

SECOND PART: APPLICATION FORM IN WORD FORMAT

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism [[HRC res. 31/3](#)]

Appointment to be made by the Human Rights Council at the 35th session of the Human Rights Council (6 to 23 June 2017)

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/412731?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/HRC35.aspx> by clicking on the mandate. It should be fully completed and saved in Word format and then submitted as an attachment by e-mail. 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 (by e-mail). A maximum of up to three reference letters (optional) can be attached in Word or pdf format to the e-mail 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>

→ **APPLICATION DEADLINE: 30 MARCH 2017 (12 NOON GREENWICH MEAN TIME / 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 e-mail at hrcspecialprocedures@ohchr.org or fax at + 41 22 917 9008.

You will receive an acknowledgment e-mail 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 e-mail.

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

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I. PERSONAL DATA

1. Family name: SIDEL	6. Year of birth: 1957
2. First name: Mark	7. Place of birth: Boston, MA, US
3. Maiden name (if any):	8. Nationality (please indicate the nationality that will appear on the public list of candidates): US
4. Middle name: None	9. Any other nationality: None
5. Sex: M	

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.)

I have a solid background in international law and human rights as I graduated from Columbia University Law School in international and comparative law (JD program). I hold the MA from Yale University and AB from Princeton University in history.

I have specialized in issues of human rights for over thirty years, including serving as Doyle-Bascom Professor of Law and Public Affairs at the University of Wisconsin-Madison, and as frequent consultant to human rights and other organizations at the United Nations, in Norway, Sweden, Denmark, China, Vietnam, India, the United States and other countries. I have worked directly with major agencies on these issues such as United Nations Development Program (UNDP), the Norwegian Center for Human Rights, Danish International Cooperation Agency (DANIDA), Swedish SIDA, the Gates, Ford, Luce and other foundations.

I have excellent oral and written communication skills in English and Chinese and strong abilities in Spanish. Throughout my work I have developed strong links to groups that work on human rights (in Scandinavia, Asia, Europe and the United States). In addition I have published multiple books and academic and policy articles on issues of protecting and promoting human rights while countering terrorism.

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2. 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.)

I have extensive knowledge of international human rights law and standards, both at the universal and regional level. I acquired this expertise through study, practice, advocacy, research, and consulting work with non-governmental organizations and governments, on the key international human rights instruments, norms and principles that govern human rights. I have sound understanding of the key international instruments, norms and principles that govern counter-terrorism and its link to the protection of human rights.

I have solid understanding, gained from all of these same sources, on the United Nations institutional mandates relating to human rights and counter-terrorism and in-depth familiarity with the human rights mechanisms of the United Nations. My proven work experience in the field of human rights includes service as Program Officer on these issues at the Ford Foundation in Beijing (1987-1990), Hanoi and Bangkok (1992-1995), and New Delhi (1999-2000). I have worked as a consultant with multiple United Nations agencies, human rights organizations, NGOs and governments on human rights and freedoms issues (1995-present). In addition I have proven extensive academic work in this area (2000-present).

3. ESTABLISHED COMPETENCE (200 words)

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

My established competence in the area of human rights and protecting human rights in the struggle against terrorism is derived from awards, including the ICNL/Cordaid Award in Civil Society and Civil Liberties (2008), multiple books, academic and policy articles, including the volumes Regulation of the Voluntary Sector: Freedom and Security in an Era of Uncertainty (Routledge) and More Secure, Less Free: Anti-Terrorism and Civil Liberties after September 11 (University of Michigan Press).

I have been working closely with the United Nations Development Programme (UNDP); Norwegian Centre for Human Rights; Invevelop/Swedish SIDA; Danish International Cooperation Agency (DANIDA); International Center for Not-for-Profit Law (ICNL); the Ford, Gates and other foundations; and numerous other agencies, NGOs and donors.

I have a particular expertise on the promotion and protection of human rights while countering terrorism because a great deal of my research, policy and teaching work as

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the Doyle-Bascom Professor of Law and Public Affairs at the University of Wisconsin-Madison is devoted to the issues of the mandate.

I live in a country that has itself adopted harsh counter-terrorism legislation and measures. I have openly and clearly criticized the use of counter-terrorism in reducing the protection of human rights and freedoms in my country, including through activism, writing, and speaking.

4. PUBLICATIONS OR PUBLIC STATEMENTS

Please list-significant 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.

