of Human Rights Law and Assistant Professor. He is also a consultant in business and human rights; a Visiting Professor of Human Rights Law at European University Viadrina in Germany; and a Visiting Professor at Riga Graduate School of Law in Latvia. Previously, he also worked inter alia as Max Weber Post-Doctoral Researcher at the European University Institute in Italy; Trainee at the Office of the Public Counsel for Defence in the International Criminal Court in the Kingdom of the Netherlands; and Legal Officer at the European Ombudsman Office in France. Mr. Letnar Čerňič has numerous publications on issues relating to the field of the mandate. He holds a University Graduate Lawyer degree from University of Ljubljana in Slovenia; a Bachelor of Science in International Development from University of London in the United Kingdom of Great Britain and Northern Ireland; a Master of Laws in International Human Rights Law from University of Lund in Sweden; and a Ph.D. in Law from University of Aberdeen in the United Kingdom. He also obtained a Diploma in Human Rights Law from the Academy of European Law of the European University Institute and a Diplôme de droit international et droit comparé des droits de l'homme from the International Institute of Human Rights in France. Mr. Letnar Čerňič indicated that, if appointed mandate holder, he would terminate his activities as consultant in business and human rights and would not undertake any new consultancy activities to avoid any perceived conflict of interest. The Consultative Group noted Mr. Letnar Čerňič's extensive experience in the field of the mandate, in particular his strong academic background. The Consultative Group also noted that, while emphasizing the importance of continuing the work done by the Working Group, Mr. Letnar Čerňič clearly identified his priorities for the further development of the mandate. The Consultative Group appreciated his inclusive and cooperative approach.

*Annex I - List of eligible candidates by mandate⁴***Special Rapporteur on the situation of human rights in the Islamic Republic of Iran**

First name	Last name	Nationality	Gender
Sonja	BISERKO	Serbia	F
Ahmed	BOUHOUBEYNI	Mauritania	M
Khalid	CHERKAOUI SEMMOUNI	Morocco	M
Amal	DE CHICKERA	Sri Lanka	M
Satvinder	JUSS	United Kingdom of Great Britain and Northern Ireland	M
Naefa	KAHN	South Africa	F
Mostafa	KAMEL	Egypt	M
Farkhunda Zahra	NADERI	Afghanistan	F
Ewelina	OCHAB	Poland	F
Mai	SATO	Japan	F
Fatima	SHABODIEN	South Africa	F

Working Group on the issue of human rights and transnational corporations and other business enterprises, member from Eastern European States

First name	Last name	Nationality	Gender
Jelena	APARAC	Croatia	F
Ioana	BAUER	Romania	F
Yury	BOYCHENKO	Russian Federation	M
Beata	FARACIK	Poland	F
Tomislav	IVANČIĆ	Croatia	M
Lyra	JAKULEVIČIENĖ	Lithuania	F
Jernej	LETNAR ČERNIČ	Slovenia	M
Maria	MARCU	Romania	F
Olga	PENEVA	Bulgaria	F
Victor	STOICA	Romania	M
Olena	UVAROVA	Ukraine	F

⁴ The list of mandates and of candidates is provided in alphabetical order.

Annex II – List of shortlisted candidates interviewed by the Consultative Group⁵

Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

First name	Last name	Nationality	Gender
Ahmed	BOUHOUBEYNI	Mauritania	M
Khalid	CHERKAOUI SEMMOUNI	Morocco	M
Amal	DE CHICKERA	Sri Lanka	M
Ewelina	OCHAB	Poland	F
Mai	SATO	Japan	F

Working Group on the issue of human rights and transnational corporations and other business enterprises, member from Eastern European States

First name	Last name	Nationality	Gender
Ioana	BAUER	Romania	F
Yury	BOYCHENKO	Russian Federation	M
Tomislav	IVANČIĆ	Croatia	M
Lyra	JAKULEVIČIENĖ	Lithuania	F
Jernej	LETNAR ČERNIČ	Slovenia	M

⁵ The list of mandates and of candidates is provided in alphabetical order.