

**“CAPAJ”**  
**JUDICIAL COMMISSION FOR THE AUTODEVELOPMENT OF FIRST**  
**ANDEAN PEOPLE**  
**Special Consultative Organization of the Economic and Social Council of the**  
**United Nations**

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CAPAJ Declaration on  
Universal Periodic Review  
Geneva 24 April 2007 HRC

Dear Mr. Facilitator:

Our Commission would like to thank you for the revised version of your proposal on preparing documents and the universal periodic review. It is very practical. It offers an excellent basis for our debate here on the Human Rights Council's universal periodic review of the States.

The participation of experts in the process of the universal periodic review has been very important from the beginning, because this enables us to achieve a balance between independent contributions and specialised ones from experts, secretariat staff and the states.

We must bring states' shortcomings to their attention, if any exist, so that abuses may be remedied. And for this reason the Human Rights Council should have a group of experts experienced in conflict resolution at their disposal. Experience working with Indigenous peoples, for example that which Indigenous experts possess, could contribute to the process an analysis grounded in the Indigenous peoples' world-view. This would honor the principle of inclusion of a diversity of civilisations within the Human Rights Council.

This is not a matter of judging the states, but of achieving the most effective review possible. Even though it is true that the universal periodic review is intergovernmental, there is no reason why experts could not participate. They should not be turned into entities that merely report about their countries. Rather, they are the true independent investigators. The experts must be independent of the states. The states must include independent experts in their delegations, who would not be subject to the states. The experts do not replace the states, they just evaluate and rate their activities. UPR compliments the work of the committees.

We therefore assert that independent indigenous experts must be included in the universal periodic review process. To be more effective, judges'

contributions are also required, given their capacities to manage truth discovery processes.

Thank you,

Tomás Alarcón  
CAPAJ