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

1. Title of publication: More Secure, Less Free: Anti-Terrorism Policy and Civil Liberties after September 11 (comparative, covering multiple countries)

Journal/Publisher: University of Michigan Press

Date of publication: 2004, paperback edition published 2007

Web link, if available: https://www.press.umich.edu/183652/more_secure_less_free

2. Title of publication: Choices and Approaches: Anti-Terrorism and Civil Society after September 11 (comparative treatment)

Journal/Publisher: University of Toronto Law Journal

Date of publication: 2011

Web link, if available: <https://muse.jhu.edu/article/422131/pdf>

3. Title of publication: Regulation of the Voluntary Sector Freedom and Security in an Era of Uncertainty (comparative, covering multiple countries)

Journal/Publisher: Routledge

Date of publication: 2010

Web link, if available: <https://www.routledge.com/Regulation-of-the-Voluntary-Sector-Freedom-and-Security-in-an-Era-of-Uncertainty/Sidel/p/book/9781904385776>

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

Many other publications on protecting human rights in the context of counter-terrorism, and with respect to these issues in the United States, India, South Asia, China, Vietnam, and other countries. Those have been published by multiple policy and professional journals.

I have also authored multiple consultancy reports that include significant content on the subject of the mandate, human rights and counter-terrorism, for the United Nations

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Development Programme (UNDP); Danish International Cooperation Agency (DANIDA); Norwegian Centre for Human Rights; Indehelp/Swedish SIDA; the Ford Foundation; Gates Foundation; other donors; Vietnamese Ministry of Justice, and others.

4.2 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:

Government of Canada, Commission of Enquiry into the Investigation of the Terrorist Bombing of Air India Flight 182

Event organizer: Government of Canada, Commission of Enquiry

Date on which public statement/pronouncement made: November 2007, Terrorist Financing and the Charitable Sector: Law and Policy in the United Kingdom, the United States and Australia

Web link, if available: Research Papers: Terrorism Financing, Charities, and Aviation Security 155-198 (June 2010), available at <http://www.majorcomm.ca/en/reports/finalreport/researchstudies/volume2/vol2-part4.pdf>.

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

Presentation for CordAid (The Netherlands), 2008: Counter-Terrorism and the Enabling Legal and Political Environment for Civil Society: A Comparative Analysis of "War on Terror" States

Event organizer: CordAid (The Hague)

Date on which public statement/pronouncement made: May 2008

Web link, if available: Published in International Journal of Not-for-Profit Law (10:3, June 2008) (winner of the ICNL-Cordaid Civil Liberties Award), www.ijnl.org

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

The Third Sector, Human Security, and Anti-Terrorism: The United States and Beyond, International Society for Third Sector Research, Keynote Address

Event organizer: International Society for Third Sector Research, International Conference, Bangkok (Keynote address)

Date on which public statement/pronouncement made: 2008

Web link, if available: Published as The Third Sector, Human Security, and Anti-Terrorism: The United States and Beyond, 17 *Voluntas: International Journal of Voluntary and Nonprofit Organizations* 199-210.

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

I have made dozens of academic and policy presentations and lectures on the issues of promoting and protecting human rights in the struggle against terrorism over more than fifteen years. Venues include New Delhi and Mumbai, India; Beijing and other locations in China; Dhaka, Bangladesh; Islamabad, Pakistan; Hanoi, Vietnam; Bangkok,

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Thailand; London, England; Paris, France; and multiple other locations in the United Kingdom, United States, and other countries.

I have taught courses with significant content on the promotion and protection of human rights and fundamental freedoms while countering terrorism at Harvard Law School; Melbourne Law School; and the law schools at the University of Wisconsin-Madison; University of Iowa; University of Victoria (Canada); University of Miami; and others, including many presentations and papers at scholarly and policy conferences, including the International Society for Third Sector Research (ISTR); and the Association for Research on Nonprofit Organizations and Voluntary Action (ARNOVA).

5. 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 (HRC) sessions in Geneva and General Assembly sessions in New York, travelling on special procedures visits, drafting reports and engaging with a variety of stakeholders. Kindly indicate whether the candidate can dedicate an estimated total of approximately three months per year to the work of a mandate.

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 can and am fully prepared to devote more than three months per year to the work of this mandate. My primary position is as Doyle-Bascom Professor of Law and Public Affairs at the University of Wisconsin-Madison. The University strongly endorses my serving in the mandate as the Special Rapporteur role and would compensate me at full levels while I perform the mandate's responsibilities. The University would also provide some additional support for the role as Special Rapporteur, including funding for travel; space for research and assistants; and other support for my work in this role.

I am fully available to participate in Human Rights Council sessions in Geneva and General Assembly sessions in New York; to travel on special procedures and other visits relating to the work of the mandate and the Special Rapporteur; and to spend very extensive time drafting reports and engaging with United Nations bodies, governments, nongovernmental organizations, and all other relevant stakeholders.

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III. MOTIVATION LETTER (600 word limit, must be included below and not in a separate e-mail or as an attachment)

I have specialized in human rights and counter-terrorism as Doyle-Bascom Professor of Law and Public Affairs at the University of Wisconsin-Madison and as a long-time consultant at the International Center for Not-for-Profit Law (ICNL), the United Nations Development Programme (UNDP), and government agencies, donor agencies, NGOs and other groups in Norway, Sweden, Denmark, India, China, Bangladesh, Pakistan, Vietnam, Thailand and other locations around the world.

