
New Case from Peru to Explore Protections for Human Rights Defenders

Commentary by Amnesty International

The sociopolitical context in Peru, in particular risks to the safety and freedom of expression of human rights defenders, journalists and civil society organizations:

In Peru, the lives of human rights defenders have been at risk for decades due to a lack of effective protection by the national authorities. According to Frontline Defenders, in 2023, Latin America was the deadliest region for those defending the environment and human rights, and Peru is on the list of countries with the most murders of defenders.¹ Amnesty International verified the killing of at least 4 human rights defenders in 2023.² Similarly, threats against human rights defenders have not stopped during these past years and their lives continue to be in danger.

Human rights defenders are also subject to criminalization in Peru and in the Americas. Frontline Defenders has highlighted the criminalisation of defenders as the greatest threat in the region. As documented by Amnesty International in the report “A recipe for criminalization”, in countries including Peru and Paraguay, women defenders face unfair and unsubstantiated prosecution for crimes related solely to their human rights work.³ They are also stigmatised, and their work is discredited by media outlets. In particular, women human rights defenders face challenges and attacks due to historical inequalities and are exposed to greater risks and violence because of their gender and the causes they defend.⁴

In the digital sphere, human rights defenders and civil society organizations have also been subject to threats and attacks. These online attacks can sometimes materialize into physical harassment and attacks. By way of example, in May 2023, in the context of the launch of the report “Lethal Racism”, which documented the excessive use of force and killing of protesters in Peru, Amnesty International received thousands of hateful interactions against our organization, against human rights and especially against the exercise of the right to protest, through social media platforms, including Meta. Following these hateful digital interactions, a group of individuals showed up at a private event that Amnesty had organized with the victims of the repression cases that were documented in our report. The individuals that broke into the event attempted to silence the victims as they were sharing their testimonies, in a violent and unjustified manner that sought to disregard and discredit their experiences. The individuals also

¹ Frontline Defenders, “Global Analysis 2023/24”,
https://www.frontlinedefenders.org/sites/default/files/1578_fld_ga23_online_u03.pdf

² Amnesty International, “Annual report 2023: Human rights in Peru”,
<https://www.amnesty.org/en/location/americas/south-america/peru/report-peru/>

³ Amnesty International, “Americas: A recipe for criminalization: Defenders of the environment, territory and land in Peru and Paraguay”, April 26, 2018, Index Number: AMR 01/8158/2018:
<https://www.amnesty.org/en/documents/amr01/8158/2018/en/>

⁴ Amnesty International, “Challenges faced by women human rights defenders working in conflict, post-conflict or crisis-affected settings: Submission to the Special Rapporteur on the situation of human rights defenders”, June 5, 2023, Index: IOR 40/6853/2023, <https://www.amnesty.org/es/documents/ior40/6853/2023/en/>

attacked and beat up a car with representatives of Amnesty International, while these were attempting to leave the event's premises.⁵

Peruvian civil society organizations have reported similar experiences in recent years. Since at least 2018, there has been a proliferation of clash groups in urban spaces, with the aim of disrupting public and private events organized by human rights organizations.⁶ Amnesty has also received reports of physical and verbal violence systematically committed against the representatives of non-governmental organizations, journalists, prosecutors, lawyers and victims of emblematic cases by non-identified individuals. These attacks seem to seek to prevent individuals from continuing their work in defense of human rights. Notable cases include those of the journalists Rosa María Palacios, Pedro Salinas, Gustavo Gorriti and Paola Ugaz, who were attacked in their homes and other personal spaces with the aim of disrupting their journalistic and investigative work.⁷ Human rights organizations such as APRODEH, the Institute for Legal Defense and the National Coordinator for Human Rights were the targets of attacks on their institutional premises and verbal violence against their directors and staff in 2023 and 2024.⁸

Against this background, the state response has not been the most adequate. Since 2021, Peruvian authorities approved the Protection Mechanism for Human Rights Defenders for protecting human rights defenders with a multidimensional perspective. In 2023, the Protection Mechanism for Human Rights Defender registered threats against 197 human rights defenders, and/or their families, 60 of which were victims of physical and/or verbal abuse.⁹ The existence of a Protection Mechanism has not prevented the killing of defenders, and most cases remain in impunity. Moreover, the Ministry of the Interior lacks a protocol to coordinate with the police for the protection of human rights defenders.

