

Curriculum Vitae: Michael O'Flaherty.

Born: 5 March 1959.

Nationality: Irish.

Appointments:

2013 – Present:

Established Professor of Human Rights Law and Director of the Irish Centre for Human Rights, National University of Ireland, Galway.

Director of Ireland's leading university-based unit engaged in human rights research, advocacy and teaching; senior academic in the field of human rights.
EU FRANET Senior Expert for Ireland.

2011 -2013:

Chief Commissioner, Northern Ireland Human Rights Commission, Belfast, Northern Ireland.

Leader of Northern Ireland's statutory national human rights institution.

2004 to 2012:

Member (latterly Vice-chair) the United Nations Human Rights Committee.

Elected member of the oversight body for implementation by States of the International Covenant on Civil and Political Rights.

2003 to 2013:

Professor of Applied Human Rights and Co-director, the Human Rights Law Centre, University of Nottingham, UK.

Director of prominent university-based unit engaged in human rights research, advocacy and teaching; senior academic in the field of human rights.

2002 to 2003:

Senior Research Officer (Child Rights), UNICEF Innocent Research Centre, Florence, Italy.

Team leader for applied research programmes in the field of child rights.

2000 to 2002:

Coordinator, UN Office of the High Commissioner for Human Rights (OHCHR) programmes in the Asia-Pacific region, OHCHR, Geneva, Switzerland.

Leader of headquarters team guiding development and implementation of all UN human rights field operations across the Asia-Pacific region.

Chairperson of the UN Task Force on Human Rights and Humanitarian Action.

Leader of inter-agency action to mainstream human rights in UN humanitarian action.

1998 to 2000:

Chief, the UN human rights programme in Sierra Leone, Freetown, Sierra Leone.

Establishment and direction of the UN human rights programme in Sierra Leone during and following the conflict period.

1997 to 1998:

Independent Consultant in Human Rights.

Principal projects included:

Initiator and Facilitator of the Working Group on Victims' Rights of the NGO Coalition for an International Criminal Court (for The Redress Trust).

Design of The Bosnia and Herzegovina Foundation for Democracy (for International IDEA and the European Union).

Action plan for reestablishment of the Irish Centre for Human Rights (for National University of Ireland, Galway).

1996 to 1997:

UN, Sarajevo (Seconded to the Office of the High Representative in Bosnia and Herzegovina):

Expert Advisor on Human Rights under the Dayton Peace Accords;

Field-based Focal Point for the UN Human Rights Special Rapporteur for Former Yugoslavia.

1995 to 1996:

Secretary, (UN) Committee on the Elimination of Racial Discrimination, UN Centre for Human Rights, Geneva, Switzerland.

Team leader delivering secretariat support to this treaty oversight body.

1993 to 1995:

UN Centre for Human Rights, Geneva, Zagreb and Sarajevo:

Desk Officer for Former Yugoslavia.

Initiator and first field-based coordinator of the UN human rights field presence in Bosnia and Herzegovina.

1987 to 1992:

Roman Catholic priest, Ireland (subsequently laicised).

Education:

1993 University of Amsterdam, Netherlands: Master of Philosophy (human rights)

1992 to 1993 University of Amsterdam / Amsterdam School of International Relations, Netherlands: Master of Arts in International Relations

1984 to 1987 Pontifical Gregorian University, Rome: Bachelor of Theology

1983 to 1984 Pontifical Gregorian University, Rome: Bachelor of Philosophy

1980 to 1983 Law Society of Ireland, Dublin: Solicitor of the Courts

1977 to 1980 University College Dublin (National University of Ireland): Bachelor of Civil Law

Personal Skills – Leadership:

As Chief Commissioner of the Northern Ireland Human Rights Commission I managed extremely complex governmental and societal relations within a divided post-conflict society. Notwithstanding the challenges, I ensured that the Commission delivered oversight of and support for implementation of the State's ECHR and other legal obligations.

As an elected member (latterly Vice-Chair) of the United Nations Human Rights Committee – the international oversight body for civil and political rights - I led numerous dialogues with States to assist them in implementing their human rights treaty obligations. My work within the UN Human Rights Committee required respectful negotiation with a globally representative committee membership, national and international civil society and governments. The trust in which I was held was re-affirmed when I headed the poll in re-election to the Committee in 2008.

From 1993-2004 I held a number of senior secretariat positions with the United Nations, including initiator of its human rights field operations in such conflict-affected countries as Bosnia-Herzegovina (1993) and Sierra Leone (1998-2000). In each of these complex emergency environments I successfully led teams whereby we delivered critical outcomes while building constituencies of trust and support and overcoming numerous forms of resistance and hostility.

