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## AMNESTY INTERNATIONAL – PUBLIC STATEMENT

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# PERU: AUTHORITIES END THE CRIMINALIZATION OF 16 HUMAN RIGHTS DEFENDERS

**After five years of unfounded judicial proceedings against 16 territory and environment defenders, judicial authorities have put an end to their criminalization. Amnesty International celebrates that these 16 people, who campaign for the rights to territory and a healthy environment in the area of the Conga mine in the Cajamarca region, can continue their work to defend human rights without fear of reprisal for simply raising their voices.**

On 19 September 2018, the Second Criminal Court of Appeals of the Cajamarca Supreme Court of Justice upheld the acquittal of 16 human rights defenders of the Supraprovincial Court of Cajamarca on 28 March 2017. The lower court's decision called attention to the Public Prosecutor's failure to fulfill its obligation to present evidence that would substantiate the charges against the 16 rights defenders of aggravated abduction and, secondarily, coercion, as well as the charge against one of them of insulting national symbols (*ultraje a símbolos de la patria*).

After accessing recordings of some of the lower court public hearings, Amnesty International found that the prosecution provided no evidence that linked the human rights defenders to the charges against them. The prosecution only presented testimony from the state officials who had reported the rights defenders, from others who contradicted themselves and from police personnel who admitted that they could not verify the evidence presented and even said that their sources had "infiltrated" the demonstration in which the rights defenders had supposedly committed the alleged crimes for which they were acquitted.

Amnesty International had called attention to the misuse of the criminal justice system to silence these 16 human rights defenders and dissuade them from continuing their rights defence. Amnesty International has also identified this case as part of a recurring pattern in Peru in which authorities misuse the justice system to harass and silence those who defend human rights related to territory, environment and those related to access to land.

Thus, it is not enough to put an end to just one of the many cases of criminalization of rights defenders in the country. It is vital that Peruvian authorities take appropriate and concrete action to prevent the continued misuse of the justice system to obstruct the legitimate and valuable work of human rights defenders.

Therefore, Amnesty International reiterates its call to investigative and judicial authorities to:

- Close the unfounded criminal cases against defenders of human rights related to environment, territory and access to land, or petition the appropriate judges to close those cases in which there is no evidence to substantiate charges.
- Begin administrative, disciplinary or criminal proceedings, whichever are appropriate, against the state officials who have misused the justice system to intimidate and discredit human rights defenders through unfounded criminal proceedings.
- Abstain from abusing the justice system to harass and discredit those who defend human rights related to environment, territory and access to land.