



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination

**Information received from Peru on follow-up to
the concluding observations on its combined
twenty-second and twenty-third periodic reports***

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* The present document is being issued without formal editing.



I. Introduction

1. In accordance with article 9 (1) of the International Convention on the Elimination of All Forms of Racial Discrimination and rule 65 of its revised rules of procedure, the Committee on the Elimination of Racial Discrimination has requested the Peruvian State to report on the measures taken to give effect to the recommendations set out in paragraphs 23 (c), 25 (d) and 27 of its concluding observations on the combined twenty-second and twenty-third periodic reports of Peru.

II. Follow-up information ([CERD/C/PER/CO/22-23](#))

A. Follow-up information relating to paragraph 23 (c) of the concluding observations

2. As a preliminary point, it should be noted that the Ministry of Justice and Human Rights has the lead role in implementing the National Human Rights Plan 2018–2021, a public policy tool that was developed with the aim of coordinating the efforts undertaken by various governmental bodies to safeguard human rights, with human rights defenders being included for the first time as a specially protected group.¹

3. In addition, under the National Human Rights Plan, strategic guideline No. 3, on the design and implementation of policies in favour of specially protected groups, provides for the creation of mechanisms to ensure that human rights defenders throughout the country can carry out their peaceful, non-violent work, whether it is paid or done on a volunteer basis. To this end, a goal has been set to have a mechanism in place for the protection of human rights defenders by 2021.²

4. Furthermore, between 2018 and 2021, Peru participated in four public hearings before the Inter-American Commission on Human Rights:³

(a) The first, on the situation of indigenous people in the Peruvian Amazon, land and environment, was held in December 2018, during the Commission's 170th regular period of sessions, and dealt with reports that the human rights of members and leaders of the indigenous community of Santa Clara de Uchunya, in the Peruvian Amazon, had been violated because of their role as defenders of the human rights of indigenous peoples;⁴

(b) The second, held in February 2019, dealt with the situation of human rights defenders and integral protection policies in Peru;⁵

(c) The third, held on 6 October 2020, dealt with the human rights of indigenous peoples in the Amazon of Peru and addressed the attacks and threats faced by indigenous leaders for defending their lands and territory;⁶

¹ Ministry of Justice and Human Rights. Informe sobre los avances del primer año de implementación del Plan Nacional de Derechos Humanos 2018–2021 (Progress report on the first year of implementation of the National Human Rights Plan 2018–2021), 2019, p. 3. Available at <https://observatoriorederechoshumanos.minjus.gob.pe/wp-content/uploads/2019/09/Informe-de-avances-primer-an%CC%83o-de-implementacio%CC%81n-del-PNDH-2018-2021-18092019-1.pdf>.

² Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Report No. 069-2021-JUS/DGDH-DGPGDH. Date: 16.09.2021, p. 4.

³ Idem.

⁴ Ministry of Justice and Human Rights. Counsel General's Office for Supranational Affairs. Note No. 2169-2019-CDJE/PPES. Date: 04.11.2019, p. 4.

⁵ Ministry of Justice and Human Rights. Counsel General's Office for Supranational Affairs. Note No. 2169-2019-CDJE/PPES. Date: 04.11.2019, p. 5.

⁶ Inter-American Commission on Human Rights. Hearing on the human rights of indigenous peoples in the Amazon of Peru, 177th session, 6 October 2020. Available at <https://www.youtube.com/watch?v=gLX1wHjRwOY&list=PL5QlapyOGhXvSpI6KjULe1js4rkzIIzdd&index=18>.

(d) The fourth, held on 23 March 2021, dealt with the assessment of the policy for the protection of human rights defenders in Peru, in relation to the measures implemented by the State to protect this specially protected group;⁷

(e) In the context of these hearings, the State reported on the adoption of regulatory measures and other initiatives in the areas of corruption and human rights, the protection of human rights defenders, the fight against impunity and land titling. Initiatives were carried out by the Ministry of Justice and Human Rights, the Ministry of the Interior, the Ministry of Culture, the Ministry of the Environment, the Attorney General's Office and the Peruvian National Police. The State also recognized the remaining challenges relating to the protection of rights in the aforementioned areas.

