**APPLICATION PROCESS**

**APPLICATION DEADLINE: 4 MAY 2018 AT 12:00 noon GREENWICH MEAN TIME (GMT)**

* The application process consists of two parts: **(1) online survey[[1]](#footnote-1)** (<https://ohchr-survey.unog.ch/index.php/842239>) and **(2) application form in Word format[[2]](#footnote-2)** (whichcan be downloaded from [http://www.ohchr.org/EN/HRBodies/SP/Pages/HRC38.aspx](https://www.ohchr.org/EN/HRBodies/SP/Pages/HRC38.aspx))
* Once fully completed, the Word application form should be submitted by e-mail to hrcspecialprocedures@ohchr.org
* A maximum of up to three reference letters (optional) may be attached to the e-mail (in Word or pdf format).
* No additional documents (e.g. CVs, resumes or supplementary reference letters) will be accepted.
* Applicants 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.
* 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/SP/Pages/Nominations.aspx)

**NOTE:**

* An application will only be considered if both parts and all sections of the Word application form have been completed and received by the Secretariat before the expiration of the deadline.
**No incomplete or late applications will be accepted.**
* For Working Group appointments, only citizens of States belonging to the specific regional group are eligible (see the list at <http://www.un.org/depts/DGACM/RegionalGroups.shtml>).
* In case of technical difficulties or 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.

**I. PERSONAL DATA**

|  |  |
| --- | --- |
| **1. Family (last) name:** Bratspies  | **5. Year of birth:** 1965 |
| **2. First (given) name:** Rebecca  | **6. Place of birth:** Pennsylvania, USA |
| **3. Other name, if any:**        | **7. Nationality (please indicate the nationality that will appear on the public list of candidates):** USA |
| **4. Gender:** Female  | **8. Any other nationality:** none |

**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 hold a law degree, with honors, from the University of Pennsylvania, and a BA in biology. from Wesleyan University. As a Henry Luce Foundation Scholar, I was seconded as a legal expert to the Taiwan, ROC Environmental Protection Administration where I worked on issues of pollution control and public participation. As a Professor at CUNY Law, I teach human rights and environmental law courses. In my role as the Director of the Center for Urban Environmental Reform, I work with New York City residents and government agencies to promote environmental rights, including under international legal theories.

I served as a consultant to the CGIAR. I am an appointed member of EPA's Childrens Health Environmental Protection Advisory Committee, and Mt Sinai's Pediatric Environmental Health Clinic Advisory Board. In both instances, I provide expert opinions about how to realize the right to health and the right to a healthy enivornment under domestic law. I was one of a few foreign experts invited by the Chief Minister of Madya Pradesh to speak at the 2016 International Conference on the Universal Message of Simhasth. I was also an official Penn delegate to the Salzburg Seminar on Human Rights.

I am a native English speaker, and my job involves writing and public speaking in the English language. I also have rudimentary Chinese and a smattering of Spanish and German.

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.)**

As a scholar and professor, I have spent the past decade immersed in human rights. The courses I teach include: Public International Law, Human Rights and the Environment, Law and Globalization, and Environmental Justice. I have written numerous law review articles, book chapters, and blog posts on various aspects of human rights. Books include: INTERNATIONAL LAW: QUESTIONS AND ANSWERS; PROGRESS IN INTERNATIONAL LAW; and TRANSBOUNDARY HARM IN INTERNATIONAL LAW: LESSONS FROM THE TRAIL SMELTER ARBITRATION.

I have been an invited speaker at meetings about human rights and enviromental protection across the United States and around the World. My scholarship is described in Q.4. Due to space constraints, I will just list a few of the meetings at which I have spoken here: U Wisconsin (Sustainable Development and International Law: Intersection of Environmental Law, Human Rights, and Environmental Justice); the International Conference on Living the Right Way: Universal Message of Simhasth, (Ujjain, India); U. Miami (Human Rights and Climate Wrongs); U Iowa (International Environmental Law, Environmental Justice, and the Global South); U. New South Wales (The Environmental Degradation/Corrution Nexus) U. Oslo (The Rule of Law for Nature); U Kwazulu Natal (Comparative Contitutionalism and Rights: Global Perspective) U Ottawa (Right to Food at the Nexus of Trade and Technology).

1. **ESTABLISHED** **COMPETENCE** (200 words)

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

As an appointed consultant to the CGIAR, I worked closely with the FAO to develop a protocol for handling genetically engineered organisms. With the Center for Progressive Reform, I work to develop human rights norms in the US. In my role as an appointed member on EPA's Childrens' Health Environmental Protection Advisory Committee, I advocate for protecting children from environmental hazards.

In the United States, I am routinely invited to testify about issues of human rights, most notably before New York City Council on issues of environmental justice and children's health; before the United States Congress on issues of hazard reduction, and before the FAA over issues of environmental assessment in the context of airplane noise. I have trained judges in New York and Belize about environmental protection. I was appointed to the ABA Standing Committee on Environmental Protection. I am a member of the New York City Bar International Environmental Law Committee. My work with the graphic novel Mayah's Lot has been featured at Environmental Health film festivals, and has received environmental justice awards.

