

UPR MONITOR

International Service for Human Rights



Human Rights Monitor Series

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Overview

The review of Peru under the universal periodic review (UPR) mechanism on 6 May 2008 comprised of a relatively constructive and open discussion between the State under review and the 28 States that took the floor during the interactive dialogue. The Minister of Justice used her opening presentation to acknowledge the challenges facing Peru as it continued its democratisation, as well as its achievements during the last eight years. Points raised during the presentation included: the participation of civil society in preparation for the UPR; the effects of terrorism and the trying of alleged terrorists in accordance with international standards; the improving economy and efforts to ensure that all persons benefit from these improvements; the treatment of prisoners and efforts to improve the penitentiary system; and efforts to implement the recommendations of the Truth and Reconciliation Commission (TRC). The Minister also chose to address specific questions raised by States via the troika, including in relation to violence against women and the status of the death penalty.

During the interactive dialogue many States commended the efforts of Peru in improving its human rights record. There were also, however, a proportionately high number of questions posed and recommendations for improvement provided by States. These included:

- implementing the recommendations of the Truth and Reconciliation Commission,¹ including by providing the National Council for Recommendations with more funding;²
- the treatment of human rights defenders³ and the removal of civil society from National Human Rights Council⁴, including a request that Peru report back to the Council on further efforts taken;⁵
- challenges in implementing the action plan on violence against women⁶ and the need to expand the definition of violence against women in the criminal code;⁷
- the length of criminal proceedings, prison overcrowding, and reprisals and treatment of prisoners;⁸
- the proposal to set up a national record of complaints against torture, and establish national preventive mechanisms in accordance with OPCAT⁹, as two examples of the need to strengthen the fight against torture;¹⁰
- measures to control child labour;¹¹
- the abolition of the death penalty and calls for Peru to ratify the second Optional Protocol of the ICCPR;¹²
- the fact that one third of population does not have ID papers and thus are denied full rights.¹³

As almost 38 minutes of the one hour allocated to Peru were used during the presentation, little time was left to address questions raised by States. However, the Minister and her delegation did appear to attempt to answer the majority questions posed. In terms of other broad trends, a high percentage of comments by States referred to the recommendations or comments of treaty bodies or special procedures. African States were also notable in their absence from the review.

General information on State under review

Membership of the Human Rights Council

Peru is a member of the Human Rights Council (term, 2006 – 2008).

Members of the troika

Mali, India, Cuba¹⁴

National consultation

According to the State report, national consultation with civil society was not possible. However, it affirmed that consultations would be held when to follow up the concluding observations of the Working Group.

¹ Republic of Korea, Canada, Netherlands, the United Kingdom, Belgium, France, Brazil, Uruguay.

² Belgium.

³ Netherlands, Brazil, Australia.

⁴ United States, United Kingdom, Netherlands.

⁵ Netherlands.

⁶ Pakistan, Malaysia, Italy.

⁷ Turkey.

⁸ Canada, UK.

⁹ Mexico

¹⁰ Canada.

¹¹ Portugal, Japan, Italy

¹² Philippines, Portugal, UK, Italy.

¹³ Slovenia, Russian Federation.

¹⁴ Regional groups selected: African Group, Asian Group, GRULAC. There were no objections by Peru or by the members of the troika to the selection. For a full summary of the selection of troikas, see

http://www.ishr.ch/hrm/council/councilalert/council_update_7session.pdf

Information submitted to the Working Group

State report¹⁵

Peru's State report began with an overview of its political transition towards democracy, and of the methodology adopted to prepare the report. The second part of the report focused on the legal and institutional framework for promotion and protection of human rights in the country. It drew attention to the 1993 Constitution as a milestone for human rights protection in Peru, and to the setting up of a number of executive bodies dealing with human rights, including the Executive Secretary of the National Council for Human Rights (CNDH), the Defensoria del Pueblo,¹⁶ fourteen Ministries carrying out activities in areas directly linked to human rights, and the Constitutional Tribunal. The report noted a number of initiatives adopted so as to promote a culture of peace and compensate victims of human rights violations perpetrated between 1980 and 2000 by terrorist organizations and State agents.¹⁷ Furthermore, it underscored a number of actions touching upon impunity, access to justice, discrimination against women, sexual violence, indigenous rights, rights of disabled persons, and people with HIV/AIDS. The fourth part of the report referred to major challenges faced by the Government, including the consolidation of the national reconciliation process, the fight against impunity, reform in the administration of justice, and poverty.

