SELECTING TRUTH COMMISSIONERS
Peace and Reconiliation in Colombia[1]

1. The Draft Agreement

On 15 December 2015, the Colombian government and the FARC-EP jointly published a draft bill outlining the process for selecting commissioners for a Truth Commission.[2] It specifies the following:

The Selection Committee

- **Who will choose the Truth Commissioners?** The Truth Commissioners will be chosen by a Selection Committee through a process that "guarantees legitimacy, impartiality and independence". The Selection Committee will have 9 members. The government and the FARC-EP, through an "agreed mechanism", will appoint 6 of these members.[3] The other 3 members will be "individuals or delegates from organizations", to be agreed at the peace negotiations. To be selected as a commissioner, a candidate must have the support of at least two-thirds of the Selection Committee.
- **Timeline**. The Selection Committee will be chosen before the Final Agreement is signed. Once the nomination phase has ended, the Selection Committee will have 3 months to select commissioners.

The Truth Commission

- **Commissioners**. The Truth Commission will have 11 members. Up to 3 of the commissioners may be non-citizens.
- **Chairperson**. The chair of the Commission will be a "Colombian citizen chosen by common agreement between the FARC-EP and the government through an agreed mechanism".
- **Timeline**. After the Commission has been created, it will have 3 years to complete its work, including writing the final report. There will be a 6-month preparatory period before the Commission starts its work.

2. Setting Timelines

1. **Nominating candidates**. The draft bill does not specify the duration of the nomination phase. This phase must be long enough to raise public awareness of the Truth Commission and to solicit nominees, but short enough so that the momentum of the peace process is maintained.

   a. **Duration**. A period as short as 6 weeks is viable. Alternatively, the Selection Committee may decide that the nomination phase should match the period leading up to the plebiscite.

This will be 1–4 months after the president informs Congress about the plebiscite.[4] In this case, nominations will close on the day of the plebiscite.

b. **Timing**. Holding the nomination period *during* the plebiscite campaign risks having it be hijacked by those who oppose the peace process. Holding the nomination period *after* the plebiscite may slow the momentum of the peace process, but it will also produce a wider range of nominees.

2. **Vetting candidates**. The draft bill states that once the nomination phase has ended, the Selection Committee will have 3 months (12 weeks) to select commissioners.

a. **The longlist**. Weeks 1–2. To maximize the time for vetting candidates, the Committee should create its longlist as soon as possible after the nomination deadline. The Committee can opt to publish the longlist and seek public feedback, or it may decide on a longer period of public consultations at the shortlisting stage.

b. **The shortlist**. Weeks 3–5. The time for shortlisting will depend on whether the Committee chooses to publish the longlist and seek public feedback.

3. **Consultations and interviews**. Weeks 4-10. The Selection Committee should hold public consultations and conduct interviews with the shortlisted candidates. If public consultation are to be meaningful, an extended period is desirable. The UN Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence (hereafter 'UN Special Rapporteur') notes that imposing "narrow deadlines on consultative procedures defeats part of the purpose of establishing them in the first place".[5]

4. **Final selection of commissioners**. Weeks 11–12. Two weeks is sufficient for final deliberations.

3. Choosing the Selection Committee

The draft bill does not detail the "agreed mechanism" for choosing the members of the Selection Committee.

•   **Balance**. To ensure impartiality *and* the perception of impartiality, the Committee should possess a balance between partisan and non-partisan members, as in South Africa (1994)[6] and Timor-Leste (2002)[7].

•   **Inclusion of key constituencies**. It is important to include representatives of the key constituencies of the armed conflict in the Selection Committee in order to ensure that their views and concerns are represented throughout the selection process. This was done in Timor-Leste (2002)[8] and Sierra Leone (2002)[9]. In Colombia, some of the key constituencies include: the FARC-EP; the government; the military; victims, especially indigenous groups and women; civil society; and the church.

