

**United Nations Human Rights Council
20th Regular Session, 10 to 28 September 2012
Agenda Item 6**

**ICJ Oral Statement in the Adoption of the Outcome Document
in the Universal Periodic Review of Brazil**

20 September 2012

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Madam President,

The International Commission of Jurists (ICJ) welcomes Brazil's acceptance of a number of recommendations, in particular those relating to the need to improve access to justice by taking measures to reduce costs, address complex procedures and increase the number of public defenders and legal aid, as well as the need to improve protection for human rights defenders that work with indigenous peoples and other groups at risk.

While the ICJ also welcomes Brazil's acceptance to consider ratifying the International Convention for the Protection of the Rights of All Migrant workers, it regrets that Brazil expresses only partial support to the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and ILO Convention 189 on the protection of domestic workers (UPR recommendations 119.9 and 119.10). The ICJ attaches great importance to those instruments and hopes that Brazil will expedite its internal procedures to be able to ratify those instruments.

The ICJ regrets that Brazil seems to only partially support recommendations relating to the right of indigenous peoples to be consulted (UPR recommendations 119.163 to 119.169). The country states that indigenous peoples are listened to. However, article 6(2) of the ILO Convention 169 on Indigenous and Tribal Peoples, which Brazil has ratified, provides that consent of indigenous people shall be sought, providing that: "The consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures". The ICJ therefore calls upon Brazil to reconsider its position in this regard and bring its legislation in full compliance with article 6(2) of the ILO Convention 169.

I thank you.

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