

SECOND PART: APPLICATION FORM IN WORD FORMAT
**Special Rapporteur on the situation of human rights in the Palestinian territories
occupied since 1967**

Appointment to be made by the Human Rights Council at its 49th session

APPLICATION DEADLINE: 25 NOVEMBER 2021 AT 12 NOON GENEVA TIME

- The application process consists of two compulsory parts:
(1) online survey¹ (<https://ohchr-survey.unog.ch/index.php/985419>)
and
(2) application form in Word format² (to be downloaded from
<https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/HRC49.aspx>)
- Once fully completed, in English or French only, the Word application form should be submitted by email to ohchr-hrcspecialprocedures@un.org
- A maximum of up to three optional reference letters may be attached to the email (in Word or PDF format).
- No additional documents (e.g. CVs, resumes or additional reference letters) will be accepted.
- Applicants 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 the Secretariat.
- Applications 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.**
- Eligible for Working Group mandates are only nationals of the States belonging to the [regional groups](#) for which specific vacancies have been advertised.
- General description of the selection process and answers to frequently asked questions are available at <https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/Nominations.aspx> and <https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/BasicInformationSelectionIndependentExperts.aspx>
- In case of technical difficulties or problems with accessing or completing the forms, you may contact the Secretariat by email (ohchr-hrcspecialprocedures@un.org) or fax (+41 22 917 9008).

I. PERSONAL DATA

1. Family (last) name: Natarajan	5. Year of birth: 1976
2. First (given) name: Usha	6. Place of birth: Baroda, India
3. Other name, if any: -	7. Nationality (please indicate the nationality that will appear on the public list of candidates): Australian
4. Gender: Female	8. Any other nationality: -

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 must be used both in the online survey and in the Word application form.

² The **application form in Word format** includes a motivation letter of maximum 600 words (section III of the form). The application form should be completed in English or French only, the two working languages of the United Nations Secretariat. The application form will be used as received to prepare the public list of eligible candidates who applied for the vacancy. The application forms of eligible candidates will also be posted as received on the OHCHR public web page for the selection process.

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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 limit)

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 am Edward W Said Fellow at Columbia University researching international law, human rights and armed conflict in the Middle East. With a PhD, MA, LLB & BA in international law & human rights, I have researched the Middle East for 17 years and worked here for 12 years. My award-winning research on international law, human rights, laws of war, migration, asylum & environmental law is recognized by government and academic grants. I focus on rights of vulnerable populations across the Middle East, especially those amid armed conflict, the displaced, poor, women & children. I am invited to speak, consult & train by the UN, governments, universities & international NGOs. I have worked with the UN on human rights providing legal advice & consultancy, policy & programme development, and project implementation. I have advised 2 Special Rapporteurs and UNDP on human rights, climate change, migration, asylum and the Arab uprisings. Tenured at the American University in Cairo, before academia I worked with UNDP, UNESCO, World Bank, and the UN Special Ambassador for MDGs on human rights and law reform across Asia and the Pacific. I have a track-record of working with integrity, sensitivity and diplomacy for human rights across the Middle East, global South and North; having lived and worked in Australia, Canada, China, Costa Rica, Egypt, India, Indonesia, Iran, Italy, Saudi Arabia, and currently in Jordan.

2. RELEVANT EXPERTISE (200 words limit)

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 and particularly in the area of the mandate. (Please state how this was acquired.)

Proven work experience in the field of human rights and particularly in the area of the mandate. (Please state years of experience.)