Official UN documents¹⁸

The OHCHR compilation of official UN documents welcomed Peru's ratification of several international human rights treaties,¹⁹ while noting that some domestic laws were not in line with international legal standards.²⁰ The cooperation of the Government with international human rights mechanisms was commended, yet Peru did not respond in due time to any questionnaire sent by special rapporteurs between 2004 and 2007, and only replied to 30% of the communications alleging violations and making urgent appeals. Peru was credited for the adoption of a number of initiatives, including the national plan of human rights,²¹ the National Mental Health and Culture of Peace Strategy,²² the national plan of action for children and adolescents,²³ the national plan of action on the prevention and eradication of child labour,²⁴ the national plan of action on poverty,²⁵ and the national plan for equal opportunities.²⁶ Furthermore, Peru was credited

¹⁵ National Report, available at <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/PESession2.aspx>

¹⁶ National Human Rights Institution

¹⁷ Initiatives on the matter include the set of a Truth and Reconciliation Commission, of an Integral Plan of Compensation, of a Compensation Council, and of a High Level Multisectoral Commission.

¹⁸ A/HRC/WG.6/1/PER/2, available at <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/PESession2.aspx>

¹⁹ Core universal human rights treaties to which Peru is party: International Convention on the Elimination of All Forms of Racial Discrimination (CERD), International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights (ICCPR), First Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP1) Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Optional Protocol to the Convention on the Elimination of Discrimination against Women, Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (CAT), Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment (OP-CAT), Convention on the Rights of the Child (CRC), Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, International Convention on the Rights of Migrant Workers (ICRMW).

²⁰ Committee on the Rights of the Child (CRC).

²¹ Special Rapporteur on the right to health.

²² Special Rapporteur on the right to health.

²³ CRC

²⁴ CRC

²⁵ CRC

²⁶ ILO Committee of Experts.

for the establishment of bodies intended to enhance respect for human rights, including the Office of the Ombudsman of Peru, accredited by the International Coordinating Committee of National Human Rights Institutions with ‘A’ status, and the Ombudsman Office.²⁷ The section on the ‘implementation of international human rights obligations’ listed specific concerns, including the absence of legislation on equality between women and men,²⁸ racism against Afro-Peruvian women,²⁹ children with disabilities,³⁰ discrimination against indigenous groups,³¹ torture by law enforcement agents,³² safety of witnesses,³³ threats faced by human rights defenders and journalists,³⁴ overcrowding in prisons,³⁵ violence against women,³⁶ child labour,³⁷ traffic of persons,³⁸ poverty,³⁹ access to health,⁴⁰ housing conditions,⁴¹ and access to education.⁴²

Other relevant stakeholders⁴³

The OHCHR summarized the information submitted by seventeen stakeholders.⁴⁴ The Defensoria del Pueblo highlighted the need to review its organic law so as to overcome inefficiencies, and the Latin American Committee for the Defence of Women’s Rights noted that the restructure of the Government’s institutional framework limited the competencies of the Ministry of Women. A number of NGO’s referred to the limitations in implementing the National Plan of Human Rights,⁴⁵ especially regarding training of judges and protecting sexual rights. CLADEM-Peru addressed the failure of the Government to adopt a gender perspective in its public policies, and further noticed that during the last seven years Peru’s measures combating violence against women were inefficient. In the section “promotion and protection of human rights obligations on the ground”, the main issues raised were the non-existence of an express prohibition of discrimination based of sexual orientation;⁴⁶ discrimination against women;⁴⁷ lack of policies on sexual orientation;⁴⁸ draft bills before the Congress aiming to extend the scope of the death penalty;⁴⁹ threats against

²⁷ UNICEF.

