

## SECOND PART: APPLICATION FORM IN WORD

### Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967

[Commission on Human Rights res. 1993/2 and Human Rights Council res. 5/1]

*Appointments of mandate holders to be made at the 31<sup>st</sup> session of the Human Rights Council (29 February – 24 March 2016)*

#### 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://icts-surveys.unog.ch/index.php/836379?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/HRC31.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 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 or lists of publications 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: 11 FEBRUARY 2016 (12 NOON GMT / GREENWICH MEAN TIME)**

→ **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.**

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#### I. PERSONAL DATA

<b>1. Family name:</b> Lynk	<b>6. Year of birth:</b> 1952
<b>2. First name:</b> Stanley Michael	<b>7. Place of birth:</b> Halifax, Nova Scotia Canada
<b>3. Maiden name (if any):</b>	<b>8. Nationality (please indicate the nationality that will appear on the public list of candidates):</b> Canadian
<b>4. Middle name:</b> Michael	<b>9. Any other nationality:</b> N/A
<b>5. Sex:</b> <input checked="" type="checkbox"/> Male <input type="checkbox"/> 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.)**

I have extensive experience in the areas of industrial relations and labour law, human rights law (both domestic and international) and in the Middle East, particularly in the Occupied Palestinian Territories. I hold a LL.B. and practiced labour law, human rights law and refugee law for approximately 10 years in Toronto and Ottawa, before earning an LL.M., with a specialty in disability rights in employment. I have been a legal academic since 1999, teaching constitutional law, administrative law, labour law and human rights at Western University, and written widely on domestic and international human rights issues.

In addition, I have served as a neutral labour arbitrator (industrial judge) in Canada for the past 15 years, writing approximately 80 legally-binding awards. This work requires detailed legal knowledge, tact, impartiality, acceptance by employers and unions, calm in tense situations and the ability to mediate uncompromising positions into accepted settlements.

I have extensive professional and personal familiarity with the Israel-Palestine conflict. I served as a refugee affairs officer, based in Jerusalem, working in the Palestinian refugee camps on the West Bank with the United Nations Relief and Works Agency in

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1989. I have published a number of legal articles on the conflict, and I have visited the area on six occasions.

#### **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.)**

Through my legal practice and later through my academic pursuits, I have developed extensive experience on a range of human rights legal issues, both in Canada and internationally. My domestic experience includes litigating and, later, adjudicating human rights issues under the Canadian Human Rights Act and the Ontario Human Rights Code. The human rights issues involved include disability, race, religion, gender and family status. A number of my reported arbitration awards deal with human rights issues in the workplace. As well, I regularly lecture on Canadian constitutional issues on fundamental human rights, including freedom of association, freedom of expression and freedom from discrimination.

Internationally, my professional and academic legal work on human rights and humanitarian law has focused on two primary areas: (i) international labour law and the work of the International Labour Organization; and (ii) the Israel-Palestine conflict. My international labour law work has involved a number of the ILO conventions, including those on freedom of association, and the rights of migrant, agricultural and domestic workers. I have also acted as an expert on disability employment issues for the ILO. On the Israel-Palestine conflict, I have worked with, and written about, the 1949 Geneva Conventions, the UN Refugee Convention, and the special mandate of UNRWA.

#### **3. ESTABLISHED COMPETENCE (200 words)**

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

My competence in domestic and international human rights law comes from my work as a practicing lawyer, as a neutral labour arbitrator and as a legal academic, as described above.

My competence on human rights issues relating to the Israel-Palestine conflict have been developed through two principal sources. First, I worked for six months in 1989 for UNRWA on human rights issues related to the Palestinian refugees in the 19 camps in the West Bank. This was during the first Palestinian Intifada. My work

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involved the protection of Palestinian refugee camps during prolonged military curfews, the safe evacuation of injured and ill refugees, and ensuring that the requirements of the 4th Geneva Convention of 1949 and international human rights law were complied with. And second, I have written widely on the international human rights and humanitarian law issues related to the conflict. As well, I have spoken at international legal conferences on the conflict in Ramallah, Jerusalem, Geneva, the United Kingdom, the United States and Canada.

I have administrative, organizational and managerial experience in getting things done. I have developed academic leadership skills as an associate dean of law, and I have organized a number of academic and professional conferences in North America and Europe. As well, I have extensive experience working with the media; as such, I am regularly interviewed by print, b

**4. 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.)**

As a tenured legal academic, I would have the capacity and flexibility to arrange my working schedule to travel internationally, to draft the required reports, to engage in meetings with stakeholders and to devote the necessary time and resources to ensure that the mandate of the position is successfully carried out. My university has a tradition of permitting a flexible schedule and the necessary leave periods in order for the work of an external public service appointment to be accomplished

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### **III. MOTIVATION LETTER (600 word limit)**

Please accept this letter and the accompanying application statement as my expression of interest in the position of Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied since 1967.