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4.   There is no set date for the plebiscite because the Constitutional Court is currently deciding on its legality. The proposed legislation states that "the President must inform Congress of his intention to hold a plebiscite and the proposed date for voting". Once Congress has been informed, the vote must take place within 4 months, though not before the end of the first month. The Congress can reject the president's decision if one of the houses votes against it with a majority within the first month. See: Statutory Draft Law 94 of the 2015 Senate, Article 2(1, 2).

5.   Pablo de Greiff, 'Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence', UN, A/HRC/24/42, 28 August 2013, Fn. 73.

6.   In South Africa (1994) the 8-person selection committee had a representative each from the 4 main national parties, and 4 non-partisan members.

7.   In Timor-Leste (2002) half of the 16-person selection committee were political representatives and the other half were non-partisan members.

8.   In Timor-Leste (2002) the 16-person selection committee included representatives from the UN, the main political parties, victims' associations, NGOs, women's networks, youth networks and the Catholic Church.

9.   In Sierra Leone (2002) the 6-person committee included a representative each from the UN, the government, the main rebel group, the military junta who had allied with the rebels, and 2 representatives from human rights groups.

4. The Selection Criteria for Truth Commissioners

The UN Special Rapporteur states that "truth commissions derive their power, to a large extent, from the moral authority and the expertise of commissioners, hence the selection of commissioners is crucial to their success."[10] He also notes that "more thought has been given to appointment procedures than to the underlying crucial criteria for selection" and has called for mandates "to articulate more clearly the relevant criteria, beyond generalities concerning reputation". The draft bill for the Truth Commission in Colombia mentions some specific selection criteria (below); however, it still lacks detail. If it becomes clear during the consultation process that the public deem additional criteria especially important, these should also be considered.

It should be noted that Colombia is in the unique position of having already built up the necessary research capacity through the National Center for Historical Memory as part of the truth process for reintegrating ex-paramilitaries. Given that this institutional capacity currently exists and that the Center is respected for its impartiality, the Truth Commission would benefit from drawing deeply on its technical expertise.

Individual criteria

The draft bill provides characteristics that the Selection Committee should consider amongst individuals: "ethical standards; impartiality; independence; commitment to human rights and justice; absence of a conflict of interest; knowledge of the armed conflict, International Humanitarian Law and human rights, and proven experience in these fields".

- **Ethical standards**. The moral authority of commissioners is vital for the success of the Commission because it will lend credibility to its work. It is also important because the work of the Commission should at all times respect the highest standards of professional ethics.[11]
- **Independence and impartiality**. Each commissioner must be viewed as independent and impartial if s/he is to inspire trust amongst all different sectors of society. Each commissioner must also uphold the Commission's reputation as an objective, apolitical body. OHCHR recommends that "any inclination to put political leaders or representatives of political parties, factions or former armed groups on the Commission should be strongly resisted."[12] Such a perceived lack of impartiality negatively impacted the truth commissions in the DRC (2003)[13] and Kenya (2008)[14].
- **Commitment to human rights and justice**. Commissioners should have substantial experience working on human rights issues, including "demonstrable achievements, a record of civil courage, and a commitment to human rights under difficult circumstances".[15]
- **Competence**. The work of a truth commission is uniquely difficult and sensitive. Commissioners must have the intellectual and organizational abilities for managing all aspects of such an operation. The UN Special Rapporteur states that in selecting commissioners "a careful balance between expediency and representativeness must be ensured, with *competence* as the guiding principle [emphasis added]".[16]
- **Health**. The good health and endurance of commissioners is often assumed, but it must be made clear that this is a physically demanding job requiring long periods of travel.

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10.   Pablo de Greiff, 'Report of the Special Rapporteur', para. 98.

11.   Eduardo González and Howard Varney (eds.), 'Truth Seeking: Elements of Creating an Effective Truth Commission', Amnesty Commission of the Ministry of Justice of Brazil / ICTJ, 2013, pp. 11–12.