²⁸ Committee on the Elimination of Discrimination against Women (CEDAW).

²⁹ CEDAW.

³⁰ CRC.

³¹ Committee on the elimination of racial discrimination (CERD), CRC, Committee on Economic, Social and Cultural Rights (CESCR).

³² Committee against Torture (CAT).

³³ Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on torture; Special Rapporteur on freedom of opinion and expression; Special Representative of the Secretary-General on the situation of human rights defenders.

³⁴ Working Group on the use of mercenaries, Human Rights Committee (HR Committee).

³⁵ CAT.

³⁶ CEDAW.

³⁷ CRC.

³⁸ CRC, CESCR.

³⁹ CRC, CESCR.

⁴⁰ CRC, CERD.

⁴¹ Special Rapporteur on adequate housing.

⁴² CEDAW, CRC.

⁴³ A/HRC/WG.6/1/PER/3, available at <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/PESession2.aspx>.

⁴⁴ Action Canada for Population Development (ACPD), Anti-Slavery International (ASI), Amnesty International (AI), Centro de Derechos Reproductivos (CDR), Centro de Promocion y Defensa de los derechos sexuales y reproductivos PROMSEX (CPDDSR-PROMSEX), Latin-American Committee for the Defence of Women’s Rights (CLADEM-Peru), National Human Rights Coordinator (CNDDHH), Confederacion Sindical Internacional (CSI), Earth Justice and the Interamerican Association for Environmental Defence (EJ-AIDA), Joint Submission by the International Human Rights Federation (FIDH) and its associated organizations in Peru (FIDH-APRODEH-CEDAL), Global Initiative to End All forms of Corporal Punishment of Children (GIEACPC), Human Rights Watch (HRW), Instituto Runa de Desarrollo y Estudios sobre Genero (IRDEG), Internal Displacement Monitoring Centre of the Norwegian Refugee Council (IDMC-NRC), Movimiento Amplio de Mujeres (MAM Fundacional), Society for Threatened Peoples (STP), Defensoria del Pueblo (National Human Rights Institution).

⁴⁵ FIDH-APRODEH-CEDAL, ACPD, CLADEM-Peru.

⁴⁶ CLADEM-Peru, ACPD.

⁴⁷ FIDH-APRODEH-CEDAL.

⁴⁸ CLADEM-Peru, ACPD, Centro de Promocion y Defensa de los derechos sexuales y reproductivos-PROSEX, Institute Runa de Desarrollo y Estudios sobre Genero (IRDED).

human rights defenders;⁵⁰ forced labour;⁵¹ trafficking of women and children;⁵² intimidation of journalists by local government officials;⁵³ restrictions to freedom of association;⁵⁴ access to health by poor communities;⁵⁵ the situation of indigenous communities;⁵⁶ and the situation of internally displaced persons due to the internal armed conflict.⁵⁷ The Defensoria del Pueblo identified as main challenges the fight against corruption and the compensation of victims of political violence. ACDP underscored the importance of State intervention so as to promote and protect sexual and gender identity.