I was elected President of the American Association of Law Schools Environmental Section, and served on the Planning Committee for the American Society for International Law, where I organized a panel on Global Public Goods.

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:** Do We Need a Human Right to a Healthy Environment?

**Journal/Publisher:** Santa Clara Journal of International Law

**Date of publication:** 2015

**Web link, if available:** https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2076554

**2. Title of publication:** The Climate for Human Rights

**Journal/Publisher:** University of Miami Law Review

**Date of publication:** 2018

**Web link, if available:** https://lawreview.law.miami.edu/wp-content/uploads/2018/03/Bratspies\_\_p308.pdf

**3. Title of publication:** Claimed not Granted: Finding a Human Right to a Healthy Environment

**Journal/Publisher:** Journal of Transnational Law and Contemporary Problems

**Date of publication:** 2017

**Web link, if available:** https://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2993386

**If more than three publications, kindly summarize** (200 words):My scholarly work can be found at https://papers.ssrn.com/sol3/cf\_dev/AbsByAuth.cfm?per\_id=89185. I write about the intersection of science, environmental protection, and human rights under international and domestic law. The book chapter Reasoning Up to Human Rights, as well as the three articles listed above make the case that there is a human right to a healthy environment. Articles such as Human Rights and Arctic Resources, and Human Rights and Environmental Regulation bracket that question to consider how human rights might improve and reshape domestic regulatory regimes more generally. Food, Technology and Hunger, and Hunger and Equity in an Era of Genetic Engineering test the relationship between the right to food, and the right to the environment. Articles and book chapters, The Human Right to Environmental Information, The New Discovery Doctrine, and Using Human Rights to Improve Arctic Governance consider these ideas in the context of resource extraction, particularly in indigenous territories.

My two co-edited books: Progress in International Law and Transboundary Harm in International Law, grew out of conferences I organized. In them, scholars from different perspectives consider core questions of human rights and international law. My contributions to these books explore the relationship between science, uncertainty and protecting human rights and the environment.

* 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:** The International Conference on Living the Right Way: Universal Message of Simhasth

**Event organizer:** Government of Madhya Pradesh, India

**Date on which public statement/pronouncement made:** May 2016

**Web link, if available:**

**2. Platform/occasion/event on which public statement/pronouncement made:** Rule of Law for Nature Conference

**Event organizer:** University of Oslo

**Date on which public statement/pronouncement made:** May 2012

**Web link, if available:**

**3. Platform/occasion/event on which public statement/pronouncement made:** Climate Injustice: Are there solutions?

**Event organizer:** Roosevelt House

**Date on which public statement/pronouncement made:** March 5, 2015

**Web link, if available:** http://cuer.law.cuny.edu/?p=1852

**If more than three, kindly summarize** (200 words):As indicated above, I lecture frequently on issues of human rights and environmental protection. I have participated in scores of scholarly gatherings across the United States, as well as in India, South Africa, Canada, Norway, Finland, Australia, China, and Belize. I have organized many scholarly conferences including:

During the 2015 UN Sustainability Summit, I organized a side-event on Overconsumption and Sustainability. This event brought speakers from India, China and the United States together for discussions about the relationship between Environmental Rights and the right to food, water, and health. The conversation focused on intergenerational and intragenerational equity as core principles in an era of climate change.

In 2008, I organized a conference “Indigenous People Under International Law” This conference became an edited volume, including my own contribution, The New Discovery Doctrine. Other writings building on my knowledge of the UNDRIP include: Using Human Rights to Improve Arctic Governance, and The Vexing Relationship Between Environmental Protection and International Trade. These writings

I have been invited to testify before New York City Council on issues of environmental justice and children's health; before the United States Congress on issues of environmental hazard reduction, and was appointed to the ABA Standing Committee on Environmental Protection.

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”.**

I am a law professor based in New York City. I have a 9 month teaching schedule. The other three months of the year I typically devote to scholarship and research on questions of human rights and environmental protection. Thus, I have the freedom to devote those three months full-time to the role of Special Rapporteur. During the academic year, my time would be more limited. However, CUNY Law School, my home institution, fully supports my application for the post of Special Rapporteur. Should I be selected for the position, the school would provide me with a reduced teaching schedule, as well as administrative and researach support. My family similarly supports my application and understands that the post involves extensive travel.

Because I live in New York City, participating in the General Assembly sessions would involve only a subway ride. The trip to Geneva a direct flight from NYC. I am a frequent traveler, and a prolific researcher/writer. I do not anticipate any problems meeting the time commitment of the appointment.

