**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/898354?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/HRC36.aspx](https://www.ohchr.org/EN/HRBodies/SP/Pages/HRC36.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](mailto: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**](http://www.un.org/depts/DGACM/RegionalGroups.shtml)

* **Application deadline: 1 June 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](https://www.ohchr.org/EN/HRBodies/HRC/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](mailto: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.**

**I. PERSONAL DATA**

|  |  |
| --- | --- |
| **1. Family name:** DAY | **6. Year of birth:** 1974 |
| **2. First name:** Dominique | **7. Place of birth:** New York, USA |
| **3. Maiden name (if any):** n/a | **8. Nationality (please indicate the nationality that will appear on the public list of candidates):** USA |
| **4. Middle name:** n/a | **9. Any other nationality:** n/a |
| **5. Sex:** 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.)**

Having practiced human rights law for over fifteen years, my work on fundamental rights and discrimination is a key qualification for this mandate. I have represented thousands of people facing civil and criminal prosecution, procedures rife with racial disparity, and brought affirmative litigation on behalf of classes facing institutional discrimination or intolerance on the basis of race, gender, religion, or national origin.

As a senior policy advisor, I have worked on systemic fairness issues in the Occupied Palestinian Territories, Iraq, Afghanistan, and the US. I was a Fulbright Scholar in the West Bank where I taught human rights and international law and I remain adjunct faculty in the Department of Africana Studies at John Jay College. I recently taught a class on race and police and will teach a course entitled ‘Institutional Racism’ in September 2017. I am also the founder of DAYLIGHT, an access to justice platform supporting human rights internationally.

I hold a bachelor’s degree in Social Studies (with honors) from Harvard University and a juris doctor from Stanford University. I am fluent in English (native) and proficient in French. I also speak Arabic (Levantine) at an intermediate level and read/write at a basic level.

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.)**

My expertise in international human rights and UN mandates stems from nearly twenty years of advocacy, practice, research, and teaching human rights internationally. My facility with established UN instruments stems from actual use, including a recently completed nationwide analysis and recommendations for legal aid in Afghanistan. Similarly, some years ago in Afghanistan, I served on the working group revising the penal and criminal procedure codes to accommodate UN mandates and international treaty obligations.

In the same vein, I have visited a dozen prisons for men, women, and children in Iraq, Afghanistan, Palestine, and the United States. I co-authored a chapter on Afghanistan’s death penalty using in-person prisoner interviews. I was a public defender in New York at the height of US mass incarceration, a systemic criminalization targeting African-Americans, Latinos, and immigrants.

In addition, I have been capacity-building on access to justice issues for ten years. In Iraq, I taught and trained judges and lawyers on key UN conventions and protocols. In recent years, I have also brought this expertise into the classroom; as a Fulbright Scholar, I taught international law and human rights to Palestinian students. I currently teach on systemic racism as an adjunct professor in Africana studies.

1. **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 human rights has been recognized by civil society and government. I was awarded a Fulbright fellowship in human rights in 2015. I speak and teach extensively on race, gender, and rights. I have been engaged as a subject matter expert on legal aid, vulnerable groups, and gender in Iraq and Afghanistan. Similarly, I led New York City’s efforts to end mass incarceration in 2015. In that capacity, I led a 15-member delegation of officials in a planning process to address racial disparity in New York’s criminal justice system.

After fifteen years of human rights work as an attorney, an academic, and an advocate, I was selected to conduct Afghanistan’s first-ever, comprehensive legal aid analysis, a year-long project sponsored by the Ministry of Justice, World Bank, and the Asia Foundation, involving nationwide assessment, a SWOT analysis, and data-driven recommendations.

I also provide sworn expert testimony to consultative bodies, including New York City Council, on race and justice. For example, in 2015, I provided testimony in support of bail reform in New York City, an issue highlighting stark racial disparities in American criminal justice and reflecting ongoing racism and xenophobia in its subjective and arbitrary application.

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:** New York City System Map, MacArthur Safety + Justice Challenge (planning process to target mass incarceration and racial disparity)

**Journal/Publisher:** New York City Mayor's Office

**Date of publication:** September 2015

**Web link, if available:** http://bit.ly/2rfL8Rt

**2. Title of publication:** Afghanistan: Death Penalty At The Crossroads

**Journal/Publisher:** Capital Punishment: New Perspectives, Farnham: Ashgate

**Date of publication:** 2013

**Web link, if available:** http://bit.ly/2qxlMx5

**3. Title of publication:** “Benefits of Family-Focused, Strength-Based Methods: Women Under Community Justice Supervision and their Families

