

SECOND PART: APPLICATION FORM IN WORD FORMAT

Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), members from four indigenous sociocultural regions [[HRC resolution 33/25](#)]

Appointment to be made by the Human Rights Council at its 40th session
(25 February – 22 March 2019)

APPLICATION DEADLINE: 18 DECEMBER 2018 AT 12:00 NOON GREENWICH MEAN TIME

- The application process consists of two parts: **(1) online survey¹** (<https://ohchr-survey.unog.ch/index.php/913788>) and **(2) application form in Word format²** (to be downloaded from <http://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/HRC40.aspx>)
- Candidates should indicate in question 10 of Section I for which indigenous sociocultural region they are applying and then include in the motivation letter in Section III why they are applying for the specific indigenous sociocultural region.
- Once fully completed, the Word application form should be submitted by email to hrcspecialprocedures@ohchr.org
- A maximum of up to three optional reference letters may be attached to the email (in Word or pdf format). For EMRIP candidates, preferably one of the three letters should be from an organization or entity representing indigenous peoples.
- No additional documents (e.g. CVs, resumes or supplementary 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 email. Shortlisted candidates will be interviewed at a later stage.
- General description of the selection process and answers to frequently asked questions are available at <http://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/Nominations.aspx>
- Please note that an application will only be considered if both parts and all sections of the Word application form have been completed and received by the Secretariat before the expiration of the deadline. **No incomplete or late applications will be accepted.**
- In case of technical difficulties or problems with accessing or completing the forms, you may contact the Secretariat by email (hrcspecialprocedures@ohchr.org) or fax (+41 22 917 9008).

I. PERSONAL DATA	
1. Family (last) name: Alfred Cunningham	5. Year of birth: 12/14/1978
2. First (given) name: Anexa	6. Place of birth:
3. Other name, if any:	7. Nationality (please indicate the nationality that will appear on the public list of candidates): Nicaragua
4. Gender: Female	8. Any other nationality: N/A
9. Indigenous origin: Miskitu people	
10. Please indicate for which indigenous sociocultural region you are applying (please tick a box):	<input type="checkbox"/> Africa <input type="checkbox"/> Central and Eastern Europe, Russian Federation, Central Asia and Transcaucasia <input checked="" type="checkbox"/> Central and South America, and the Caribbean <input type="checkbox"/> Pacific

¹ The short **online survey** is used to collect information for statistical purposes such as personal data (i.e. name, gender, nationality), contact details, mandate applying for and, if appropriate, nominating entity. The same name, gender and nationality should be used both in the online survey and in the Word application form.

² The **application form** includes a motivation letter of maximum 600 words (section III of the form). The application form should be completed in English only. It will be used as received to prepare the public list of candidates who applied for each vacancy and will also be posted as received on the OHCHR public website.

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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)

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 a Nicaraguan lawyer with a: Degree in Law from the University of Central America (UCA) Nicaragua, Masters in Indigenous Rights and Policies from the University of Arizona, USA, a Postgraduate Degree in Family Law, Advanced course, "Expert in Indigenous Peoples, Human Rights and International Cooperation", Carlos III University of Madrid. Madrid, Spain and different studies of prestigious universities and institutions in America and Europe. All so I have a large experience in universal and regional human rights system and indigenous peoples.

2. 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.)

I being working with indigenous peoples for the last 20 years. During this period, at the international level, I worked as a human rights specialist at the Executive Secretariat of the Inter-American Commission on Human Rights (IACHR), the Organization of American States (OAS) and at the Office of the High Commissioner for Human Rights in Geneva.

The work in both instances allowed me to know and understand from within the work, the mandate of the institutions and the different mechanisms in the regional system, such as the universal human rights.

