

Second Part: Word APPLICATION FORM FOR SPECIAL PROCEDURES MANDATE HOLDERS

Special Rapporteur on the situation of human rights in Myanmar

How to start the application process:

- The application process has been split into 2 parts, the first part is a Web-based survey 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 survey](#) 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 survey should only be completed once**, i.e. multiple selection allowed to indicate if the candidate is applying for more than one mandates.

This is the **second part, i.e.** of the application form in Word 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 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: 31 OCTOBER 2013 (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

An acknowledgement will be sent when we receive both parts of the application process, i.e. the information through the web-based survey and the application form through email.

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I. PERSONAL DATA

Family Name: Horton	Sex: <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
First Name: Guy	Date of birth (28/03/1951)
Maiden name (if any): Not Applicable	Place of birth: United Kingdom
Middle name: Anthony	Nationality(please indicate the nationality that will appear on the public list of candidates): British
	Any other nationality: None

II. 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>I have degrees from Cambridge University and post graduate qualifications from London and Oxford Brookes. I have been a member of the Royal Geographical Society, the Royal Society of Arts and a member of the Front Line Club.</p> <p>I was awarded the Winston Churchill Memorial Trust Award for work carried out in eastern Europe during the time of the transitions.</p> <p>I have worked on Myanmar since 1998 funded in part by the Euro Burma Office, the Netherlands Government, Oxfam GB and the Roddick Foundation. I have been a researcher on Human Rights violations in Myanmar at the School of Oriental and African Studies, South East Asian Studies Department, University of London since 2005.</p> <p>I received accreditation for participating in an intensive conference on Transitional Justice under the directorship of Juan Mendez on Long Island, New York in 2007.</p> <p>As regards Communication Skills my 650 page report</p>
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	<p>"Dying Alive" made a global impact, including to the UN Security Council Resolution on Myanmar in January 2007 and has been harvested by the US Universities Consortium Chesapeake Bay project because of its historical significance.</p> <p>A selection of my TV contributions on the global media have been included in my web site www.justiceinburma.com but they represent only a small selection and do not include, for example, many radio and press contributions.</p> <p>I have attended numerous conferences on Myanmar including those hosted by the UK, Canadian and Norwegian governments.</p> <p>Written articles calling for impunity to be addressed may have contributed to the outgoing Special rapporteur calling for an in enquiry into Crimes against humanity.</p> <p>One of my most recent contributions can be found on the Kachin situation on the Democratic Voice of Burma in an interview with David Stout, February 2013, available on youtube. More recent written contributions include "Waiting for Justice,"(DVB) "Why the ICG award is unconscionable" (Irrawaddy) and "Stillborn democracy."(Mizzima.)</p> <p>My native language is English.</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</p>	<p>I have worked specifically on the issue of human rights violations in Myanmar since 2002. Nicholas Howen at the OHCHR in Bangkok initially advised and provided me with relevant UN Human Rights Training material.</p> <p>My report "Dying Alive" analysed the violations inflicted on the people of Myanmar in terms of Common Article Three of the Geneva Conventions, Crimes against Humanity and Genocide. It used as its conceptual framework the Rome Statute; its accompanying Commentaries; M.Cherif Bassiouni's book on "Crimes against humanity", and Professor William Schabas's book "Genocide in International Law."</p>

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<p>state years of experience.</p>	<p>I also made very extensive use of the case law established by the two UN Tribunals for former Yugoslavia and Rwanda and took advice from a senior UN Prosecutor at the ICTY and incorporated it into my report.</p> <p>I nevertheless took personal responsibility for my judgements while taking their views into account when assessing the violations. Although I have welcomed challenges, even inviting them, the legal reasoning of the report has not been questioned or denied.</p> <p>Since completing "Dying Alive," I contributed to the study of human rights violations inflicted on the Rohingya at the Irish Centre for Human Rights and to its report "Crimes against humanity in western Burma."</p> <p>During my work on Myanmar I have communicated with many UN officials and bodies, such the late Rajsoomer Lallah QC, Professor Paulo Pinheiro, Mr Tomas Ojea Quintana, Mr. Juan Mendez, Francis Deng and the UN Office of Mass Atrocities.</p> <p>I currently teach the UDHR, Crimes against Humanity, Common Article Three and Genocide to the Kachin Women's Association in Chiang Mai.</p> <p>I have a detailed understanding of human rights law applicable to Burma, including that relating to active and passive complicity and the responsibility of intermediaries in carrying out crimes as explained in the Commentaries to the Rome Statute.</p>
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<p>ESTABLISHED COMPETENCE (200 words) Nationally, regionally or internationally recognized competence related to human rights. (Please explain how such competence was acquired).</p>	<p>My competence on Myanmar is founded partially on long term research, specially in non Burman ethnic areas. I have had direct experience of the violations and have witnessed at first hand something of what what has been inflicted in these areas.</p> <p>If appointed this knowledge and background could contribute to the effectiveness of the work of OHCHR, since UN Rapporteurs are not usually been granted access to such</p>
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areas and their assessments have inevitably been adversely affected.