Within the framework of these positions and otherwise I have led numerous exercises to strengthen the international human rights protection systems. For example:

(a) I initiated the “Dublin Process” for the strengthening of the international human rights treaty body system – a programme of global consultations among governments, civil society and human rights experts that in large part shaped a successful subsequent UN General Assembly outcome (2014);

(b) In 2011 I concluded the negotiation of a comprehensive restatement of the international human rights law regarding freedom of expression (“Human Rights Committee General Comment 34”). This has been very well received by States, civil society and academics and is having a significant impact for the better protection of freedom of expression (and access to information) internationally.

(c) In 2006 I guided the process of negotiation and drafting of the Yogyakarta Principle on the Application of Human Rights law Regarding Issues of Sexual Orientating and Gender Identity – a landmark text that is significantly influencing policy-level and legal developments in Europe and elsewhere. To achieve this outcome I secured agreement of lawyers and activists worldwide on extremely sensitive formulations in context of heated discourse and legal uncertainty;

(d) In the 1990s, in the face of considerable doubt and scepticism, I initiated and led a Victims Rights Working Group of the NGO Coalition for the International Criminal Court. The working group is credited with securing strong reference to victims in the statute of the court.

Personal Skills – Experience of the EU Fundamental Rights Architecture:

Much of my work has been conducted in a European context. As well as serving as the EU FRANET senior expert for Ireland I have otherwise advised it and participated in its work programmes. I am a member of the Council of the European Inter-University Centre for Human Rights and Democratisation and of the Executive Committee of the European Human Rights Masters (Venice). I have briefed committees of the European

Parliament on a number of occasions, undertaken expert work for various presidencies of the Council, delivered numerous contributions to EU-convened convocations on fundamental rights and carried out consultancies on behalf of the European Commission. I also have extensive expert and policy-level experience with the various human rights-related components of the Council of Europe and the Organisation for Security and Cooperation in Europe.

Personal Skills – Organisational and Managerial:

The posts that I have held over the past eighteen years have involved senior management responsibilities in multi-cultural workplaces. I have extensive experience of guiding the development and managing the implementation of strategic and business planning processes, such as, for instance, regarding the current strategic plan of the Northern Ireland Human Rights Commission. I have considerable experience of the oversight of budgets and of ensuring accountability for public funds.

I have frequently led breakthroughs of logjams in operational and policy contexts. For instance, my initiative to re-invigorate reflection on UN treaty body reform is considered to be successful because its focus at the outset was on process rather than on specific difficult reform options. Earlier work to promote mainstreamed attention to human rights in the UN's humanitarian action was effective because instead of concentrating on duties and legal obligation it instead focussed on "selling" human rights through the identification and dissemination of good practices.

Personal Skills – Communication:

I am an effective communicator to diverse audiences, regularly engaging with governmental, inter-governmental, academic and general audiences on policy-level issues of fundamental/human rights and democratic governance. I have considerable experience of engaging with the press, broadcasting and on-line media in Ireland and internationally, as evidenced, for instance in my work as Chief Commissioner of the Northern Ireland Human Rights Commission – a high profile role that attracted continuous media attention.

Additional Professional Engagements:

Chairperson, Irish Penal Reform Trust.

Vice-Chairperson, Universal Rights Group.

Fellow, The Royal Society of the Arts, United Kingdom.

Elected member, General Assembly of *L'Organisation Mondiale Contre la Torture*.

Elected member, General Assembly of Geneva for Human Rights.

Member, Irish Department of Foreign Affairs Human Rights Standing Committee

Member, UK Foreign and Commonwealth Secretary of State's human rights advisory bodies.

Member, Council of the European Inter-university Centre for Human Rights and Democratisation, Venice.

Elected member, Executive Committee, European Human Rights Master Programme, Venice.

Member of numerous international advisory boards of civil society organisations and of human rights journals.

Previously advisor to:

Several national and international human rights non- governmental organizations; EU Council presidencies; Council of Europe; OSCE; UNOHCHR; UNICEF; Sierra Leone Special Court; UN Missions in various countries;

Presentations:

I have participated as a key note speaker, lecturer, panellist or expert resource person in events hosted by, among others:

Inter-governmental bodies:

European Commission, Council of the European Union, European Union Fundamental Rights Agency, Committee of Ministers of the Council of Europe, UN Security Council (Arias Formula Briefings), UN Human Rights Council (plenary thematic days), UN General Assembly, OHCHR, UNICEF, OCHA, OSCE, UN Office on Drugs and Crime, UNESCO, UN Mission in Afghanistan, UN Mission in Iraq, UN Mission in Sierra Leone, International Federation of UN Associations, , International Development Law Association, Asia-Europe Foundation and Meeting (ASEM).

