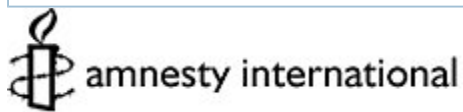


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Amnesty International Report 2013 - The State of the World's Human Rights - Peru

Head of state and government
Ollanta Humala Tasso

Several protests related to mining led to clashes with security forces; protesters were killed and human rights defenders were arbitrarily detained and ill-treated. Progress was slow in human rights cases dating back to the internal armed conflict (1980–2000). Lack of adequate consultation with Indigenous Peoples remained a concern.

Background

Mass demonstrations took place during the year to demand labour rights and in opposition to extractive industry projects.

At least 30 members of the security forces were killed and scores were injured in clashes with remnants of the armed opposition group, Shining Path. In February, Shining Path's leader, Florindo Eleuterio Flores Hala (known as "Comrade Artemio") was arrested.

In September, Peru ratified the International Convention against enforced disappearance. However, by the end of the year it had not recognized the competence of the Committee on Enforced Disappearances to deal with individual complaints.

Peru's human rights record was assessed under the UN Universal Periodic Review in November. It accepted most of the recommendations made. These included preventing the torture and ill-treatment of detainees and prisoners; guaranteeing justice and reparation for victims of human rights violations; adopting a national protocol for abortion and reviewing the decriminalization of abortion in cases of rape; and ensuring consultation with Indigenous Peoples on measures that may affect their rights and livelihood.

Police and security forces

Allegations of arbitrary detentions, torture and other ill-treatment, and excessive use of force by the security forces were reported during protests against extractive projects.

- Six people, one of whom was 17 years old, were shot dead, allegedly by the security forces, during clashes in Espinar province, Cusco department, and in Celendín, Cajamarca department, in May and July respectively.
- In September, Nemesio Poma Ascate was shot dead and scores of people were injured during a demonstration in Huaraz, Áncash department. Nemesio Poma Ascate and other Mareniyoc community

members were protesting against a mining company for failing to provide the community with safe drinking water.

Human rights defenders

Human rights defenders were threatened, arbitrarily detained, and ill-treated.

- In May, Jaime Cesar Borda Pari and Romualdo Tito Pinto, both members of the human rights organization Vicaria de Solidaridad de Sicuani, and community leader Sergio Huamani, were arrested outside a mining camp and accused of having ammunition in the car. They claimed that the bullets had been planted by the police during a car search at which none of them had been present. The three men and a local prosecutor had been assessing the situation of detainees following violent clashes during protests in the area. All three were released on bail after two days, but remained under investigation at the end of the year.
- In June, police officers in Cajamarca department allegedly beat human rights defender Amparo Abanto, a lawyer for the local NGO Comprehensive Training for Sustainable Development Group (Grupo de Formación e Intervención para el Desarrollo Sostenible, GRUFIDES) and the National Human Rights Coordinating Body (Coordinadora Nacional de Derechos Humanos, CNDDHH), a national umbrella human rights organization; and Genoveva Gómez, a staff member at the Peruvian Ombudsman's Office. They had been trying to gain access to detainees during protests against a mining project. Communities feared the project could affect their right to water. At the end of the year an investigation into the allegations of ill-treatment was pending.
- In July, police officers detained and ill-treated Marco Arana, also a member of GRUFIDES, as he protested against the same mining project. He was conditionally released a day later. He filed complaints of ill-treatment and torture. His appeal against a decision to archive his complaint was pending at the end of the year. Marco Arana was awaiting trial on charges of "disturbing the peace" and "resisting arrest" at the end of the year. An investigation into his complaints of abuse of authority remained open at the end of the year.

Indigenous Peoples' rights

In April, the Ministry of Culture published the Regulatory Framework on the Law on the Right of Indigenous Peoples to Prior Consultation. There were concerns about the legislation, including that the consultation process with Indigenous Peoples to create the law had been inadequate.

In August, the government announced the first consultation process under the new regulatory framework. This was intended to involve consultation with Achuar, Quechua and Kichwa Indigenous Peoples on an oil extraction project in Loreto in the north of Peru in 2013.

Impunity

Progress in ensuring truth, justice and reparation for the victims of past human rights violations remained slow and faced setbacks. The lack of full co-operation by the Ministry of Defence in providing relevant information remained a concern.

Legislation granting access to reparation for all victims of sexual violence was approved by Congress in May, but had not come into force by the end of the year. As a result, victims of sexual violence, other than rape, committed during the internal armed conflict continued to be denied reparation.

Sexual and reproductive rights

Women and girls faced obstacles in getting access to their sexual and reproductive rights. There was no access to emergency contraception in state health services and the authorities did not create long-overdue national guidelines to regulate access to therapeutic abortion.

In November, the UN Committee against Torture raised concerns at the criminalization of abortion in cases of rape, as well as at the 2009 Constitutional Court ruling prohibiting the state from distributing emergency contraception.

Country Reports

No reports available

Country Visits

No information on visits available

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