

**PERSONAL DATA**

Family Name: Lindsay	Sex: <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female
First Name: Lilian	Date of birth ( d-MMM-yy): 12-Aug-59
Maiden name (if any):	Place of birth: UK
Middle name: Rae	Nationality(ies): UK

**I. MANDATE**

Indicate the specific mandate applied for:

Note: **Please select ONE only.** If you are applying for more than one mandate, please submit a separate form for each mandate.

- 1. Working Group on human rights and transnational corporations and other business enterprises
- 2. Independent Expert on Cote d'Ivoire
- 3. Working Group on Mercenaries (candidates for this mandate must be nationals of a country from the Western European and Other group)

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

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

<p>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 official languages of the United Nations (i.e. Arabic, Chinese, English, French, Russian, Spanish.)</p>	<p>Undergraduate and graduate degrees in law and criminology. Studied civil liberties, attended summer programme at the International Institute of Human Rights, Strasbourg. Dissertation on freedom of religion; thesis on wiretapping. Represented multinational corporations in litigation alleging complicity in violations of international human rights and international humanitarian law. This involved complex issues arising from allegations of genocide, slavery, torture, war crimes, displacement of populations. I advise clients on human rights issues relating to their operations and investments, including in conflict zones; and on potential liability for human rights violations, including international crimes. Pro bono representations include clients on death row in the Caribbean; human rights NGOs in relation to International Criminal Court matters. Strong oral and written communication skills: advice to clients, submissions to courts and tribunals (e.g. written submissions for Kuwait and Jordan to the United Nations Compensation Commission ('UNCC')). I appeared as advocate for Jordan in claims for environmental damage to the UNCC. I am co-author of a book on State Immunity (published by OUP, 2004). Frequent public speaker at seminars and conferences, including on the subject of business and human rights.</p>
<p>RELEVANT EXPERTISE (200 words)                  Knowledge of international human rights instruments,</p>	<p>25 years experience practicing international law and litigation. 10 years experience in human rights-related work. Between 2001 and 2005, I represented</p>

<p>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).</p>	<p>corporate defendants in litigation in the United States under the Alien Tort Claims Act. Claims included complicity in violations of international law (genocide, slavery, war crimes, torture, displacement of populations, etc.). These representations involved detailed knowledge and analysis of international human rights instruments, of customary international human rights and international humanitarian law, and of the jurisprudence of international tribunals on human rights issues. These representations also involved analysis of the applicability of relevant duties and standards to corporations; comparative reviews of legal accountability (civil and criminal) of corporations for human rights violations, in domestic courts. Other experience includes advising clients on human rights issues related to their operations, including matters of security (eg conflict zones, piracy). I participated in consultations by Professor John Ruggie whilst he was the UN Secretary General's Special Representative on human rights and transnational corporations, and managed projects providing pro bono advice to Professor Ruggie. This included contributions to the Corporate Law Tools project; advice on state immunity.</p>
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<p><b>ESTABLISHED COMPETENCE</b> (200 words) Nationally, regionally or internationally recognized competence related to human rights. (Please explain how such competence was acquired).</p>	<p>Member of the UK Equality and Human Rights Commission's working group on business and human rights (2009 – present).</p> <p>Member of the OECD-hosted working group on responsible investment - due diligence in the mining sector (2009 – 10).</p> <p>Co-awarded Research Paper Grant by the Association of International Petroleum Negotiators to examine the implications of the Guiding Principles for the international</p>
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	<p>energy sector, and to seek to identify solutions to the challenges posed to the sector (project completion April 2011).</p> <p>I am regularly asked to speak at conferences/seminars on the subject of business and human rights, and to participate in roundtables/consultations on business &amp; human rights issues.</p> <p>I am familiar with the workings of the United Nations through my professional representations. In particular, I have advised on matters related to the UN and the Charter; worked extensively in relation to the UNCC throughout the 1990s; participated in working groups as part of the Interlaken, Bonn-Berlin and Stockholm processes aimed at more effective economic sanctions. Between 1994 – 1996 I was a member of the United Nations Environment Programme Working Group of Experts on Liability and Compensation for Environmental Damage arising from Military Activities.</p>
<p>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.</p>	<p>I will be able to dedicate an estimated total of three months per year to the work of the mandate. The flexibility accorded me by my working arrangements with the firm of which I am a partner will enable me to undertake the functions of the mandate while continuing to fulfil my role as a partner in the firm. In particular, I would be available to dedicate the time required to participate in Human Rights Council sessions in Geneva and General Assembly sessions in New York, to travel on special procedures visits, draft reports and engage</p>

(Indicate whether candidate can dedicate an estimated total of approx. three months per year to the work of a mandate)

with stakeholders.

