

## SECOND PART: APPLICATION FORM IN WORD FORMAT

### Special Rapporteur in the field of cultural rights

Appointment to be made by the Human Rights Council at its 48th session

#### **APPLICATION DEADLINE: 11 JUNE 2021 AT 12 NOON GENEVA TIME**

- The application process consists of two compulsory parts:  
**(1) online survey<sup>1</sup>** (<https://ohchr-survey.unog.ch/index.php/717995>)  
and  
**(2) application form in Word format<sup>2</sup>** (to be downloaded from <https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/HRC48.aspx>)
- Once fully completed, in English or French only, the Word application form should be submitted by email to [hrcspecialprocedures@ohchr.org](mailto:hrcspecialprocedures@ohchr.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 ([hrcspecialprocedures@ohchr.org](mailto:hrcspecialprocedures@ohchr.org)) or fax (+41 22 917 9008).

#### I. PERSONAL DATA

|  |   |
|--|---|
| <b>1. Family (last) name:</b> Vrdoljak   | <b>5. Year of birth:</b> 1969   |
| <b>2. First (given) name:</b> Ana Filipa | <b>6. Place of birth:</b> Sydney Australia  |
| <b>3. Other name, if any:</b>            | <b>7. Nationality (please indicate the nationality that will appear on the public list of candidates):</b> Croatian |
| <b>4. Gender:</b> Female                 | <b>8. Any other nationality:</b> Australian   |

<sup>1</sup> 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.

<sup>2</sup> 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.

## SECOND PART: APPLICATION FORM IN WORD FORMAT

### Special Rapporteur in the field of cultural rights

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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.)**

Professor Ana Filipa Vrdoljak holds a Doctor of Philosophy, Faculty of Law, University of Sydney (2003). Her doctorate focussed on the promotion of human rights and cultural diversity through an examination of international and national standards and policies on restitution of cultural heritage. She holds a Bachelor of Laws (Honours) (including Human Rights, International Law, Intellectual Property) (1992) and Bachelor of Arts (Honours in Art History and Theory) (1993), University of Sydney. She has been a Barrister and Solicitor of the High Court and Federal Courts of Australia since 1997, and Supreme Court of New South Wales since 1992.

Professor Vrdoljak has excellent English language oral and written communication skills demonstrated in her work as an academic and legal expert. She has authored numerous publications on international law, human rights, cultural diversity, and heritage in the English language. She has taught and been invited to present keynotes at many international conferences in these fields in Europe, Asia and Oceania, the Middle East, Africa, and North America to audiences and students from diverse cultural and linguistic backgrounds. She has knowledge of written French and Italian, and written and spoken Croatian.

### 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.)**

Professor Vrdoljak's knowledge of human rights instruments and related international and regional organisations is reflected in her extensive published research, teaching experience and work as a lawyer over almost 30 years. She is UNESCO Chair on International Law and Cultural Heritage (first and only in southern hemisphere) and International Top-Level Expert, Renmin Law School. She authored *International Law, Museums and the Return of Cultural Heritage* (2006, 2e 2022) and edited *Oxford Handbook on International Cultural Heritage Law* (2020) and *The Cultural Dimension of Human Rights* (2013). She is General Editor of Oxford's Cultural Heritage Law and Policy book series and Oxford Commentaries on International Cultural Heritage Law and Chair, Management Board, *International Journal of Cultural Property*. Her work is cited before the International Court of Justice and North American superior courts. She held the Jean Monnet, EU Marie Curie, and Fernand Braudel Senior Fellowships at European University Institute Florence for research projects on human rights, diversity and culture. Her expertise in human rights is acquired through her work as an academic, researcher and legal expert in human rights law and culture since 2000s, and 1990s as a

## SECOND PART: APPLICATION FORM IN WORD FORMAT

### Special Rapporteur in the field of cultural rights

*Appointment to be made by the Human Rights Council at its 48th session*

senior legal advocate with a large civil rights-based practice representing persons with disabilities and women.

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

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

Professor Vrdoljak's recognised national, regional and internationally competence in respect of human rights particularly cultural rights is reflected in her roles as a senior academic and legal advisor. She has been a full Professor of Law since 2010 at the Faculty of Law, University of Technology Sydney and University of Western Australia, and visiting Professor Renmin Law School, Parma and Central European University. She was Associate Dean (Research) and Director, UTS Law Research Centre. She has been invited to teach at world-leading academic institutions and present to key national, regional and international bodies on international law, human rights, and culture. She collaborates with leading scholars across various disciplines and from every region, on major research projects on these themes. She has been a consultant and legal expert for various international and regional intergovernmental organisations and national bodies including UNESCO, UNIDROIT, European Commission, and OHCHR. She holds or has held leaderships or advisory roles in key civil society organisations including President, International Cultural Property Society (U.S.), and member of International Law Association's Cultural Heritage and Rights of Indigenous Peoples committees. She provides expert advice in these fields in her role as UNESCO Chair  
<https://internationalculturalheritagelaw.org>