3. ESTABLISHED COMPETENCE (200 words)

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

Working with the IACHR, allowed me to get better understanding about the situation of Indigenous peoples in the countries of the Americas by studying, investigating and analyzing cases related human rights violations, precautionary measures, that concluded with the

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corresponding report for the commission or the Court consideration on possible human rights violations in different countries of the Americas. Organize on-site visits, draft special reports on the general or specific situation of human rights of the OAS member countries for the consideration of the IACHR. Participate on IACHR sessions, working meetings with States, petitioners, indigenous authorities and leaders of indigenous peoples during the sessions. Assist and advise the working group on the draft of the American Declaration on the Rights of Indigenous Peoples of the OAS

I would like to point out the greatest achievement of my work in the IACHR was to expand the framework of case studies on indigenous issues within the executive secretariat of the Inter-American Commission on Human Rights, which allowed for more cases related not only to individual rights of indigenous peoples within the inter american system, but also collective land rights, territories, natural resources, consultation, political rights, freedom of expression, health rights among others.

4. PUBLICATIONS OR PUBLIC STATEMENTS

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

4.1 Enter three publications in relation to the mandate for which you are applying in the order of relevance:

1. Title of publication: The Rights of Indigenous Peoples to Natural Resources and Territory

Journal/Publisher: University of Girona, Ed Acaria,, Spain.

Date of publication: 06/06/2011

Web link, if available:

2. Title of publication: The Autonomy and Property Regime of the Indigenous Peoples of the Autonomous Regions of the Atlantic Coast of Nicaragua

Journal/Publisher: Universidad Centroamericana (UCA), Faculty of Law, 2002.

Date of publication: 2002.

Web link, if available:

3. Title of publication: Legislación para Pueblos Indígenas y Afrodescendientes en Nicaragua y el Convenio 169 de la OIT

Journal/Publisher: un publish

Date of publication: 2011

Web link, if available:

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

Working with the IACHR, allowed me to get better understanding about the situation of Indigenous peoples in the countries of the Americas by studying, investigating and analyzing cases related human rights violations, precautionary measures, that concluded with the

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I would like to point out some of the reports that I drafted during my work in the IACHR adopted by this body.

CAUTIVE COMMUNITIES: SITUATION OF THE GUARANÍ INDIGENOUS PEOPLE AND CONTEMPORARY FORMS OF SLAVERY IN THE CHACO OF BOLIVIA

Petition 415/07 - Diaguita de los Huascoltinos and its members (Chile), admitted under Admissibility Report No. 141/09. The petition refers to the effects of the implementation of the Minero Pascua Lama project, without consultation in the territory of the Diaguita community. Petition 1186/04 - Opario Lemote Morris and other (Miskitos Buzos) (Honduras), Admissibility Report No. 121/09. The petition refers to the work situation of the people who engaged and engaging in underwater fishing in the department of Gracias a Dios, who are objects of labor exploitation.

Petition 4355/02 - Indigenous People Xucurú (Brazil), Admissibility Report No. 98/09. The petition is linked to the lack of recognition of property rights of the Xucuru Indigenous People. Petition 286-08 - Indigenous communities Ngöbe and its members in the valley of the Changuinola River (Panama), Report of Admissibility No. 75/09, the petition refers to a concession for the construction of a hydroelectric dam within the ancestral territory ngöbe, without consultation.

4.2 Enter three public statements or pronouncements made or events that you may have participated in relation to the mandate for which you are applying in the order of relevance:

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

Event organizer: United Nations For Indigenous Peoples

Date on which public statement/pronouncement made: April 2018

Web link, if available:

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

Event organizer: EMRIP

Date on which public statement/pronouncement made: July 2017

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Web link, if available:

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

Event organizer: United Nations For Indigenous Peoples

Date on which public statement/pronouncement made: 2007

Web link, if available:

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

5. FLEXIBILITY/READINESS AND AVAILABILITY OF TIME (200 words)
to perform effectively the functions of the mandate and to respond to its requirements, including participating in Human Rights Council (HRC) sessions in Geneva and General Assembly sessions in New York, travelling on special procedures visits, drafting reports and engaging with a variety of stakeholders. Kindly indicate whether the candidate can dedicate an estimated total of approximately three months per year to the work of a mandate.

Please note that the work of mandate holders is unpaid. Those appointed as mandate holders serve in their personal capacities. They are not United Nations staff members, they are not based in United Nations offices in Geneva or at another United Nations location, and they do not receive salary or other financial compensation, except for travel expenses and daily subsistence allowance of “experts on mission”.