Interactive dialogue⁵⁸

Presentation by the State

The Minister of Justice of Peru, Ms Rosario Fernandez, opened her presentation by highlighting that Peru's signature of international conventions and its efforts to rebuild its society following dictatorial rule convey its commitment to the promotion and protection of human rights. It saw the UPR as a universal tool and the most important mechanism of the Council. Noting the seriousness that States undertook the UPR in the first session, the Minister assured that Peru would continue on the same track. Noting for example its shortcomings in relation to submitting reports to the human rights treaty bodies, the Minister detailed a timeline for submission as part of her opening statement.⁵⁹

In the wake of terrorism perpetrated by the 'Shining Path' in the 1980s, which brought with it 70,000 victims, poverty and inequality, Peru was still working for authentic democracy, and an independent judiciary has convicted terrorists in ordinary courts in accordance with international standards. Economic growth has continued over the last 6 years, and presently stands at 9% growth. Poverty had decreased by 10% since 2000 and the Government was optimistic that full development could be met. Acknowledging also that the most disadvantaged in Peru still do not receive the benefits of society – the Minister stated that one of the most important challenges was to show that the democratic system works for all and that economic, social and cultural rights are respected.

The Minister explained that the juridical structure incorporated international treaties automatically through Article 44 of the Constitution, and the Ministry of Justice ensures implementation of the law and access to justice. The National Council for Human Rights also enjoys permanent standing to study the implementation of the recommendations that will flow from the UPR.

Turning to thematic issues, the Ms Fernandez first addressed the treatment of prisoners as a 'very sensitive issue' that needs to be improved. She stated that the Council of Ministers had approved the plan to improve the situation of detainees, to provide free legal advice, and to improve the infrastructure of the prison system

⁴⁹ HRW, AI.

⁵⁰ AI.

⁵¹ Anti-slavery International.

⁵² Anti-slavery International.

⁵³ HRW.

⁵⁴ CSI.

⁵⁵ AI.

⁵⁶ STP.

⁵⁷ IDMC.

⁵⁸ Most statements made at the UPR Working Group can be found at <http://portal.ohchr.org/portal/page/portal/UPR>. Fill in the form at www.ohchr.org/english/bodies/hrcouncil/form.htm to receive username and password. Audiovisual archives of the meetings of the Working Group webcast are available at www.un.org/webcast/unhrc/index.asp.

⁵⁹ Will send ICERD report in December 2008, CESCR report in December 2008 and ICCPR report in June 2009. 2. OPCAT – willing to fulfil willingness re 3 and 17 art, will appoint one or more prevention mechanisms.

in every regard. The Minister claimed that the definition of freedoms are an essential reference point for the administration and include, as laid down in the report, work done by the Truth and Reconciliation Commission (TRC), the struggle against discrimination against women, persons with disabilities and other vulnerable groups. She stressed that an 'independent, modern and transparent justice system' was also essential to avoid impunity, and she hoped that all districts of the country would be applying the new Penal Code by 2010.

The Minister then addressed questions received from States via the troika. On discrimination and equal opportunities for women and violence against women (Canada and the United Kingdom), Ms Fernandez's declared that this was a high priority, as illustrated in the establishment of Ministry of Women's Affairs. In March 2007 the law on equal opportunities was adopted, the 2008 Ombudsman's report on the subject shows regional equal opportunity plans in place, and zero tolerance plan on sexual violence is being implemented, and a national communications campaign is underway. On the penitentiary system (Canada) the plan for 2008 - 2017 will aim at re-socialisation of prisoners through voluntary work, and this is attractive to private business. The State has also established a commission for pardons and amnesties for humanitarian reasons. The Minister also addressed questions on the status of the death penalty by stating that there had not been an execution in 30 years, and that under the Constitution it could only be applied for acts of terrorism or during times of war. She noted, however, that draft laws were being discussed in Parliament to apply the death penalty for other offences.

The Minister concluded by responding that the Ombudsman is independent and operates in compliance with the Paris Principles.⁶⁰ The recommendations of the Truth and Reconciliation Commission (TRC) were being integrated into a programme for compensation, through which rural communities have benefited from collective compensation, and judicial procedures were also underway to look at most emblematic cases..

As the presentation to this point had taken 38 minutes, Ms Fernandez stated that the rest of the answers to questions would be posted on the Ministry's website. The Working Group then proceeded to the interactive dialogue.