5. A protocol to ensure the protection of human rights defenders was adopted in 2019.⁸ Its main objective was to set out coordination measures, actions and procedures to create a nationwide environment conducive to human rights defenders' efforts to promote, protect and defend such rights.⁹

6. While the protocol was in force, it was mandatory for offices of the Ministry of Justice and Human Rights to comply with it. The protocol also fostered coordinated action with other public bodies, such as the Ministry of the Interior, the Peruvian National Police, the Attorney General's Office, the Ombudsman's Office and regional governments.¹⁰

7. In addition, one of the mechanisms provided for in the protocol, for which the Directorate General of Human Rights of the Ministry of Justice and Human Rights was responsible, was the design, implementation and management of a register of complaints and incidents involving situations of risk for human rights defenders and the establishment of an early warning procedure that would allow the relevant bodies to respond promptly to attacks or threats against human rights defenders.¹¹

8. The early warning procedure was activated at the request of the person threatened or any person who was aware of the risk. After the request was accepted, State involvement began when the person who would potentially receive protection under the procedure (a) was identified and located; (b) gave his or her consent, unless unable to do so; (c) provided a description of the facts relating to the situation of risk and, if possible, supporting evidence; and (d) requested the protection measure or emergency protection measure that he or she wished to have put in place.¹²

9. By April 2021, there had been a total of 31 requests for the activation of the protocol's early warning procedure. Of that number, 22 met the requirements set out in paragraph 7.2.3 of the protocol and were therefore accepted; 15 resulted in the issuance of early warnings to the competent bodies, by means of directorial decisions of the Directorate General of Human Rights, following the identification of situations of risk that would endanger the life and integrity of the person in question and/or affect his or her ability to carry out his or her work in defence of human rights. The early warnings were issued in the following departments:¹³

- 4 in Lima: 4 alerts for threats against personal integrity, with 1 alert also involving attacks on a person's image and 1 alert also involving stigmatization

⁷ Inter-American Commission on Human Rights. Hearing on the assessment of the policy for the protection of human rights defenders in Peru, 179th session, 23 March 2021. Available at <https://www.youtube.com/watch?v=KqurhnuXHgQ>.

⁸ Ministry of Justice and Human Rights. R.M. No. 0159-2019-JUS. Published in *El Peruano* (the country's official gazette) on 25.04.2019.

⁹ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 5.

¹⁰ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 5.

¹¹ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 5.

¹² Ministry of Justice and Human Rights. Report No. 66-2020-DGDH/DAIPAN-DEHM. Annex 1, para. 6. Date: 10.11.2020.

¹³ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., pp. 5–6.

- 2 in Huánuco: 1 alert for assaults and threats and 1 alert for homicide
- 1 in Loreto: 1 alert for threats and stigmatization
- 1 in Lambayeque: 1 alert for assaults and threats
- 1 in Piura: 1 alert for homicide, assaults and threats
- 1 in San Martín: 1 alert for physical assaults and threats
- 1 in Cuzco: 1 alert for verbal assaults and attacks on a person's image
- 2 in Ucayali: 1 alert for threats, physical assaults and intimidation and 1 alert for threats
- 2 in Amazonas: 2 alerts for threats against personal integrity

10. For its part, the Ministry of the Interior, in memorandum No. 005-2020/IN/DGIN/DAE of 4 June 2020, recommended that regional prefectures nationwide instruct sub-prefectures, which are responsible for taking personal protection measures, to immediately attend to the requests of human rights defenders, taking into account the guidelines set out in the protocol, in order to ensure their protection.¹⁴ The Ministry of the Interior also issued protocol No. 001-2021-IN-VOI-DGIN, which sets out the procedures for the Directorate General for Internal Governance and its local offices to follow when processing requests for personal protection measures promptly and effectively and to protect the integrity and safeguard the tranquillity of human rights defenders.¹⁵

