**How to apply:**

The entire application process consists of two parts: **1. online survey** and **2. application form in Word format**. Both parts and all sections of the application form need to be completed and received by the Secretariat before the expiration of the deadline.

**First part:** **Online survey** (<http://ohchr-survey.unog.ch/index.php/891483?lang=en>) 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.

**Second part:** **Application form in Word** can be downloaded from <http://www.ohchr.org/EN/HRBodies/SP/Pages/HRC32.aspx> by clicking on the mandate. It should be fully completed and saved in Word format and then submitted as an attachment by email. Information provided in this form includes a motivation letter of maximum 600 words. The application form should be completed in English only. It will be used as received to prepare the public list of candidates who applied for each vacancy and will also be posted as received on the OHCHR public website.

Once fully completed (including Section VII), the application form in Word should be submitted to [hrcspecialprocedures@ohchr.org](mailto:hrcspecialprocedures@ohchr.org) (by email). A maximum of up to three reference letters (optional) can be attached in Word or pdf format to the email prior to the expiration of the deadline. No additional documents, such as CVs, resumes, or supplementary reference letters beyond the first three received will be accepted.

**Please note that for Working Group appointments, only citizens of States belonging to the specific regional group are eligible. Please refer to the list of United Nations regional groups of Member States at** [**http://www.un.org/depts/DGACM/RegionalGroups.shtml**](http://www.un.org/depts/DGACM/RegionalGroups.shtml)

* **Application deadline: 14 april 2016 (12 noon GMT)**
* **No incomplete or late applications will be accepted.**
* **Shortlisted candidates will be interviewed at a later stage.**

General description of the selection process is available at <http://www.ohchr.org/EN/HRBodies/SP/Pages/Nominations.aspx>

In case of technical difficulties, or if encountering problems with accessing or completing the forms, you may contact the Secretariat by email at [hrcspecialprocedures@ohchr.org](mailto:hrcspecialprocedures@ohchr.org) or fax at + 41 22 917 9008.

**You 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 email.**

**Thank you for your interest in the work of the Human Rights Council.**

**I. PERSONAL DATA**

|  |  |
| --- | --- |
| **1. Family name:** Kessedjian | **6. Year of birth:** 1954 |
| **2. First name:** Catherine | **7. Place of birth:** Valence France |
| **3. Maiden name (if any):** | **8. Nationality (please indicate the nationality that will appear on the public list of candidates):** French |
| **4. Middle name:** | **9. Any other nationality:** |
| **5. Sex:**  **Male**  **Female** |  |

**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)

**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.)**

Being of Armenian ascend, in a host country where my father took refuge as a young genocide survivor, human rights is a second nature for me. I studied Human Rights and Public International Law in Law School. I hold two post graduate degrees one in Public International Law and one in Private International Law.

I have been teaching all my professional life in both French and English in many countries around the world. I have given speeches and presided over panel discussions in many countries as well.

For eight years I chaired an International Committee under the auspices of the International Law Association. One of the resolutions adpoted by the ILA was prepared by that Committee, over a four-year work program, on Private International Law Issues for Civil Actions for Violation of Human Rights by Transnational Corporations (See publications below).

I have given speeches on many aspects of Human Rights issues (refugees, minorities, genocide, business and human rights, notably).

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

**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. (Please state how this was acquired.)**

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

As a practising attorney in Paris, helping corporations do business in many parts of the world and particularly in countries were the rule of law may have been problematic, I always asked my clients to include a human rights clause in their contracts (for example, the comitment not to recrute children). Nowadays it would be called a "corporate social responsibility" clause. At the time, this was not very common and many of my clients were surprised when I was approaching them with such a request.

As a professor of international contract law (particularly in my classes at New York University School of law (2004, 2008 and 2011) I always devoted one or two classes on the human rights aspects of business conduct.

As an arbitrator, I am of the opinion (and I have written on this) that transnational public policy (which certainly includes Human Rights norms and some CSR norms) must be applied by arbitral tribunals. This is of course controversial, but it seems that if Human Rights are to be taken seriously, it must be taken into consideration at many levels of the value chain by all entities involved in the chain.

I have also taught Business and Human rights as a separate seminar at my University in Paris since 2013. I will teach the same seminar at McGill (Canada) in early 2017 for a full semester in my capacity as Wainwright Visiting Professor in the Faculty of Law.

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

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

I can say that I am now recognized as a specialist of the field of Business and Human Rights in France, regionally and, probably, internationally. I am asked to speak at Conferences (Lausanne, Lisbon, San Sebastian, Dijon, for example) on the topic.