⁶⁰ Principles Relating to the Status of National Institutions (the Paris Principles), available at <http://huachen.org/english/law/parisprinciples.htm>

Table on the interactive dialogue

Country	Positive comments	Critical comments	Questions	Recommendations <small>(including questions as recommendations, bold text denotes recommendations that enjoy the support of the State under review)</small>	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
Pakistan	Very comprehensive report. Strong constitutional and institutional safeguards of human rights on account of its history. Human rights firmly engraved in policy. Positive reforms regarding women, indigenous peoples, disabled persons and HIV/AIDS. Frank acknowledgment of challenges.		How was the national action plan on human rights developed?			In the elaboration of the NAP 2006-10, the State saw the need for an integral document and that it was necessary to develop a plan for HRs. Consultations conducted were without precedent – 18 public hearings, consultation with public and private organisations, including 78 participants from civil soc.
Algeria	Commend for ratification of the Convention on mercenaries, shows support for the right to self-determination. Appreciate the support of indigenous peoples.		How can situation of indigenous peoples continue to be improved?		CERD -satisfaction with Ombudsman's work with indigenous peoples.	Peru has commitment to indigenous peoples as it is among the most populous in Latin America. Presented the draft Declaration on the Rights of Indigenous Peoples to the Council. Domestically making many efforts including halting mining projects.
Philippines	Deserves support and praise for efforts to		Any measures or programmes aimed			

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	bring justice to victims of the past decades, and reparation plans. Look forward to final report of the Truth and Reconciliation Commission (TRC). Party to main treaties a sign of clear commitment. Support the moratorium on the death penalty.		at eliminating all forms of discrimination, trafficking?			
Korea	National report and presentation shows unswerving commitment. Notes the ‘A status’ of NHRI. Commends work of the TRC.		What kinds of difficulties were faced that led to the late submission of reports to treaty bodies?	Recommended that Peru further cooperate with the activities of the Ombudsman and in implementing the recommendations of the TRC.	Reports long overdue to CERD, CDESCR and HRC.	As mentioned in introduction, timetable is now in place for submission of reports.
Canada	Noted significant progress over the last eight years. Commended work and recommendations of the TRC.			Recommended that Peru intensify efforts to act on recommendations of TRC report. Investigate all acts of torture committed by agents of the State, and protect those who come forward. Continue to improve prison conditions in	Amnesty International’s comments on reprisals and treatment of prisoners. CAT - concern on length of criminal proceedings. Reduce prison overcrowding, and	Peru firmly committed to the elimination of torture. Prisons one of the most important tasks of the Minister of Justice – she visits penitentiaries – meets with prisoners in public, receive calls and answers letters. Essential to ensuring that human

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				accordance with CAT recommendations.	ensure that civilian and not military authorities oversee the running of prisons.	rights are enjoyed properly.
Colombia	Democracy is on track by 2008. Governmental framework provides good basis for the promotion and protection of human rights.		How is civil society involved in developing a culture of peace and non-discrimination?			(On development of national action plan with civil society involvement, see response to Pakistan) Ministry of Women's Affairs – new major study now looking at violence against women will contribute to culture of peace. Now preparing 5 th stage of census for peace.
Chile	Credited detailed national report. Signing of the National Agreement in 2002 to consolidate democracy. Party to core human rights treaties. Recognised efforts in the field of gender. High importance given to freedom of expression.					
Turkey	Commended its			Address concerns that	CEDAW –	