My practical experience in different areas and personal knowledge in the area of human rights, has allowed me to develop the necessary skills to comply with the mandate of the EMRIP, for which I have no objection to dedicate the time required for it.

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**III. MOTIVATION LETTER, INCLUDING WHY YOU ARE APPLYING FOR THE SPECIFIC
INDIGENOUS SOCIOCULTURAL REGION**

(600 word limit, must be included below and not in a separate email or as an attachment)

REF: Independent United Nations experts of the Human Rights Council
Central and South America, and the Caribbean socio cultural region.

Dear Sirs,

I am pleased to present my candidacy and express my interest in response to the call for the position of independent United Nations experts of the Human Rights Council with extensive professional experience on human rights.

I am a Nicaraguan lawyer, with a Masters of Laws in Indigenous Peoples Law and Policy from The University of Arizona, USA, with a Postgraduate Degree in Family Rights and extensive experience on universal and regional human rights system.

I have an extensive experience in the field of Human Rights and Indigenous peoples in the diferentes level, at the international level, I worked as a human rights specialist at the Executive Secretariat of the Inter-American Commission on Human Rights (IACHR) of the Organization of American States (OAS) in Washington, and at the Office of the High Commissioner for Human Rights in Geneva as Senior Indigenous Fellow. Working with the IACHR at the Rapporteur on the Rights of Indigenous Peoples, allowed me to get better understanding about the situation of human rights in the countries of the Americas by studying, investigating and analyzing cases related human rights violations that concluded with the corresponding report for IACHR consideration and also participate in the different stages of the procedure of the cases before the Inter-American Court of Human Rights; prepare memorials and draft observations.

At the local level in Nicaragua, with the Property Management Project of the World Bank, I worked as coordinator of the process of demarcation and titling of communal lands of the indigenous peoples on the Caribbean coast of Nicaragua. Within the framework of the project, the safeguard policies were enforced, ensuring the delimitation and titling of 23 indigenous territories, thus guaranteeing the right of communal property to 305 indigenous and Afro-descendant communities. The rights of the land have been one of the main demands of indigenous peoples, essential for their survival and development as peoples. It should be noted that the process of demarcation and titling was developed with the full participation of indigenous peoples, a unique process without precedent in Latin America.

I worked on the formulation and consultation processes with communities, indigenous organizations in the elaboration of different legislative proposals related to the rights of indigenous and Afro-descendant peoples; such as the reform of the Political Constitution of Nicaragua in 2014, Traditional Ancestral Medicine Law, Family Code, Statute of Autonomy and other initiatives of laws.

I have developed, training, seminars and different conferences on human rights and indigenous peoples in Nicaragua and other countries in America and Europe. From indigenous

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peoples, I have prepared reports on the situation of indigenous peoples' rights for the inter-American system and the system of united nations, the Special Rapporteur on the Rights of Indigenous Peoples of the United Nations, the Expert Mechanism and the Permanent Forum on Indigenous Issues. I am a member of different platforms, indigenous organizations and networks (reference letters may be send).

In short, my personal experiences, training, professional knowledge in the national and international level in the area of human rights, allowed me to develop skills and the expertise necessary to comply with the mandate for this position with independence, impartiality, personal integrity and objectivity.

Sincerely,

Anexa B. Alfred Cunningham

IV. LANGUAGES (READ / WRITTEN / SPOKEN)

Please indicate all language skills below.

1. Mother tongue: Miskitu

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

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

Read: Easily or Not easily:

Write: Easily or Not easily:

Speak: Easily or Not easily:

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

Read: Easily or not easily:

Write: Easily or not easily:

Speak: Easily or not easily:

English: Yes or no: If yes,

Read: Easily or not easily: **easily**

Write: Easily or not easily: **easily**

Speak: Easily or not easily: **easily**

French: Yes or no: **X** If yes,

Read: Easily or not easily:

Write: Easily or not easily:

Speak: Easily or not easily:

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Russian: Yes or no: **X** If yes,

Read: Easily or not easily:

Write: Easily or not easily:

Speak: Easily or not easily:

Spanish: Yes or no: If yes, X

Read: Easily or not easily: **easily**

Write: Easily or not easily: **easily**

Speak: Easily or not easily: **easily**

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V. EDUCATIONAL RECORD

NOTE: Please list the candidate’s academic qualifications (university level and higher, indicating type of degree, subject, and whether full or part-time, ex. *Masters in law, University of xxx, part-time*).