An example of international recognition of the competence of my work was the dispatch by Juan Mendez, then head of the UN Genocide Prevention Committee, of a team to eastern Myanmar in 2005/6 to investigate the allegations of my work. This resulted in Myanmar being placed on a UN Genocide watch list.

My report also contributed to exposing the scale and plight of refugees and IDP's which in turn led to the provision of asylum in third countries for many tens of thousands.

Further evidence of the competence of my work is illustrated by the fact that it was extensively referred to in the UN Security Council Resolution "Burma: A Threat to the Peace" in January 2007 which was supported by 9 of the 15 members of the Security Council.

After the veto of the Resolution, I lobbied internationally for an investigation into Crimes against Humanity and, following a meeting with Mr Tomas-Ojea Quintana in the Geneva Office, a request was indeed made for such an investigation.

In addition, my competence was recognised when, at my instigation, an investigation was established into the plight on the Rohingya in 2010 in collaboration with the Hague based International Institute of Criminal Investigations and the Irish Centre for Human Rights. This resulted in the report "Crimes against humanity in western Burma" which highlighted the systematic infliction of crimes against humanity and led

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	<p>to the provision of asylum from persecution for some Rohingya.</p> <p>Another recognition of my competence was my intervention in the situation in Kachin State in January/February this year which may have helped contribute to the establishment of a ceasefire, the intercession of the UN Special Envoy, Vijay Nambiar, and the provision of some aid to isolated Kachin IDP's.</p> <p>Finally, I was honoured when M. Cherif Bassiouni asked me to speak briefly to the conference of distinguished international jurists at the ICJ at the Hague on the subject of violations of international law in Myanmar.</p>
<p>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 sessions in Geneva and General Assembly sessions in New York, traveling 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</p>	<p>If appointed, I have the flexibility, readiness and availability of time to carry out the mandate effectively. This is because my work as a researcher at SOAS on human rights violations in Myanmar gives me complete flexibility and independence, especially as I am largely self-funding.</p> <p>My current human rights teaching here in Chiang Mai is part time and could easily be further limited or cease in the event of me being called for interview.</p> <p>Having made frequent visits to the UN in New York and Geneva and to stake holders both in lowland Myanmar and border areas,</p>

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<p>to the work of a mandate)</p>	<p>I am familiar with much of the logistics, interest groups and procedures needed to perform effectively. Although a UK resident and based at SOAS, current long term residence in Chiang Mai would provide an ideal base for carrying out the work of a Special Rapporteur promptly and effectively.</p> <p>If appointed, I envisage being able to contribute significantly longer than the three months identified as required to carry out the mandate. This may be particularly helpful and appropriate at a time of approaching change when the Special Rapporteur may be in a position to contribute proactively and positively to the wider political process.</p>
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III. 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"/>					
<u>Chinese</u>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Russian</u>	<input type="checkbox"/>					
<u>Spanish</u>	<input type="checkbox"/>					
<u>Mother tongue:</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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IV. Motivation Letter (600 word limit)

I am applying for this mandate because I believe I can make a significant, substantial and well informed contribution to the protection of human rights in Myanmar, especially of the most vulnerable groups, and to the eventual establishment of the rule of law. My commitment to human rights in Myanmar, dating back to 1998, is long term, self-evident and unequivocal. During this time, I have addressed impunity, but remained impartial.

