

Ambassador

Excellency,

3 April 2008

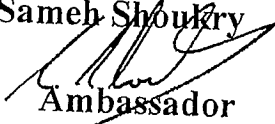
With reference to the imminent start of the first session of the UPR Working Group on Monday 7 April 2008, we have the honour to transmit to you herewith the enclosed non-paper representing the views of the African Group, the OIC and the Arab Group on the remaining UPR modalities. This non-paper has also benefited from the suggestions of a number of other interested delegations.

We hope that you would find these elements helpful in finalizing the modalities which you have put on the extranet on the 27 March 2008 with a view to ensure the smooth functioning and success of the UPR exercise. We would also kindly request that this letter and its attached non-paper be circulated as an official document of the Council.

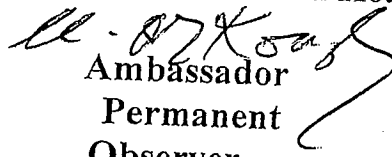
Please accept, Excellency, the assurances of our highest consideration.

Sincerely,

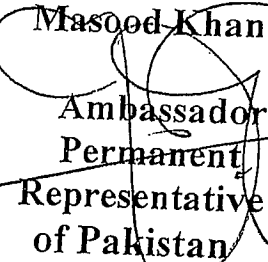
On behalf of
The African Group

Sameh Shoukry

Ambassador
Permanent
Representative
of Egypt

On behalf of the
Arab Group

Dr. Mohammad Abu Koash

Ambassador
Permanent
Observer
of Palestine

On behalf of the
OIC Group

Masood Khan

Ambassador
Permanent
Representative
of Pakistan

H.E. Doru Romulus Costea
President of the Human Rights Council
Fax: 022 9170490

Non -Paper on remaining UPR Modalities

Questions/issues to be raised by States and transmitted to the SuR through the TM should conform to the basis of the Review as identified in para (1) of the IB text.

As per para (15) of the IB text, the basis of the review will only be the three UPR documents. There should be no additional document /report put on the extranet.

The SuR is sovereign in addressing the questions/ issues it chooses to answer from those transmitted to it by the TM or raised during the WG proceedings.

The SuR will be given a maximum of 60 minutes in the WG to be used for: a) initial presentation of the national report / responses to written questions; b) replies to the questions raised from the floor during the interactive dialogue, if desired; and; c) concluding comments at the end of the review.

The WG report will be prepared by the TM with the assistance of the Secretariat. As per the IB text, SuR will be fully involved in the process.

As per para (26) of the IB text, the report of the WG will consist of: a) summary of the proceeding of the review process; b) conclusion and or recommendations agreed and not agreed by the SuR and; c) voluntary commitments by the SuR.

If the SuR is not in a position to communicate its decision with regards to the conclusions/recommendations in the course of the proceedings of the Working Group, the report of the Working Group on the SuR would be complete with the exception of the portion relating to the SuR's response to the recommendations and/or conclusions for which it would be given a specific time-limit within which it would provide a response in writing for inclusion in the report. For this purpose, the report will be adopted *ad referendum* pending submission of comments by the SuR and will be circulated only to Member and Observer States.

The SuR must submit its views in written form. It (SuR) will identify those recommendations which enjoy its support and offer comments on other recommendations it wants to be noted. The SuR may also use this opportunity to make some voluntary commitments and pledges. The comments received from SuR will be added to the part of report earlier adopted *ad referendum*. The report thus completed will then be circulated as the outcome of the UPR Working Group.

The report of the Working Group will then be adopted by the HRC Plenary (possibly through a standardized procedural draft resolution/decision). A summary of the proceedings in the Plenary including views of the member and observer states as well as general comments by other stakeholders will be included in the report of the Council

As per para 3(m) of the IB text, stakeholders that will participate in the UPR process should enjoy ECOSOC consultative status.

Follow up to the UPR will be based on the recommendations that enjoy the support of the SuR.

As per the existing practice of the Council and the Commission on Human Rights only the Plenary meetings are webcast. There should be no exception. IB text too does not provide for webcasting of the WG proceedings.

All the modalities discussed under the UPR process (selection of TM, modalities of the review process etc.) should be put together in one official document to be issued in the form of a Presidential Statement for Council's approval.