I was auditionned by the French Platform established by the French Government at the time the first bill was presented before the French National Assembly to introduce in French law a due diligence obligation for companies and a strict liability principle. During the audition, I explained that due regard was to be given to international and European efforts and I cited the UN Guiding Principles as an essential part of what should be done in the field, questioning how the proposed French Bill could fit into that structure.

I am also a member of the Study Group established by the ILA on Business and Human Rights chaired by Michael Addo.

Finally, I was recently appointed General Rapporteur for the International Academy of Comparative Law Congress (Japan 2018) on CSR issues including Business and Human Rights.

1. **PUBLICATIONS OR PUBLIC STATEMENTS**

**Please listsignificant and relevant published books, articles, journals and reports that you have written or public statements, or pronouncements that you have made or events that you may have participated in relation to the mandate.**

* 1. **Enter three publications in relation to the mandate for which you are applying in the order of relevance:**

**1. Title of publication:** Grands Avis de la Commission Nationale Consultative des Droits de l'Homme, Comment On Opinion 2013 on the challenges facing France for the application of the UN Guiding Principles

**Journal/Publisher:** Dalloz

**Date of publication:** 2015

**Web link, if available:**

**2. Title of publication:** The Implementation of the UN Principles on Business and Human Rights in Private International Law - European Perspectives and Developments

**Journal/Publisher:** Swiss Institute of Comparative Law - Lausanne Oct. 2014

**Date of publication:** Publication awaited any day

**Web link, if available:**

**3. Title of publication:** International Law Association Report and Resolution on Private International Law Issues for Civil Actions for Violation of Human Rights by Transnational Corporations (co-author)

**Journal/Publisher:** ILA

**Date of publication:** 2010 (Interim Report) 2012 (Final Report and Resolution)

**Web link, if available:** www.ila-hq.org/committees/former committees

**If more than three publications, kindly summarize** (200 words):I have written extensively on many aspects of dispute resolution at the European and International level. Among others, I have authored a monography on International Business Law which includes all legal aspects (whether soft law or hard law) of the value chain, including an important chapter on contract law and dispute resolution. I have also authored several publications dealing either directly or indirectly with ethics in business conduct.

* 1. **Enter three public statements or pronouncements made or events that you may have participated in relation to the mandate for which you are applying in the order of relevance:**

**1. Platform/occasion/event on which public statement/pronouncement made:** 4th Forum on Business and Human Rights - The statement was made from the floor about the use of mediation as a preventive tool or "project mediation".

**Event organizer:** UN Working Group on Business and Human Rights

**Date on which public statement/pronouncement made:** Nov 2015

**Web link, if available:**

**2. Platform/occasion/event on which public statement/pronouncement made:** San Sebastian, Seminar financed by the European Union (Speaker) - Issues of confidentiality when using mediation as a dispute resolution mechanism for Human Rights violations

**Event organizer:** Globernance

**Date on which public statement/pronouncement made:** Feb 2015

**Web link, if available:**

**3. Platform/occasion/event on which public statement/pronouncement made:** French Platform on Corporate Social Responsibility and Business and Human Rights - Audition related to the bill pending in the National Assembly of France on due diligence and corporate liability

**Event organizer:** French Platform

**Date on which public statement/pronouncement made:** 2014

**Web link, if available:**

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

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

**to perform effectively the functions of the mandate and to respond to its requirements, including participating in Human Rights Council sessions in Geneva and General Assembly sessions in New York, travelling on special procedures visits, drafting reports and engaging with a variety of stakeholders. (Indicate whether candidate can dedicate an estimated total of approx. three months per year to the work of a mandate.)**

I am taking early retirement from the University and want to devote more time to the field of Corporate Social Responsibility of which the topic of Business and Human Rights is a sub-topic. I will have absolutely no difficulty devoting the appropriate amount of time to the mandate of the Working Group. My other activities as an arbitrator and a mediator are very flexible and can be organised around the obligations I will have if I become a member of the Working Group. I travel very easily and adapt to all kinds of environments.

**III. Motivation Letter** (600 word limit)

I came to know about Private International Law issues for civil actions for violations of Human Rights when I was working at the Hague Conference on Private International Law in 1997. At that time, was negotiated a worldwide convention on jurisdiction and judgments. Several lawyers from the United States called the attention of the negotiators on the use of the Alien Tort Statute and the necessity to keep a special jurisdictional basis (i.e. doing business) in the draft convention, so that victims of human rights violations could act before US courts under that head of jurisdiction. This resulted in article 18 of the preliminary draft convention.

