

**Report of the Consultative Group to the President of the Human Rights Council
relating to the vacancies of special procedures mandate holders and a member
of the Expert Mechanism on the Rights of Indigenous Peoples to be appointed at
the twenty-eighth session of the Human Rights Council**

ADDENDUM

**Mandate of the Working Group on the issue of human rights and transnational
corporations and other business enterprises, member from Latin American and
Caribbean States**

26 February 2015

I. Background

1. In its resolution 5/1, the Human Rights Council decided to establish a Consultative Group¹ comprised of Permanent Representatives identified 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 mandates 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.²
2. The members of the 2015 Consultative Group are: H.E. Mr. Alexandros ALEXANDRIS, Permanent Representative of Greece; H.E. Mr. Boudjemâa DELMI, Permanent Representative of Algeria; H.E. Mr. Remigiusz A. HENCZEL, Permanent Representative of Poland; H.E. Ms. Marta MAURÁS (Chairperson), Permanent Representative of Chile; and H.E. Mr. Faisal TRAD (Vice-Chairperson), Permanent Representative of Saudi Arabia.

II. Process

3. A total of four appointments are expected to be made by the Human Rights Council at its twenty-eighth session. The fourth appointment, which is the subject of this addendum to the report of the Consultative Group dated 6 February, has arisen as a result of the resignation of the mandate holder on 23 January 2015.
4. The Consultative Group held one formal meeting on 25 February 2015 to consider candidates for the following vacancy:
 - Working Group on the issue of human rights and transnational corporations and other business enterprises, member from Latin American and Caribbean States [HRC res. 26/22].

H.E. Mr. Faisal Trad (Vice-Chairperson) chaired the meeting of the Consultative Group in the absence of H.E. Ms. Marta Maurás (Chairperson).

¹ As per paragraph 47 of the annex to Human Rights Council resolution 5/1.

² As per paragraph 50 of the annex to Human Rights Council resolution 5/1.

5. The Consultative Group considered nine individual applications of nine eligible candidates for the aforementioned specific vacancy in accordance with the relevant paragraphs of Human Rights Council resolution 16/21. The applications were made public on the designated OHCHR web page³ of special procedures as provided for in paragraph 22 (b) of annex to Council resolution 16/21 (see annex I of this report). The application period for the submission of applications was 23 January to 20 February 2015.
6. The members of the Consultative Group took into consideration the technical and objective requirements as stipulated in paragraphs 39-41, 44-46, 48, 50-51 of the annex to Council resolution 5/1, Council decision 6/102 and paragraph 22 of Council resolution 16/21. The Consultative Group also considered, as appropriate, the perspectives offered by stakeholders, including current or outgoing mandate holders, in determining the necessary expertise, experience, skills and other relevant requirements for each mandate⁴ and paid due attention to geographical and gender balance considerations in their deliberations.
7. In accordance with paragraphs 44 and 46 of the annex to Human Rights Council resolution 5/1, the Consultative Group sought to consistently address the potential for conflict of interest and was vigilant on the principle of non-accumulation of human rights functions. These issues were clarified during interviews and pursued subsequently in writing, when necessary, to ensure, inter alia, that if appointed, the candidates would relinquish any functions or duties that may give rise to an accumulation of human rights functions and/or any potential conflict of interest.
8. In accordance with established practice, it was decided that each member of the Consultative Group would rank and propose a list of candidates for the 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 and relevant Council resolutions establishing the specific mandate under consideration. As a result of this ranking exercise, a shortlist of candidates to be interviewed was established for the mandate.
9. The Group spent some two and a half hours interviewing three shortlisted candidates for the aforementioned vacancy. These interviews occurred on 25 February 2015, pursuant to paragraph 22 (c) of the annex to Human Rights Council resolution 16/21 (see annex II of this report). Each candidate was asked similar questions based on the relevant provisions of Council resolution 5/1, decision 6/102, resolution 16/21 and relevant Council resolutions establishing the specific mandate under consideration. All decisions of the Consultative Group were made unanimously.