My interest in this position comes from my work in human rights law, my commitment to the principles of international law, and my long-standing interest in the Middle East and the Israel-Palestine conflict. My human rights expertise, my litigation skills, my extensive adjudicative and legal decision-making experience, and my academic qualifications and writings have enabled me to understand the Israel-Palestine predicament through the lens of international human rights and humanitarian law, and to think imaginatively about how these bodies of law can guide the parties through to a durable and just peace based upon the established directives of the United Nations.

Industrial Relations, Labour Law and Human Rights

I have worked, practiced, taught and adjudicated in the arena of public law my entire professional life. During my first decade as a lawyer in Canada, I worked extensively in the areas of workplace law and refugee law as an advocate. I regularly litigated human rights issues before administrative tribunals and the courts. Subsequently, I have worked for the past 15 years as a busy labour arbitrator, which demands a commitment to industrial relations impartiality, and continued acceptance by the stakeholders – management and unions – as an expert neutral. From this vantage point, I have written widely-cited binding legal rulings on a variety of human rights issues in the Canadian workplace, including on privacy, disability, and gender rights. This has taught me the importance of writing decisions that, while inevitably disappointing one stakeholder or another, will nonetheless ensure their acceptance of the process, the rationale and the outcome through the transparent and understandable reasoning in the ruling.

This professional expertise in human rights issues has shaped my academic focus. As a legal academic, I have regularly published articles and book chapters on workplace human rights concerns in Canada, including on the full gamut of anti-discrimination grounds. In addition to my scholarly writings, I have been regularly retained as an expert witness in constitutional and human rights litigation, and my work on these issues has been approvingly cited by the Supreme Court of Canada in leading constitutional decisions. This has taught me the importance of rigour, explanatory organization and clear writing in my academic and professional work. It has also taught me the importance of integrating human rights analysis into all aspects of public decision-making.

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The Middle East Conflict and International Law

I have had a long-standing interest in the Middle East, beginning with my first trip to Israel and Palestine as a university student in the 1980s. Since then, I have worked in the West Bank as a refugee affairs officer for UNRWA in 1989, I have been part of the official Canadian government delegation to invigilate the 1996 Palestinian national elections, and I have attended academic human rights conferences and conducted academic research there. In the course of these trips, I have visited every part of Israel and Palestine, I have spoken widely with Israelis and Palestinians across the social and political spectrum, and I have read widely about the nature of the conflict.

The value of thinking about the Israel-Palestine conflict through the lens of international law is that it brings an indisputably impartial, universally accepted and forward-looking perspective on how to analyze this predicament, how to assess the social and political facts on the ground, and how to imagine just solutions for the people who are living through the conflict. In particular, the heart of modern international human rights and humanitarian law is meant to protect those who lack the effective power to defend themselves from arbitrary state conduct, from the denial of their personal and national dignity,

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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:                      If yes,

**Read:** Easily or Not easily:

**Write:** Easily or Not easily:

**Speak:** Easily or Not easily:

**Chinese:** Yes or 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: **Yes**

**Write:** Easily or not easily: **yes**

**Speak:** Easily or not easily: **Yes**

**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:

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**3. Interview (if shortlisted):**

**In the event that the candidate is shortlisted for a telephone interview, and subject to the approval and availability of the necessary funds by the General Assembly, a request for simultaneous interpretation in one of the six official United Nations languages can be made for the purpose of the telephone interview by the Consultative Group.**

**For planning purposes, please indicate in which of the six official United Nations languages you are requesting to have simultaneous interpretation. Please choose only one of the six official United Nations languages:**

Arabic    Chinese    English    French    Russian    Spanish

**Notwithstanding the above possibility to request simultaneous interpretation during the interview, please note that English and French are the working languages of the United Nations and fluency in English and/or French will be assessed during the interview.**

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**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> (provide a range from-to, for example 1999-2003):	<b>Place and country:</b>
LLM Queen's University	1998-2001	Kingston Canada
LLB Dalhousie University	1978-1981	Halifax Canada
BA Dalhousie University	1970-1974	Dalhousie University

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**VI. EMPLOYMENT RECORD**

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

<b>Name of employer, functional title, main functions of position:</b>	<b>Years of work</b> (provide a range from-to, for example 1999-2005):	<b>Place and country:</b>
Western University Associate Professor of Law	1999-present	London Canada
Ontario Grievance Settlement Board, Vice-Chair	2007-present	Toronto, Canada
Labour Arbitrator	1994- present	Ottawa & London, Canada
Lynk Engelmann Gottheil, Law Partner	1991-1994	Ottawa, Canada

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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. I have no official, professional, personal or financial relationships that would limit the extent of my inquiries, or weaken or slant my findings.

**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, there are not.

**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, there are not.

**4. Does the candidate comply with the provisions in paragraphs 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.***

I do not hold any decision-making positions in Government or any organization that would give rise to a conflict of interest. I do act as a government-appointed Vice-Chair of the Ontario Grievance Settlement Board, for labour law and industrial relations matters. In this position, I act on an arm's length from the Ontario government, serving as a labour neutral on employer-union differences.

**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**

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**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.**

I do not hold any positions that could give rise to a conflict of interest with the position of Special Rapporteur.

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