As an international law professor with advanced degrees, 22 years work in academia and UN, and widely published research on laws of war, human rights, migration, asylum & environmental law, I know the international laws applicable to situations of occupation. I am regularly invited to teach and examine PhDs on these subjects, including at Universities of British Columbia, Harvard, Lund, Melbourne, Sherbrooke, Windsor & York. With 17 years research and publication on the Middle East, I am very familiar with the question of Palestine. Over the last 12 years living in the Middle East, I provided human rights expertise to Special Rapporteurs, UNDP, UNHCR, UNRWA, ILO & IOM. Before that, in Asia, I worked for UNDP, UNESCO, World Bank, and UN Special Ambassador for MDGs. I have over 2 decades familiarity with UN mandates, including the potential for Special Rapporteurs to constructively build consensus for positive human rights action among divergent stakeholders. I understand the importance of interagency coordination; appreciate the crucial role of cooperation among

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member states, SC, GA, OCHA, OHCHR & UNRWA for this mandate; and most importantly the centrality of impartiality and objectivity to this role. With a record of constructive work on sensitive issues across this region (I have led grants on human rights, statelessness, asylum, etc), my peers attest to my integrity, independence and legal excellence.

3. ESTABLISHED COMPETENCE (200 words limit)

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

I have over 50 published works with leading legal presses, over 70 speaking invitations, and organized over 60 events globally on international law, human rights, humanitarian law & the Middle East. I received the IUCN Award (leading environmental law award) for research innovation on environmental justice & human dignity in this region. I taught international law & human rights to law graduates & judges in Cairo for 12 years, including courses on human rights in the Middle East, laws of war, migration & asylum law. I received and led 9 international research grants on the Middle East including: on refugee rights research & advocacy from the European Commission Instrument for Democracy & Human Rights; on preventing statelessness from the London School of Economics; and on international law from the Canadian government & Harvard Law School. I was Associate Director of the Center for Migration & Refugee Studies in Cairo, successfully managing staff, projects & graduate teaching for 7 years. I am co-founder of a new international law journal, and serve on editorial and advisory boards of global law journals, research centers, and law societies. I have held fellowships at Universities of British Columbia, Columbia, Dalhousie, Melbourne & York. I am fluent in English & Tamil (native tongue); with intermediate knowledge of French, Hindi, Indonesian & Spanish; and basic knowledge of Arabic & Mandarin.

4. PUBLICATIONS OR PUBLIC STATEMENTS

Please list significant and relevant published books, articles, journals and reports that the candidate has written or public statements, or pronouncements that the candidate has made or events participated in relation to the mandate.

4.1 Enter three publications in relation to the mandate applied for, in the order of relevance:

1. Title of publication: Climate, Conflict and International Law in the Middle East and Beyond

Journal/Publisher: Cambridge University Press

Date of publication: 1 March 2021

Web link, if available: <https://doi.org/10.1017/amp.2021.29>

2. Title of publication: Decolonization in Third and Fourth Worlds

Journal/Publisher: in S Xavier et al (eds), 'Decolonizing Law' (Routledge).

Date of publication: 2021

Web link, if available:

<https://www.taylorfrancis.com/chapters/edit/10.4324/9781003161387-5/decolonization-third-fourth-worlds-usha-natarajan>

3. Title of publication: Migration Myths and the Global South (with Ibrahim Awad).

Journal/Publisher: Vol 30, Cairo Review of Global Affairs, p 46 onwards

Date of publication: 2018

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Web link, if available: <https://www.thecairereview.com/essays/migration-myths-and-the-global-south/>

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

Over 50 publications on international law, human rights, laws of war & Middle East including 13 peer-reviewed articles, 16 book chapters, 6 edited volumes, 8 professional commentaries, 3 working papers, 1 prize-winning essay & 1 UN Audiovisual Library of International Law entry. Relevant publications:

'Accounting for the Absence of Rule of Law: History, Culture & Causality' in H Charlesworth & J Farrall (eds), *Strengthening the Rule of Law through the UN Security Council* (Routledge 2016)

'Forced Displacement from Syria or How to Institutionalize Regimes of Suffering' (2013) 2(6) *ESIL Reflections*

'Democratization & Constitutional Reform in Egypt & Indonesia: The Role of the Military' (with J Maswood) in B Korany & R El-Mahdi (eds), *The Arab Spring: Egypt in Revolution & Beyond* (AUC Press 2012)

'The State of Nature, The Nature of the State & the Arab Spring' (2012) 14 *Oregon Review of International Law* 177

'Law, Development & Arab Revolution' (with K Khoday) (2012) 56 *Supreme Court Law Review* 817

'Creating & Recreating Iraq: Legacies of the Mandate System for Contemporary Understandings of Third World Sovereignty' (2011) 24 *Leiden Journal of International Law* 799

'A Third World Approach to Debating the Iraq War' (2009) 9 *International Community Law Review* 405

'2003 Iraq Invasion and the Nature of International Law: A Third World Approach', PhD Thesis, Australian National University (2009).

