***APPLICATION DEADLINE: 6 APRIL 2022 AT 12 NOON GENEVA TIME***

* *The application process consists of two compulsory parts:****(1) online survey[[1]](#footnote-0)*** *(*[*https://ohchr-survey.unog.ch/index.php/893271*](https://ohchr-survey.unog.ch/index.php/893271)*)
and****(2) application form in Word format[[2]](#footnote-1)*** *(to be downloaded from* [*https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/HRC50.aspx*](https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/HRC50.aspx)*)*
* *Once fully completed, in English or French only, the Word application form should be submitted by email to* *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**) or fax (+41 22 917 9008).*

**I. PERSONAL DATA**

| **1. Family (last) name:** LI  | **5. Year of birth:** 1963 |
| --- | --- |
| **2. First (given) name:** XIAO  | **6. Place of birth:** HENAN, CHINA |
| **3. Other name, if any:** NO  | **7. Nationality (please indicate the nationality that will appear on the public list of candidates):** CHINA |
| **4. Gender:** FEMALE  | **8. Any other nationality:** NO |

**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.)**

I obtained a master's degree in criminal procedure law at the year of 1993 in China and another master’s degree in law in the United States in 2001, studying international human rights standards.

The work I am engaged in is closely related to the protection of human rights. I have participated in the legislation of the Code of Criminal Procedure, proposing a number of measures and provisions prohibiting torture and protecting human rights, which have been written into the law. I have participated in the writing and implementation of China's National Human Rights Action Plan and in the review of the implementation of the Convention against Torture. Over the past 20 years, I have participated in many bilateral or multilateral human rights dialogues and seminars, and on these occasions, I have made keynote speeches on the progress of judicial protection of Chinese rights. Every year I train judges on human rights as well.

I am a Chinese (Mandarin) native speaker and proficient in English.

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.)**

In 1986, the Chinese government signed the Convention against Torture, which entered into force in 1988. In 1996, I participated in the revision of some provisions of China's Criminal Procedure Law, carefully studied the relevant provisions of the Convention, strictly prohibited the extortion of confessions by torture, and promoted the incorporation of the principles of the Convention into China's Criminal Procedure Law. The Criminal Procedure Law, which was amended in 2021, confirms the "exclusion of illegal evidence" system in the form of law, curbing the extortion of confessions by torture and illegal evidence collection from the source. As an expert member of the Chinese delegation, in November 2015, I attended a two-day implementation review dialogue with the United Nations Committee against Torture, paying close attention to the issues raised by the Committee on Torture and advancing their resolution. In 2018, I participated in promoting the full coverage of lawyers' defense in criminal cases. For more than 20 years, as an expert in judicial protection of Chinese rights, I have continuously promoted and implemented relevant measures for respecting and protecting human rights in judicial reform.

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

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

I drafted chapters on defense and representation and death penalty review procedures in the Interpretation of the Supreme People's Court on the Application of the Criminal Procedure Law of the People's Republic of China, where judicial interpretations and laws have the same effect; judges throughout the country should comply with them when handling criminal cases and cite them in judgment documents. Every year, I host a training course on human rights knowledge for judges, training more than 500 criminal judges from local courts throughout China, raising judges' awareness of human rights protection, and guiding them to strengthen the judicial protection of human rights in handling cases.

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: “**Diversity of the Civilizations and Development of World Human Rights, China’s Judicial Protection system for Human Rights and Its Contribution to the World’s Human Rights Cause” by Li Xiao

**Journal/Publisher:** China Intercontinental Press

**Date of publication:** AUG.2021

**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):

* 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:**  SCIO Briefing on the Implementation of the National Human Rights Action Plan (2016-2020).

**Event organizer:** The State Council Information Office, P.R.C.(SCIO)

**Date on which public statement/pronouncement made:** May 31, 2021

**Web link, if available:** http://www.scio.gov.cn/xwfbh/xwbfbh/fbh/Document/1705110/1705110.htm - 0K - 2021-05-31 14:50:05

**2. Platform/occasion/event on which public statement/pronouncement made:**  Information Office of the State Council

**Event organizer:** Philosophy and Practice of the Communist Party of China on Respecting and Protecting of Human Rights

