

SECOND PART: APPLICATION FORM IN WORD FORMAT

Special Rapporteur on the human rights to safe drinking water and sanitation

Appointment to be made by the Human Rights Council at its 45th session

APPLICATION DEADLINE: 30 JULY 2020 AT 12:00 NOON GREENWICH MEAN TIME

- The application process consists of two compulsory parts:
(1) online survey¹ (<https://ohchr-survey.unog.ch/index.php/797846>)
and
(2) application form in Word format² (to be downloaded from <https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/HRC45.aspx>)
- 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).
- 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 the Secretariat. Shortlisted candidates will be interviewed at a later stage.
- 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.**
- 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) or fax (+41 22 917 9008).

I. PERSONAL DATA

1. Family (last) name: Zechenter	5. Year of birth: 1958
2. First (given) name: Elzbieta	6. Place of birth: Poland
3. Other name, if any: a/k/a Elizabeth	7. Nationality (please indicate the nationality that will appear on the public list of candidates): US
4. Gender: Female	8. Any other nationality: Poland

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)

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.)

A US-trained and educated international attorney (JD, admitted to practice in the US), specializing in international law/human rights law with over 25 years of legal experience in the US and internationally. Additionally, a social scientist (Ph.D./MA), a researcher, and a frequent public speaker with interests in economic foundations of social complexity. Multilingual, widely traveled, worked in the US, Asia, Latin America, & Europe. A published author & university lecturer who taught international law, human rights law, as well as several social science courses, related to the theory of universal human rights treaties, the rights of individual versus group, economics, and society, and related topics. Involved in major projects involving violations of various individual rights and in international law projects aimed at supporting vulnerable populations (e.g, women, children, refugees) as well supporting the rule of law and independence of judicial institutions. Awarded "Human Rights Guru" award in recognition of human rights expertise and extensive pro bono work in the human rights area as well as "I Met the Challenge" award. Skilled in negotiations, governance, and providing legal support for complex issues facing senior leadership in the context of international organizations, multinational corporations, as well as non-profit organizations.

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 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.)

Extensive legal working experience at major international law firms, a major multinational corporation, as well as with various NGOs and multilateral organizations dedicated to the protection of human rights, with almost 30 years of combined research and legal experience. Studied international law and UN treaty law at law school. Subsequently, taught international law (private and public) and human rights law courses at Georgetown University Law Center. Additionally, taught several social science and research method courses at UCLA, University of Pennsylvania, Rutgers and Temple Universities, courses which, among others, explored the theories underlying the modern human rights regime, the modern international treaty network, and how we can apply the UN treaty system in an increasingly diverse world.

The main research interests lie in the area of protection of vulnerable individuals and groups. Represented abused individuals and won asylum and other legal protections for them. Advised human rights groups on the legality of local laws and their compatibility with international

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obligations. Drafted position papers for use by international courts, e.g. the Inter-American Court for the OAS, advised on the protection of indigenous groups in the Amazonas region of Brazil; served as an election observer; and created legal vehicles to enable fundraising for a Polish hospital.

3. ESTABLISHED COMPETENCE (200 words)

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

*Currently serving as the presidential appointee to the Advisory Board of the Center for Human Rights, American Bar Association.

*Advising as the Human Rights Law Expert on the issues facing the "Defenders of Justice" Program of the American Bar Association.

* Appointed and serving on the Steering Committee of the Section of International Law of the American Bar Association.

*The current president of the Jagiellonian Law Society, a voluntary association of lawyers and judges committed to rule of law and human rights in Central and Eastern Europe.

* The former Chair of the International Human Rights Committee, Philadelphia Bar Association,

*The former Chair of the Committee on Human Rights of Indigenous Peoples for the Human Rights Committee for the International Law and Practice Section of the American Bar Association.

*Also, the former Chair for the Working Group on Law and Anthropology for the AAA Commission for Human Rights.

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: In the Name of Culture: Cultural Relativism and the Abuse of the Individual

Journal/Publisher: Journal of Anthropological Research

Date of publication: 1997

Web link, if available: See Researchgate.net or Academia.edu

2. Title of publication: Is Modern Human Rights Regime Appropriate in Light of Human Diversity?

Journal/Publisher: American Society of International Law Human Rights Interest Group Newsletter, Volume 7(3): 16-22.

Date of publication: 1997

Web link, if available: Researchgate.net or Academia.edu

3. Title of publication: Subsistence Strategies in the Supe Valley of the Peruvian Central Coast During the Complex Preceramic and Initial Periods.

Journal/Publisher: UMI DSI Michigan

Date of publication: 1998

Web link, if available: Researchgate.net or Academia.edu

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

The Socio-Economic Transformation of Poland: Privatization and the Future of Environmental Protection. *Georgetown International Environmental Law Review*, Volume 6(1): 99-149.

Hunting and Gathering in Tropical Rain Forest Is It Possible? With R. Bailey et al., *American Anthropologist*, Volume 91:59-82.