11. In October 2020, in addition, pursuant to ministerial decision No. 0255-2020-JUS, a register on situations of risk facing human rights defenders was created and guidelines on how it was to function were adopted.¹⁶ The purpose of the register is formally to collect, analyse and manage information on situations of risk that human rights defenders face and patterns of attacks made on them because of their work, locally, regionally and nationally, so that appropriate short-, medium- and long-term measures can be taken in a timely manner to prevent the situations of risk that they may find themselves in and to ensure their comprehensive protection.¹⁷

12. On 22 April 2021, an intersectoral mechanism for the protection of human rights defenders was adopted pursuant to Supreme Decree No. 004-2021-JUS,¹⁸ which also refers to principles, measures and procedures designed to prevent the emergence of the risks human rights defenders face as a result of their work, to protect human rights defenders who face such risks and to ensure that they have access to justice. Although a supplementary provision of this Supreme Decree involved the repeal of the protocol, the adoption of the mechanism was welcomed by the Inter-American Commission on Human Rights,¹⁹ the Office of the

¹⁴ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 6.

¹⁵ Ministry of the Interior. R.D. No. 054-2021-IN-VOU-DGIN. Date: 22.06.2021.

¹⁶ Ministry of Justice and Human Rights. R.M. No. 0255-2020-JUS. Published in *El Peruano* on 02.10.2020.

¹⁷ Ibid.

¹⁸ Ministry of Justice and Human Rights. D.S. No. 004-2021-JUS. Published in *El Peruano* on 22.04.2021.

¹⁹ Inter-American Commission on Human Rights. Available at <http://www.oas.org/es/CIDH/jsForm/?File=/es/cidh/prensa/comunicados/2021/111.asp>.

United Nations High Commissioner for Human Rights (OHCHR),²⁰ the Ombudsman's Office²¹ and national²² and international²³ civil society organizations.

13. The mechanism is multisectoral, bringing together eight ministries and their subsidiary bodies in preventing risks, protecting human rights defenders from those risks and ensuring that they have access to justice; it is intergovernmental, as it promotes coordinated action with other entities at various levels of government whose duties are related to structural problems that are a source of risk, such as community land titles and formalization of mining activities; and it is participative, as it was developed with contributions from human rights defenders, civil society organizations and business associations involved in the issue.²⁴

14. In addition, the mechanism establishes a new early warning procedure, under the Office of the Deputy Minister for Human Rights and Access to Justice, with time frames of 30 working days (ordinary procedure) and 15 working days (special procedure, where the risk is imminent) to order protection and emergency protection measures. It also designates a coordinator for each sector so that the measures can be implemented rapidly.²⁵

15. The mechanism also includes various protection measures, including measures that involve police patrols, legal assistance, public statements of support, comprehensive care for women defenders who are victims of violence, special visas or residence permits for foreign human rights defenders, consular support for human rights defenders who have been forced to flee to other countries, monitoring of environmental impact and the filing of legal actions when environmental crimes are committed. Emergency protection measures are also available through the mechanism. These include evacuation from the area of risk, subject to any duly substantiated restrictions, and police protection for the person in question or his or her property, subject to any duly substantiated restrictions.²⁶

16. With respect to the progress made in the actual implementation of the mechanism, since the designation of focal points among officials from the various ministries involved in operating the mechanism, there has been ongoing intersectoral coordination to respond to situations of risk identified through the monitoring activities of the Directorate General of Human Rights. To date, four coordination meetings have been held:²⁷

(a) On 26 April 2021, the Minister of Justice and Human Rights, the Minister of the Environment, the Minister of the Interior and the Minister of Culture held a coordination meeting with organizations of indigenous persons from Ucayali on the situations of risk facing the indigenous community of Irazola, a district located in Padre Abad Province of the Department of Ucayali;²⁸

(b) On 20 July 2021, officials responsible for the implementation of the mechanism, from the Ministry of Justice and Human Rights, the Ministry of Culture and the

²⁰ OHCHR – South America. Institutional Twitter account. Tweet of 22 April 2021. Available at https://twitter.com/onu_derechos/status/1385342815002038273?s=21.