12.   OHCHR, 'Rule-of-Law Tools for Post-Conflict States: Truth Commissions', UN, HR/PUB/06/1, p. 13.

13.   In the DRC (2003) individuals linked to the warring factions were allowed to serve on the truth commission's executive bodies. As a result, key sectors of the international community withdrew their support for the process. See: Eduardo González, Elena Naughton and Félix Reátegui, 'Challenging the Conventional: Can Truth Commissions Strengthen Peace Processes?', ICTJ and Kofi Annan Foundation, June 2014, p. 56.

14.   In Kenya (2008) the chair of the commission was alleged to have illegally acquired land and participated in other crimes. See: *Ibid*., p. 19.

15.   *Ibid*., p. 18.

16.   Pablo de Greiff, 'Report of the Special Rapporteur', para. 103(c).

Collective criteria

The draft bill also details various "collective criteria" that the Selection Committee should consider during the final selection: "gender balance, pluralism, cross-disciplinary experience and regional representation."

- **Gender balance**. Human rights abuses are inflicted differently on men and women, so truth commissions must incorporate a gender perspective to fully appreciate these violations. Gender balance is particularly important in dealing with sexual assault. However, as noted by the International Center for Transitional Justice (ICTJ), "gender balance alone is an insufficient indicator of whether a commission will adequately address human rights abuses suffered by women, so commissions should probe potential applicants' attitudes to gender prior to appointment."[17]
- **Pluralism and regional representation**. A diverse group of commissioners will be more able to reach out to victims and witnesses, and to raise the concerns of different sectors of the population. While diversity in representation does not guarantee that all sectors of the population will feel that they have been treated fairly, a lack of representativeness can lead to the politicization of the process, as happened in Peru (2001).[18] However, the UN Special Rapporteur warns that it is important not to sacrifice competence for representativeness. Equally important, appointing commissioners because they represent a specific constituency runs the risk of causing problems for that commissioner if he or she chooses to take a strong stand against their 'constituency'.[19]
- **Cross-disciplinary experience**. As a group, commissioners should have combined skill sets that include familiarity with: law, in particular human rights and constitutional law; history; economics; forensics; gender studies; social anthropology; psychology; medicine; religion; journalism; and conflict resolution.[20]
- **Ability to work together**. Although this is not explicitly mentioned in the draft bill, the Truth Commission will not be successful unless there is group cohesion. Research suggests that successful teams are characterized by interpersonal trust and mutual respect.[21] While the group dynamic cannot be predicted in advance, the chair of the commission can set ground rules and create group norms that will minimize public conflict. Internal tensions can result in open disputes which would undermine the process, as in Canada (2006)[22] and Kenya (2008)[23].

5. Choosing the Chairperson

The draft bill states that the chairperson will be "chosen by common agreement between the government and the FARC-EP". S/he will likely be chosen before the other commissioners are selected. This individual must be a person of outstanding moral authority and competence. Writers, academics and church leaders with national reputations and strong moral authority have led truth commissions in other South American countries.[24] If the chairperson is controversial then the Commission's operations and legitimacy may be continuously challenged, as occurred in Kenya (2008).[25]

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17. ICTJ, 'Truth Commissions and NGOs: The Essential Relationship', Occasional Papers Series, April 2004, p. 18.
18. Peru's truth commissioners consisted mostly of educated white men from Lima who spoke Spanish. In contrast, the victims were overwhelmingly rural, indigenous and illiterate Quechua speakers.
19. Pablo de Greiff, 'Report of the Special Rapporteur', paras. 60, 70.
20. González and Varney (eds.), 'Truth Seeking', p. 18.
21. Charles Duhigg, 'What Google Learned From Its Quest to Build the Perfect Team', *New York Times*, 25 February 2016.
22. In Canada (2006) disagreements between the chairperson and the commissioners led to a year-long delay and the resignation of all of the commissioners. See: Eduardo González et al., 'Challenging the Conventional', p. 19.
23. In Kenya (2008) divisions among the commissioners led to a report that some commissioners rejected, leading to legal challenges and undermining its legitimacy. See: Eduardo González et al., 'Challenging the Conventional', p. 61
24. The writer Ernesto Sábato in Argentina (1983); the academic Salomón Febres in Peru (2001); and church leaders Bishop Sergio Valech in Chile (2003), Bishop Monseñor Mario Medina in Paraguay (2004) and Sister Elsie Monge in Ecuador (2007).
25. The chairperson of the commission in Kenya (2008), Bethuel Kiplagat, had allegedly participated in government decisions that resulted in gross violations of human rights under the Kenya African National Union regime. The