National Human Rights Institutions:

ENNHRI, ICC, Irish Human Rights Commission, UK Equality and Human Rights Commission, Northern Ireland Human Rights Commission, German Institute of Human Rights, Indonesian Human Rights Commission, Asia-Pacific Forum of Human Rights Institutions.

Non-governmental institutions, academic and other organizations:

British Institute of International and Comparative Law, American Society of International Law, International Commission of Jurists, United States Institute of Peace, International Peace Academy, International Consortium of Law and Religion Scholars, Irish Association of International Law, Royal Irish Academy, Royal Academy, Law Society of Ireland, New York City Bar Association, American Civil Liberties Union, International Council on Human Rights Policy, International Centre for Transitional Justice, International Service for Human Rights, Human Rights Watch, Amnesty International, Irish Council for Civil Liberties, Association of European Journalists, The Open Society Justice Initiative, Diplomacy Training Programme, European Inter-university Centre for Human Rights and Democratization, Wilton Park, The US/UN Association, US Model UN, UK Model UN, The Institute of International Criminal Investigation, Jacob Blaustein Institute for the Advancement of Human Rights, International Lesbian and Gay Association, Arcos Foundation, Arc International, Quaker UN Office, Public Interest Law Project, Trocaire, Committee on the Administration of Justice, International Consortium on Law and Religion.

Governments:

Ireland, The Netherlands, Colombia, UK, China, Germany, Norway, Monaco, Liechtenstein, France, Sweden, Switzerland, Solomon Islands, Poland, South Korea, Japan, Morocco, Austria.

Parliaments:

UK Joint Standing Committee on Human Rights, UK Northern Ireland Committee, Oireachtas Committee on the Good Friday Agreement, Inter-Parliamentary Union, Sub-committee on Human Rights of European Parliament, Parliament of Mongolia.

Judiciaries:

Judiciary of Thailand, Judiciary of India, Judiciary of Iran, Judiciary of Nigeria, Judiciary of Taiwan.

Universities:

University College Dublin, Trinity College, Dublin, National University of Ireland Galway, University College Cork, Law School of the Law Society of Ireland, Queens University Belfast, University of Ulster, Kennedy School Harvard University, Law School Harvard University, Tufts University, Columbia University, University of Amsterdam, University of Paris, University of Vienna, Waseda University Tokyo, Chinese Academy of Social Sciences, Shanghai Jiaotong University, Poznan University, Humboldt University of Berlin, Nottingham Trent University, Swansea University, Kingston University, Sant'Anna School of Advanced Studies, University of Geneva.

Selected Publications:

Books:

NATIONAL AND REGIONAL HUMAN RIGHTS MECHANISMS, BACKGROUND PAPER AND REPORT OF THE 11TH ASIA EUROPE SEMINAR ON HUMAN RIGHTS, (with K. Fitzpatrick), ASEM, Prague/Singapore, 2012.

HUMAN RIGHTS DIPLOMACY: CONTEMPORARY PERSPECTIVES, Ed., (with Z. Kedzia, et al.), Brill, 2011.

THE PROFESSIONAL IDENTITY OF THE HUMAN RIGHTS FIELD OFFICER, Ed., (with G. Ulrich), Ashgate, 2010.

THE HUMAN RIGHTS FIELD OPERATION, LAW, THEORY AND PRACTICE, Ed., Ashgate, 2007.

HUMAN RIGHTS AND THE UN: PRACTICE BEFORE THE TREATY BODIES, Kluwer, 2002 (fully revised second edition).

POST-WAR PROTECTION OF HUMAN RIGHTS IN BOSNIA AND HERZEGOVINA, Ed. (with G. Gisvold), Martinus Nijhof, 1998.

HUMAN RIGHTS IN BOSNIA AND HERZEGOVINA – FROM THEORY TO PRACTICE, Ed. (with others), Kluwer, 1998.

HUMAN RIGHTS AND THE UN, PRACTICE BEFORE THE TREATY BODIES, Sweet and Maxwell, 1996.

THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS: INTERNATIONAL HUMAN RIGHTS LAW IN IRELAND, (with Liz Heffernan), Brehon/Sweet and Maxwell, 1995.

Articles/chapters/other pieces:

Principal author (Rapporteur): 67 Views/other outputs of the Human Rights Committee under the ICCPR Optional Protocol.

Principal author (Country Rapporteur): 40 Concluding Observations of the Human Rights Committee on State Party Periodic Reports under article 40 ICCPR.

