***APPLICATION DEADLINE: 25 NOVEMBER 2021 AT 12 NOON GENEVA TIME***

* *The application process consists of two compulsory parts:****(1) online survey[[1]](#footnote-1)*** *(*[*https://ohchr-survey.unog.ch/index.php/985419*](https://ohchr-survey.unog.ch/index.php/985419)*)  
  and****(2) application form in Word format[[2]](#footnote-2)*** *(to be downloaded from* [*https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/HRC49.aspx*](https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/HRC49.aspx)*)*
* *Once fully completed, in English or French only, the Word application form should be submitted by email to* [*ohchr-hrcspecialprocedures@un.org*](mailto:ohchr-hrcspecialprocedures@un.org)
* *A maximum of up to three optional reference letters may be attached to the email (in Word or PDF format).*
* *No additional documents (e.g. CVs, resumes or additional reference letters) will be accepted.*
* *Applicants will receive an acknowledgment email when both parts of the application process, i.e. the data submitted through the online survey and the Word application form, have been received by the Secretariat.*
* *Applications will only be considered if both parts and all sections of the Word application form have been completed and received by the Secretariat before the expiration of the deadline.* ***No incomplete or late applications will be accepted****.*
* *Eligible for Working Group mandates are only nationals of the States belonging to the* [*regional groups*](https://www.un.org/dgacm/content/regional-groups) *for which specific vacancies have been advertised.*
* *General description of the selection process and answers to frequently asked questions are available at* [*https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/Nominations.aspx*](https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/Nominations.aspx) *and* [*https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/BasicInformationSelectionIndependentExperts.aspx*](https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/BasicInformationSelectionIndependentExperts.aspx)
* *In case of technical difficulties or problems with accessing or completing the forms, you may contact the Secretariat by email (*[*ohchr-hrcspecialprocedures@un.org*](mailto:ohchr-hrcspecialprocedures@un.org)*) or fax (+41 22 917 9008).*

**I. PERSONAL DATA**

|  |  |
| --- | --- |
| **1. Family (last) name:** BRATZA | **5. Year of birth:** 1945 |
| **2. First (given) name:** NICOLAS | **6. Place of birth:** CHEAM, SURREY, ENGLAND |
| **3. Other name, if any:** DUSAN | **7. Nationality (please indicate the nationality that will appear on the public list of candidates):** BRITISH |
| **4. Gender:** MALE | **8. Any other nationality:** NONE |

**II. MANDATE-SPECIFIC COMPETENCE / QUALIFICATIONS / KNOWLEDGE**

**NOTE: Please describe why the candidate’s competence / qualifications / knowledge is relevant in relation to the specific mandate:**

1. **QUALIFICATIONS** (200 words limit)

**Relevant educational qualifications or equivalent professional experience in the field of human rights; good communication skills (i.e. orally and in writing) in one of the six official languages of the United Nations (i.e. Arabic, Chinese, English, French, Russian, Spanish.)**

In 1967 I was awarded a First Class Honours Degree in jurisprudence at Brasenose College, Oxford and, in 1969, I was called to the English Bar by Lincoln's Inn. I was appointed a Junior Counsel to the Crown in 1983 and a Queen's Counsel in 1988.

Although practising primarily as a commercial barrister, I developed a substantial practice in human rights law and, in particular, the law of the European Convention on Human Rights (ECHR). Over a period of 23 years, I appeared as counsel in numerous cases before the former European Commission and European Court of Human Rights. As noted below, in 1993 I became a member of the Commission and, in 1998, I became a judge of the newly created permanent Court, a position I held until 2012.

English is my mother tongue. I read and understand French with ease. My spoken French has become poorer since I left the European Court in 2012.

1. **RELEVANT EXPERTISE** (200 words limit)

**Knowledge of international human rights instruments, norms and principles. (Please state how this was acquired.)**

**Knowledge of institutional mandates related to the United Nations or other international or regional organizations’ work in the area of human rights and particularly in the area of the mandate. (Please state how this was acquired.)**

**Proven work experience in the field of human rights and particularly in the area of the mandate. (Please state years of experience.)**

I have considerable knowledge and experience of the ECHR system, which I gained as a practising barrister for 23 years, as the UK member of the European Commission of Human Right from 1993 until 1998 and as a judge of the European Court of Human Rights from 1998 until 2012.

