

29 May, 2022

His Excellency, Ambassador Federico Villegas

Permanent Representative of Argentina to the United Nations Office at Geneva
President of the United Nations Human Rights Council

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His Excellency, Mr. Kouadio Adjoumani, Coordinator of the African Regional Group

His Excellency, Mr. Ibrahim Khraishi, Coordinator of the Asia Pacific Regional Group

Her Excellency, Ms. Anita Pipan, Coordinator of the Eastern European Regional Group

His Excellency, Mr. Luis Juan Chuquiuarachil, Coordinator of the Latin America and Caribbean Regional Group

Her Excellency, Ms. Meirav Eilon Shahr, Coordinator of the Western European and other States Regional Group

Dear Ambassador Villegas,

The organizations signing this letter write to you, in your capacity as President of the Human Rights Council (HRC), to request that you adopt measures to ensure that a woman is elected for the first time as the next Special Rapporteur on Torture (SRT) and to consider geographical representation in your decision.

On July 8th, during the upcoming 50th HRC's session, you will have the important responsibility of proposing the appointment of several Special Procedure mandate holders, including the next SRT. Created in 1985, the SRT has had a fundamental role in upholding the absolute prohibition of torture, responding to complaints, overseeing conditions of detention throughout the world, and developing fundamental human rights standards and recommendations to promote accountability, reparation and prevention of torture. Yet, none of the 6 experts who have held this role has been a woman, and only one of them has been from the Global South.

As concluded by the HRC's Advisory Committee in the [report](#) on gender balance in UN human right bodies presented to the HRC on 21 May, 2021¹, the lack of gender balance in international bodies not only affects women's right to equality, but it also erodes the effectiveness of the institutions and limits the range of issues and perspectives that should be part of their legal and political agenda². In the case of the SRT, this same limitation comes as a consequence of the lack of a Global South perspective in such a fundamental mandate.

We strongly believe that it is time to correct this underrepresentation. Not doing so would send a regrettable message, diluting the UN's expressed commitment to promote women's equal participation in its institutions, and to strengthen its UN bodies and mechanisms through adequate gender and geographical representation.

Based on this conviction, we had requested the HRC Consultative Group in the attached letter to implement the Advisory Committee's recommendation to put forward a women-only list of

¹ A/HRC/ 47/51, "Current levels of representation of women in human rights organs and mechanisms: ensuring gender balance", paras. 5-17.

² Ibid, paras. 18-41.

candidates to this role. Unfortunately, the shortlist presented by the Consultative Group fails to reflect the diversity of the United Nations, not only by proposing a male candidate as first choice, but also by presenting three candidates from the same region that has provided five out of the six holders of this mandate³. Despite the unquestionable excellent qualifications of all shortlisted candidates, we are concerned that the selection could perpetuate the regrettable gender and geographical underrepresentation that has characterized this mandate since its creation. You now have the important opportunity and responsibility to avoid this.

Consequently, we respectfully request that, along with adhering to all other criteria that should guide the appointment of Special Procedure mandate-holders, such as independence, impartiality, competence, expertise, and geographical balance, you take decisive actions to support with your decision the goal of achieving gender balance in UN bodies by proposing to appoint a woman SRT for the first time in history. We note and commend your decision during the 49th session of the HRC to prioritize gender balance in the elaboration of the President's list of proposed candidates⁴, and we strongly encourage you to do so again.

In implementing such measures, you would be supported by the recommendation of the Advisory Committee's report indicating that "*where two candidates are of equal merit, the President of the Human Rights Council should recommend the candidate of the underrepresented gender*"⁵. At the same time, since you announced that you would be conducting broad consultations ahead of the appointment⁶, we suggest you do so based on the report's recommendations encouraging "*members of the Human Rights Council and the coordinators of the five regional groups [to] actively support the selection of women candidates while underrepresentation persists*"⁷.

Additionally, to promote an adequate geographical representation and to ensure that Global South perspectives enrich this mandate's already strong contributions to torture prevention and accountability, we respectfully request that you consider evaluating, with the support of the Consultative Group, other female candidates from the Global South.

Without adequate gender and geographical balance, the Special Procedures fail to be truly representative, to adequately reflect the values of equality and non-discrimination, and to reach their full potential of impact and effectiveness. This is the time to revert the historic underrepresentation of women and experts from the Global South in one of the first mandates to be created, and we trust you will take appropriate actions to do so.

We thank you for your attention and commitment to this issue.

Sincerely,

³ Report of the Consultative Group, May 23, 2022, available at https://www.ohchr.org/sites/default/files/2022-05/CG-REPORT-HRC50_FINAL-to-HRC-President-23.05.2022.pdf

⁴ President's List of 22 February 2022, available at <https://www.ohchr.org/sites/default/files/2022-02/Letter-from-the-HRC-President-list-of-SP-candidates-for-11-vacancies-HRC49.pdf>

⁵ A/HRC/ 47/51, "Current levels of representation of women in human rights organs and mechanisms: ensuring gender balance", para 79.

⁶ Letter of the President of the Human Rights Council, May 24, 2022, available at: https://www.ohchr.org/sites/default/files/2022-05/220524-Letter_transmitting-CG-report-HRC50.pdf

⁷ A/HRC/ 47/51, "Current levels of representation of women in human rights organs and mechanisms: ensuring gender balance", para 81.

Center for Justice and International Law (CEJIL)

Centro de Estudios Legales y Sociales (CELS)

FIACAT

GQUAL Campaign

Global Justice Center

Institute for African Women in Law (IAWL)

International Institute on Race, Equality and Human Rights (Race & Equality)

International Rehabilitation Council for Torture Victims (IRCT)

MENA Rights Group

Women's Link Worldwide