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

Please indicate all language skills

Languages	Read		Write		Speak	
	Easily	Not Easily	Easily	Not Easily	Easily	Not Easily
<b>Arabic</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Chinese</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>English</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>French</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Russian</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Spanish</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Mother tongue: English</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### **IV. Motivation Letter (600 word limit)**

I make this application as an ardent supporter of John Ruggie's mandate since its inception; and as an enthusiastic proponent of what more can be achieved by building upon the legacy of that work. I believe my breadth of experience and expertise equip me to contribute in a significant way to the success of the Working Group's mandate.

In June, the Human Rights Council congratulated Professor Ruggie on the 'catalytic role' he has played in generating a greater shared understanding among all stakeholders in the business and human rights arena. Having practiced as a lawyer in this area for a decade, it has been immensely encouraging to witness Professor Ruggie defuse a highly polarised debate and transform the business and human rights landscape into one of coherent and constructive engagement. Critical to the mandate's success were its inclusivity and transparency, from which it became possible to perceive a shared common purpose aimed at the better protection of human rights, despite differences in interests and priorities.

The positive, inclusive features of the Ruggie mandate must be a touchstone of the Working Group's operations if it is to fulfil the potential created by the Human Rights Council's unanimous endorsement of the 'Guiding Principles on Business and Human Rights.'

Critically, the Guiding Principles now must become a meaningful reality for all peoples and all businesses. I have a particular interest in implementation issues arising from the Guiding Principles, and the continuing challenges posed by the 'governance gaps' identified by Professor Ruggie when the 'Protect, Respect, Remedy' framework was first articulated. The challenges are many. There will be a thirst for assistance with the practical implementation of the Guiding Principles, and with capacity building. In these efforts, I believe the Working Group would benefit from the skills of an international lawyer. My practice within a global commercial firm, advising clients ranging from governments to international organisations to multinational corporations, provides insight into the issues facing the various constituencies, whose respect and collaboration the Working Group must achieve. I have advised clients on the relevant legal frameworks and helped them grapple with policy, corporate governance, due diligence and compliance challenges of the type that are thrown into sharp relief by the Guiding Principles.

As a senior partner in a law firm, I am used to managing a complex caseload, acting in a leadership role and operating within a team to achieve pragmatic but principled results to problematic issues. My job is to understand and

analyse problems, and establish objectives to deal with them; to come up with solutions that take account of relevant laws, facts and practicalities; and to present those persuasively to clients. I am well used to communicating with and advising clients at the most senior levels, from Ministers to senior executives and General Counsel. Unique issues arise in dialogue with particular constituencies, be they constitutional constraints within states or international organisations, or pressures on corporations to maximise shareholder returns, or to protect reputation and brand.

My diversity of practice in several jurisdictions over 25 years has enabled me to work in many different countries, with individuals from diverse backgrounds and cultures. I have participated in multinational, multidisciplinary working groups and appreciate the need for cohesion within such groups; for an ability to listen to viewpoints and work towards consensual outcomes. I believe I can achieve respect and trust across the spectrum of relevant stakeholders.

I have a great desire to make a meaningful contribution to the effective implementation of the 'Protect, Respect, Remedy' framework and of the Guiding Principles. Being part of the Working Group would provide a unique opportunity to do so.



**V. EDUCATIONAL RECORD**

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

<b>Name of degree and name of academic institution</b>	<b>Years of Attendance</b>	<b>Place and Country</b>
MA (Criminology), University of Toronto	1982-1983	Toronto, Ontario, Canada
LLM (Master of Laws), University of Toronto	1981-1982	Toronto, Ontario, Canada
LLB (Bachelor of Laws), University of Leicester	1978-1981	Leicester, UK

## 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 Attendance/ Work	Place and Country
Clifford Chance LLP, Partner (1997 - present), Associate Lawyer (1986 - 1997) Lawyer	1986 - Present	London, UK (1986 - 2001; 2005 - present) New York, USA (2001 - 2005)
Law Offices of Joseph W. Carcione Lawyer	1984 - 1986	Redwood City, California, USA
Macleod Dixon, Articled Clerk Lawyer	1983 - 1984	Calgary, Alberta, Canada
University of Toronto, Teaching Assistant Teaching courses to undergraduate students; grading course work and examinations	1982 - 1983	Toronto, Ontario, Canada

**VII. COMPLIANCE WITH ETHICS AND INTEGRITY PROVISIONS (of Council Resolution 5/1)**

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.

N/A

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You will receive an acknowledgment when we receive both parts of the application process, i.e. the information through the Web-based application and the Word application form by email.

Thank you for your interest.