4.2 Enter three public statements or pronouncements made or events that the candidate may have participated in relation to the mandate applied for, in the order of relevance:

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

American Society of International Law Annual Conference

Event organizer: American Society of International Law

Date on which public statement/pronouncement made: 25 June 2020

Web link, if available: <https://www.asil.org/events/transitional-justice-hostile-climate>

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

+70 Conference: History and Future of Human Rights and Palestine

Event organizer: Birzeit University, Birzeit, Palestine

Date on which public statement/pronouncement made: 6 Oct 2018

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Web link, if available: <http://muwatin.birzeit.edu/docs/Participants-En.pdf>

3. Platform/occasion/event on which public statement/pronouncement made: Expert Forum on Human Rights & New Challenges: Immigration, Minorities and Democracy

Event organizer: Secretariat for Human Rights, Presidency of the Republic of Uruguay, Montevideo.

Date on which public statement/pronouncement made: 27 June 2018

Web link, if available:

https://medios.presidencia.gub.uy/legal/2018/resoluciones/07/presidencia_347.pdf

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

Relevant speaking invitations:

Forum on Immigration & Democracy: Rethinking Public Policy, National Chamber of Deputies, Parliament of Argentina, Buenos Aires, 25 & 26 June 2018

Politics of Decolonization in Third & Fourth Worlds, Annual Law & Society Association Conference, Toronto, 7 June 2018

Inside/Outside the Walls, Tallberg Foundation Workshop: Can We Bend the Arc in the Age of Migration? Tangier, 11 May 2018

Regional Perspectives on International Mobility, Columbia University Global Center, Amman, 6 May 2018

Sustainable Development Goals & the Global South, Wisconsin International Law Journal Symposium, Wisconsin Law School, 6 Apr 2018

Law's Slow Violence: Reflections on the Arab Uprisings, York University, Toronto, 14 June 2013

Relevant events organized:

Conference: International Responsibility Sharing for Refugees, Cairo, Oct 2017

Roundtable: Decolonization, Dignity & Development Aid in Palestine, Cairo, May 2016

Seminar: Palestine Refugees & the Curious Case of Sheik Jarrah, Cairo, April 2016

Film Screening & Roundtable: The Law in these Parts, Cairo, Mar 2016

Workshop: Displacement by Armed Conflict: Civilian Protection in International Humanitarian Law, Cairo, Oct 2015

Roundtable: Rights of Palestinian Refugees: Return, Restitution, Nationality & Territory, Cairo, Nov 2013

Panel Discussion: The Question of Palestine: What's Law Got To Do with It? Cairo, Feb 2013.

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5. FLEXIBILITY/READINESS AND AVAILABILITY OF TIME (200 words limit) **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 two country visits per year, drafting reports according to established deadlines, organizing and participating in consultations and meetings, addressing allegations of human rights violations with all concerned, providing advice to States and other stakeholders on issues related to their mandate and engaging with a variety of stakeholders. Kindly indicate whether the candidate can dedicate an estimated time of four to six months per year to the work of a mandate depending on its workload.**

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".

If successful, my existing work commitments allows sufficient flexibility to dedicate four to six months per year to the work of this mandate. I live in Amman, Jordan, which is convenient for fulfilling the duties of this particular mandate and reaching out to relevant stakeholders given that visits to the Occupied Territories are not presently allowed for the mandate holder. The mandate is well-matched with my existing research, teaching and other professional commitments, making it feasible to perform it as well as other annual duties. I am accustomed to extensive travel, consultations, report writing, and deadlines, and have longstanding familiarity with UN institutions in Geneva and New York.

