

AMNESTY INTERNATIONAL - PUBLIC STATEMENT

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PERU: APPROVAL OF THE PROTOCOL, A FIRST STEP TOWARDS GUARANTEEING PROTECTION OF HUMAN RIGHTS DEFENDERS

Amnesty International welcomes the recent approval of the Protocol for the protection of human rights defenders in Peru. It urges that this be used as a springboard for, among other initiatives, a comprehensive policy and mandatory measures to effectively guarantee that defenders at risk can carry out their work in a favourable and secure environment.

On 25 April 2019, Peru's Ministry of Justice published Ministerial Resolution No. 059-2019-JUS approving the "Protocol to guarantee the protection of human rights defenders". With this, the Peruvian government has taken a first step towards guaranteeing the security and protection of the brave defenders who are at risk in the country simply for their work defending human rights. The adoption of the Protocol is also an important measure to ensure the effective implementation of the UN Declaration on human rights defenders, as well as to comply with the commitments undertaken by Peru in the last Universal Periodic Review of the Human Rights Council of the UN.

Amnesty International has been documenting the risks faced by human rights defenders around the world, including in Peru, for many years. In its report, *A recipe for criminalization: Defenders of the environment, territory and land in Peru and Paraguay*, the organization expressed concern about the misuse of the justice system to harass and silence defenders in the country, particularly those working to defend the environment, such as Oscar Mollohuanca Cruz and others in Cusco; 16 people working to defend rights related to the land, territory and the environment in Cajamarca, who faced charges for participating in protests; and Máxima Acuña, a peasant farmer in northern Peru, who was subjected to police violence for refusing to leave the land where she lives, among many other cases. The organization has also expressed concern about attacks against and stigmatization of women human rights defenders working on areas such as gender equality, sexual and reproductive rights, the rights of LGBTI people and freedom of expression.

Amnesty International believes that the approval of the Protocol is only a first step towards guaranteeing a favourable and safe environment for human rights defenders. The Peruvian authorities must take concrete measures that guarantee the right to defend human rights. They must refrain from any type of attack against human rights defenders, including the misuse of the justice system to harass and discredit their work.

National and international civil society organizations have highlighted, as an example of good practice, the fact that human rights defenders as well as the UN Special Rapporteur on the situation of human rights defenders, participated in the development of the Protocol. Amnesty International urges the government of Peru to continue to comply with its international commitments and ensure that this practice is maintained in subsequent steps to implement the Protocol.

Amnesty International also calls on the Peruvian authorities to:

- Follow up with the approval of a public policy of comprehensive protection for human rights defenders that is mandatory for all branches of the state and at all levels of government.
- Adopt effective measures to protect human rights defenders, in consultation with them and in line with their wishes, from the risks and threats they face and addressing the specific needs of women defenders and groups.
- Increase public recognition, including from the authorities at the highest local and national levels, of the legitimate and important work carried out by human rights defenders. This should include campaigns, public statements and awareness-raising actions that bolster the legitimacy, recognition and security of those who defend human rights, including those working on rights related to the land, territory and environment.
- Incorporate a comprehensive perspective on gender, identity and ethnicity into the protection of human rights defenders so that measures are taken to combat the structural causes that increase the risks and attacks they face, such as impunity, stigmatization and discrimination.
- Ratify the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (the Escazú Agreement) which will help keep those who defend the environment in the region safe and well informed.