Limitations on Freedom of Expression: Growing Consensus or Hidden Fault Lines, PROCEEDINGS OF THE 106th ANNUAL MEETING, American Society of International Law, 106 ASIL Proc. 214 (2013) 347-349.

The High Commissioner and the Treaty Bodies, in F. Gaer and C. Broecker, THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS; CONSCIENCE FOR THE WORLD, Martinus Nijhof, 2013.

Foreword, in S. Joseph and M. Castan, THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, 3rd edition, OUP 2013.

International Human Rights in Field Operations: A Fast Developing Human Rights Tool (with D. Davitti), in S. Sheeran and N. Rodley, ROUTLEDGE HANDBOOK OF INTERNATIONAL HUMAN RIGHTS LAW, Routledge, 2013.

The Application for African States of the UN Human Rights Enforcement and Protection Systems (with P-L Tsai), Think Africa Press, 2012, at: <http://thinkafricapress.com/international-law-africa/un-enforcement>

Freedom of Expression: Article 19 of the International Covenant on Civil and Political Rights and the Human Rights Committee's General Comment 34, Human Rights Law Review, 2012.

Periodic Reporting: The Backbone of the UN Treaty Body Review Procedures (with P.L. Tsai), in M. Cherif Bassiouni and W.A. Schabas, Eds., NEW CHALLENGES FOR THE UN HUMAN RIGHTS MACHINERY, Intersentia, 2011.

The United Nations Treaty Bodies as Diplomatic Actors, in M.O'Flaherty et. Eds, HUMAN RIGHTS DIPLOMACY: CONTEMPORARY PERSPECTIVES, Brill, 2011.

General Comment Number 34, Freedom of Opinion and Expression, United Nations Human Rights Committee, 2011, UN Doc CCPR/C/GC/34.

Speaking Up – Promoting Adolescents Right to Freedom of Expression, UNICEF STATE OF THE WORLD'S CHILDREN REPORT, 2011.

Sexual Orientation and Human Rights, in, D. Moeckli, S. Shat et al., INTERNATIONAL HUMAN RIGHTS LAW, Oxford, 2011.

Introductory and Advanced Human Rights Training Manuals for the UK Foreign and Commonwealth Office, 2011, 2012, 2013 (internal documents).

Introduction, THE PROFESSIONAL IDENTITY OF THE HUMAN RIGHTS FIELD OFFICER, Ed., (with G. Ulrich), Ashgate, 2010.

Annotations to the Guiding Principles for Human Rights Field Operations, on line publication, 2010.

The Dublin Statement on the Process of Strengthening of the United Nations Human Rights Treaty Body System, Netherlands Quarterly of Human Rights, 28 (1), 2010.

International Treaty Body Reform Should Protect Human Rights on the Ground, Human Rights Law Resource Centre Bulletin 51, 2010.

Annotations to the Yogyakarta Principles, 2010, on-line publication.

The Professionalization of Human Rights Field Work, Journal of Human Rights Practice, 2009.

RULE OF LAW TOOLS FOR POST-CONFLICT STATES: NATIONAL CONSULTATIONS FOR TRANSITIONAL JUSTICE, 2009, United Nations.

The Human Rights Field Operation, in G. Alfreddson, G. Melander, B. Ramcharan, (Eds.), FESTSCHRIFT FOR JACOB MULLER SECOND EDITION, Nijhof, 2009.

The Sierra Leone Peace Process Examined, in E. Babbitt and E. Lutz, Eds., HUMAN RIGHTS AND CONFLICT RESOLUTION IN CONTEXT, Syracuse University Press, 2009.

Sexual Orientation, Gender Identity and International Human Rights Law: Contextualizing the Yogyakarta Principles, with John Fisher, Human Rights Law Review, May 2008.

REFORM OF THE PERIODIC REPORTING PROCEDURES: THE HUMAN RIGHTS COMMITTEE, United Nations, 2008

The Reform of the United Nations Human Rights Treaty Bodies: A Critique of the High Commissioner's Concept Paper, with Claire O'Brien, *Human Rights Law Review*, Spring, 2007.

The Human Rights Field Operation in Partnership for Humanitarian Relief and reconstruction, in, *THE HUMAN RIGHTS FIELD OPERATION, LAW, THEORY AND PRACTICE*, op cit.

Human Rights Field Operations: An Introductory Analysis, in *THE HUMAN RIGHTS FIELD OPERATION, LAW, THEORY AND PRACTICE*, op cit.

Towards the Integration of Concluding Observations of United Nations Human Rights Treaty Bodies: The Rights-based Approach Model, *Netherlands Quarterly of Human Rights*, December 2006.