6. NOMINATION FOR THE MANDATE

Indicate whether the candidate has been nominated by (check all that apply):

- Individual nominations (indicate this if the candidate is self-nominating)**
- Governments**
- Regional groups operating within the United Nations human rights systems**
- International organizations or their offices**
- Non-governmental organizations**
- National human rights institutions**
- Other human rights bodies**

Name of the nominating entity and additional information about the nomination (use if applicable, for third-party nominations only) (200 words limit):

-

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III. MOTIVATION LETTER, INCLUDING YOUR VISION OF THE MANDATE

(600 word limit. Must be typed in the space below and not sent in a separate email or as an attachment. To be drafted and signed (i.e. with a typed signature) by the candidate himself/herself even if nominated by another entity.)

The question of Palestine is formative for international law and institutions. Alongside human rights and humanitarian law, the situation in Palestine involves the UN Charter and its aims, Security Council and General Assembly Resolutions, as well as economic, environmental and other international laws. Amidst longstanding occupation, monitoring human rights has a special significance, to help ensure colonialism remains unacceptable in international relations. Hence this mandate holds deep meaning for me, as an international law scholar working for 22 years with academia and the UN across the global South.

I have worked in the Middle East for the last 12 years and currently live in Jordan so this mandate is literally and figuratively close to home. An Australian national born in India, I have lived in the global South most of my life. My peers, including the current mandate holder, prompted this application because I have extensive human rights expertise in the Middle East and a record of working with independence and integrity on sensitive issues and liaising productively with governments and civil society in this region and globally.

Understanding the human rights situation in Palestine while maintaining some distance can help to fulfil a sensitive mandate with objectivity and neutrality. While I know the legal and regional issues well, I am not from this region and not a Palestine specialist. My writings focus on international law, the Middle East, and Iraq, rather than Palestine. Thus, I grasp the regional and global context of the situation of Palestine. Similarly, while I have human rights expertise, I am also a specialist in the laws of war, refugee & migration law, and economic & environmental law. I approach each field as interrelated integral aspects of international law rather than disparate specializations. Hence, I feel confident tackling a politically charged mandate impartially and holistically.

The current mandate holder productively drew on knowledge accrued under this mandate to craft five principles and I propose to build on these strong foundations. Each principle is grounded in the rule of law. The rule of law provides common ground and a dry objectivity helpful when dealing with emotionally charged situations rife with symbolism. On its most basic level, the rule of law calls for equal application of law. In the context of human rights, this means above all self-determination for Palestinians and Israelis. The rule of law also calls for cessation of harmful acts and restitution for harm done: general principles of law all member states agree upon. While both Palestinians and Israelis must abide by such principles, the power asymmetry inherent in a situation of protracted occupation shapes the direction of state responsibility.

54 years of occupation necessitates keeping close watch on incremental changes that may produce catastrophic effects such as annexation over time. Human rights concerns include mass displacement, settlements, unlawful detention, torture, unfair trial, movement restriction, child detention, excessive force and civilian harm. Economic & environmental rights (clean water, energy, health, education, work, property and healthy environment) also deserve priority as climate change, pandemics, and economic slowdowns exacerbate existing occupation challenges. Access to information is essential for impartial, constructive, non-confrontational reporting. Thus, Israeli cooperation is important. Access to Palestine is

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restricted so information comes from governments and civil society, especially research institutes and human rights defenders. Thus, the clampdown on their freedom of expression is worrying and needs immediate attention. The recent creation of an international commission of inquiry is particularly helpful in this context. Given the myriad human rights issues and diverse institutional mandates that arise, my holistic knowledge of human rights and humanitarian law and broad experience with the UN system, governments and civil society in this region are assets to this mandate.

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IV. LANGUAGES (READ / WRITTEN / SPOKEN)

Please indicate all language skills below.