I have produced books, academic and policy articles and reports on the protection and promotion of human rights and fundamental freedoms while countering terrorism. I have won an international award for my work on protecting human rights in the context of the struggle against terrorism.

In addition, I am known for a firm resolve to protect and promote human rights and fundamental freedoms while countering terrorism, but also, and very importantly, for my ability to work closely and cooperatively with United Nations agencies and colleagues, governments, research organizations, nongovernmental organizations, and many others to work to protect these crucial freedoms. I have in-depth knowledge and a solid understanding of the international and regional human rights instruments and bodies.

As noted above, I live in a country that has itself adopted harsh counter-terrorism legislation and measures. I have openly and clearly criticized the use of counter-terrorism in reducing the protection of human rights and fundamental freedoms in my country, including through activism, writing (including books and articles), and speaking.

I now stand ready -- and it would be the crowning honor of my professional career -- to serve as the Special Rapporteur on the Protection and Promotion of Human Rights and Fundamental Freedoms While Countering Terrorism.

In this role I would seek to cooperate with United Nations agencies and colleagues, governments, research organizations, nongovernmental organizations, activists and many others to report on and advocate for human rights while countering terrorism; to produce evidence-based and carefully written and reviewed reports on these topics in various countries; to dialogue with relevant actors in countries in which these rights and freedoms are under threat and where they are preserved; and to raise the status of these freedoms in the human rights, policy, civil society and other communities.

Perhaps the most important work of the Special Rapporteur is conducted within countries, and with colleagues at the Human Rights Council and in the U.N. system. Within countries I would follow the path of dialogue and persistence that has been the hallmark of my professional career on these issues -- engaging with United Nations

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colleagues and components, government, NGOs, activist, academics and others, in an environment of respect, to further these core freedoms.

I recognize that there will be disagreements on these issues, and on the extent to which human rights and fundamental freedoms are protected and enhanced in individual countries while countering terrorism. I will support through engagement that which is positive, and not shy from reporting on problems and lack of these freedoms. But I will always do so -- however firmly -- in an atmosphere of respect and respectful engagement that I have found, over many years and in many settings, is a useful way to make progress.

My university supports me in this role, with releases from teaching; travel funding; space for research and assistants; and in other ways. I would draw upon a network of knowledgeable organizations and individuals around the world, built up over more than three decades of work in this area, to make progress on reporting and enhancing these important freedoms. I would be a useful, dynamic, respectful and engaged voice for these crucially important rights and freedoms while countering terrorism.

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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: **No** If yes,

Read: Easily or Not 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: **No**

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: **No** If yes,

Read: Easily or not easily:

Write: Easily or not easily:

Speak: Easily or not 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: **No**

Speak: Easily or not easily: **No**

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V. EDUCATIONAL RECORD

NOTE: Please list the candidate's academic qualifications (university level and higher, indicating type of degree, subject, and whether full or part-time, ex. *Masters in law, University of xxx, part-time*).

Name of degree and name of academic institution, full or part-time:	Years of attendance (provide a range from-to, for example 1999-2003):	Place and country:
JD (Juris doctor in Law), Columbia University School of Law (full-time)	1982-1085	New York, NY, US
MA in History, Yale University (full-time)	1981-1982	New Haven, CT, US
AB in History, Princeton University (full-time)	1975-1979	Princeton, NJ, US

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VI. EMPLOYMENT RECORD

NOTE: Please briefly list ALL RELEVANT professional positions held in the area of human rights, beginning with your current occupation. Also indicate whether positions held were not full-time.

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):	Place and country:
University of Wisconsin-Madison Doyle-Bascom Professor of Law and Public Affairs, research and teaching (full-time)	2011-present	Madison, WI, US
University of Iowa Professor of Law and Lauridsen Research Fellow, research and teaching (full-time)	2000-2011	Iowa City, IA, US
The Ford Foundation Program Officer (Beijing, China; Bangkok, Thailand; Hanoi, Vietnam; New Delhi, India), philanthropic programming and grantmaking (full-time)	1988-2000 (multiple terms)	Beijing, China; Bangkok, Thailand; Hanoi, Vietnam; New Delhi, India
Consultant, Human rights and related organizations, including the United Nations Development Programme (UNDP) and human rights organizations and funders in Norway, Denmark, Sweden and other countries (part-time)	1995-present	Multiple locations around the world

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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 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 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 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? (Please answer YES if you comply, NO if you do 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, 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

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VIII. CERTIFY AND SUBMIT APPLICATION

To be completed by the candidate or by the nominating entity on his/her behalf.

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 e-mail (hrcspecialprocedures@ohchr.org).

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

Name: Mark Sidel

Date: 28 March 2017