I have had no direct professional experience of the UN human rights system but have gained some knowledge of the system as a member of the Board of the International Service for Human Rights for 6 years and, since 2013, as a member of the International Commission of Jurists, in which I currently serve as a member of the Executive Committee.

As a member of the Commission and a Judge of the Court I took part in deciding numerous cases involving allegations of arbitrary detention under Article 5 of the ECHR. I also took part in some 14 fact-finding missions in Turkey, taking evidence in cases involving extrajudicial killings, torture, arbitrary detention, forced disappearances and destruction of villages, and in a mission in Moldova, concerning the arbitrary detention of four applicants in the breakaway territory of Transdniestria.

1. **ESTABLISHED** **COMPETENCE** (200 words limit)

**Nationally, regionally or internationally recognized competence related to human rights. (Please explain how such competence was acquired.)**

I was elected as the UK member of the European Commission of Human Rights in 1993 and, in 1998, was appointed a High Court Judge and elected as the first UK Judge of the permanent European Court of Human Rights. I was elected as a Chamber President of the Court in 1998, 2001 and 2004 and, in 2007, was elected as one of the two Vice-Presidents of the Court. In 2011, I was elected as President of the Court, a post I held until I retired from the Court in the following year.

1. **PUBLICATIONS OR PUBLIC STATEMENTS**

**Please list significant and relevant published books, articles, journals and reports that the candidate has written or public statements, or pronouncements that the candidate has made or events participated in relation to the mandate.**

* 1. **Enter three publications in relation to the mandate applied for, in the order of relevance:**

**1. Title of publication:**

**Journal/Publisher:**

**Date of publication:**

**Web link, if available:**

**2. Title of publication:**

**Journal/Publisher:**

**Date of publication:**

**Web link, if available:**

**3. Title of publication:**

**Journal/Publisher:**

**Date of publication:**

**Web link, if available:**

**If more than three publications, kindly summarize** (200 words limit):

I have not published books or articles on matters related to the mandate. Although I lectured on human rights as an Honorary Professor at the University of Nottingham for three years and have written articles on various human rights topics, my work specifically related to the mandate has been exclusively through judgments, decisions and reports in cases in the European Commission and Court in which I participated and in which claims of arbitrary detention were examined. These cases included Conka v.Belgium (2002); Assanidze v. Georgia (2004); Ilascu and Others v. Moldova and Russia (2004); H.L.v. UK (2004); Tanis v Turkey (2005); Saadi v.UK (2008); Medvedyev v. France (2010); El Masri v. FYROM (2012); Stanev v Bulgaria (2012); Creanga v. Romania (2012); and Georgia v Russia (No1) (2014).

In the Tanis case and in the case of Ilascu and others, I was part of the fact-finding delegation in Turkey and in Moldova that took evidence in the cases .

* 1. **Enter three public statements or pronouncements made or events that the candidate may have participated in relation to the mandate applied for, in the order of relevance:**

**1. Platform/occasion/event on which public statement/pronouncement made:**

**Event organizer:**

**Date on which public statement/pronouncement made:**

**Web link, if available:**

**2. Platform/occasion/event on which public statement/pronouncement made:**

**Event organizer:**

**Date on which public statement/pronouncement made:**

**Web link, if available:**

**3. Platform/occasion/event on which public statement/pronouncement made:**

**Event organizer:**

**Date on which public statement/pronouncement made:**

**Web link, if available:**

**If more than three, kindly summarize** (200 words limit):

Please see my replies in section 4.1. My only public statements or pronouncements related to the mandate were made in decisions or reports of the European Commission and in judgments of the European Court in cases in which I participated.

1. **flexibility/readiness and AVAILABILITY of time** (200 words limit)

**to perform effectively the functions of the mandate and to respond to its requirements, including participating in Human Rights Council (HRC) sessions in Geneva and General Assembly sessions in New York, travelling on two country visits per year, drafting reports according to established deadlines, organizing and participating in consultations and meetings, addressing allegations of human rights violations with all concerned, providing advice to States and other stakeholders on issues related to their mandate and engaging with a variety of stakeholders. Kindly indicate whether the candidate can dedicate an estimated time of four to six months per year to the work of a mandate depending on its workload.**

**Please note that the work of mandate holders is unpaid. Those appointed as mandate holders serve in their personal capacities. They are not United Nations staff members, they are not based in United Nations offices in Geneva or at another United Nations location, and they do not receive salary or other financial compensation, except for travel expenses and daily subsistence allowance of “experts on mission”.**

I confirm that I am ready and available to devote up to to six months per year to the work of the mandate, depending on its workload.