1. Mother tongue: English & Tamil

2. Knowledge of the official languages of the United Nations:

Arabic: 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**

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: **Yes** If yes,

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

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NOTE: Please list the candidate's academic qualifications (university level and higher, indicating the type of degree and field of study, and whether full- or part-time; for example, *Masters in Law, University of XXX, part-time, 1975-1977, city and country*). If space in the table is insufficient, more than one degree may be listed in a single cell below, separating them by a blank line.

Name of degree, field of study and name of academic institution, full or part-time:	Years of attendance (provide a range from-to, for example 1999-2003; for ongoing education, please put e.g. 2018-present):	Place and country:
Doctor of Philosophy (PhD) in International Law, College of Law, Australian National University (part time).	2005-2009	Canberra, Australia
Masters (MA) in International Law and the Settlement of Disputes, United Nations University for Peace, Costa Rica (full time).	2002-2003	San Jose, Costa Rica
Graduate Certificate in International Humanitarian Law, International Committee for the Red Cross (ICRC) (full time). Graduate Certificate in Human Rights, European Academy (EURAC) (full time).	2003 2000	San Jose, Costa Rica Bozen/Bolzano, Italy
Bachelor of Law (LLB) specialization in International Law, Monash University (full time).	1994-2000	Melbourne, Australia
Bachelor of Arts (BA) specialization in Art History, Monash University (full time).	1994-2000	Melbourne, Australia

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NOTE: Please briefly list ALL RELEVANT professional positions held in the area of human rights, beginning with the candidate's current (most recent) occupation. Also, indicate whether positions held were full-time or part-time. If space in the table is insufficient, more than one position may be listed in a single cell below, separating them by a blank line.

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; for ongoing activities, please put e.g. 2018-present):	Place and country:
Columbia University, Edward W Said Fellow (part time)	2019-present	New York, USA
Dalhousie University, International Schulich Law Visiting Scholar (part time)	2021-present	Halifax, Canada
American University in Cairo, Associate Professor of International Law, Tenured in May 2017 (full time)	2010-2020	Cairo, Egypt
American University in Cairo, Associate Director, Center for Migration and Refugee Studies (full time)	2014-2020	Cairo, Egypt
University of British Columbia, Global South Visiting Scholar (part time)	2019-2020	Vancouver, Canada
Melbourne Law School, Senior Fellow (part time)	2020, 2018, 2016	Melbourne, Australia
Center for International Sustainable Development Law, Legal Research Fellow on Human Rights and Poverty Eradication (full time)	Aug 2009-Aug 2011	Montreal, Canada
College of Law, Australian National University, Tutor (part time)	Feb 2005-June 2007	Canberra, Australia
UNDP Indonesia, International Adviser, Office of the UN Special Ambassador for MDGs in Asia and the Pacific (full time)	Aug 2003-Aug 2004	Jakarta, Indonesia
World Bank, Legal Reform Adviser, Urban Poverty	June-Aug 2003	Jakarta, Indonesia

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Project (full time)		
United Nations University for Peace, Assistant to Director, Masters Programme in International Law and Human Rights (part time)	Jan-June 2003	San Jose, Costa Rica
UNESCO, Adviser, Culture Unit, Regional Office for Southeast Asia (full time)	Mar-Sept 2002	Jakarta, Indonesia
UNDP Indonesia & Institute for Judicial Independence, Legal Reform Adviser (full time)	Oct 2001-Mar 2002	Jakarta, Indonesia
Indonesian National Commission for Human Rights (KomNasHAM), Legal Adviser (full time)	Mar-Aug 2001	Jakarta, Indonesia.

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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 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.

Not applicable

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VIII. CERTIFY AND SUBMIT APPLICATION

To be completed by the candidate. The candidate's name below should match how it is entered on the first page of the form and in the online survey.

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 email (ohchr-hrcspecialprocedures@un.org).

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

Name: Usha Natarajan

Date: 24 November 2021
