

We are deeply concerned by pervasive violence against human rights defenders (HRDs), civil society groups and protesters, who continue to face attacks, harassment, stigmatisation and killings. Despite the newly adopted protection mechanisms, state and non-state actors perpetrating abuses have been able to escalate attacks with impunity. We are further alarmed by the judicial harassment against journalists and gradual reduction of the space for a free and independent press.

KEY CONCERNS



FREEDOM OF PEACEFUL ASSEMBLY

Security forces have repeatedly resorted to excessive force when policing protests. In some instances, officers used firearms and banned ammunition, and shot directly at protesters, targeting the most sensitive parts of the body and high-risk areas, which resulted in fatal and serious injuries.

Peruvian authorities have sought to shield officers from prosecution for abuses committed in demonstrations. The 2020 Police Protection Law (No. 31,012) modified existing legislation to exempt officers and soldiers from criminal responsibility for deaths or injuries caused while 'fulfilling their constitutional duty'.

Criminal charges have often been used to criminalise protest leaders and actions that occupy premises, obstruct transportation routes and streets and disrupt public services.

The legal framework enables private sector companies to contract the national police force to provide 'extraordinary police services'. These agreements often involved services for extractive companies that have projects located in regions with social uprisings and where their projects face resistance from local communities.



FREEDOM OF EXPRESSION

Lawsuits for defamation, libel or slander are frequently used to criminalise and judicially harass journalists, media outlets and publishers. Often these accusations are used to intimidate and drain resources of those exposing corruption, investigating human rights violations and expressing criticism of powerholders.

Journalists & reporters face pressure within news outlets to produce journalistic coverage following the political orientation of their editorial lines. Especially in Lima, those not in line with the predominant political and economic conservative line have sometimes been forced to resign. The National Authority for Transparency and Access to Public Information (ANTAIP) lacks the power to apply sanctions on public officials and entities that fail to comply with their obligations under the Law on Transparency & Access to Public Information. Access to information rights have been undermined by the authorities through bureaucratic restrictions.



FREEDOM OF ASSOCIATION

CSOs and activists dedicated to human rights face harassment and attacks in the context of increasing mobilisation by anti-rights groups. CSOs defending sexual and reproductive health, LGBTQI+ rights and gender equality are frequently targeted and discriminated against, including through smear campaigns, intimidation, violent attacks and legal actions.

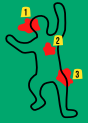
Restrictive legislations systematically violate workers' rights. Under the Collective Labour Relations Act, the Ministry of Labour has the power to end a strike under some circumstances. Among other legal restrictions, workers in small- and medium-sized enterprises are effectively prevented from forming unions.

Union leaders and members face retaliation in the form of unfair dismissals and are targeted by harassment, attacks and even killings.

COMMON VIOLATIONS AGAINST HUMAN RIGHTS DEFENDERS INCLUDE:



Attacks on their lives and integrity



Killings



Harassment and intimidation



Stigmatisation and smear campaigns



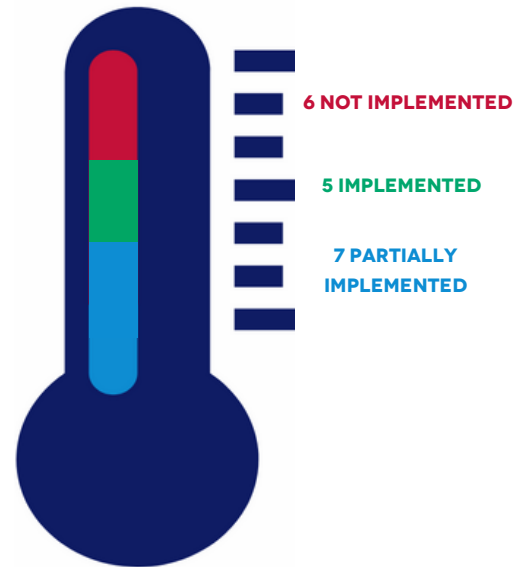
Arrests and judicial prosecution on trumped-up charges



Judicial harassment

PREVIOUS UNIVERSAL PERIODIC REVIEW PROCESS

Peru received 18 recommendations relating to the space for civil society (civic space)::



RECOMMENDATIONS

- 1 Provide civil society members, HRDs and journalists with a safe and secure environment in which to carry out their work, conduct impartial, thorough and effective investigations into all cases of attacks, harassment and intimidation against them and bring the perpetrators of such offences to justice.
- 2 Guarantee the effective and independent functioning of autonomous trade unions by removing proscriptions on the formulation of independent labour unions and undue limitations on the right to strike.
- 3 Strengthen the Intersectoral Mechanism for the Protection of HRDs, including by enhancing cooperation between relevant authorities and ensuring appropriate funding and other resources.
- 4 Reform legislation on defamation, including by removing provisions in the Penal Code, to ensure it is not used to censor journalistic work and bring it into conformity with ICCPR article 19.
- 5 Immediately and unconditionally release all HRDs, journalists and protesters detained for exercising their fundamental rights and review their cases to prevent further harassment.
- 6 Repeal the Police Protection Law (No. 31,012) in order to guarantee fully the right to the freedom of peaceful assembly.
- 7 Immediately and impartially investigate all instances of extrajudicial killing and excessive force committed by security forces in the context of protests.
- 8 Ratify the Escazú Agreement and implement activities outlined in the National Action Plan on Business and Human Rights to promote responsible business practices.

Civic space in Peru is currently rated **"OBSTRUCTED"** by the CIVICUS Monitor