At a global scale, Amnesty International has documented the alarming impact of social media abuse and harassment on women, with women around the world reporting stress, anxiety or panic attacks as a result of these harmful online experiences. Alarming, women who had experienced online abuse or harassment said that on at least one occasion these online experiences had caused them to feel threatened for their physical integrity.¹⁰ Social media

⁵ See the following post on Facebook for further information:

<https://www.facebook.com/aiperu/posts/pfbid09TJugn3J3Yxc5WYywMYKKrijwmTWRT8wPeeNCPicjQePFd66kGAVTJ47uCkQYRgu>

⁶ Daniel Yovera, "Descifrando a los grupos de ultraderecha" Revista Memoria PUCP, Edición número 35,

<https://idehpucp.pucp.edu.pe/revista-memoria/reportaje/descifrando-a-los-grupos-de-ultraderecha/>

⁷ La Republica, "La Resistencia llega a vivienda de Rosa María Palacios y hostiga a periodista" February 28, 2023,

<https://larepublica.pe/politica/actualidad/2023/02/21/la-resistencia-llega-a-vivienda-de-rosa-maria-palacios-y-hostiga-a-periodista-noticias-828219>

⁸ See: InfoBae, "La Resistencia llega a vivienda de Rosa María Palacios y hostiga a periodista", May 5 2023,

<https://www.infobae.com/peru/2023/05/06/la-resistencia-grupo-extremista-ataca-sede-de-idi-reporteros/> and

APRODEH – Chequea contra la desinformación, "APRODEH -Defensores de terroristas", October 25, 2024,

<https://www.aprodeh.org.pe/checkea/noticias-verificadas/aprodeh-defensora-de-terroristas/>

⁹ Information obtained through a request for public information to the Ministry of Justice and Human Rights by Amnesty International on January 23, 2024. Reference number: MEMORANDO N° 012-2024-JUS/DGDH-DPGD.

¹⁰ Amnesty International, "Amnesty reveals alarming impact of online abuse against women", November 17, 2017,

<https://www.amnesty.org/en/latest/press-release/2017/11/amnesty-reveals-alarming-impact-of-online-abuse-against-women/>

platforms are a critical space for individuals to exercise their right to freedom of expression, especially for women and marginalised groups. Violence and abuse online are a direct threat to this freedom of expression as it has a silencing effect on them.

Amnesty International notes that the right to freedom of expression protects expression which may be offensive. However, freedom of expression does not include advocacy of hatred or violence. What's more, the right to freedom of expression must be enjoyed equally by everyone, and includes the right for women to express themselves and live free from violence and abuse, both online and offline.¹¹

Recent laws and bills in Peru and elsewhere in the region that limit or undermine spaces for expression, assembly and political participation of civil society organizations:

In addition to the lack of protection for human rights defenders, who are constantly receiving threats online and offline, Peruvian authorities have issued a series of laws that aim to reduce the freedom of expression and the defence of human rights. Amnesty International has expressed concern for the proliferation of legal initiatives that curtail the work of civil society organizations and seriously threaten their efforts to promote and defend human rights in the Americas, including in Peru and other countries in the region such as Paraguay and Venezuela.¹² These initiatives arbitrarily restrict and unduly interfere with civil society organizations, associations, and groups. These measures threaten to silence criticism, compromise the pursuit of justice and undermine progress on human rights.

In 2024, Peru's Congress considered six bills that inhibited the work of civil society organizations and institutions that receive international cooperation funds.¹³ In specific, bills presented expanded state supervision over civil society organizations, restricted civic space and external financing, and created administrative offences for actions that disturb public order. These bills were approved by the Foreign Relations Committee on 5 June 2024. The final approval of the bills is still pending.

In addition to these initiatives, Law 31012, the Police Protection Law, has remained in place. This law eliminates the principle of proportionality in the use of force, putting the right to protest at risk and contravening international standards.