Country	Positive comments	Critical comments	Questions	Recommendations (including questions as recommendations, bold text denotes recommendations that enjoy the support of the State under review)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review
	transition to democracy. Noted the value of communication with civil society. Pledged to implement national plan policies.			oil production and mining are taking precedence to rights of people who are affected by these activities. Recommended that Peru expand definition of violence against women in accordance with CEDAW's recommendation.	definition of violence against women.	
Belgium	Agree with the positive assessment of treaty bodies of the Truth and Reconciliation Commission.		What are the financial and legal provisions in place so that the National Council for What are the distinctions of the 'High Level Committee' from National Council? What plans to set up witness protection system?	Recommended that Peru provide the National Council for Recommendations with more funding, set up an adequate witness protection system.	CAT's comments on the TRC.	The high level committee looks at collective reparations and the former commission individual. State has allocated \$37 million (USD) to the TRC to do its work. Have made all efforts to obtain resources.
Germany		Public trust in judicial system appears to be low.	What efforts are being made to combat corruption?	Commit to improving the judicial system.		Confidence in the justice system – have formulated number of policies to increase confidence. However, probably the most effective is that of civil

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						society, bringing to trail those of the highest rank with absolute transparency, and that is changing the public view. The behaviour of judges is improving. The new criminal procedure code is also ensuring that the system is working more efficiently.
Malaysia	Respected its general efforts. Endorsed CEDAW's commendation for its efforts in relation to violence against women.		More information on challenges in implementing action plan on violence against women, especially women forced to undergo steralisation and Governmental efforts in this regard.		CEDAW – violence against women.	
Portugal	Welcomed quality of report.		2006 CRC welcomed measures taken but noted that many children remain on the labour market.	Recommended that Peru ratify second Optional Protocol of the ICCPR and abolish the death penalty.	CRC and child labour	

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			What efforts have been made?			
Netherlands	Welcomed report of the TRC.	Treatment of human rights defenders. Special Representative on human rights defenders raised concerns in 2006.		Few recommendations of the TRC have been implemented. Recommended that Peru report back to the Council on implementation. Recommended that Peru ensure the protection of human rights defenders and report back to the Council on further efforts taken in this regard.	CEDAW, CRC, CAT – commended the recommendations of the TRC.	
Japan		Remains high use of child labour.	Any further measures to control child labour, including towards employers? Elaborate on efforts relating to sexual exploitation of minors.	Should be lower wages and tighter control of child labour.	UNICEF survey on child labour. CRC and CEDAW on child labour. Special Rapporteurs on right to housing and health on the integration of human rights into policy.	
Slovenia	Comprehensive national report and good presentation.	One third of population does not have ID papers and thus are denied full	How do they intend to solve problem of identification? What efforts to	Recommended that Peru: issue identity papers to all; integrate the gender	Thanked OHCHR for useful compilations.	315,000 minors and many more 1000s over 18 don't have ID documents.

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		rights. Health care not reaching marginalised communities.	ensure the farthest reach of healthcare? What obstacles prevented the visit of the Special Rapporteur on freedom of expression, requested 4 years ago?	perspective in the UPR process; report regularly to the treaty bodies and respond to special procedures; consider applying the Yogyakarta Principles as a guide to assist in policy development.		On access to health, 50.2% were in poverty (when) and 71% in the rural areas so now 44% and 24%. So continually going down. Have to credit the roundtable on the fight against poverty – which contained civil society members and reached agreements on how to combat poverty in every region. Not true that the State intended to prevent visit of Special Rapporteur on FoE – welcome visit of all procedures. There was no record of this request so there must be some misunderstanding – would welcome another request.
Russian Federation			What measures taken have been taken regarding the death of Peruvians working for foreign companies abroad?			

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			How many indigenous persons do not have ID?			
United Kingdom	Noted evident Commitment in efforts at home and at the Council. Thanked Peru for answering its questions submitted in advance. Commended the bringing of trail those who took part in violence 1980-2000. Freedom of expression, assembly, movement, thought and religion guaranteed and generally respected. Commended ratification of OPCAT.	Concern around the reopening of discussion on the death penalty in Parliament. Criticised the ending of civil society's role in the National Human Rights Council. Echoed CAT's concern with the situation of overcrowding in prisons	What steps to tackle overcrowding in prisons?	Recommended that Peru: take further efforts to implement outstanding recommendations of the TRC; abolish death penalty; further involve civil society in follow-up to the UPR.		Health in prisons – Peru does recognise this as an issue and has national plan for the development of prison infrastructure, coming from Council of Ministers. Will provide sustainable development of the prison structure in treatment, health, education and work.
China	[Cannot comment on report, only presentation, as it was not translated]. Congratulated Peru on economic and social development.		Sought information on achievements of Ministry of Wealth and Social Development?			
Mexico	Commended ratification of core instruments and standing invitations, as		Plan of justice admin not complete (para. 108-9 of	Set up national record of complaint against torture, and national		