In August 2008, as the ILA Committee on international Litigation in the interest of the public, which I was chairing, was looking for a new topic of investigation and potential need for de lege ferenda proposals, the work of Prof. Ruggie as United Nations Rapporteur for Business and Human Rights came to my attention.

For somebody of my generation, it was quite extraordinary that the UN would be attempting once again to propose some rules, via the ill-named “soft law”, to regulate conduct of transnational corporations, particularly with regards to the respect of Human Rights. Indeed, I studied law at a time when several attempts to regulate transnational corporations, including within the UN, had failed and everybody believed that it would not be possible to do so. A new momentum was given with the Global Compact. But that was not enough. It is thanks to the very innovative and refined thinking of Prof. Ruggie that the Guiding Principles were drafted with corporations and other stakeholders at the negotiation table. The Guiding Principles are, for all of us, both an unequaled piece of craftsmanship and a groundbreaking advancement of the law.

This is why it became clear for me that the ILA needed to work in the same spirit and contribute to give the Guiding Principles some practical application. Hence the idea to work on private international law issues to complement the third pillar of the UN Guiding Principles. Before we started to work on that idea, I wrote to Prof. Ruggie asking him whether he thought it would be a good idea. Taking note of his positive answer, we launched a four year process which led to the adoption by the ILA of the Sofia Resolution in 2012 (Private International Law issues for civil actions for violation of Human Rights by Transnational Corporations. Interim Report The Hague 2010 and Final Report Sofia 2012).

It is the above expertise, coupled with the fact that I am a dispute resolution specialist, including in arbitration and mediation, and that I have worked all my life with corporations (of all dimensions) that I hope I can bring to the Working Group.

It would be an honor and a pleasure to devote time to the Working Group efforts to better implement the Ruggie Principles (particularly within the value chain and for dispute resolution) which form an essential part of what the XXIst century society is or ought to be. I am taking early retirement from the University to devote more time to other activities among which Business and Human Rights and, more generally, Corporate Social Responsibility. The decision to retire came much before I knew of the opening at the UN Working Group. But when I came to know of the opening, I thought it was a perfect coincidence. There would be no better place to be of service to all stakeholders than to be part of the UN Working Group.

I am available to answer questions and give further clarification as may be necessary.

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

**Please indicate all language skills below.**

**1. Mother tongue:** **French**

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

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

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

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

**Read:** Easily or not easily: **Write:** Easily or not easily: **Speak:** Easily or not 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: **Yes** If yes,

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

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

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

**Spanish:** 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**

**V. EDUCATIONAL RECORD**

**NOTE: Please list the candidate’s academic qualifications (university level and higher).**

|  |  |  |
| --- | --- | --- |
| **Name of degree and name of academic institution:** | **Years of attendance**  (provide a range from-to, for example 1999-2003): | **Place and country:** |
| Doctoral (SJD) University Paris I (now known as Pantheon-Sorbonne) | 1981-1987 | Paris France |
| LLM University of Pennsylvania Law School | 1980-1981 | Philadelphia USA |
| Accredited Mediator CEDR London | 2015 | London UK |
| Trained mediator in France and California | 2014-2015 | Paris and San Francisco |

**VI. EMPLOYMENT RECORD**

**NOTE: Please briefly list ALL RELEVANT professional positions held, beginning with the most recent one.**

|  |  |  |
| --- | --- | --- |
| **Name of employer,**  **functional title,**  **main functions of position:** | **Years of work** (provide a range from-to, for example 1999-2005): | **Place and country:** |
| Universite Pantheon-Assas Paris II, Professor, Deputy-Director - European College of Paris, Director of Studies - LLM in European Law. As of 1 Nov. 2016 will be Professor Emeritus (after retirement). | 2000-2016 | Paris France |
| Universite Pantheon-Assas, professor of a seminar on Business and Human Rights | 2013-2016 | Paris France |
| Hague Conference on Private International Law, Secretary for one year and then Deputy Secretary General | 1996-2000 | The Hague The Netherlands |
| Attorney-at-law, Paris Bar | 1979-1998 | Paris France |

**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 his/her behalf.***

**1. To your knowledge, does the candidate have any official, professional, personal, or financial relationships that might cause him/her to limit the extent of their 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 his/her mandate? If yes, please explain:**

No

**3. Is there any reason, currently or in that 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 she/he discharges his 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?**

***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, he/she 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.**

Not applicable

\*\*\*\*