#### **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:** International Law, Museums and the Return of Cultural Objects

**Journal/Publisher:** Cambridge University Press

**Date of publication:** 1e 2006, 2008; 2e 2022

**Web link, if available:**

<https://www.cambridge.org/au/academic/subjects/archaeology/archaeology-general-interest/international-law-museums-and-return-cultural-objects?format=PB&isbn=9780521732406>

**2. Title of publication:** Oxford Handbook of International Cultural Heritage Law

**Journal/Publisher:** Oxford University Press

**Date of publication:** 2020

**Web link, if available:** <https://global.oup.com/academic/product/the-oxford-handbook-of-international-cultural-heritage-law-9780198859871?cc=us&lang=en>

**3. Title of publication:** The Cultural Dimension of Human Rights

**Journal/Publisher:** Oxford University Press

**Date of publication:** 2013

## SECOND PART: APPLICATION FORM IN WORD FORMAT

### Special Rapporteur in the field of cultural rights

*Appointment to be made by the Human Rights Council at its 48th session*

**Web link, if available:** <https://global.oup.com/academic/product/the-cultural-dimension-of-human-rights-9780199642120?cc=us&lang=en&>

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

Professor Vrdoljak's published research elaborates the place of cultural rights in human rights law and international law. She focuses on definition and formulation of cultural rights, including International Law for Common Goods: Normative Perspectives on Human Rights, Culture and Nature (2014); Self-determination and Cultural Rights. In Cultural Human Rights (2008) 41-78; Cultural Heritage in Human Rights and Humanitarian Law. In International Human Rights and Humanitarian Law (2011) 250-302; Cultural Heritage, Human Rights and the Privatisation of War. In Heritage, Culture and Rights (2017) 61-89.

Implementation and access to justice, including Reparations for Cultural Loss. In: Reparations for Indigenous Peoples (2008) 197-228; Genocide and Restitution: Ensuring Each Group's Contribution to Humanity (2011) EJIL 22(1):17-47; Indigenous Peoples, Human Rights and World Heritage (2018) IJCP 25(2):245-281; The Criminalisation of the Intentional Destruction of Cultural Heritage. In Forging a Socio-Legal Approach to Environmental Harms (2017) 237-266.

Periods of transition, including Enforcing Restitution of Cultural Property through Peace Agreements. In Enforcing International Cultural Heritage Law (2013) 22-39; Cultural Heritage, Transitional Justice and Rule of Law. In Oxford Handbook on International Cultural Heritage Law (2020) 169-199; Culture and Pandemics IJCP Special Issue (2020) 27(4).

**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:**

Human Rights and Restitution of Cultural Objects Keynote lecture

**Event organizer:** Summer School on Cultural Objects, Human Rights and International Law, Grotius Centre for International Legal Studies and Leiden-Delft-Erasmus Centre for Global Heritage and Development, Leiden Uni

**Date on which public statement/pronouncement made:** August 2019

**Web link, if available:**

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

Criminalisation of the Illicit Trade in Cultural Objects, Annual Professors' Lecture

**Event organizer:** Annual Professors' Lecture, Renmin Law School and Keynote lecture, East China University of Political Science and Law, 40<sup>th</sup> anniversary celebration

**Date on which public statement/pronouncement made:** November 2019

**Web link, if available:**

**3. Platform/occasion/event on which public statement/pronouncement made:** Self-determination and Genocide, 10<sup>th</sup> Annual Lecture on Human Rights

**Event organizer:** Minerva Center for Human Rights, Tel Aviv University

**Date on which public statement/pronouncement made:** July 2018

**Web link, if available:**

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

## SECOND PART: APPLICATION FORM IN WORD FORMAT

### Special Rapporteur in the field of cultural rights

*Appointment to be made by the Human Rights Council at its 48th session*

Professor Vrdoljak's internationally recognised expertise in the field of the mandate is reflected in invitations to deliver (1) keynote addresses including the Annual Minerva Lecture (previously delivered by S Benhabib, J Raz, J Habermas and S Moyn), Italian Society of Comparative Law Annual Meeting, Dutch Research Center for Material Culture, Stanford Archaeological Center international conferences; plenary panels for Canadian, European, and Indonesian Societies of International Law annual meetings; and numerous international meetings and workshops in most regions. (2) Specialised courses including Academy of European Law Summer Course on Human Rights Law Florence, Leiden Cultural Heritage Summer School, Siena-Tulane Summer School on Art Law; and Renmin Law School Beijing; LIUSS Roma, Dipartimento di Giurisprudenza Università degli Studi di Parma; Law Department European University Institute, Law Department CEU Budapest, Koç University Istanbul Turkey.