As mentioned in the previous point, the work that human rights defenders do, in pursuit of freedom of expression and often against restrictive initiatives and bills, brings them into the

¹¹ Amnesty International, "Amnesty reveals alarming impact of online abuse against women", November 17, 2017, <https://www.amnesty.org/en/latest/press-release/2017/11/amnesty-reveals-alarming-impact-of-online-abuse-against-women/>

¹² Amnesty International "Americas: Proposed laws would severely restrict civil society's work in region" June 21, 2024, [Americas: Proposed laws would severely restrict civil society's work in region - Amnesty International](#)

¹³ [Amnistía Internacional Perú on X: "⚠ Desde Amnistía Internacional alertamos sobre proyectos de ley que ponen en peligro la libertad de asociación y amenazan el espacio cívico, esencial para la vigilancia y garantía de los DD.HH. #CooperaciónParaLaDemocracia https://t.co/RGcT5tOzPs" / X](#)

public debate. It is because of this work that they are constantly subject to attacks and threats in different spheres, including the digital.

Recommendations for the protection of human rights defenders that have already been made to social media platforms, as well as the outcomes of campaigns to implement those recommendations:

Amnesty International has not issued recommendations to social media platforms in Peru, but has issued the following recommendations to the Peruvian state, in regard to the protection of human rights defenders and of civic space. These include measures for the digital sphere:

- Investigate, prosecute and punish all threats and attacks committed against human rights defenders
- Guarantee the proper implementation of the Protection Mechanism for Human Rights Defenders, including by issuing the internal regulations required for each institution to implement the mechanism and by ensuring adequate resources to that purpose.
- Provide more accessible data on the threats and attacks suffered by human rights defenders, safeguarding their privacy and integrity.
- Implement preventive measures, including at the local level, that are gender sensitive and culturally appropriate to tackle the threats that human rights defenders face with a view to enhancing their safety.
- Implement domestic legislation that imposes safeguards against human rights violations and abuses through digital surveillance and establishes accountability mechanisms designed to provide victims of surveillance abuses a pathway to remedy.
- Disclose information about all previous, current and future contracts with private surveillance companies by responding to requests for information or by making proactive disclosures.
- Repeal Law 31012, Police Protection Law, as it raises human rights concerns regarding impunity for unlawful use of force by law enforcement officials

Reference documents:

- [Human rights in Peru Amnesty International](#)
 - [Américas: Remisión al informe de la relatora especial de las naciones unidas sobre independencia de magistrados y abogados - Amnistía Internacional](#)
 - [Suggested recommendations to States under review in the 42nd session of the UPR Working Group, 23 January - 03 February 2023 - Amnesty International](#)
 - [Peru: Lethal racism: Extrajudicial executions and unlawful use of force by Peru's security forces - Amnesty International](#)
 - [Americas: Proposed laws would severely restrict civil society's work in region - Amnesty International](#)
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- [Informe a la relatora especial sobre la libertad de reunión pacífica y de asociación: narrativas estigmatizantes e implicaciones en el ejercicio de los derechos a la libertad de reunión pacífica y de asociación en las Américas - Amnistía Internacional](#)
- Front Line Defenders Global Analysis 2023/24: https://www.frontlinedefenders.org/sites/default/files/1578_fld_ga23_online_u03.pdf
- Americas: A recipe for criminalization: Defenders of the environment, territory and land in Peru and Paraguay: <https://www.amnesty.org/en/documents/amr01/8158/2018/en/>
- Amnesty reveals alarming impact of online abuse against women: <https://www.amnesty.org/en/latest/press-release/2017/11/amnesty-reveals-alarming-impact-of-online-abuse-against-women/>

Press Notes:

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- <https://convoca.pe/agenda-propia/periodistas-peruanos-bajo-asedio-denuncias-de-ataques-amenazas-y-agresiones>
- <https://agenciapresentes.org/2024/04/25/peru-grupos-extremistas-anticomunistas-y-antigenero-multiplican-ataques-y-siguen-impunes/>
- <https://www.idl.org.pe/denuncian-ataques-de-la-resistencia-contra-directores-de-entidades-estatales/>
- <https://www.aprodeh.org.pe/checkea/noticias-verificadas/aprodeh-defensora-de-terroristas/>