Name of degree and name of academic institution, full or part-time:	Years of attendance (provide a range from-to, for example 1999-2003):	Place and country:
Degree in Law, Universidad Centroamericana (UCA). full time	1998-2002	Nicaragua
Master of Law on Indigenous Peoples Law and Policy, The University of Arizona College of Law. full time	2005-2006	USA
Advanced course, "Expert in Indigenous Peoples, Human Rights and International Cooperation", Carlos III University of Madrid. Full time.	2007-2007	Spain
Post-graduate diploma, Family Rights, Institute of High Judicial Studies. Full time.	20015-2016	Nicaragua

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VI. EMPLOYMENT RECORD

NOTE: Please briefly list ALL RELEVANT professional positions held in the area of human rights, beginning with your current occupation. Also indicate whether positions held were not full-time.

<p align="center">Name of employer, functional title, main functions of position, full or part-time:</p>	<p align="center">Years of work (provide a range from-to, for example 1999-2005):</p>	<p align="center">Place and country:</p>
<p>Legal Adviser Indigenas organization YATAMA.</p> <ul style="list-style-type: none"> a. Address the legal issues of the YATAMA organization. b. Provide advice to indigenous communities in indigenous territories. c. Prepare a report on the situation of indigenous peoples. d. Prepare and carry out a legal complaint process at the local and international level. Provide training to community leaders in the field of human rights and others. Part time. 	<p align="center">2007-</p>	<p align="center">NICARAGU A</p>
<p>THE OFFICE OF HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR), United Nations, Indigenous Peoples and Minorities Section. Position: Senior Indigenous Fellow</p> <p>Main activities:</p> <ul style="list-style-type: none"> a. Formulate and support the execution of the human rights training programme for indigenous peoples. The programme contributes to build the capacity and expertise of indigenous representatives on the UN system and mechanisms dealing with human rights in general and indigenous issues in particular, so they are in a better position to protect and promote the rights of their communities at the international level. b. Carry out legal research, analysis and support activities for the different UN mechanisms dealing with human rights in general and indigenous issues in particular. c. Drafts and support the elaboration of proposals, plans and policies regarding indigenous people for 	<p align="center">2016</p>	<p align="center">Geneva Switzerland.</p>

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the OHCHR.		
<p>NATIONAL GENERAL ATTORNEY OF NICARAGUA National Office of Family Rights. Position: Family Attorney.</p> <p>Main activities:</p> <ol style="list-style-type: none"> a. Represent and defend in oral and public trial the interests of children, adolescents, adults, persons with mental disabilities, persons declared incapable judicially. b. Carry out legal research, analysis, strategies in order to develop and establish jurisprudence regarding family rights. c. Establish and organize the office of the family attorney, develop strategies for management of cases, hearings and expedients. d. Organize meetings, trainings, seminars and conferences regarding family rights and institutions.. <p>Project of Property Management with funds from the World Bank. Position: Vice-Intendant of Property for the Caribbean and the coordinator of the process of Demarcation and titulation of indigenous peoples lands on the Caribbean Coast of Nicaragua.</p> <p>Main activities:</p> <ol style="list-style-type: none"> a. Represent the Government in the National Commission on Demarcation and Titulation, institutions responsible for carrying out the process of demarcation and titling of communal lands for indigenous peoples on the Caribbean Coast of Nicaragua. b. Coordinate the planning, monitoring and evaluation of the processes regarding the project of demarcation and titling of communal lands for the indigenous and Afro-descendant peoples on the Caribbean Coast. c. Provide specialized technical assistance and legal advice on the process of demarcation and titling of the communal lands for indigenous communities on the Caribbean Coast of Nicaragua. d. Organize meetings, trainings, seminars and conferences regarding indigenous peoples rights. 	<p>(2016-2017).</p> <p>(2012-2016).</p>	<p>Nicaragua</p>