Management of Transboundary Pollution: Importance of Domestic Legal Systems in the International Legal Order. Conference on Transboundary Risk Management sponsored by the International Institute for Applied Systems Analysis, Warsaw, Poland.

Modeling of Change in Subsistence Economies of Prehistoric Populations. Presented at the Annual Meeting of the Operation Research Society of America, Session: OR Models in Anthropology and Archaeology, Las Vegas, NV.

Is Coastal South America Unique? Invited presentation, Sagar University, Sagar, India.

Uses of Integer Programming in Modeling of Subsistence Economies in Ethnographic as well as Prehistoric Societies. Presented at the 88th Annual Meeting of the American Anthropological Association, Session: Computer-Based Solutions to Anthropological Problems, Washington, D.C.

Settlement and Social Change in the Formative Period of the Supe Valley, Peru. Paper presented at the 87th Annual Meeting of the American Anthropological Association, Phoenix, AZ.

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:

Presentation - "Rule of Law: Where Are We Now" at the joint seminar of American Bar Association and the Jagiellonian Law Society

Event organizer: American Bar Association and the Jagiellonian Law Society

Date on which public statement/pronouncement made: 2020

Web link, if available: Researchgate.net or Academia.edu

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

Judicial Independence in Poland

Event organizer: Invited presentation at the OSCE-ODIHR Human Dimension Implementation Meeting, Warsaw

Date on which public statement/pronouncement made: 2019

Web link, if available: Researchgate.net or Academia.edu

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

Violence Against Women: Perspectives from Law and Anthropology. Invited presentation at the Guggenheim Foundation workshop in Madrid, Spain

Event organizer: Guggenheim Foundation

Date on which public statement/pronouncement made:

Web link, if available: Researchgate.net or Academia.edu

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

* An invited presentation "Recent Trends in Modern Human Rights Law - Is there Still a Universal Standard" for the International Law Committee Philadelphia Bar Association.

*Organizer and discussant, the session on Human Rights and Anthropology: Conventions and Cultural Relativism at the 95th Annual Meeting of the American Anthropological Association in San Francisco.

*Invited lecture: "Globalization and Rights of Indigenous Women" at the Conference on Linkage as Phenomenon - An Interdisciplinary Approach, American Society of International Law, Washington.

*Presentation on the Doctrine of Cultural Relativism and its Impact on Human Rights of Women in Non-Western Societies, at the invited session at the 94th Annual Meeting of the American Anthropological Association.

*Invited speaker at the seminar on "Violence Against Women" at the Guggenheim Foundation workshop

*Invited presentation before the AAA Commission for Human Rights on International Law and "Human Rights of Indigenous Populations."

*Talk on "Group Rights of Indigenous Peoples versus Women Rights: Are These Compatible?" at the 93rd Annual Meeting of the American Anthropological Association.

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".

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I am flexible and able to work, consult, conduct research, draft reports, deliver presentations, or lecture. I am available for travel (subject to pandemic restrictions). I can devote more than 3 months of work per year to the project, if needed, and am politically and otherwise independent. I live in the US and have US and EU passports.

As a legal advisor and counselor, I have experience in providing legal support for complex issues facing senior leadership in a variety of international settings (ranging from NGOs to governmental organizations and multinational corporations). I am culturally aware and have worked with individuals of various nationalities and beliefs and am trained, as an anthropologist, in the methods of effective cross-cultural communication and analysis.

I have conducted extensive fieldwork in various countries and can engage with a variety of stakeholders effectively.

Having been trained in various quantitative and qualitative research methods, I can engage in a careful comparative analysis of complex issues and communicate results to appropriate stakeholders and to effectively advocate for the rights of handicapped.

My extensive work on the rights of women will allow me to integrate the gender perspective and my work with indigenous and ethnic groups should be invaluable in ensuring due respect for diversity while advocating for the access to water to all persons.

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):

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III. MOTIVATION LETTER

(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 am uniquely suited for this position as I combine my passion for justice with the legal expertise coupled with being a trained economic anthropologist. I can analyze economic and social issues not only as a social scientist but as an experienced international attorney.

I have a demonstrated track record and have been involved with international human rights law for 30 years. My research has focused on the economic foundations of social complexity, access to subsistence resources and linkage to societal evolution. I advocated for and published on the topic of universality and indivisibility of human rights laws, even in the face of cultural relativism and human diversity. I believe that the best way to ensure protections for vulnerable groups and a continued access to critical resources, is to combine guarantees of legal rights with effective participation in a wider society.

