

Open questionnaire to all candidates

Generic section

1. Name: **Sir Nigel RODLEY**
2. Nationality: **United Kingdom**
3. Current position: **Emeritus Professor and Chair, Human Rights Centre, University of Essex**
4. a. Are you currently holding any position on behalf of, or for, your Government? If so, please give details: **member, UK Foreign Secretary's Human Rights Advisory Group – function is to give independent advice to the Foreign Secretary**
4. b. Have you held any position on behalf of, or for, your Government? May any of your previous positions compromise your actual or perceived independence and impartiality? If so, please give details: **Member, Lord Howe's Mission to China, 1992 – China not a State Party to the ICCPR**
4. c. Please indicate any current or potential conflict of interest that may prevent you from exercising independence and impartiality in your work as a member of a UN treaty body. **None**
5. What was the nomination process for your candidacy? Was civil society consulted? **In 2000, nominated by the UK on the recommendation of an inter-ministerial interview committee in a competitive selection process. I don't believe civil society was consulted. Subsequent re-nominations not subject to outside consultation or competition**
- 6.a. UN languages spoken fluently: **English and French, with good Spanish**
- 6.b: Level of English: **Native**
7. Link to your full resume:
<http://www.ohchr.org/EN/HRBodies/CCPR/Pages/Elections35th.aspx>
8. Please summarise your experience relevant to this position (100 words): **(First) Legal Adviser at Amnesty International (1973-1990); UN Commission on Human Rights Special Rapporteur on the question of torture (1993-2001); Committee member since 2001**
9. During your possible service as a Committee member, what other positions or professional activities do you intend to engage in? **Continuing as Chair of the University of Essex Human Rights Centre and member (and current President) of the International Commission of Jurists (I avoid involvement in policy discussions on States Parties to the ICCPR)**

Treaty-specific section:

International Covenant on Civil and Political Rights (ICCPR)

Please provide responses that are as precise as possible and in no more than 200 words per question.

1. Why do you want to be a member of the Human Rights Committee? **I hope to continue to bring expertise, experience and continuity to the Committee, as long as my colleagues feel they value that contribution. Apart from personal expressions of encouragement to stand again, the fact that I have been entrusted in the current biennium with three responsible functions represents concrete evidence of the usefulness my colleagues still see in my role in the Committee. The three functions are: Special Rapporteur on New Communications and Interim Measures (with co-Rapporteur Mr Yuval Shany), Rapporteur for draft General Comment 36 on the rights to life (Article 6) (with Co-Rapporteur Mr Yuval Shany) and Committee Focal Point for events relating to the 50th Anniversary of the adoption of the two International Covenants on Human Rights. Also, having invested much in steering draft General Comment 36 this far, I feel a personal commitment to seeing the exercise through.**

2. What are your specific areas of expertise in relation to the ICCPR? Please provide examples as appropriate. In particular, please specify if you have any expertise or knowledge in handling individual complaints/communications. As a member of the Committee, **I have been Chair of the Committee (2013-2014), Vice-Chair (2003-2004 and 2009-2010), Rapporteur for General Comment 31 (2002-2004), Special Rapporteur on Follow-Up to Concluding Observations (2007-2008), and Special Rapporteur on New Communications and Interim Measures (2011-2012 and 2015-2016); the latter, current function particular reflects my colleagues' confidence in my expertise in handling individual complaints. Before that I came to the Committee with a developed background in studying and working for the worldwide implementation of the international legal prohibition of torture and cruel, inhuman or degrading treatment or punishment, notably, as the UN Commission on Human Rights Special Rapporteur dealing with that phenomenon.**

3. What do you think are the emerging issues and challenges in the implementation of the ICCPR? Please provide 1-2 examples. **The challenge of finding ways of countering invocations of the very real need to combat various forms of terrorism, especially at the transnational level, as a pretext for violating fundamental rights; and the need to strengthen recognition of state responsibility to prevent corporate complicity in human rights violations, whether committed in the home state or abroad.**

4. What do you think are the challenges in the implementation of the ICCPR at the national level (for example normative, legal, structural, ideological or cultural)? Please provide 1-2 examples. **Despite the fact that article 2(1) of the ICCPR requires immediate, not gradual, implementation, states often find it difficult to assign the resources necessary to avoid the sorts of prison conditions that are irreconcilable with the respect for the human dignity of prisoners that article 10 demands. There is a real problem of entrenched cultural attitudes that can conduce to serious harm that states must find ways of addressing to avoid failing in their 'positive obligations' under the ICCPR, typical examples being practices involving discrimination and even violence against women.**

5. State parties to the ICCPR are required to take steps to implement the Covenant. How do you propose that the Committee should help guide States in the effective implementation of Covenant standards? **The Committee should continue to look for recommendations of country-specific relevance and, as far as possible, avoid 'boiler-plate' language.**

6. What can the Committee do to further strengthen its engagement with other stakeholders including National Human Rights Institutions (NHRI), members of Parliament, judicial actors, civil society and UN agencies? **The Committee has no choice but to support requests for greater resources for the relevant units of the OHCHR and welcome the support of the CCPR Centre in helping it reach out to these key stakeholders. The Committee is not a permanent body and so must rely on others to make things happen between meetings.**

7. How do you see the Human Rights Committee strengthening the domestic and international environment for holding business/private actors responsible for violations under the Covenant? **See response to 3. above.**