The essential challenge for a Special Rapporteur on Myanmar at this time is to find the right balance between recognising and encouraging the current reforms on the one hand, while robustly carrying out the human rights mandate of exposing perpetrators of violations and defending victims on the other. In my view, the essential function of the Special Rapporteur, being the conscience of the United Nations, cannot and should not be compromised by political pragmatism, but neither should opportunities for constructive change be jeopardised by inappropriate confrontationalism. I am motivated to seek a balance between these two principles without sacrificing either one.

My primary motivation, however, is to help reduce and stop the suffering endured by the people of Myanmar, especially the Moslems and the Kachin. The exposure, the appropriate conceptualisation, and accurate condemnation of the root causes of the violations, including the issues of active and passive complicity, along with the need to address impunity, are the primary motivations supporting this application.

The second motivation is to help foster the embryonic judicial systems being established in Myanmar, particularly the Myanmar Human Rights Commission and the Constitutional due process articles, and support the many human rights initiatives being established in the country. However, as stated, this should not be done at the expense of downplaying the gravity of ongoing and past violations.

The third motivation is to ensure, no matter how unrealistic at present this may now appear, that the issue of impunity remains on the table. Stakeholders must be reminded and repeatedly informed that eventually some mechanism, internal or external, must be established to address impunity and then foster reconciliation.

The fourth motivation is to help contribute to the establishment of a just and lasting peace by using all available means and opportunities to explain and promote the concept of Federalism, and help ensure this is on the political agenda for the 2015 elections and beyond.

I can make a specific contribution in this area because I have a detailed understanding of the 2008 military drafted Constitution and the Federal alternative developed by opposition groups.

Further motivations are to bring to bear my long term historical perspective to the current issues and

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the policy underlying the violations, and address the issues of active and passive complicity, especially by shadowy groups possibly associated with the authorities.

I have focussed on ethnic issues for many years in areas where UN Special rapporteurs have found it difficult to gain access. My focussed concentration on some of these areas, may enable me to make a helpful contribution to the work of the OHCHR because I have been able to enter and investigate areas where the Special Rapporteurs have been unable to gain access. While recognising that access to these areas may no longer be possible if appointed to the post, I believe I can complement the expertise of previous Special rapporteurs by integrating this knowledge. This is a further motivation for applying.

I believe that the essential underlying cause of Myanmar's problems since 1948 has been ethnic and that the solution to the country's problems lies in establishing the rule of law within the context of a Federal Union.

Finally I should point out two earlier experiences which motivate my application for this post which may on the service appear irrelevant.

My earlier training and work as a Counsellor in mental health in the UK Oxford Health Service is, in fact, relevant to the work of a Special Rapporteur in Myanmar. The Counsellor is taught to listen three dimensionally, identify, diagnose dysfunctional patterns of behaviour, and explore and promote more positive courses of action. Like a dysfunctional patient, many of the people of Myanmar are partly trapped in paranoid schizoid patterns of behaviour which require healing intervention. The work of psychodynamic counsellor is thus in my view relevant to working as a Special Rapporteur on Human Rights in Myanmar.

Secondly, I was brought up in a multi-cultural community in northern India adjacent to one of the massacre sites of the Indian mutiny and close to the railway lines where massacres took place during and after partition. I have thus been sensitised to the issues of pogroms, communal racial violence, and genocide.

I am motivated to stop, or at least try, to mitigate them.

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V. 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
Post Graduate Researcher at the School of Oriental and African Studies, University of London	2005+	London United Kingdom
Post Graduate Diploma in Psychodynamic Counselling 1991-1995	1991- 1995	Oxford United Kingdom
MA Cambridge University	1975	Cambridge United Kingdom
Post Graduate Certificate Education London University	1974-1976	London United Kingdom

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VI. 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
<p>School of Oriental and African Studies University of London.</p> <p>Researcher</p> <p>To research the human rights violations inflicted in Myanmar in preparation of a summative book.</p>	2005+	London United Kingdom
<p>Kachin Women’s Association of Thailand.</p> <p>Human Rights Educator</p> <p>Main functions to teach:</p> <p>The UDHR; The Geneva Convention, Common Article Three; Crimes against Humanity; the Genocide Convention; the 2008 Unitary Constitution; the Federal Constitution.</p>	2011+	Chiang Mai Thailand
<p>Lobbyist addressing impunity.</p> <p>Main function to lobby the UK, Netherlands and Irish governments and the UN Special Rapporteur to support an investigation into crimes against humanity in Myanmar.</p> <p>Funded by Roddick Foundation</p>	2005-2010	London United Kingdom
<p>Researcher writer on violations in ethnic minority areas</p> <p>To conceptualise the violations in eastern Burma in</p>	2002-2005	

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terms of international law. Funded by Netherlands Government Researcher lowland Burma. (1998) To publicise political repression in lowland Burma. Funded by Euro Burma Office.		
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**VII. 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.