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

I am honored to submit this application to be the next Special Rapporteur for Human Rights and the Environment. I have two decades of experience as a human rights scholar and teacher. In particular, my work focuses on three issues that will be critical for the next Special Rapporteur: 1) the need to prioritize children and young people in the realization of the human right to a healthy environment; 2) the further development and codification of the right to a healthy environment in an era of climate change; and 3) the need for interdisciplinary collaboration and cooperation to progressively realize all human rights, including the human right to a healthy environment.

In his final address, Knox highlighted the unique vulnerability of children, the need bring youth voices into environmental decision-making, and the need to center children’s health and welfare in environmental decision-making. I whole-heartedly agree that this must be a priority for the next Special Rapporteur. As a member of EPA’s Children’s Health and Environmental Protection Advisory Committee, I already give these issues deep attention under domestic law. The Center I run routinely collaborates with schools and youth organizations, and I have learned to respect the contributions that young people can make to the progressive realization of human rights through law and policy. My work with environmental justice graphic novels has taught me the value of producing youth-friendly materials. I would use these experiences to expand on Knox’s initiatives in this area, and bring youth leaders more fulling into discussions about the nature and development of the human right to a healthy environment.

Climate change will present new human rights challenges. Much of my scholarship has focused on human rights at the intersection of science, law, and policy in the context of climate change. I have thought long and hard about how to create progress in this area. The next Special Rapporteur can do much to create accessible toolkits that can be a resource for realizing the human right to a healthy environment, as well as for helping civil society fully participate in discussions about climate change and human rights. By promoting transparent and accessible environmental decision-making processes, the Special Rapporteur can leverage her mandate to facilitate important human rights conversations at the international and regional level. In this way, the Special Rapporteur can help build bridges between civil society, states, and the United Nations. As part of this initiative, the Special Rapporteur can make the case for further international codification of the right to a healthy environment.

None of this will happen if experts remain siloed, isolated from each other by institutional cultures, and professional fields. I trained as a scientist before becoming a lawyer. As a result, I naturally gravitate toward interdisciplinary work. I am well-suited to facilitate natural partnerships between the UNHCR and UNEP, UNICEF, and the WHO. I would also develop initiatives that promote interdisciplinary collaboration between the UN and regional epistemic communities brought together under the auspices of the Special Rapporteur.

In short, my science background, my expertise with interdisciplinary collaboration, my focus on children’s health and environmental protection, my role promoting youth leadership, and expanding public participation, as well as my experience in using new media to reach non-traditional audiences make me uniquely positioned to build on the excellent work done by the current Special Rapporteur, John Knox. I believe I can move the work of the Special Rapporteur forward, reaching new audiences and building more extensive interdisciplinary collaborations to further develop the human right to a healthy environment.

**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 orNot easily:
**Write:** Easily or Not easily: **Speak:** Easily or Not easily:

**Chinese:** Yes or no: **yes** If yes,

**Read:** Easily or not easily: **not easily
Write:** Easily or not easily: **not easily
Speak:** Easily or not easily: **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: **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: **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 Doctoris, cum laude, University of Pennsylvania | 1989-1992 | Pennsylvania, USA |
| Biology, Wesleyan University | 1983-1987 | Connecticut, 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:** |
| CUNY School of Law, Professor (full time)-teach human rights and the environment as well as other law classes--Center for Urban Environmental Reform, Director (part time) --create programming, organize worshops, lectures and conferences about environmental protection, environmental justice and human rights. --work with New York City Schools through Mayah's Lot graphic novel environmental justice project--draft official comments, position papers and testimony on issues of environmental protection and environmental justice.  | 2004-present2010-present | New York City, USA |
| CGIAR, Consultant on Michigan State University School of Law,Visiting Professor, (full time) |  (2003-2004 | East Lansing, Michigan, USA |
| University of Idaho College of Law,Associate Professor, (full time) | 2001-2003 | Moscow, ID |
| EPA Childrens Health Environmental Protection Advisory Committee (part time) | 2016-present | Washington DC |

**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 the candidate’s behalf.***

**1. To your knowledge, does the candidate have any official, professional, personal, or financial relationships that might cause the candidate to limit the extent of 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 the 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 the candidate discharges the 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 the candidate complies, NO if the candidate does 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, the candidate will have to take measures to comply with paragraphs 44 and 46 of the annex to Council resolution 5/1. In the event that the current occupation or activity, even if unpaid, of the candidate may give rise to a conflict of interest (e.g. if a candidate holds a decision-making position in Government) and/or there is an accumulation of human rights functions (e.g. as a member of another human rights mechanism at the international, regional or national level), necessary measures could include relinquishing positions, occupations or activities. If applicable, please indicate the measures the candidate will take.**

n/a

**VIII. CERTIFY AND SUBMIT APPLICATION
*To be completed by the candidate or by the nominating entity on the candidate’s 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:** Rebecca Bratspies

**Date:** May 3, 2018

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1. The short **online survey** 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. The same name, gender and nationality should be used both in the online survey and in the Word application form. [↑](#footnote-ref-1)
2. The **application form** includes a motivation letter of maximum 600 words (section III of the form). 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. [↑](#footnote-ref-2)