6. Nominating Candidates

The draft bill states that "the nomination process will be wide and pluralistic, ensuring that all sectors of society, including victims' organizations, amongst others, are able to nominate candidates".

1. **Consultation and outreach**. The Truth Commission needs to be perceived as legitimate in order to achieve its objectives. To legitimize the Commission and to help the Selection Committee understand the needs of victims, two principles are key: *public consultation* and *community outreach*. Public conversations about the candidates will bring about a greater sense of public ownership of the Truth Commission. Consultations will also help educate society about the goals of the Truth Commission, stimulate discussion about the required qualities for commissioners, and build support for the plebiscite.[26] Until now, the Colombian public has viewed the peace process as closed and secretive – the nomination phase represents an opportunity to open it up. To facilitate public participation:

   a. **Public awareness initiative**. Raising awareness of the nomination process will broaden the pool of candidates. Importantly, public engagement will build legitimacy for the Truth Commission process, as it did in Sierra Leone (2002).[27]

   b. **Group consultations**. This could occur in the form of public discussions or community meetings between members of the committee and members of civil society, especially with victims and other marginalized groups. Group consultations were used effectively in Timor-Leste (2002),[28] while the lack of consultations in the selection process in the DRC (2003) undermined the legitimacy of the commission.[29]

   c. **Engagement with NGOs**. NGOs work closely with victims and are connected to broader civil society. They can help mobilize public opinion and will be important partners in the consultation and outreach process.

2. **Eligibility to nominate/to be nominated**. The Selection Committee must decide who can nominate candidates and who is eligible to be nominated:

   a. **Eligible to nominate**. One or more from: national citizens; national organizations;[30] non-citizens;[31]

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controversy prompted the resignation of the commission's vice chair, Betty Murungi, and undermined public confidence in the commission itself. See: Eduardo González et al., 'Challenging the Conventional', p. 61.

26. Diane Orentlicher, 'Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity', UN, E/CN.4/2005/102/Add.1, 8 February 2005. See also: Pablo de Greiff, 'Report of the Special Rapporteur', para. 58.

27. In Sierra Leone (2002), re-advertising the commissioners' positions educated the public about the role and importance of the commission and the qualities needed to become a commissioner; although the main public awareness initiative actually took place after the commission had been set up. Known as the 'Barray Phase', this initiative involved commissioners visiting each of the 12 districts outside Freetown and staying for a week to explain to communities the work of the truth commission. See: Eduardo González et al., 'Challenging the Conventional', p. 41.

28. According to the ICTJ, in Timor-Leste (2002) the public and consultative nomination process "stimulated a wide public debate about who would be a successful candidate". See: ICTJ, 'Selecting Commissioners for Nepal's Truth and Reconciliation Commission', Briefing Note, March 2011, p. 11.

29. Some commissioners were appointed without a consultation process, resulting in the perception that selection was based on political affiliation González and Varney (eds.), 'Truth Seeking', p. 15.

30. In Paraguay (2004), Liberia (2006) and Kenya (2008) organizations could nominate candidates.

31. In Sierra Leone (2002), nominations could be put forward by "anyone within or outside Sierra Leone", resulting in a list of 65 nominees.

international organizations;[32] the Selection Committee itself.[33]

b.   **Eligible to be nominated**. Eligible candidates can be either citizens or non-citizens.[34] The selection committee should also decide whether or not self-nominations are allowed.