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	well as general advances.		national report). Wished to know more about central plan.	preventive mechanisms. Recommended that Peru ratify the Convention on Enforced Disappearances and have trafficking defined as a crime in accordance with the Palermo Protocol.		
Uruguay	Seriousness of the TRC and efforts in prosecuting former dictator Alberto Fujimori.	Extreme conditions of detention		Recommended that high-altitude detention centre Yanamayo should be closed because of climactic conditions.		
Azerbaijan	Noted that the NHRI has again been accredited with ‘A status’ by the International Coordinating Committee of NHRIs. Party to core human rights treaties.		Why were many invitations to SRs still outstanding? Were there plans to regulate the activities of private companies?			
France			What measures will be taken to throw light on enforced disappearances?	Recommended that Peru ratify the Convention and fully implement all recommendations of the TRC.		
United States	Thanked Peru for comprehensive presentation	Removal of civil society from National Council. More intimidation	What is being done to decrease press intimidation, and to prosecute	Recommended that Peru: demonstrate commitment to engage with civil society;		NGO participation in National Human Rights Council – ‘must emphatically deny that

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		of press. Increase in discrimination against Afro Peruvians.	offenders?	expedite prosecution and support free press in Peru.		they were excluded'. In Peru the publication of the Gazette modifies the regulations not to exclude but allows the state to define its own legal defence strategy when complaints are submitted by NGOs. State must on occasion by allowed to sit on its own. No link between threats to journalists and the State. There is the greatest freedom of expression, and necessary safeguards are provided for such persons.
Italy		Concerned with recent initiative to expand the death penalty, fortunately not taken up by Parliament. Violence against women. Child labour and the informal		Recommended that Peru maintain the de facto moratorium towards abolition of the death penalty. As per CRC, measures should be increased to eradicate child labour.	CRC – child labour.	

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		economy.				
Brazil	Welcomed all important steps taken toward democracy, including the establishment of the TRC, and the legal and regulatory framework.		What have been the main steps taken in the fulfilment of the rights of the child? Achievements of the TRC?	Consider establishing a commission for the protection of human rights defenders, which could be a form of witness protection programme.		
Argentina	Clearly structured report. Good efforts in protecting the right to truth.		Sought information on additional elements about the plan on the right to truth.			
Australia		Concerns that the protection of human rights defenders is very poor.	How does the Government respond to these observations?	Recommended that Peru commit to ensure that all involved with human rights defenders carry out their work without fear of intimidation.	Para 14 of NGO summary on the treatment of HRDs (Amnesty International)	
Ecuador	Efforts taken against Shining Path terrorist organisation – creation of the TRC in order to affirm peaceful co-existence among the peoples.					

Adoption of the report [8 May/12.30pm]

The adoption of the report of Peru was brief. Speaking of behalf of the troika, the Ambassador of Cuba, introduced the report by expressing his appreciation for the other troika members and stating that all were happy with the draft report. A small technical error of certain text appearing in bold would be corrected by the secretariat. Peru did not express any comments on the recommendations, and it was stated that they would do so at a later stage.⁶¹ On this basis, the report of the Working Group was adopted *ad referendum*.

⁶¹ A/HRC/WG.6/2/L.3 , para. 53: ‘The response of Peru to these recommendations will be included in the outcome. report adopted by the Human Rights Council at its eighth session.’

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ABOUT THE PUBLICATION

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