I am a researcher at an academic institution, SOAS, which is in no way affiliated, or connected with any human rights, political or campaigning group which might give rise to the accusation that, if appointed, my work as a Special Rapporteur might be slanted.

However, bearing in mind the controversy around the UK House of Lords Pinochet case, I have carefully avoided being associated with human rights organisations such as Amnesty International or Human Rights Watch which could lead some to question my neutrality or objectivity.

Although I have worked mainly exposing violations inflicted on ethnic groups, I have been careful to emphasise that human rights law applies to them also and that human rights violations have been committed by both sides. I, for instance, included allegations of violations inflicted by Christian Karen against Buddhist Karen and point out human rights violations may be committed when Kachin do not observe due process procedures in KIO controlled areas.

I am, however, teaching the Kachin Women's Association here in Chiang Mai. As it could be argued that this might compromise my objectivity in regard to the Kachin situation, I think it would be prudent to cease such work in the event of me being considered for the post of Special Rapporteur. Thus if considered for the post I would relinquish contact with the said group and retain only my research post at the School of Oriental and African Studies.

Being currently mainly self financing, I currently have no financial relationships which might compromise my objectivity or integrity.

Moreover I currently have no personal relationships with any Burmese, or other citizens, which could compromise my integrity.

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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:

There are no factors, including financial and personal, which could undermine my independence to discharge my mandate with the possible exception of my current position teaching the Kachin which, as stated, I would resign if interviewed for the post.

I am, however, in consultation with the UK and Netherlands governments on how support could be provided to a project affirming, explaining and educating Burmese on the issue of Federalism. Although such an initiative should not necessarily undermine a Special Rapporteurs mandate, in that Federalism is perhaps the key long term solution to Myanmar's ethnic problems, I would withdraw from this proposed project because it might be construed that it could undermine independence.

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:

There are no factors in my past which could undermine my credibility. I have no criminal record and no cases pending and my work on Myanmar has generally been met with respect.

Although I have sometimes collaborated with the Netherlands, UK, Irish, and US governments, I have always maintained my independence. This year, for example, I called on the Chinese government to help broker a ceasefire in Kachin State.

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

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As stated I do not, nor have I worked for, other organisations including Human Rights Watch or Amnesty International. I thus have no accumulation of human rights functions. I act in a personal capacity, am largely self financing and am independent as a researcher at SOAS.

I refute any suggestion that my support for impunity to be addressed compromises neutrality, because such a call results from an objective assessment of the facts in the light of international law, something corroborated by Sir Richard Goldstone citing a prima facie case of crimes against humanity in the Harvard report "Burma: Crimes of War" and UN Special Rapporteurs on several occasions.

I am mindful in my work of Lahkdar Brahimi's Security Council commissioned report on the UN's short comings in Rwanda and former Yugoslavia, where he warned of the dangers that inappropriate neutrality between aggressor and victim may lead, in certain situations, to passive complicity with evil. Special Rapporteurs for Myanmar must be especially sensitive to such a warning. Responsibility to the mandate requires that protection of victims is paramount and should not be compromised by the political pragmatism necessary as part of any reform process. Impartiality is not synonymous with inappropriate neutrality. True impartiality that honestly and accurately identifies a clear aggressor and victim requires action on behalf of the victim.

An example of my own impartiality, which contributed minutely to the truth being finally established, is illustrated when as a young man, despite being blown up by an IRA bomb in London, I made presentations with the help of audio visual materials from Georgetown University, showing that the British military, agents of my own State, was responsible for the Bloody Sunday killings in Londonderry. Forty four years later I, and many others, were officially vindicated.

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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.

If considered for the post I would relinquish my human rights training with the Kachin Women's Association and would not go ahead with a project on Federalism proposed with the UK and Netherlands governments.

I cannot see that the research post at SOAS could be interpreted as undermining neutrality but I would be prepared to relinquish it if thought appropriate.

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.