1. **NOMINATION FOR THE MANDATE**

**Indicate whether the candidate has been nominated by (check all that apply):**

**Individual nominations (indicate this if the candidate is self-nominating)**

**Governments**

**Regional groups operating within the United Nations human rights systems**

**International organizations or their offices**

**Non-governmental organizations**

**National human rights institutions**

**Other human rights bodies**

**Name of the nominating entity and additional information about the nomination (use if applicable, for third-party nominations only)** (200 words limit)**:**

**III. Motivation Letter, INCLUDING YOUR VISION OF THE MANDATE**(600 word limit. Must be typed in the space below and not sent in a separate email or as an attachment. To be drafted and signed (i.e. with a typed signature) by the candidate himself/herself even if nominated by another entity.)

I retired as a judge of the European Court of Human Rights and of the English High Court in 2012. Since retiring, I have maintained an active interest in the protection of human rights. I am currently the Chair of the British Institute of Human Rights and Interim Chair of Asylum Aid, a member of the Executive Committee of the International Commission of Jurists and a member of the Board of the Helen Bamber Foundation, with a particular focus in the last organisation on the detention of aslylum seekers and victims of torture and human trafficking. I also chaired two international inquiries into compliance with the ECHR of Ukraine's investigations into the violent events in Kyiv and Odesa in 2013-2014, which included several fact-finding missions in Ukraine (Reports 2015) and an inquiry into allegations of corruption in the Parliamentary Assembly of the Council of Europe (Report 2018).

However, I would like, once again, to play a more direct and practical role in the protection of human rights and consider that becoming a member of a Working Group with a mandate to investigate cases of arbitrary detention would provide me with such a role. I would hope that, with my background and experience, i could, if appointed, make a substantial contribution to the work of the Group.

**IV. LANGUAGES (READ / WRITTEN / SPOKEN)**

**Please indicate all language skills below.**

**1. Mother tongue:** **English**

**2. Knowledge of the official languages of the United Nations:**

**Arabic:** Yes or no:If yes,

**Read:** Easily orNot easily:   
**Write:** Easily or Not easily: **Speak:** Easily or Not easily:

**Chinese:** Yes or no:If yes,

**Read:** Easily or not easily: **Write:** Easily or not easily: **Speak:** Easily or not easily:

**English:** Yes or no:If yes,

**Read:** Easily or not easily: **Write:** Easily or not easily: **Speak:** Easily or not easily:

**French:** Yes or no: **Yes** If yes,

**Read:** Easily or not easily: **Easily  
Write:** Easily or not easily: **Not easily  
Speak:** Easily or not easily: **Not easily**

**Russian:** Yes or no:If yes,

**Read:** Easily or not easily: **Write:** Easily or not easily: **Speak:** Easily or not easily:

**Spanish:** Yes or no:If yes,

**Read:** Easily or not easily: **Write:** Easily or not easily: **Speak:** Easily or not easily:

**V. EDUCATIONAL RECORD**

**NOTE: Please list the candidate’s academic qualifications (university level and higher, indicating the type of degree and field of study, and whether full- or part-time; for example, *Masters in Law, University of XXX, part-time, 1975-1977, city and country)*. If space in the table is insufficient, more than one degree may be listed in a single cell below, separating them by a blank line.**

|  |  |  |
| --- | --- | --- |
| **Name of degree, field of study and name of academic institution, full or part-time:** | **Years of attendance**  (provide a range from-to, for example 1999-2003;  for ongoing education, please put e.g. 2018-present): | **Place and country:** |
| BA First Class Honours degree in Jurisprudence, at Brasenose College, University of Oxford. | 1964-1967  MA 1970 | Oxford University, United Kingdom. |
| Honorary Doctorate in Law at University of Essex | 2013 | Essex University, United Kingdom |
| Honorary Doctorate in Law at University of Glasgow | 2014 | Glasgow University, United Kingdom. |
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**VI. EMPLOYMENT RECORD**