**Journal/Publisher:** Community Corrections Report

**Date of publication:** 2004

**Web link, if available:** n/a

**If more than three publications, kindly summarize** (200 words):"Leadership Through the Lens of Human Rights: Effects of Supply and Demand" (independent research and analysis conducted as a Fulbright Scholar in Palestine and regarding the intersections of leadership and identity in transitional spaces (forthcoming 2017)

"Building a Culture of Defense for the Least Powerful: Legal Aid Assessment and Recommendations for Afghanistan" (independent assessment, including detailed survey of over 400 justice professionals, analysis, and recommendations of criminal legal aid in Afghanistan, with particular focus on gender and the fate of women in the justice system, as well as the plight of religious and ethnic minorities in Afghanistan (forthcoming 2017 by the Asia Foundation and the World Bank, co-authored)

* 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:** Race, Gender, Solidarity, Struggle in America and Internationally, ten-minute video installation at The Other Art Fair accompanying the work of Adam Daley Wilson (artist).

**Event organizer:** Saatchi Art

**Date on which public statement/pronouncement made:** May/June 2017

**Web link, if available:** https://vimeo.com/218494344

**2. Platform/occasion/event on which public statement/pronouncement made:** "Racial Disparity in NYC Criminal Justice" / MacArthur Safety + Justice Challenge / led delegation + offered analysis of persistent racial disparities in justice system in New York City)

**Event organizer:** The MacArthur Foundation

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

**Web link, if available:** n/a

**3. Platform/occasion/event on which public statement/pronouncement made:** Expert Testimony (sworn) on Bail Reform in New York City (specific statements regarding racial disparity in bail) /Hearing of the New York City Council at City Hall

**Event organizer:**  Courts & Legal Services Committee + the Fire & Criminal Justice Services Committee, New York City Council, City Hall

**Date on which public statement/pronouncement made:** 17 June 2015

**Web link, if available:** http://on.nyc.gov/2shcZQj (transcript available)

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

Expert Testimony, Strengths of family-based interventions + coordination for women and people of color involved in criminal justice / social service systems / Sworn Testimony to the New York City Council, Committee on Mental Health, Mental Retardation, Alcohol, Drug Abuse & Disability (10 March 2005)

"Effective Strategies for Experiential Education in Urban Environments" / Capital Region Service Learning Conference / service learning in Black + Latino communities to spur engagement + connection (Siena College / SUNY Albany), May 1997

Discussion of weak commitment to criminal justice reform in New York City , "De Blasio’s Police Reform Pledges May Burden His Re-election Bid," New York Times (14 Oct 2016) (http://nyti.ms/2rjkXuZ)

Interview, "Shadow on Diversity At Stanford / Spate of faculty departures dismays black law students," SFGate (15 Feb. 1999) (http://bit.ly/2rj3xyP)

Interview, "Racism at Stanford a real problem for community," Stanford Daily (29 March 2000) (http://bit.ly/2rjkqsY)

Interview, "Retention of Female and Minority Law Profs Debated, The Stanford Daily (11 Feb. 1999) (http://bit.ly/2rfJnUg)

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 (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”.**

As I run an access to justice platform focusing on project-based work, my time is very flexible. As director of DAYLIGHT|Rule of Law•Access to Justice•Advocacy, doing projects in the US and internationally, I am ideally positioned to respond to the demands of this mandates. My work focuses on strategic planning, individual and organizational consulting, and analytical projects relating to access to justice and is geographically flexible. I am also very experienced in conducting assessments and producing sohpisticated analyses within tight and strict time limits. In addition, there is overlap between my current work and the work of this mandate, which has the capacity to enrich my contributions as a mandate-holder. Given that my organization, and our partners, are very supportive of this application, I have adequate flexibility and time to dedicate at least three months per year to the work of this mandate.

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

The mandate for the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance has particular relevance today, as xenophobia and intolerance threaten human rights and human lives globally. We are in an important moment internationally where many issues touch on this mandate, creating within it an important intervention platform from the grassroots to the highest level of society. We are seeing a shocking tolerance and/or justification of racism, xenophobia, and intolerance on the part of individuals, communities, and states. Yet, the increased use of xenophobia and racism in political processes to create nominally democratic outcomes that offend fundamental human rights is just one of many warning bells sounding in this moment. Serving as a mandate holder offers the possibility of adopting a systematic approach to protection, mitigation, prevention, remediation, assistance, and advocacy – work I have been engaged in professionally for over fifteen years. The capacity of this mandate to address ongoing injustice through exposure, documentation, and true engagement is truly motivating to me.

Protecting human rights against the effects of discrimination and bias requires strategic engagement with individuals, organizations, communities, and states. In addition, some of the least public strategies, e.g., counterterrorism, are also fueling some of the most pervasive racism and xenophobia with dire consequences for the human rights. Thus, framing and communication must service local narratives of change. Amplifying indigenous voices and indigenous change agents is a crucially important aspect of this mandate.

