How to start the application process:

The application process consists of two parts: the first part is a web-based survey and the second part is an application form in Word format. Both parts and all sections of the application form need to be completed for the application to be processed.

**First part:** The [web-based survey for two additional mandates](https://www.surveymonkey.com/s/webapplication_smh_hrc29_june2015_add) is used to collect information for statistical purposes such as personal data (i.e. name, gender, nationality), contact details, mandate/s applying for and nominating entity. **The web-based survey for two additional mandates should only be completed once**, even if the candidate is applying for both additional mandates. Multiple selection is allowed to indicate an application for both mandates.

**Second part:** The application form in Word which can be downloaded, 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 be made available to concerned parties, including through the OHCHR public website.

Once completed, the application form in Word should be submitted by email to [hrcspecialprocedures@ohchr.org](mailto:hrcspecialprocedures@ohchr.org)

If the candidate is applying for more than one mandate, a mandate-specific Word application form needs to be completed and submitted for each mandate.

* A maximum of three reference letters can be attached, in pdf format, to the application sent by email. No additional documents such as CVs or lists of publications will be accepted.
* **Application deadline: 30 April 2015 (12.00 noon GMT)**
* 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](http://www.ohchr.org/en/hrbodies/sp/pages/nominations.aspx)

Please note that for Working Group appointments, only nationals 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)

In case of technical difficulties, or if you encountering problems completing or accessing any of the forms, the Secretariat may be contacted by email at [hrcspecialprocedures@ohchr.org](mailto:hrcspecialprocedures@ohchr.org) or fax at + 41 22 917 9011.

**An acknowledgment email will be sent when we receive both parts of the application process, i.e. the information through the web-based survey and the Word application form by email.  
Thank you for your interest in the work of the Human Rights Council.**

**I. PERSONAL DATA**

|  |  |
| --- | --- |
| **1. Family name:**     Schaar | **5. Sex: Male** |
| **2. First name:**       Peter | **6. Date of birth): 22-08-54** |
| **3. Maiden name (if any):** | **7. Place of birth:  Berlin** |
| **4. Middle name:** | **8. Nationality (please indicate the nationality that will appear on the public list of candidates):      German** |
|  | **9. Any other nationality:** |

**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.)**

1. **Professional experience and education**German Federal Commissioner for Data Protection and Freedom of Information (2003-2013), Chairman of Art. 29 Working Party of data protection authorities of the EU member states (2004-2008). Degree in social science (Economics), various functions in public administration. Lecturer at Department for Informatics, University of Hamburg
2. **Oral communication and public speaking**   
   Excellent communication and public relations skills in German and English. Experience in public speaking (German and English) on national and international conferences (in particular on International Conferences of Privacy Commissioners, U.S. Health Privacy Summit, CCC, Blogger Summits), working groups and for a high media attention and presence during both national and European tenures, various appearances in national and international television programs
3. **Written communication / publications**  
   Numerous publications addressing issues relevant to the right to privacy from a human rights perspective. Three books, a high number of articles (some of them in English), editor and board member of several scientific journals, including the European Data Protection Law Review. Winner of the Award „The Political Book of the Year 2008“ of the Friedrich-Ebert-Foundation
4. **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.)**

Excellent knowledge of the international, European and national legal frameworks and technologies relevant for the rights to privacy and data protection. Almost 30 years of professional experience in protection of privacy and personal data (including more than 20 years on the international level), particularly in the context of new technologies. Profound understanding of the relationship between the right to privacy and other human rights and freedoms

* Member (2004-2013) and chairman (2004-2008) of Art. 29 Working Party of data protection authorities of the EU member states
* Member of the International Working Group on Data Protection in Telecommunications of the International Conference of Data Protection and Privacy Commissioners (since 1992)
* Initiator, author and Co-author of numerous reports, working papers, opinion statements and resolutions on data protection, technology and civil rights on international, European and national level (since 1986)
* Comprehensive contacts to professional stakeholders, academia, NGOs and political representatives on international and national levels (since 1986)
* Several expert statements and special reports, inter alia for the European Parliament, the German Constitutional Court and the German Federal Parliament including on legal frameworks, SWIFT/TFTP, PNR, data retention, computer security, global surveillance activities (since 1998)

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

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

Host and organizer of meetings and international conferences, including the 27th International Conference of Data Protection and Privacy Commissioners (Strasbourg, 2008 - together with the French CNIL) and 5th Conference of Freedom of Information Commissioners (2013 - Berlin), Conference on „Relationship between the right to be forgotten and the right to information“, speaker on numerous conferences in Germany, Europe and on other continents.

Author of three books (German language): „Data Protection on the Internet“ (2002), „The End of Privacy - The Way into the Surveillance Society“ (2007), „Total Surveillance - How we Protect our Data in the Future“ (2014)

Author of numerous articles and book contributions, inter alia „Privacy as a human right“ (Eurozine, 2015), „Conflicts between data protection harmonization and a high level of protection: shortcomings of the European Commission’s proposal for a Police and Justice Directive“ (Aden et al., Police Cooperation under the Treaty of Lisbon, 2015), „The Internet and Big Data - Incompatible with Data Protection?“ (Mind #7, 2014)

Awards-winner: Prize of the Friedrich-Ebert-Foundation “The Political Book 2008”, „eco Internet Award“, the special award of the Association of the German Internet Industry (2008), „Data Protection Award“ of the German Association for Data Protection and Data Security (2013), “Louis D. Brandeis Privacy Award" of US Patients Privacy Rights (2014)

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 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 former German Data Protection Commissioner I am fully available for exercising the task as rapporteur from the beginning. I am economically independent (public pension). There are no personal or other restrictions for international traveling.

