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COMISION JURIDICA PARA EL AUTODESARROLLO DE LOS PUEBLOS ORIGINARIOS ANDINOS

Entidad Consultiva Especial del Consejo Económico y Social de Naciones Unidas

Av. 2 de Mayo 644 Tacna, PERU Telf. 51 52-742601 Fax. 51 52-711126

E-mail: jachajawira@yahoo.com

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Item 1 of the Agenda: Organizational and Procedural Matters

11 September

Mr. President:

Good afternoon. Our Commission would like to express its thanks to Ambassador Loulichki, the Facilitator, for submitting for the Human Rights Council Members’ consideration the proposal of directives for the preparation of the information that States must submit to the Universal Periodic Review (UPR).

Paragraphs II and III have merited further clarification by Ambassador Loulichki, who in paragraph II refers to the general existing framework and in paragraph III to the effectiveness of its application. Due to this need for clarification, we believe that certain States’ requests to minimize the drafting of each of these two paragraphs are not appropriate. These directives should encourage States to present the Council with actual Human Rights situations that have occurred in each country. In cases where Indigenous Peoples have pre-existed the constitution of the States they inhabit, the political constitutions of these States have yet to include them as acting members with their own identities, and some States only recognize them as communities, bands or groups. By following the proposed directive, States would have the opportunity to report that advances have been made in terms of the promotion and protection of Indigenous Peoples’ Rights.

Regarding Paragraph III, following the same case of Indigenous Peoples, some States have already assumed commitments before Treaty Organs, and it is necessary to know how they are implementing or applying recommendations to assure that they do not remain mere words. This information is very important for the Human Rights Council in order for it to fulfill the commitment it has taken on before international public opinion and to guarantee victims the protection of their fundamental rights.

Furthermore, this would simplify the duties of the Working Group on Universal Periodic Review and would allow a text of directives that was in accordance with the rest of the paragraphs proposed by Ambassador Loulichki.

Thank you, Mr. President

**Tomas Alarcon
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