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<p>MINISTRY OF FOREIGN AFFAIRS OF NICARAGUA Secretary of Indigenous Affairs. Position: General Director of the Secretariat of Indigenous peoples and Afro-descendant Affairs.</p> <p>Main activities:</p> <ul style="list-style-type: none"> a. Advise the deputy minister of indigenous peoples and Afro-descendant issues in the elaboration and execution of plans, programs and public policies on indigenous and Afro-descendant peoples in Nicaragua. b. provide legal advice and specialized technical assistance to comply with international obligations emanating from the signing of international treaties on human rights and indigenous peoples and with the promotion of these treaties. c. Formulate projects for development and participations of indigenous peoples and Afro-descendant in Nicaragua. 	<p>2010-2012</p>	
<p>ORGANIZATION OF AMERICAN STATES (OAS), INTER-AMERICAN COMMISSION ON HUMAN RIGHTS (IACHR), Washington, D.C. Executive Secretary IACHR Position: Human Rights Specialist</p> <p>Main activities:</p> <ul style="list-style-type: none"> a. Carrying out studies on allegations of human rights violations against the States parties to the OAS Declaration and Convention on Human Rights. Analyze and prepare draft on requests for precautionary measures for IACHR consideration. b. Issue draft of admissibility and merits reports for IACHR consideration on possible human rights violations in different countries of the Americas. c. Organize on-site visits and prepare draft special reports on the general or specific situation of human rights of the OAS member countries for the consideration of the IACHR. d. Participate on IACHR sessions, working meetings with States, petitioners, indigenous authorities and leaders of indigenous peoples during the sessions. Assist and advise the working group on the draft of the American Declaration on the Rights of Indigenous Peoples of the OAS. 	<p>2007-2009</p>	<p>USA</p>

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<p>The University of Arizona, James E. Rogers College of Law, Arizona, Tucson Arizona.</p> <p>Position: Research Assistant Indigenous Rights and Policies (Ford Foundation Fellow 2005-2006) Professor James Anaya research Assistant.</p> <p>Develop investigations and prepare follow-up reports for the Inter-American Commission on Human Rights in the case of Maya Belize. As well as follow-up report for the Inter-American Court in compliance with the sentence of the Awastigni vs. Nicaragua case .</p> <p>Prepare shadow report for the human rights mechanism of the United Nations on the human rights situation in Belize and Nicaragua.</p>	<p>2004-2005</p>	<p>USA</p>
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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, She does comply with this provision.

5. Should the candidate be appointed as a mandate holder, the candidate will have to take measures to comply with paragraphs 44 and 46 of the annex to Council resolution 5/1. In the event that the current occupation or activity, even if unpaid, of the candidate may give rise to a conflict of interest (e.g. if a candidate holds a decision-making position in Government) and/or there is an accumulation of human rights functions (e.g. as a member of another human rights mechanism at the international, regional or national level), necessary measures could include relinquishing positions, occupations or activities. If applicable, please indicate the measures the candidate will take.

N/A

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VIII. CERTIFY AND SUBMIT APPLICATION

***To be completed by the candidate or by the nominating entity on the candidate's
behalf.***

I hereby certify that all of the statements made in this application are true, complete and are made in good faith. I understand that falsifying or intentionally withholding information will be grounds for not being selected or appointed or the withdrawal of any proposed appointment or, if an appointment has been made and accepted, for its immediate cancellation or termination.

Kindly note that whilst no changes can be made after this application form has been submitted and the deadline for applications has expired, any relevant change of current occupation, employment, or position, or any other relevant fact or circumstance should be brought to the attention of the secretariat by email (hrcspecialprocedures@ohchr.org).

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

Name: Organización Indigen YATAMA/ Brooklyn Rivera Bryan/ Anexa Alfred

Date: 12/17/2018