**NOTE: Please briefly list ALL RELEVANT professional positions held in the area of human rights, beginning with the candidate’s current (most recent) occupation.** **Also, indicate whether positions held were full-time or part-time. If space in the table is insufficient, more than one position may be listed in a single cell below, separating them by a blank line.**

|  |  |  |
| --- | --- | --- |
| **Name of employer,**  **functional title,**  **main functions of position, full- or part-time:** | **Years of work** (provide a range from-to, for example 1999-2005;  for ongoing activities, please put e.g. 2018-present): | **Place  and country:** |
| Council of Europe: Judge of the European Court of Human Rights. Full time. | 1998-2012  President of Court in 2011-2012. | Strasbourg, France |
| Council of Europe: Member of the European Commission of Human Rights. Part time. | 1993-1998 | Strasbourg, France |
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**VII. COMPLIANCE WITH ETHICS AND INTEGRITY PROVISIONS   
(of Human Rights Council resolution 5/1)  
*To be completed by the candidate or by the nominating entity on the candidate’s behalf.***

**1. To your knowledge, does the candidate have any official, professional, personal, or financial relationships that might cause the candidate to limit the extent of inquiries, to limit disclosure, or to weaken or slant findings in any way? If yes, please explain.**

No

**2. Are there any factors that could either directly or indirectly influence, pressure, threaten, or otherwise affect the candidate’s ability to act independently in discharging the mandate? If yes, please explain:**

No

**3. Is there any reason, currently or in the past, that could call into question the candidate’s moral authority and credibility or does the candidate hold any views or opinions that could prejudice the manner in which the candidate discharges the mandate? If yes, please explain:**

No

**4. Does the candidate comply with the provisions in paragraph 44 and 46 of the annex to Human Rights Council resolution 5/1? (Please answer YES if the candidate complies, NO if the candidate does not comply, together with an explanation.)**

***Para. 44: The principle of non-accumulation of human rights functions at a time shall be respected.***

***Para. 46: Individuals holding decision-making positions in Government or in any other organization or entity which may give rise to a conflict of interest with the responsibilities inherent to the mandate shall be excluded. Mandate holders will act in their personal capacity.***

YES

**5. Should the candidate be appointed as a mandate holder, the candidate will have to take measures to comply with paragraphs 44 and 46 of the annex to Council resolution 5/1. In the event that the current occupation or activity, even if unpaid, of the candidate may give rise to a conflict of interest (e.g. if a candidate holds a decision-making position in Government) and/or there is an accumulation of human rights functions (e.g. as a member of another human rights mechanism at the international, regional or national level), necessary measures could include relinquishing positions, occupations or activities. If applicable, please indicate the measures the candidate will take.**

**VIII. CERTIFY AND SUBMIT APPLICATION  
*To be completed by the candidate. The candidate’s name below should match how it is entered on the first page of the form and in the online survey.***

**I hereby certify that all of the statements made in this application are true, complete and are made in good faith. I understand that falsifying or intentionally withholding information will be grounds for not being selected or appointed or the withdrawal of any proposed appointment or, if an appointment has been made and accepted, for its immediate cancellation or termination.  
  
Kindly note that whilst no changes can be made after this application form has been submitted and the deadline for applications has expired, any relevant change of current occupation, employment, or position, or any other relevant fact or circumstance should be brought to the attention of the secretariat by   
email (**[**ohchr-hrcspecialprocedures@un.org**](mailto:ohchr-hrcspecialprocedures@un.org)**).**

**Please review the application before you insert your name and date to indicate your agreement.**

**Name:** Sir Nicolas Bratza

**Date:** 24 November 2021

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1. The short **online survey** is used to collect information for statistical purposes such as personal data (i.e. name, gender, nationality), contact details, mandate applying for and, if appropriate, nominating entity. The same name, gender and nationality must be used both in the online survey and in the Word application form. [↑](#footnote-ref-1)
2. The **application form in Word format** includes a motivation letter of maximum 600 words (section III of the form). The application form should be completed in English or French only, the two working languages of the United Nations Secretariat. The application form will be used as received to prepare the public list of eligible candidates who applied for the vacancy. The application forms of eligible candidates will also be posted as received on the OHCHR public web page for the selection process. [↑](#footnote-ref-2)