



PUBLIC STATEMENT

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Peru: At the UN Amnesty International expresses concern for consequences of pardon and grace granted to Fujimori on victims' rights to truth, justice and reparations

Human Rights Council adopts Universal Periodic Review outcome on Peru

Amnesty International welcomes the recommendations accepted by the Peruvian government,¹ but is concerned at serious human rights setbacks in the country.

On 24 December 2017, contrary to UPR recommendations² and Peru's voluntary pledges when seeking election to the UN Human Rights Council in 2018,³ President Kuczynski granted a pardon to former president Alberto Fujimori, who was sentenced, in 2009, to 25 years in prison for crimes against humanity and a grace which would extinguish all ongoing criminal proceedings against him. This act has serious consequences for the right to truth, justice and reparation of victims of crimes under international law and grave human rights violations.

A pardon, even when granted for humanitarian reasons, would also be a breach of Peru's international obligations if it were to prevent effective compliance with penalties for those found guilty of grave human rights violations or crimes under international law.

Amnesty International welcomes the recent decision by the National Criminal Court of Peru not to apply the presidential grace, but to continue the proceedings brought against Fujimori for the murder of six *campesinos* (peasant farmers). The application of the grace would have amounted to an amnesty and would have violated Peru's international obligations.

Peru has failed to ensure that Indigenous Peoples who have been exposed to toxic metals, notably in Cuninico and Espinar, have access to adequate health care.

Amnesty International welcomes Peru's acceptance of recommendations to guarantee the human rights of Indigenous Peoples and to provide adequate healthcare and reparations to Indigenous communities affected by extractive industries.⁴

Peru must immediately develop and implement emergency health plans to address the health effects of exposure to toxic metals among Indigenous Communities, and must also investigate the cause of contamination of the water sources in Cuninico and Espinar in order to control and contain it.

¹ A/HRC/37/8/Add.1. Observations on the conclusions and/or recommendations, voluntary commitments and responses from the reviewed State, 28 February 2018.

² A/HRC/37/8, recommendations 111.75 (Azerbaijan), 111.76 (Germany), 111.77 (Ecuador), 111.78 (France), 111.97 (Argentina).

³ A/72/362. Letter dated 24 August 2017 from the Permanent Representative of Peru to the United Nations addressed to the President of the General Assembly. <http://undocs.org/en/A/72/362>

⁴ A/HRC/37/8, recommendations 111.46 (Sierra Leone), 111.157 (State of Palestine), 111.92, 111.159, 111.160 (Bolivarian Republic of Venezuela), 111.162 (Netherlands), 111.165 (Côte d'Ivoire), 111.167 (Egypt), 111.171 (Greece), 111.173 (India), 111.174 (Iraq), 111.179 (Japan), 111.180 (Madagascar).



Amnesty International is also concerned about the increase in adolescent pregnancy rates and sexual violence against girls and women. Abortion continues to be criminalized, including in cases of severe or fatal foetal impairment or sexual violence.

The organization welcomes Peru's acceptance of recommendations to guarantee access to safe and legal abortion for survivors of sexual violence,⁵ and to effectively investigate cases of forced sterilization and provide compensation to the victims.⁶

Peru must repeal all legislation that criminalizes abortion and ensure the rights to truth, justice and reparation for the thousands of women who were forcibly sterilized.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Peru on 15 March 2018 during its 37th session. Prior to the adoption of the report of the review Amnesty International delivered this oral statement. Amnesty International also contributed to the information basis of the review through its submission on country: <https://www.amnesty.org/en/documents/amr46/6624/2017/en/>

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⁵ A/HRC/37/8, recommendations 111.95 (Slovenia), 111.96 (Switzerland), 111.98 (Canada), 111.99 (Finland), 111.102 (Iceland).

⁶ A/HRC/37/8, recommendation 111.97 (Argentina).

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