

Second Part: Word Format APPLICATION FOR SPECIAL PROCEDURES MANDATE HOLDER

HUMAN RIGHTS COUNCIL SECRETARIAT
APPLICATION FORM SPECIAL PROCEDURES MANDATE
Independent Expert on the issue of human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment

How to start the application process:

- The application process has been split into 2 parts, the first part is a Web-based application and the second part is an application form in word which can be downloaded, completed and returned by email. Both parts and all sections of the application form should be filled in for the application to be processed.

The **first part**, i.e. the [Web-based application](#) 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 application should only be completed once**, i.e. multiple selection allowed to indicate if the candidate is applying for more than one mandate.

This is the **second part** of the application form in Word format 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, 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 Internet.

Once completed the application form in Word format should be submitted by email to hrcspecialprocedures@ohchr.org

If the candidate is applying for more than one mandates, an application form needs to be completed and sent for each mandate.

- A maximum of 3 reference letters can be attached, in pdf format, to the application sent by email. No additional document is required.
- **Application Deadline: 07 May 2012 (midnight, GMT).**
- Shortlisted candidates will be interviewed at a later stage.

If encountering technical difficulties, you may contact us by

Email: hrcspecialprocedures@ohchr.org

or

Fax: + 41 22 917 9011

PERSONAL DATA

Family Name: Anton	Sex: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
First Name: Donald	Date of birth (d-MMM-yy):
Maiden name (if any):	Place of birth: St. Louis, Missouri, USA
Middle name: Kris	Nationality(ies): Australia/USA

I. MANDATE - SPECIFIC COMPETENCE/QUALIFICATION/KNOWLEDGE

NOTE: Please describe why the candidate's competence/qualifications/knowledge is relevant in relation to the specific mandate:

<p>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 official languages of the United Nations (i.e. Arabic, Chinese, English, French, Russian, Spanish.)</p>	<p>Anton has been a student of human rights for the last 20 years. His first exposure was during 1992-1994 working as a Research Associate for Professor Louis Henkin, one of the "fathers" of modern human rights, at Columbia University Law School.</p> <p>Anton gained first-hand knowledge about the deep connection between human rights and the environment in the late 1990s assisting local NGOs represent the human rights and environmental interests of remote villages in Papua New Guinea in legal actions against multinational logging cartels. He has led amici curiae efforts of eminent international scholars around the world in U.S. Courts, including in Chevron v. Donzinger, where environmental damage has led directly to human rights violations.</p> <p>Anton has designed and taught advanced law courses on Human Rights and the Environment at The Australian National University, the University of Michigan, and the University of Alabama. He was called upon to evaluate the proposal that led to the creation of the Journal on Human Rights and the Environment. He has served as an examiner of PhD dissertations and post-doctoral proposals in the area.</p>
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	<p>He is a regular reviewer of publication proposals for Cambridge University Press in the area of Human Rights and the Environment.</p>
<p>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).</p>	<p>In addition to the 20 years of experience outlined in the sections on qualifications (above) and competence (below), the following are also examples of relevant expertise.</p> <p>In 2011, Anton co-authored (with Dinah Shelton) a text entitled "Environmental Protection and Human Rights." The book was published by Cambridge University Press and has become a leading text in the area. Because of his expertise of the U.N. and regional human rights systems, Anton prepared the chapter on International Human Rights Institutions and Procedures. He also was responsible for the foundational chapter on the International Protection of Human Rights.</p> <p>Anton is also about to publish a major student text in the United States with Thomson/West Publishing Company on Principles of Human Rights that treats the U.N. and regional human rights systems.</p> <p>Anton's expertise is recognised by various human rights bodies. In relation to the Asia-Pacific, for example, Anton has consulted with Asia Pacific Forum of National Human Rights Institutions in order to promote the human rights and environment connection in the region.</p> <p>Anton is also a regularly contacted by the media to comment on the human rights and environmental issues. Most recently, he has been commenting on attempts to "globalize" the participatory rights of Principle 10 at the upcoming U.N. Conference on Sustainable Development.</p>

<p>ESTABLISHED COMPETENCE (200 words) Nationally, regionally or internationally recognized competence related to human rights. (Please explain how such competence was acquired).</p>	<p>Anton's competence in the area of human rights and the environment has been recognised internationally, regionally, and nationally. By way of example over time:</p> <p>In 1995, Anton prepared a legal memorandum questioning the international legality of the resumption of French nuclear testing in the South Pacific on environmental and procedural human rights grounds. The legal opinion was endorsed by 185 eminent international lawyers from over 40 states and transmitted to the French Government by the Australian Foreign Minister, Gareth Evans, by normal diplomatic channels.</p> <p>Since 1997, Anton has been a member of the Environmental Law Commission of the International Union for the Conservation of Nature. As a member he prepared a submission urging the incorporation of environmental rights into the Australian National Capital Territories Bill of Rights.</p> <p>Since 2006, Anton has been a member of the International Law Association's Committee on the International Law of Sustainable Development, which has explored the human rights implications of the integration of environment concerns and development imperatives required by sustainable development.</p>
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<p>FLEXIBILITY/READINESS AND AVAILABILITY OF TIME (200 words)</p> <p>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)</p>	<p>Anton, as a law professor, has the flexibility and availability of time to effectively meet the terms of the mandate. In any given year, the candidate can devote at least three months per year carrying out the tasks and requirements of the Independent Expert. In 2013, Anton will have a sabbatical and long-service leave. This will essentially leave the entire year open to devote to the mandate. This would benefit the mandate by allowing allow significant effort to be devoted to the mandate from the outset.</p> <p>Anton is able to travel to engage in the detailed consultations with stakeholders required by the mandate and to participate in Human Rights Council sessions.</p>
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II. LANGUAGES (READ / WRITTEN / SPOKEN)