The Concluding Observations of Human Rights Treaty Bodies, *Human Rights Law Review*, Spring, 2006.

Sierra Leone Research Paper, in the collaborative research project, *NEGOTIATING JUSTICE? HUMAN RIGHTS AND PEACE AGREEMENTS*, International Council on Human Rights Policy, 2006, at: www.ichr.org – See also, the hard copy synthesis report, *NEGOTIATING JUSTICE? HUMAN RIGHTS AND PEACE AGREEMENTS*, ICHR, 2006.

The Sierra Leone Special Court: Undermining Possibilities for Partnerships Between Human Rights and Humanitarian Operations, with K. Turner; *Humanitarian Exchange*, Number 23, 2006.

United Nations Human Rights Guidelines for Humanitarian Coordinators, sole author, drafted in 2005, adopted as UN policy in 2006.

Manuals and Related Training Tools for the Iraq Human Rights Ministry, 2006.

We Are Failing the Victims of War, in B. Ramcharan Ed., *HUMAN RIGHTS PROTECTION IN THE FIELD*, Martinus Nijhof, 2005.

Future Protection of Human Rights in Post-Conflict Societies: the role of the United Nations, in N. White and D. Klassen Eds., *THE UNITED NATIONS AND HUMAN RIGHTS: PROTECTION AND POST-CONFLICT SITUATIONS*, Manchester University Press, 2005.

Human Rights Manual of the Iraq Human Rights Ministry, 2005.

Human Rights Training Module for Senior UN Field Managers, 2005.

Human Rights Field Operations; Challenges for the UN, *Disarmament Forum*, April 2004.

The Role of the Human Rights Community in the Sierra Leone Peace Process, *Human Rights Quarterly*, March 2004.

Developments in the UN Committee on the Elimination of Racial Discrimination, *Human Rights Forum*, Fall, 2003.

Human Rights Treaty Bodies and the Former Yugoslavia, in, *POST-WAR PROTECTION OF HUMAN RIGHTS IN BOSNIA AND HERZEGOVINA*, op cit.

International Human Rights Operations in Bosnia and Herzegovina, op cit.

Report on the Conference on Human Rights in Bosnia and Herzegovina: From Theory to Practice, in *HUMAN RIGHTS IN BOSNIA AND HERZEGOVINA – FROM THEORY TO PRACTICE*, op cit.

Treaty Bodies responding to States of Emergency, in J. Crawford and P. Alston, Eds., THE FUTURE OF UN HUMAN RIGHTS TREATY MONITORING, Cambridge, 2000.

The General Framework Agreement for Peace in Bosnia and Herzegovina, in G. Alfredsson, G. Melander, B. Ramcharan, (Eds.), FESTSCHRIFT FOR JACOB MULLER, Kluwer, 2000.

Bosnia and Herzegovina, in, A. Henkin Ed, HONORING HUMAN RIGHTS; FROM PEACE TO JUSTICE, Aspen Institute, New York, 1998.

DOING JUSTICE FOR VICTIMS AT THE INTERNATIONAL CRIMINAL COURT, REDRESS, London, 1998.

The International Convention on the Elimination of All Forms of Racial Discrimination, The Substantive Provisions, In, S. Pritchard, Ed., INDIGENOUS PEOPLES AND THE UNITED NATIONS, Sydney, 1998.

HUMAN RIGHTS FOR LEGAL PRACTITIONERS, Law Society of Ireland, 1994, 1995, and 1998.

The Individual Complaints Procedures under the Convention Against Torture and the International Convention on the Elimination of all Forms of Racial Discrimination, in idem.

The Reporting Procedure of the International Convention on the Elimination of all Forms of Racial Discrimination, in idem.

The Committee on the Elimination of Racial Discrimination as and Implementation Agency, in M. Mc Ewen, Ed., ANTI-DISCRIMINATION LAW ENFORCEMENT: A COMPARATIVE PERSPECTIVE, Aldershot, 1997.

The Reporting Obligation under Article 40 of the International Covenant on Civil and Political Rights: Lessons Learned from the Consideration by the Human Rights Committee of Ireland's First Report, Human Rights Quarterly, 16 (1994).

The International Covenant on Civil and Political Rights, A Guide for Preparation of Independent Submissions, Irish Commission for Justice and Peace, Dublin (1991), Costa Rica and Australia (1992), Russian Federation (1995).

Towards Effective Engagement of the United Nations Human Rights Protection Systems, Irish Law Times, 1992.

Ireland Before the UN Human Rights Committee, Irish Law Times, 1993.

The International Protection of Human Rights and the Legal Practitioner, Irish Law Times, 1991.