III. Candidates proposed by the Consultative Group to the President for the Working Group on the issue of human rights and transnational corporations and other business enterprises, member from Latin American and Caribbean States

³ <http://www.ohchr.org/EN/HRBodies/SP/Pages/HRC28.aspx>.

⁴ As per paragraph 51 of the annex to Human Rights Council resolution 5/1. Letter from the Chairperson of the Coordination Committee of the Special Procedures (dated 23 February 2015).

10. The Consultative Group interviewed three shortlisted candidates for this vacancy. The Group decided to recommend the following three candidates as best qualified to fulfil the mandate, ranking them in the order of preference below, giving a high rating to the first two candidates.

1. **Mr. Dante PESCE (Chile)**

2. **Ms. Daira GÓMEZ (Costa Rica)**

3. **Ms. Catalina RIVERA DIAZ (Mexico)**

11. Mr. Pesce is the founder and Executive Director of VINCULAR Center for Corporate Social Responsibility and Sustainable Development, a research centre at the Catholic University of Valparaíso, Chile. He has participated in international standard setting processes, such as the ISO 26000 and other guidelines. He currently serves as the Special Advisor on Latin American Public Policy to the United Nations Global Compact, and is a member of the stakeholder Council to the Global Reporting Initiative. He has worked with various regional associations and countries in the region to encourage Social Responsibility Action Plans and is currently Advisor to the Chilean Ministry of Foreign Affairs on Social Responsibility Issues and Member of the Council on Social Responsibility for Sustainable Development of Chile. The Consultative Group noted with satisfaction his professional experience, multi-stakeholder engagement and dedication to the promotion of social justice, sustainable development and responsible business practices.

12. Ms. Gómez is Executive Director of CEGESTI, a Costa Rican non-governmental and non-profit organization aiming to promote sustainable development in Latin America. She leads CEGESTI's activities on capacity building and training on human rights, labour rights, responsible investment and environment. In this role Ms. Gómez has engaged with Latin American small and medium sized companies, cooperatives, governmental institutions and local governments and promoted the integration of human rights into business practices and the implementation of the United Nations Guiding Principles on Business and Human Rights. The Consultative Group noted her significant experience and clear vision for implementing the mandate of the Working Group.

13. Ms. Rivera Diaz is the First General Attorney for the Human Rights Commission of the State of Nuevo León in Mexico. She is also Professor of Law at the Universidad Autónoma de Nuevo León in Monterrey, Mexico. Her experience includes investigation and legal analysis of claims of human rights violations, development of training programmes and capacity-building activities as well as promotion of corporate respect of human rights standards. The Consultative Group noted her emphasis on the need for victims to have effective access to judicial or non-judicial remedies through working with all stakeholders.

Annex I

List of eligible candidates considered by mandate⁵

**Working Group on the issue of human rights and transnational corporations and other
business enterprises
Member from Latin American and Caribbean States**

First name	Last name	Nationality
Ms. Dost	BARDOUILLE-CREMA	Dominica
Ms. Daira	GÓMEZ	Costa Rica
Ms. Hepzibah	MUÑOZ MARTINEZ	Mexico
Ms. Marie-Hélène	PALLARES	Guatemala
Mr. Dante	PESCE	Chile
Mr. Carlos	POP AC	Guatemala
Ms. Angela	RIVAS GAMBOA	Colombia
Ms. Catalina	RIVERA DIAZ	Mexico
Ms. Andrea	SALDARRIAGA	Colombia

Annex II

List of shortlisted candidates interviewed by the Consultative Group⁶

**Working Group on the issue of human rights and transnational corporations and other
business enterprises
Member from Latin American and Caribbean States**

First name	Last name	Nationality
Ms. Daira	GÓMEZ	Costa Rica
Mr. Dante	PESCE	Chile
Ms. Catalina	RIVERA DIAZ	Mexico

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

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