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**UN Human Rights Council  
Twenty-second session, 25 February - 22 March 2013**

**Item 6:  
Consideration of UPR reports**

**PERU**

Mr. President,

Amnesty International welcomes the passing of the Law on the Right of Indigenous Peoples to Prior Consultation in August 2011, although we remain concerned about aspects of its implementation. The national database of Indigenous Peoples and the methodology guide have both yet to be published. We urge Peru to fully implement the law, including as recommended in the review<sup>1</sup> and in a timely manner.

Mr President,

We are also concerned that the failure to consult with local communities on development projects has on occasion resulted in mass protests across the country with reports of excessive use of force by the police. We welcome Peru's support of several recommendations to prevent the excessive use of force by the security forces<sup>2</sup> and urge their full and early implementation.

We note that Peru considers Legislative Decrees No. 1094 and 1095 to be compliant with international human rights standards.<sup>3</sup> We are concerned, however, that these decrees allow the military to be deployed to deal with 'hostile groups', which is a term that is so ill defined it could be interpreted to include human rights defenders and social activists taking part in demonstrations.

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<sup>1</sup> A/HRC/22/15, recommendations 116.111-116.113 (Germany, Hungary, Mexico)

<sup>2</sup> Ibid, recommendations 116.34-116.35 (Poland, Norway), 116.53 (Canada),

<sup>3</sup> Ibid, 118.2 (Finland) which Peru maintains is in the process of implementation.

Mr. President,

We welcome that a number of states raised the need for improved access to sexual and reproductive health services, including therapeutic abortion.<sup>4</sup> Although Article 119 of the Penal Code provides for abortion under certain circumstances, the lack of legal instruments to regulate its provision means that health professionals are not prepared to provide the therapeutic abortions to which women are entitled. We call on Peru to create a national protocol for therapeutic abortion to apply to all hospitals in the country.

We also welcome Peru's acceptance of recommendations to protect human rights defenders<sup>5</sup> and we call upon the government to ensure they can carry out their work without fear of intimidation.

Finally, Mr. President,

We applaud Peru's acceptance of recommendations to nominate the National Ombudsman as the national preventive mechanism required by the Optional Protocol to the Convention against Torture,<sup>6</sup> and urge the government to ensure that the National Ombudsman is allocated the necessary resources to carry out this task.

Thank you, Mr. President.

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<sup>4</sup> Ibid, 116.93-116.98 (Sri Lanka, Iraq, Slovenia, Portugal, Finland, Mexico)

<sup>5</sup> 116.72 (Australia), 116.74 (Netherlands)

<sup>6</sup> Ibid, 116.16 – 116.18 (Morocco, Mexico, Spain)