Professor Vrdoljak's commitment to promotion of cultural rights is reflected in (1) public lectures delivered in Europe, Americas, Asia, and Oceania; (2) organisation of numerous conference, workshops and webinars including upcoming events on culture and sustainability; and (3) comments and interventions to specialist international and national bodies including the ICC, OHCHR, and UNESCO. <https://internationalculturalheritagelaw.org/advocacy/>

**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".**

Professor Vrdoljak is able to effectively perform the functions and respond to the requirements of the Mandate because of her lengthy experience as a senior legal advisor, manager, and academic. Participation in high level meetings, travel on missions, preparation of reports to deadlines, organization and participation meetings with various stakeholders covering law and human rights have been central to her work experience. Her extensive networks in this field across all regions reflect her capacity and commitment to work effectively and sensitively with States, intergovernmental organisations and diverse stakeholders.

Professor Vrdoljak's permanent position as Professor of Law at the Faculty of Law, University of Technology Sydney provides her with the flexibility and time to effectively fulfil the functions of the mandate and its requirements with independence, objectivity, personal integrity and readiness.

**6. NOMINATION FOR THE MANDATE**

**SECOND PART: APPLICATION FORM IN WORD FORMAT**

**Special Rapporteur in the field of cultural rights**

*Appointment to be made by the Human Rights Council at its 48th session*

**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):**

Croatia



## **SECOND PART: APPLICATION FORM IN WORD FORMAT**

### **Special Rapporteur in the field of cultural rights**

*Appointment to be made by the Human Rights Council at its 48th session*

#### **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.)

I respectfully put myself forward for consideration for appointment as Special Rapporteur in the field of Cultural Rights. With almost three decades' work as an academic, advocate, and manager, I have the expertise, experience, competence and independence to fulfil this important mandate at this time of significant transition.

If successful, I would focus on global challenges arising from the ongoing pandemic, climate change, and armed conflicts. The culture sector and cultural rights are especially effected. They are also important drivers of individual and communal resilience during periods of transition. Like this Mandate and the SDGs, my academic and professional work reflects an appreciation and commitment to the protection, promotion and effective enjoyment of human rights, particularly cultural rights, and cultural diversity for international cooperation, peace and stability, and sustainable development. Recognising the role of multiple actors in this field, I consistently engaged international and regional organisations, governments, civil society, communities and individuals from the global to the local levels. I assiduously and successfully collaborate with colleagues across disciplines, regions, and cultures to this end. This interdisciplinary commitment is reflected in my own training, research and ongoing collaborations with leading experts from across the world.

I would seek to reinforce the understanding of violations of cultural rights as an early warning to the escalation of gross violation of human rights generally and international crimes like crimes against humanity and genocide. As an academic and legal expert collaborating with key international and national organisations and institutions, my contribution to the field of cultural rights elaborates their place in international human rights law. It promotes a deep understanding that the realisation and effective enjoyment of human rights (including self-determination and development) is only possible through recognition and realisation of cultural rights. Similarly, cultural rights cannot be quarantined but must be pursued through policies which also promote civil, political, economic and social rights. Also, they are nested in and informed by international law generally and broader concerns of international community, groups and individuals.

Related to this is recognition that violation of human rights particularly cultural rights especially effect certain groups, and addressing limitations in existing laws and policies to ameliorate this deficiency benefits all. My work has consistently addressed the limits of contemporary law and practice which creates or exacerbates vulnerability. Including as UNESCO Chair on International Law and Cultural Heritage, where women and girls, and Indigenous peoples and small island States are current priority areas; and as consultant or legal expert with international and regional organisations, like UNESCO's recent review of the 1999 Second Hague Protocol; ICC-OTP draft Policy on Cultural Heritage; and the Independent Expert for Cultural Rights' consultation on access to cultural heritage. I advise governments and civil society organisations on international law obligations and good practice in human rights, cultural diversity and heritage.

Like this mandate, as a researcher, teacher and legal expert, my work pushes to realise cultural rights in practice. A legal right is only little use if it is not realised through good practices and effective oversight mechanisms. This outlook is informed by nearly 30years

**SECOND PART: APPLICATION FORM IN WORD FORMAT**

**Special Rapporteur in the field of cultural rights**

*Appointment to be made by the Human Rights Council at its 48th session*

experience, as a civil rights advocate and international lawyer specialising in human rights and cultural heritage protection. This is reinforced by my unstinting commitment to independence, impartiality, and objectivity, as an academic and legal expert.