Please indicate all language skills

<u>Languages</u>	<u>Read</u>		<u>Write</u>		<u>Speak</u>	
	<u>Easily</u>	<u>Not Easily</u>	<u>Easily</u>	<u>Not Easily</u>	<u>Easily</u>	<u>Not Easily</u>
<u>Arabic</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Chinese</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>English</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>French</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Russian</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Spanish</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Mother tongue: English</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

III. Motivation Letter (600 word limit)

I am seeking the mandate of the Independent Expert for three compelling reasons. In short, my nomination is motivated by a desire: 1) to help ensure the success of the mandate, 2) to assist in clarifying and elaborating the strong complementary synergies that exist between ensuring the fulfillment of human rights standards and protecting important environmental values, and 3) to work on developing a set of recommendations that help progress the concept of sustainable development along an emerging human rights path of international environmental justice.

1. Ensuring the success of the mandate -- It has taken nearly twenty years to establish an Independent Expert and I approach this nomination conscious that the 1994 and 2000 attempts to establish a Special Procedure on human rights and the environment, in what was then the Commission, ended in failure. It is thus crucial to ensure that the long-term efforts that have been exerted in establishing the Independent Expert are justified and the mandate is an exemplary success. This is especially so if future environmental Special Procedures, such as a Special Rapporteur on Climate Change, are contemplated. I am also convinced that most successful mandates have been, in large part, driven by committed individuals with requisite expertise. My own expertise is shown elsewhere in this nomination, but my commitment to productive and meaningful outcomes for this mandate is second to none. If my nomination is successful, I am prepared to devote all my time outside of my law school duties to the tasks of the Independent Expert.

2. Clarifying and elaborating synergies -- One of the major tasks of the Independent Expert is to conduct a comprehensive study, in a detailed consultative process, of human rights obligations relating to the enjoyment of the environment. This work requires careful consideration of legal, policy, and practical implications and has a great attraction for me. These aspects of the mandate will allow the Independent Expert to carry forward and extend the ground-breaking work of the then Sub-Commission Special Rapporteur Ksentini and her analysis of the impact of environmental degradation on vulnerable groups and the enjoyment of fundamental human rights. The new mandate provides a significant opportunity to work from the human rights side in relation to the enjoyment of a clean, healthy, and sustainable environment. Such an environment is, of course, a predicate to the full realization of all human rights. This aspect of the mandate will allow the Independent Expert to analyse and systematize the growing body of human rights law and jurisprudence worldwide and trace out its environmental bearing and requirements. In my scholarship and in practice I have already been working

these fields and would greatly welcome the chance to continue this work in a comprehensive, consultative fashion as the mandate holder.

3. Developing recommendations to mainstream principles of international environmental justice into sustainable development -- Importantly, the mandate picks up on sustainability and the Millennium Development Goals. In both the development process and the pursuit of sustainable development, human rights are of great importance. Meeting the basic needs of individuals or of peoples, including environmental needs, is the basis for a decent human existence. Human rights have been increasingly called upon for sustainable development objectives, including equity and access, in a way that promotes international environmental justice (including eliminating discrimination and promoting the rights of indigenous peoples). In this way, sustainable development has led to further integration of environment and development. The connections, however, are still largely unexplored and this part of the mandate provides a significant opportunity to illuminate the possibilities and, perhaps, the biggest chance for forward movement. The opportunity holds great attraction and is another major motivation behind this nomination.

IV. 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	Place and Country
Bachelor of Sciene, University of Central Missouri	1980-1983	Warrensburg, Missouri, USA
Juris Doctrorate, St. Louis University School of Law	1983-1986	St. Louis, Missouri, USA

V. 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 Attendance/ Work	Place and Country
Australian National University College of Law, Associate Professor of Law, responsible for teaching, research and advice in core areas of international law and organisation, including Human Rights and International Environmental Law.	2000- present	Canberra , Australia
Environmental Defenders Office, Ltd., Director of Policy and Senior Solicitor, responsible for leading the policy direction of Australia's largest public interest environmental law firm.	1997-2000	Sydney/ Melbourn e, Australia
University of Melbourne Law School, Lecturer in Law, responsible for teaching, research and advice in International Environmental Law, Torts and Property Law	1994-1997	Melbourn e, Australia

VI. COMPLIANCE WITH ETHICS AND INTEGRITY PROVISIONS (of 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.

Not applicable.

You will receive an acknowledgment when we receive both parts of the application process, i.e. the information through the Web-based application and the Word application form by email.

Thank you for your interest.