Water is indispensable to life. Yet millions lack access to safe water and billions lack access to sanitation. Even when access rights legally exist, those lacking resources may lack the political and economic power to enforce them. Often the laws are not written to protect women and girls, two groups used as primary "beasts of burden" to procure water. Consequently, these girls and women are forced to miss out on an education and are vulnerable to predatory attacks en route to wells and rivers. Lack of safe water may impact basic health: we are seeing that very issue playing itself out in several tribal areas in the US – one of the richest countries in the world – where water to wash hands and sanitize is not available even during the pandemic. Many indigenous groups, be it hunter-gatherers, pastoralists, or horticulturists, or tribal and ethnic groups existing within modern nation-state economies are systematically and structurally denied access to water. Many are pushed into increasingly marginal environments and face ever-growing barriers to preserve their territorial or cultural integrity. When we couple these trends with the on-going climate changes, deforestation, and desertification, the gravity of the current situation becomes apparent. We need to look at these issues comprehensively, we ingenious solutions and effective advocacy, and we need to address the local root causes.

The passing of the national implementing legislation is just the first step but not a sufficient one. Actual enforcement is necessary, especially when the reality on the ground and social differences in wealth and power make the implantation of laws nearly impossible. We must thus engage with local communities, researchers, scientists, judicial systems, and politicians, as well as with representatives of the civil society. A large part of advocacy involves finding culturally sensitive solutions to protect the rights of disenfranchised while making their rights be seen as culturally legitimate.

I have the necessary skills, beside being multilingual and multicultural to conduct this work. While born in Poland, educated in the US, I worked and lived in various countries, from Latin America, to Europe, and Asia, conducting research and fieldwork and working as an attorney, gaining exposure to the full diversity of human conditions as well as judicial systems. I worked in major international law firms, with a multinational corporation, various universities, as well as engaged with public international organizations and NGOs, all of which gives me an in-depth exposure and ability to effectively interact with diverse stakeholders, legal systems, and

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organizational cultures. Among others, I helped to analyze and create resource access programs for the US AID and I have proven negotiation skills: I was involved not only in major international large-scale commercial transactions but in negotiations with national and local-level governments as well as with international organizations such as PAHO and WHO. I am deeply committed to the cause, fully independent, and willing to spent more than the required minimum time to ensure success in the role.

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IV. LANGUAGES (READ / WRITTEN / SPOKEN)

Please indicate all language skills below.

1. Mother tongue: Polish

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: **no** If yes,

Read: Easily or not easily:

Write: Easily or not easily:

Speak: Easily or not easily:

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

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

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

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

Spanish: Yes or no: **Yes** If yes,

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

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

Speak: Easily or not easily: **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 row 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, for example, 2018-present):	Place and country:
GEORGETOWN UNIVERSITY LAW CENTER, Washington, DC. Class rank - top 10%; Associate Editor of Law & Policy in International Business; the International Law Journal of Georgetown University, Member, Georgetown University Int'L Environmental Law Journal	1992-1993	Washington DC, USA
VILLANOVA LAW SCHOOL, J.D., Villanova, PA; Class rank: Top 10%, Member of the Villanova Law Review	1990-1990	Philadelphia PA
UNIVERSITY OF CALIFORNIA, LOS ANGELES, Ph.D. in Evolutionary Anthropology, teaching and research assistant, receipt of Phi Beta Kappa, Inter-American Foundation Fellowship, American Association of University Women and several other merit grants	1981-1988	Los Angeles CA
EMORY UNIVERSITY, Atlanta, Georgia, M.A. in Latin American History. MacLean Prize for the Best Graduate Student, Emory University Fellowship.	1981-1980	Atlanta GA
Proyecto PARAISO (UCLA)- research project director	1985-1987	Supe valley Peru

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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 row 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:
GlaxoSmithKline, plc, Assistant General Counsel, responsible, among others, for ensuring safety of human subjects in clinical research, protection of human rights and privacy; responsible for ensuring that the risk-benefit profile of the medical products is favorable for human use. Geographical responsibilities: Latin America, NE Asia, and worldwide.	1998-2020	Philadelphia, Pa with intensive worldwide travel to Latin America, Europe and Asia
Morgan, Lewis and Bockius, LLP, associate, private international law	1996-1998	Philadelphia, PA USA
Hogan Lovells LLP, associate, US and international law, involved in several international human rights and pro bono projects	1995-1998	Washington DC
Georgetown University Law Center, Adjunct Professor of Law, taught courses in international law and human rights law	1995-1998	Washington DC
Management Systems International, analyst, working on the rule of law, human rights and economic justice projects for the US Agency for International Development	1991-1992	Washington DC
University of Pennsylvania, lecture	1991-1993	Philadelphia PA

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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 current commitments that are in conflict with the position being applied for. The candidate is a licensed attorney and follows all applicable ethical rules and conflict of interest policies applicable to the practising attorneys in the US.

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:

None. Candidate is entirely independent.

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:

None

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.

Candidate is aware of the obligations of the position and there is no present conflict. In the event of any changes, the candidate would voluntarily comply with the paragraphs 44 and 46.

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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. 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).

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

Name: Dr. Elizabeth M. Zechenter

Date: July 25, 2020