In putting forward my candidacy, I seek to ensure that States and non-state actors understand and fulfil their obligations, so that all human rights, including cultural rights are enjoyed by individuals and communities.

A F Vrdoljak



**SECOND PART: APPLICATION FORM IN WORD FORMAT**

**Special Rapporteur in the field of cultural rights**

*Appointment to be made by the Human Rights Council at its 48th session*

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

**Please indicate all language skills below.**

**1. Mother tongue: English and Croatian**

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

**Arabic:** Yes or no: **No** If yes,

**Read:** Easily or Not easily:

**Write:** Easily or Not easily:

**Speak:** Easily or Not 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: **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:

**SECOND PART: APPLICATION FORM IN WORD FORMAT****Special Rapporteur in the field of cultural rights***Appointment to be made by the Human Rights Council at its 48th session***V. EDUCATIONAL RECORD**

**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.**

| <b>Name of degree, field of study and name of academic institution, full or part-time:</b>   | <b>Years of attendance</b><br>(provide a range from-to, for example 1999-2003; for ongoing education, please put e.g. 2018-present): | <b>Place and country:</b> |
|--|--|---------------------------|
| Doctor of Philosophy, International Law and Culture Heritage, Faculty of Law, University of Sydney, first year part time, thereafter full-time | 1998-2003  | Sydney, Australia         |
| Visiting Scholar, Hauser Global Law School, New York University, full-time   | 2000   | New York USA              |
| Visiting Scholar, Lauterpacht Research Centre for International Law, University of Cambridge, full-time  | 1999   | Cambridge, UK             |
| Bachelor of Arts (Honours), Art history and theory, Faculty of Arts, University of Sydney, full-time   | 1987-1992  | Sydney, Australia         |
| Bachelor of Laws (Honours), Law, Faculty of Law, University of Sydney, full-time   | 1987-1991  | Sydney Australia          |

**SECOND PART: APPLICATION FORM IN WORD FORMAT****Special Rapporteur in the field of cultural rights***Appointment to be made by the Human Rights Council at its 48th session***VI. EMPLOYMENT RECORD**

**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.**

| <b>Name of employer, functional title, main functions of position, full- or part-time:</b>   | <b>Years of work</b><br>(provide a range from-to, for example 1999-2005; for ongoing activities, please put e.g. 2018-present): | <b>Place and country:</b> |
|--|---|---------------------------|
| UNESCO Chair on International Law and Cultural Heritage (2019-present), Professor of Law (2012-present), and Associate Dean (Research) (2013-2016), Faculty of Law, University of Technology Sydney, manager, research and teaching, full-time | 2012 - present  | Sydney Australia          |
| Visiting Professor and International Top-Level Expert, Faculty of Law, Renmin University of China, research and teaching (part-time)   | 2018 - present  | Beijing China             |
| Fernand Braudel Senior Fellowship, Law Department, European University Institute, research; and Visiting Professor, Dipartimento di Giurisprudenza, Università degli Studi di Parma, teaching (6mths)  | 2017  | Florence and Parma Italy  |
| Visiting Professor, Department of Law, Central European University, teaching international law and supervision of research students (part-time)  | 2008-2013   | Budapest Hungary          |
| Professor of Law (2010-2012) and Associate Professor (2005-2010), Faculty of Law, The University of Western Australia, Perth, Australia<br>Academic, research and teaching, administration (full-time)   | 2005-2012   | Perth Australia           |
| Marie Curie Fellow and Jean Monnet Fellow, Department of Law, European University Institute, Academic, research, project manager, supervision of research students (full-time)   | 2006-2008<br>2004-2005  | Florence Italy            |
| Senior Research Associate and Lecturer, Faculty of   |   | Sydney Australia          |

**SECOND PART: APPLICATION FORM IN WORD FORMAT**

**Special Rapporteur in the field of cultural rights**

*Appointment to be made by the Human Rights Council at its 48th session*

|  |           |                  |
|--|-----------|------------------|
| Law, University of Sydney, research and teaching (part-time)   | 2001-2003 |                  |
| Associate, Senior Attorney, Cashman&Partners (later Maurice Blackburn) Attorneys; and Attorney, Turner Freeman Solicitors, manager, civil rights litigation and advocacy | 1993-1999 | Sydney Australia |

**SECOND PART: APPLICATION FORM IN WORD FORMAT**

**Special Rapporteur in the field of cultural rights**

*Appointment to be made by the Human Rights Council at its 48th session*

**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

**SECOND PART: APPLICATION FORM IN WORD FORMAT**

**Special Rapporteur in the field of cultural rights**

*Appointment to be made by the Human Rights Council at its 48th session*

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

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

**Name:** Ana Filipa Vrdoljak

**Date:** 24 May 2021

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