3.   **Limiting the number of candidates**. It is not practical for the Selection Committee to sift through thousands of candidates. As such, the Committee may decide to limit the number of candidates:

a.   **Qualifying criteria**. If desired, the Committee can set objective eligibility criteria. For example, no prior conviction for a crime; over 35 years old; no prior membership of any group involved in the conflict; etc.

b.   **Organizational backing**. The Committee can also require nominees to be endorsed by an organization, as was the case in South Africa (1994).[35] This would require clarification on what counts as an organization. This option could mean that less-organized communities will not have a nominee who represents their interests, although this is less of a worry since there are a large number of well-organized groups representing victims and marginalized communities.

c.   **Minimum number of nominations**. The committee may require candidates to receive a certain number of nominations as part of the eligibility criteria.

4.   **The nomination procedure**. This process should be simple and accessible.

a.   **Nomination forms**. The ICTJ suggests that this should include 'the full name and other identifying features of the person making the nomination and the nominee (e.g. date of birth and/or address); a section to explain why the nominee would be a good commissioner; and a section where the nominee can acknowledge his or her willingness to be considered.'[36]

b.   **Exceptional cases**. Since some people will not have access to official nomination forms, the Selection Committee may allow for alternative methods of nomination.

7. Vetting Candidates

Once the nomination phase is over, the Selection Committee must vet the nominated candidates. The Selection Committee has 3 months to vet the candidates and make its final selection. The Committee will need to establish clear vetting procedures.

1.   **Creating a longlist**. Things to consider:

a.   **Voting methods**. To create a longlist, the committee members should vote on the nominees. The simplest types of voting methods to use at this stage are:
   • **Approval**. Each committee member can approve of as many as s/he wants to approve. For example, Committee Member X approves of Candidate A = 1, but not Candidate B = 0 or C = 0. Candidates who gain approval from the majority of the committee are

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32.   In Timor-Leste (2002) the commissioners were appointed by the international head of the Transitional Administration on the advice of the selection panel. In Kenya (2008), Sierra Leone (2002), Guatemala (1997), Burundi (1995) and El Salvador (1992) international organizations (generally the UN) nominated or selected only the international commissioners.

33.   In Timor-Leste (2002) the selection panel itself could nominate candidates if it had "consulted with community groups concerning such persons".

34.   Three of the 11 commissioners in the Colombian Truth Commission can be non-citizens.

35.   In South Africa (1994) any citizen could nominate a candidate, as long as the candidate had organizational backing, resulting in 300 nominees.

36.   ICTJ, 'Selecting Commissioners for Nepal's Truth and Reconciliation Commission', p. 3.

placed on the shortlist. This method encourages members to judge which candidates meet a certain threshold, but their vote conveys little information.

- **Negative Voting**. This is similar to Approval, except that each member can also choose to vote against candidates they disapprove of (e.g. Committee Member X approves of Candidate A = 1, but not Candidate B or C = 0).

b. **Publishing the longlist**. The Selection Committee can choose to publish the longlist and seek public feedback for a limited period of time. Publishing names offers transparency to the process and would stimulate a national debate. It also enables the public to send in comments or concerns about specific nominees. However, this process would take time and some nominees may not want to be named in public at this stage. Kenya's experience (2008) suggests that publishing the longlist is a good idea.[37]

c. **Due diligence**. To avoid conflicts of interest, the ICTJ recommends that longlisted candidates should "provide any information that could indicate either a conflict of interest or the perception of such because of views expressed, publications made, political, personal or business affiliations. This would have the added benefit of making it easier to remove a candidate if they failed to disclose such information."[38]

2. **Creating a shortlist**. The Selection Committee should refine the list of qualified candidates and develop a shortlist of candidates to be interviewed. The length of the shortlist will be a function of the time remaining in the 3-month selection process and the time allotted to interview each person.[39] Consider:

a. **Voting methods**. At this point, the Committee should use a voting method that expresses more information (instead of Approval or Negative Voting). For example:

- **Scoring methods.**
  - **Score**. Each member scores each candidate out of 10. For example, Committee Member X scores Candidate A = 10; Candidate B = 5; C = 7. The tabulated scores lead to a shortlist. This method allows Committee Members to express how strongly they feel about each candidate. However, it is vulnerable to strategic voting because opinions can be exaggerated (e.g. A = 10, B = 1), meaning that the votes of those who do not exaggerate will not receive equal weighting.
  - **Specific Criteria**. Each member scores each candidate out of 10 on specific criteria (e.g. Committee Member X scores Candidate A: impartiality = 10; human rights expertise = 5; etc.). The more important criteria could be weighted more heavily, or all could be weighted equally. The tabulated information leads to a shortlist. This method was used in Sierra Leone (2002).[40]

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37. In Kenya (2008) no public consultation on the suitability of candidates was carried out before the final selection. If the public had had the opportunity to give feedback about the nominees, it would have become clear that the proposed chairperson was unsuitable. See: Eduardo González et al., 'Challenging the Conventional', p. 61.

38. ICTJ, 'Selecting Commissioners for Nepal's Truth and Reconciliation Commission', p. 4. Note that appointing a nominee with involvement in another part of the transitional justice process – such as the Special Jurisdiction for Peace [Jurisdicción Especial para la Paz] – could induce a conflict of interest and public confusion. This was a problem in Sierra Leone (2002), where one of the commissioners, William Schabas, was involved in both the truth commission and the Special Court of Sierra Leone. Some ex-combatants were deterred from testifying before the commission for fear of self-incrimination at the Court.

39. In South Africa, each panelist was asked to review the applications, rate the candidates using a numerical system and provide a list of 50-60 candidates they would support. The tabulation of this information led to a list of the top 50, who were invited for interviews.

40. In Sierra Leone (2002) the selection panel used a list of 13 criteria and judged each candidate from 1–10 on each criterion. The scores were then averaged and candidates were ranked accordingly. All criteria were weighted equally. ICTJ, 'Selecting Commissioners for Nepal's Truth and Reconciliation Commission', pp. 9–10.

- **Ranking methods**. Each member provides a linear ordering of the candidates according to preference. However, this is difficult when there are many candidates. This ranking method may be more useful for the final selection phase.[41]
  - **Borda Count**. Each candidate is assigned a score based on rank. For example, if there are 20 candidates (A, B, C ... S, T) and Committee Member X likes A the most, then B, and likes T the least, then Member X gives 20 points to A, 19 to B, and just 1 point to T. The candidates with the highest scores are selected. As with Score, voters may exaggerate their opinions to gain an advantage.
  - **Instant Runoff**. If a candidate receives a majority of 1st-choice votes then that candidate is placed on the shortlist. If there is no majority winner, then the candidate who receives the fewest 1st-placed votes is eliminated.[42] These ballots are then recounted and the votes are redistributed according to the next name on the ballot's rank ordering. This process continues until the desired number of candidates is reached. This method is more complex, but will better reflect Committee Members' true preferences.
  - **Condorcet Ranking**. The vote is broken down into one-on-one races. If Committee Member X ranks A over B then A wins the race between A and B. If there is a candidate who beats everyone else in one-on-one races then that candidate wins. The candidate who comes next in the ranking is also selected, and so on, until the desired number of candidates is reached. This method ensures that candidates who are liked by the majority are selected, even if they are not necessarily the favorites of individual Committee Members. However, Condorcet is a complex system.

   b.   **Publishing the shortlist**. As before, the committee may choose to publish the shortlist.

3.   **Open, public consultations**. Once the shortlist has been decided, the Selection Committee may opt to hold consultations to solicit views about shortlisted candidates. Engaging with all sectors of society is logistically difficult, especially in rural areas, so the Committee may choose to host open, public consultations in the most conflict-affected areas, with invitations to key civil society groups and victims' groups.

