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UNIVERSAL PERIODIC REVIEW

Report of the Working Group on the Universal Periodic Review

Peru

Addendum

**Views on conclusions and/or recommendations, voluntary commitments and replies presented
by the State under review**

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

1. At the 19th meeting of the Human Rights Council, on 12 June 2008, during the adoption of the final outcome of the Universal Periodic Review (UPR) on Peru, H.E. Mr. José Eduardo Ponce Vivanco, Ambassador, Permanent Representative of Peru to the United Nations Office at Geneva, reiterated the commitment of Peru to the universal system for the promotion and protection of human rights, and in particular to the Human Rights Council. Peru participated actively in the institution-building of the Council and supported the creation of the UPR mechanism, which is an essential mechanism to ensure equal treatment to all Member States, regardless of their level of development.
2. The first two sessions of the UPR Working Group have been positive, since the 32 countries that were examined demonstrated their genuine commitment to the system. Peru hoped that the procedural issues raised during the first two sessions have now been fully resolved. It noted however the importance of refining the way in which questions, comments and recommendations are formulated. It is essential to avoid both a politicization of the exercise and also disproportionate words of praise, and advisable to avoid repetitive statements that ignore the concrete situation in each country being examined. It indicated that the dialogue should focus on actions and facts that can objectively contribute to addressing human rights issues in the countries being examined. This should be the responsibility incumbent of all States that want the UPR to be an effective instrument in order to improve the human rights situation in the countries being reviewed.
3. During the review, Peru always kept in mind the ultimate goal of the exercise, as being to contribute to the enjoyment of human rights in the country. Thus, Peru acknowledged its actual shortcomings and challenges and reiterated its appreciation to all States that participated in the dialogue with Peru contributing to it with valuable recommendations.
4. Considering the recommendations, Peru noted that the second part of recommendation No. 4, as well as recommendations Nos. 17 and 20, are relevant to the commitments that the Government made during the session of the Working Group session and therefore accepts them with pleasure. Regarding the others, not directly linked to the three voluntary commitments made by Peru, it indicated that in a constructive spirit and within the framework of its national legislation, Peru will study each of the recommendations, and these will also serve as substantial guidance for the human rights agenda. Peru indicated that recommendation No. 3 however cannot be implemented within the constitutional and legal framework, but recalled that for more than 30 years there has not been a single execution in Peru. Peru also reiterated its firm commitment to continue being part of the Inter- American system.
5. Peru summarized its voluntary commitments within the context of the first UPR examination and highlighted the open invitation made in 2002 to all United Nations human rights mechanisms to visit Peru, which remains valid.
 - (i) With regard to the submission of reports to treaty monitoring bodies, Peru indicated that it will submit the pending periodic reports according to the following schedule:
 - Report to the Committee on the Elimination of Racial Discrimination, December 2008;
 - Report to the Committee on Economic, Social and Cultural Rights, December 2008;
 - Report to the Human Rights Committee, June 2009.
 - (ii) Concerning obligations under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Peru reiterated its full willingness to

comply with the obligations accepted when ratifying it. In accordance with articles 3 and 17 of the Optional Protocol, one or various independent national preventive mechanisms will be designated. Within the framework of the current policy of dialogue, the Ministry of Justice will seek to define the most adequate mechanism at the earliest possible time.

(iii) Concerning the National Human Rights Plan, Peru indicated that dialogue will be the most effective tool to achieve the goals of the Plan and to establish a national human rights agenda. Peru will strengthen the National Human Rights Council by establishing roundtables that will allow for permanent and institutional dialogue.

6. Peru further informed that upon her return to Peru following the review of Peru at the second session of the Working Group, the Minister of Justice established a working group composed of representatives of public institutions and civil society to evaluate progress and make further proposals. Peru is prepared to carry out appropriate follow-up to the recommendations and commitments, to be carried out by relevant national institutions, such as the Ministry of Justice, the National Human Rights Council and other State entities, in coordination with other relevant stakeholders in the country. Peru further noted that it is convinced that the UPR exercise cannot be considered to have finished with the dialogue within the Working Group and the additional plenary discussion in the Council. Rather, Peru would like to continue with this productive exchange of ideas and to report back progressively and regularly on progress achieved.

7. Peru thanked all those that participated in the session for their constructive comments, noting that Peru will take these into consideration in the follow-up to the review process. With regard to the interventions made at the present on the human rights of women, Peru indicated that the issues raised require due attention and indicated that Peru will do so. Concerning the situation of indigenous peoples, Peru recalled that it had taken a decisive part in the drafting of the United Nations Declaration on the Rights of Indigenous Peoples. With respect to mining activities and national resources extraction, consultations with the communities are held in the context of the development projects and these will continue in the future. Peru and the mining companies, are fully aware of the fact that the development of mining and exploitation of natural resources in general must be done in association with the people of the concerned communities. It further noted that socially responsible companies can indeed help the impoverished people of the country.

8. In conclusion, Peru thanked again all those who had participated in the session, the President, the States of the troika for Peru - Cuba, India and Mali - as well as the Secretariat for its work and cooperation. Peru reiterated its commitment to continue to disseminate information about the UPR outcome and process and reinforce the dialogue with relevant national institutions and key human rights actors in the country. Peru hopes, with the support of all, to make a positive follow-up to this review.
