



Téléfax: (41-22) 917 9006  
Télégrammes: UNATIONS, GENEVE  
Téléx: 41 29 62  
Téléphone: (41-22) 928-9212  
Internet [www.ohchr.org](http://www.ohchr.org)  
E-mail: [gmagazzeni@ohchr.org](mailto:gmagazzeni@ohchr.org)



Address:  
Palais des Nations  
CH-1211 GENEVE 10

The Office of the High Commissioner for Human Rights (OHCHR) presents its compliments to the Permanent Mission of Peru to the United Nations Office and Other International Organizations at Geneva and has the honour to transmit herewith a letter from the High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, to H E. Mr. Nestor Popolizio Bardales, Minister of Foreign Affairs of Peru.

The letter follows the adoption by the Human Rights Council at its 37<sup>th</sup> session of Peru outcome document resulting from its participation in the third cycle of the Universal Periodic Review. OHCHR would like to take this opportunity also to inform the Permanent Mission of Peru to the United Nations Office and Other International Organizations at Geneva that the High Commissioner will address all Member States as they go through the third cycle and that the letters will be made available on the OHCHR website, in the relevant country page.

The Office of the High Commissioner for Human Rights avails itself of this opportunity to renew to the Permanent Mission of Peru to the United Nations Office and Other International Organizations at Geneva the assurances of its highest consideration.

18 April 2018





HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of Peru and welcome the constructive engagement of your Government during the 28<sup>th</sup> session of the UPR Working Group in November 2017.

As the final outcome report on the review of Peru was recently adopted by the Human Rights Council at its 37<sup>th</sup> session, I am writing to follow up on a number of areas raised in two reports that my Office prepared for the review – the compilation of UN information and the summary of stakeholders' submissions – which I consider in need of particular attention over the next four and a half years until the next cycle of the UPR. In identifying these areas, I have also considered the recommendations made by 69 countries, Peru's presentation and responses, and the action taken by the Government to implement the 129 recommendations it accepted during the second UPR cycle. The areas cover a range of issues and are set out in the annex to this letter.

Among the subjects discussed during the review of Peru, I am particularly encouraged by the establishment of the National Commission against Discrimination and the "Alert against Racism platform", and I encourage Peru to share this good practice with other countries. I also welcome the recent approval of the third National Human Rights Action Plan 2018-2021, with the inclusion of the LGBTI persons, and the incorporation of a strategic objective on the implementation of the international standards regarding business and human rights.

I encourage Peru to implement its third national human rights action plan in order to achieve concrete results in the areas contained in the annex and to facilitate Peru's preparations for the fourth cycle of the UPR. The implementation of the national human rights action plan should include consultations with all stakeholders, in particular civil society organisations, and, where necessary, the support of international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other United Nations entities under the leadership of the UN Resident Coordinator.

H E. Mr. Néstor Popolizio Bardales  
Minister of Foreign Affairs  
Peru



I also encourage Peru to strengthen its national mechanism for comprehensive reporting and follow up in relation to international and regional human rights mechanisms and treaty obligations. I strongly recommend to Peru the use of the practical guide that my Office released in 2016 on this topic and which is available at: [http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf)

Please be advised that I will be sharing my advice with all Member States as they go through the third cycle with a view to assisting them to begin implementing the UPR recommendations early on, following the review. An important measure that can contribute positively to follow up action is voluntary mid-term reporting. I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the outcome report. In this regard, I encourage Peru to submit such a report for the third cycle, by 2020.

As the Secretary-General states in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist Peru to take action in the areas I have identified.

Please accept, Excellency, the assurances of my highest consideration.

Zeid Ra'ad Al Hussein  
High Commissioner for Human Rights

cc.: Mr Miguel Angel Soria Fuerte, Vice-Minister of Human Rights and Access to Justice of the Ministry of Justice and Human Rights.



## **Annex**

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Strengthen the normative framework by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

### **National human rights framework**

- Implement the National Human Rights Action Plan 2018-2021, in consultation with, and through the participation of a broad range of stakeholders.
- Develop a National Plan of Action on Business and Human Rights in accordance with the United Nations Guiding Principles on Business and Human Rights.

### **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **A. Cross-cutting issues**

##### *Equality and non-discrimination*

- Adopt legislation to expressly prohibit and sanction discrimination and violence based on sexual orientation and gender identity.

#### **B. Civil and political rights**

##### *Rights to life, liberty and security of person*

- Strengthen measures to prevent police violence and effectively investigate cases of unlawful killings, violence, torture and other forms of ill-treatment involving police, security forces and prison personnel;
- Adopt additional measures to improve the conditions in prisons and other detention centres, including to address overcrowding and degrading conditions, sanitation, and medical care.

##### *Administration of justice, including impunity and the rule of law*

- Strengthen measures aimed at combating impunity for crimes against humanity and grave human rights violations.

##### *Fundamental freedoms and the right to participate in public and political life*

- Adopt concrete measures to ensure the protection of human rights defenders, including through the establishment of a dedicated mechanism and the finalization of the protocol of protection.

## **C. Economic, Social and Cultural Rights**

### *Right to an adequate standard of living*

- Enhance the promotion of economic and social development, poverty reduction, and improve people's living standards, particularly in rural areas.

### *Right to health*

- Strengthen efforts to provide accessible, inclusive and quality health care for all throughout the country, including in rural areas;
- Increase access to family planning, comprehensive sexual education and sexual and reproductive health care, and decriminalize abortion in cases of rape, incest, non-viability of the foetus and endangerment to the mother's health.

### *Right to education*

- Take additional measures to improve the accessibility and quality of public education –including intercultural education-, ensuring inclusive education, particularly in rural areas.

## **D. Rights of specific persons or groups**

### *Women*

- Pursue efforts towards gender equality and to combat all forms of discrimination against women and girls;
- Strengthen measures aimed at combatting and eliminating violence against women, including domestic violence and femicide; take all necessary measures to improve multisectoral actions, prosecution, awareness raising programmes; and improve emergency centres for women and girls.

### *Children*

- Strengthen efforts to reduce child poverty and to eliminate child labour.

### *Minorities and indigenous peoples*

- Improve the process of prior consultation with indigenous peoples in the context of extractive sector projects; adopt an effective plan of action for the demarcation and protection of indigenous lands.
- Strengthen measures to protect the rights and inclusion of persons of African descent in development policies and plans.
- Adopt further effective measures and policies aimed at combatting stigma and discrimination against indigenous peoples and Afro-Peruvians, including in access to education, employment and health.