4.   **Conducting interviews**. Best practice suggests that the Committee should prepare a set of common questions, as well as questions that are specific to individual nominees. After each interview, the Committee should "discuss the suitability of each candidate and document those discussions."[43]

5.   **Public or private interviews?** Public interviews would likely be less candid than private interviews, although they would improve public participation and transparency, and give the public a greater sense of ownership over the process. The committee may wish to conduct both types of interviews. Public interviews were held in South Africa (1994) and Timor-Leste (2002), but not in Sierra Leone (2002).[44]

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41.   For more information on these methods, see: Eric Pacuit, 'Voting Methods', Stanford Encyclopedia of Philosophy, 3 August 2011.

42.   Alternatively, the candidate who receives the most last-placed votes is eliminated. This removes the least liked choice at the start.

43.   ICTJ, 'Selecting Commissioners for Nepal's Truth and Reconciliation Commission', p. 4.

44.   In South Africa (1994) and Timor-Leste (2002), interviews took the form of public hearings, which were seen as fundamentally important in giving people a sense of ownership. In Sierra Leone (2002), interviews were criticized for being private. See: ICTJ, 'Selecting Commissioners for Nepal's Truth and Reconciliation Commission', pp. 7–11.

8. Final Selection of Commissioners

Once all the interviews have been conducted, the Selection Committee must make their final selection:

1. **The final choice**. As stated in the agreement, for a candidate to be selected they must have the support of at least 6 of the committee members. Other things to consider:

    a. **Voting method**. At this point the list has been whittled down and it is necessary for the voting method to reflect how intensely the members feel about each candidate. Ranked or scored methods are better than Approval or Negative Voting for this purpose.

    b. **Consensus**. The Committee can use consensus to decide who should through to the next stage. However, consensus voting favors persuasive speakers and can marginalize some members.

    c. **Two-stage process**. The top 20 candidates could be decided using one of the voting methods. The Committee could then discuss the top 10 (or 11 if the chairperson has not yet been chosen by this stage), with the goal of balancing out the group with regards to gender, region, ethnic identity, political leanings, expertise, etc.

    d. **Veto**. Given the professed importance given to victims, it may be worth considering the possibility of giving veto powers to the 3 members of the Selection Committee who were not jointly chosen by the government and the FARC-EP, since these members will likely represent civil society and victims' groups. There are two options:
        *   Each of these 3 members could possess a veto.
        *   The 3 members could possess a block veto, whereby a candidate would be eliminated if none of the 3 members voted for that candidate, *even if* the other 6 members of the committee had voted in favor of that candidate. The Committee may also decide to limit the number of times the veto can be used.

2. **International commissioners**. Selecting international commissioners may give the Commission an image of impartiality and independence;[45] as well as ensuring specific technical competencies and expertise, as with Sierra Leone (2002).[46] International commissioners may also enhance international public opinion, which may improve the Commission's leverage, as in Guatemala (1997).[47] At the same time, selecting non-citizens can undermine national ownership over the process, especially if they do not maintain a long-term presence in the country, as occurred in Sierra Leone (2002).[48]

3. **Back-up candidates**. Back-up candidates should also be selected and ranked by merit, in case the preferred candidates do not accept.

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45. The UN Special Rapporteur notes that one of the motivations for appointing international commissioners is that they are viewed as being "unrelated to local disputes". See: Pablo de Greiff, 'Report of the Special Rapporteur', para. 62.

46. In Sierra Leone (2002) the international community provided vital technical and expert assistance at key moments early on and organized the basic institutional structures that would allow it to do its work. See: Eduardo González et al., 'Challenging the Conventional', p. 44.

47. In Guatemala (1997) intense international attention prevented the truth-seeking process from being derailed. See: *Ibid*., pp. 19, 32.

48. In Sierra Leone (2002) international commissioners were perceived as uncommitted because they spent too much time "hopping between global hotspots".