**III. Motivation Letter** (600 word limit)

The rapid development of information and communication technologies provides mankind with new chance and opportunities, both economic and political. However, the technological development also causes growing challenges for common core values as are set out in the Universal Declaration of Human Rights (UDHR), national constitutions and other instruments of international and national law.

During the past decade, many private companies have started collecting vast amounts of personal data covering almost every aspect of life. Some public authorities and secret services have established comprehensive surveillance and interception practices. This has consequences for the right to privacy not just on the national level. Growing transborder data flows, cloud technologies and the emerging Internet of Things have consequences for the protection of privacy. National legal safeguards focused on the protection of the citizens of a given country and limited to the corresponding national territory do not protect personal data adequately in the increasingly globalized world. As a consequence of the perceived “craving for data“ of private companies and the revelations of surveillance activities of governments the trust in the effectiveness of the rule of law enshrined in article 8 UDHR and in the trustworthiness of Internet services has been severely damaged. Private and commercial customers fear that the data generated automatically by electronic devices and services and information which they give to internet providers may be abused, secretly intercepted or subject to access without sufficient safeguards.

Protection of privacy is not limited to automatic processing of personal data. Article 12 UDHR and article 17 of the International Covenant on Civil and Political Rights also protect conventional communication means as letters and inviolability of the home. The loss of privacy also has significant effects on how individuals can exercise other freedoms and rights. Excessive interception, surveillance and abuse of data are in particular threatening the rights to freedom of thought, conscience and religion (article 18 UDHR) and the freedom of opinion and its expression (article 19). International surveillance activities may also threaten business secrets and may damage economic welfare in particular of smaller countries without effective capabilities for cyber defense and IT security.

Breaking the cycle of surveillance is a matter of importance for every single national state as well as for the global community. We need to find ways to deal with growing risks for the right to privacy. Hardly anyone would claim that 100 % security is possible. Yet this is exactly what our post-industrial society seeks when dealing with violence, crime and terrorism. When some political stakeholders declare security to be the topmost priority, they frequently do so with the support of the majority of the population. At the same time, recent findings on collection of mass data and global surveillance activities have caused a significant shift in public awareness on the international and national levels. Just how far freedoms have been curtailed has now become visible. Politics has almost remained territorially bound while power extends globally. Without political control, power becomes a source of insecurity, while politics loses significance in relation to social problems and fears.

In this context the Special Rapporteur for the right to privacy will play a significant role in raising public awareness on the global level and work out proposals and recommendations to the HRC as well as communicating them the international public. He also could help individuals who are of the opinion that their right to privacy has been violated.

I have been committed to improving and implementing the privacy rules throughout during my professional career and I would be honored to continue this work as Special Rapporteur to the United Nations. Based on my longstanding experience in the field of privacy protection I see myself as a suitable candidate for this position.

**IV. LANGUAGES (READ / WRITTEN / SPOKEN)**

**Please indicate all language skills:**

**Mother tongue:**

**Arabic:** No

**Chinese:**No

**English:** Yes

**Read:** Easily       **Write:** Easily **Speak:** Easily

**French:** Yes

**Read:** easily       **Write:** not easily**Speak:** not easily

**Russian:** No

**Spanish:** Yes

**Read:** not easily      **Write:** not easily **Speak:** not easily

**V. EDUCATIONAL RECORD**

**NOTE: Please list the candidate’s academic qualifications (university level and higher).**

|  |  |  |
| --- | --- | --- |
| **Name of degree and name of academic institution:** | **Years of attendance**  **(from-to):** | **Place and country:** |
| University of Hamburg, Department of Social Sciences, Degree in Economics (Diplom-Volkswirt) | 1973-1979 | Hamburg, Germany |
|  |  |  |
|  |  |  |
|  |  |  |

**VI. EMPLOYMENT RECORD**

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

|  |  |  |
| --- | --- | --- |
| **Name of employer,**  **functional title,**  **main functions of position:** | **Years of work (from-to):** | **Place and country:** |
| Chairman, European Academy for Freedom of Information and Data Protection (EAID), Berlin (unpaid) | since 2013 | Berlin, Germany |
| Federal Commissioner for Data Protection and Freedom of Information | 2003-2013 | Bonn/Berlin, Germany |
| Chairman, Article 29 Working Party on Data Protection of the member states of the EU | 2004-2008 | Brussels, Belgium |
| Founder and CEO Privcom Datenschutz GmbH | 2002-2003 | Hamburg, Germany |
| Lecturer for Data Protection and Privacy, Department of Informatics, University of Hamburg | since 2007 | Hamburg, Germany |
| Deputy Data Protection Commissioner, Hamburg | 1994-2002 | Hamburg, Germany |
| Head of Technology Unit, Data Protection Commissioner, Hamburg | 1986-1994 | Hamburg, Germany |
| Head of Technology and Statistics Unit, Ministry for Education, Hamburg | 1983-1986 | Hamburg, Germany |
| Specialist for Computer Science and Simulation,  Senatsamt für den Verwaltungsdienst | 1980-1983 | Hamburg, Germany |

**VII. COMPLIANCE WITH ETHICS AND INTEGRITY PROVISIONS   
(of Human Rights Council resolution 5/1)**

**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 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**

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

**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.**

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