Thus, for me, a very personal motivation to assume this mandate is its capacity to address systematically - and with unvarnished focus - the very issues to which I have devoted an entire career in human rights. It is the stories of African-American displaced homeowners, LGBTS Afghans, Afro-Iraqi citizens who function as stateless people, young Black men facing prison of jail at the height of mass incarceration, Palestinians seeking substantive rights to go to hospitals or see family across a separation wall, these stories highlight the nature and magnitude of contemporary racism, xenophobia, and intolerance.

This mandate also should be strengthened through cooperation with other mandates. Many issues of contemporary racism, xenophobia, and intolerance involve refugees, immigrants, LGBTQ persons, and others at the intersection of multiple mandates. These intersecting forms of discrimination require collaborative and adaptive methodologies. Engaging with coordinate mandate holders, addressing the intersections of human rights mandates, and acknowledging that the most pervasive and intractable violations of human rights occur in these intersections, is an important aspect of this mandate. Some of the most insidious discrimination targets people and communities whose realities straddle multiple mandates, like non-white refugees or pervasive violence against trans women of color (which implicates racism, but also sexual orientation and gender identity).

This mandate is an important undertaking that requires creativity, dedication, and a perspective that can see and acknowledge animus cloaked different guises, from micro-aggressions to outright racial hostility, and can expose fundamental truths. By offering attention to local stories and community-based advocacy and efforts, the work of this mandate has the capacity to supercharge and politicize personal narratives to facilitate broader understanding. Although it is a complex process, the mandate is critical and the stakes are very high – human dignity itself.

**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: **YES** If yes,

**Read:** Easily orNot easily: **Not Easily**  
**Write:** Easily or Not easily: **Not Easily  
Speak:** Easily or Not easily: **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: **NO** If yes,

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

**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:** |
| Juris Doctor, Stanford Law School (full-time) | 1996-1999 | Cambridge, MA USA |
| Bachelor of Arts, Harvard University (full-time) | 1992-1996 | Palo Alto, CA USA |
|  |  |  |
|  |  |  |

**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:** |
| DAYLIGHT | RULE OF LAW • ACCESS TO JUSTICE • ADVOCACY  Executive Director (full-time)  Access to Justice platform focused on policy and programming domestically and internationally (www.daylyt.org). Sample projects include:  • Legal aid assessment + roadmap for Afghanistan (with the Asia Foundation)  • Leadership Through the Lens of Human Rigts: Enhancing Supply + Demand  • Consulting services to not-for-profit ‘rethinking food’ in New York City | 2013 - present | New York, NY USA |
| FULBRIGHT U.S. SCHOLAR (2015-2016) / Visiting Professor, Al Quds University  Research and Teaching Fellowship. Visiting Professor of Human Rights and International Law (Al Quds University, Abu Dis, West Bank campus). Taught Palestinian students human rights and international law and conducted research + scholarship on promotion of credible, just civilian leadership. | 2015-2016 | West Bank, OPT |
| U.S. DEPARTMENT OF STATE  Senior Rule of Law Advisor, Interagency Rule of Law (Kabul) (full-time)  Legal aid, criminal defense + gender subject matter expert. Focus on S/GBV, SOGI/LGBTIQ, indigent access to justice.  • Drafting + reform of Afghan criminal law + procedure  • Evaluation of provincial justice (extensive travel throughout Afghanistan)  • Policy + programming on alternatives to incarceration  • Innovative access to justice programming with indigent LGBTI persons • Grant award, monitoring, and evaluation ($250,000 per grant)  Senior Rule of Law Advisor, PRT Basrah. (full-time)  Capacity-building to enhance rule of law development, including strong relationships with Iraqi stakeholders.  • Managed anti-corruption, public integrity, + judicial enhancement efforts  • Contract Officer (up to $350,000), including monitoring + evaluation  • Supervision of legal + professional staff. | 2011-2013  2010-2011 | Kabul, Afghanistan  Basrah, Iraq |
| New York City Mayor's Office    Executive Director, Justice Initiatives.  Led an operations team on all efforts to reduce unnecessary incarceration + promote fairness and justice system legitimacy.  • Led case processing initiative addressing system inefficiency (Justice Reboot)  • Led citywide Supervised Release rollout, an alternative to monetary bail  • Led NYC in MacArthur Foundation Safety + Justice Challenge  • Led reform + alternatives analysis for Rikers Island detainees. | 2015-2016 | New York, NY USA |

**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.**

While this is not currently applicable, I would relinquish any activity, occupation, or position giving rise to a conflict of interest with my status as a mandate holder.

**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**](mailto:hrcspecialprocedures@ohchr.org)**).**

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

**Name:** Dominique Day

**Date:** 31 May 2017

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