**Date on which public statement/pronouncement made:** June 24,2021

**Web link, if available:** http://www.scio.gov.cn/xwfbh/xwbfbh/wqfbh/44687/46065/sp46066/Document/1707242/1707242.htm - 0.15K - 2021-06-24 16:14:16

**3. Platform/occasion/event on which public statement/pronouncement made:** Beijing Forum on Human Rights

**Event organizer:** China Society for Human Rights Studies, China Foundation for Human Rights Development

**Date on which public statement/pronouncement made:**  2015.9.16

**Web link, if available:**

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

Over the years, I participated and gave talks in the Beijing Forum on Human Rights, South-South Human Rights Forum, China-Europe Seminar on Human Rights, and U.S.-China Track II Dialogue on the Rule of Law & Human Rights, etc. as an leading expert.

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”.**

In April 2023, I will retire from the Supreme People's Court of China. After that, I can work full-time, travel to countries, or attend the Human Rights Council（HRC) sessions in Geneva and the General Assembly sessions in New York. I can dedicate my time to this work for at least six months per year.

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; cannot be sent in a separate email or as an attachment. To be written by the candidates themselves even if nominated by another entity.)

38 years ago, I started my career as a criminal court judge, where I handled some serious, excruciating cases involving torture. I remembered the first case was about a senior police officer: due to eagerness to solve the case, the officer interrogated a criminal suspect who was a teacher overnight and tortured the suspect indescribably, resulting in the death of the suspect. I sentenced the policeman to twenty years in prison for extorting confessions by torture and intentional injury. The second case was about a criminal case of a detained defendant, whose leg was broken by the police, and when I tried the case, the bruises of his broken leg were still there– he stroked his leg to tell me about the torture. Appalling, both cases took place in China in the 1980s and left a lasting impression in my heart to protect freedom against torture. Since then, I have been committed to respecting and protecting human rights in criminal proceedings and to providing fair trials for the parties involved.

In 1996, I have become a judge of the Supreme People's Court, and my duty is to draft criminal justice interpretations and put forward opinions or suggestions on the protection of human rights to the legislature after research. For example, if the defendant in a criminal case does not have a defender, the people's court should inform the defendant of the right to submit a request to the legal aid department to appoint a defender to defend him. All second-instance cases will be tried, and illegal evidence must be excluded. I also promoted the revision of the Criminal Procedure Law again in 2012 and included "respect for and protection of human rights" as a basic principle in law. In 2015, I participated in the United Nations Committee against Torture's implementation review dialogue on China, formulated a work plan according to the questionnaires put forward by the members and special rapporteurs, and promoted its completion within a certain period of time. Now that I have the opportunity to apply for the Special Rapporteur on the mandate of torture, I hope that with my many years of experience in criminal trials and my knowledge of the procedure, I can help more countries improve their legislation, save more people from torture and make the world more fair and just.

If I were a Special Rapporteur, I would objectively and impartially investigate the problems existing in the implementation of the Convention against Torture in member states and put forward practical measures and proposals to promote and improve the human rights situation in accordance with the country's economic development and the construction of the rule of law, etc. At the same time, I will set out a timetable to supervise and inspect the country's continuous improvement of its legislative, law enforcement, and judicial situation and guarantee human rights.

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

**Please indicate all language skills below.**

**1. Mother tongue:** **CHINESE**

**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: **YES** If yes,

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

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

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

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

**Read:** Easily or not easily: **Write:** Easily or not easily: **Speak:** Easily or 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:** |
| --- | --- | --- |
| Masters in Law, Columbia University School of Law, full time | 2001-2002 | New York, U.S.A |
| Masters in Law, China University of Political Science and Law, full time | 1990-1993 | Beijing, China |
|       |       |       |
|       |       |       |
|       |       |       |

**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:** |
| --- | --- | --- |
| Supreme People's Court of China, Senior Judge & Deputy Director of the Research Department, Drafting judicial interpretation and dealing with Human rights, full time | 1993-present | Beijing, China |
| Chinese Judicial Studies Association, Secretary-General | 2020-present | Beijing, China |
| High People's Court of Henan Province, Judge, Handling criminal cases, full time | 1984-1993 | Zhengzhou, China |
|       |       |       |
|       |       |       |
|       |       |       |
|       |       |       |
|       |       |       |

**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.**

N/A

**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****).**

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

**Name:** LI,XIAO

**Date:** April 5,2022

\*\*\*\*

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-0)
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-1)