²¹ Ombudsman's Office. Institutional Twitter account. Tweet of 22 April 2021. Available at https://twitter.com/defensoria_peru/status/1385304032294711298?s=21.

²² Association "Derechos, Ambiente y Recursos Naturales". Note of 22 April 2021, on the adoption by the Ministry of Justice and Human Rights of an intersectoral mechanism for the protection of human rights defenders. Available at <https://dar.org.pe/minjusdh-aprueba-mecanismo-intersectorial-para-la-proteccion-de-personas-defensoras-de-derechoshumanos/>.

²³ Amnesty International. Institutional Facebook page. Publication of 23 April 2021. Available at <https://www.facebook.com/197915158409/posts/10159380917858410/?d=n>.

²⁴ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., pp. 6–7.

²⁵ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 7.

²⁶ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 7.

²⁷ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 7.

²⁸ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 7.

Ministry of the Environment, held a coordination meeting with the indigenous community of Punchana, a district located in Maynas Province of the Department of Loreto;

(c) On 21 July 2021, the Ministry of Justice and Human Rights and the Ministry of Culture held a meeting on the situations of risk facing the indigenous community of the Indigenous Federation of the Inuya and Mapuya Rivers;

(d) On 6 August 2021, the Ministry of Justice and Human Rights and the Ministry of the Interior held a meeting on the situations of risk facing the Wampís indigenous people living in the Condorcanqui and Datem del Marañón Provinces, in the Departments of Amazonas and Loreto, respectively, and along the border with Ecuador.

17. Training courses and activities have also been carried out in connection with the mechanism:²⁹

(a) From 14 to 23 June 2021, the first training programme was held on protection mechanisms for environmental defenders and strategies to combat environmental crimes. It was organized by the Ministry of the Environment, the Ministry of Culture and the Ministry of Justice and Human Rights and was intended for environmental defenders and the general public;

(b) From 25 June to 21 July 2021, a virtual course was held on the role of human rights defenders and police protection for defenders in situations of risk. It was organized by the Ministry of Justice and Human Rights, the Ministry of the Interior and the Peruvian National Police and was intended for police instructors;

(c) From 28 June to 26 July 2021, the first training course was held for human rights defenders in the Peruvian Amazon; it was co-organized by the Ministry of Justice and Human Rights and the association Derecho, Ambiente y Recursos Naturales and was intended for indigenous peoples' organizations in Loreto, Ucayali, Junín and Cuzco;

(d) On 31 August and 2 September 2021, two sessions of a capacity-building course for environmental defenders and defenders of indigenous peoples in Peru were held by the organization Fondo Socioambiental del Perú;

(e) On 7 and 31 May, training was given to officials and employees of the Social Management Office of the Ministry of the Environment;

(f) On 7 June 2021, a training session was held with officials of the National Service for State-protected Natural Areas;

(g) On 25 August 2021, a conference was held on the human rights-based approach and the role of human rights defenders; officials and employees of the National Institute for the Defence of Competition and the Protection of Intellectual Property were the intended audience.

18. The Ministry of the Environment, within the framework of the mechanism and under ministerial decision No. 134-2021-MINAM,³⁰ adopted a sectoral protocol for the protection of environmental defenders in order to help create a safe environment for that group, which is in a situation of vulnerability. The Ministry's aim was to establish guidelines for the coordination, implementation and evaluation of the use of prevention, recognition and protection measures by the environmental sector within the framework of the mechanism and to provide integrated assistance through the Ministry's line departments, programmes and special projects and their subsidiary entities in the protection of environmental defenders, under the coordination of the Environmental Crimes Operational Unit.³¹

²⁹ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 8.

³⁰ Ministry of the Environment. R.M. No. 134-2021-MINAM. Published in *El Peruano* on 25.07.2021.

³¹ Ministry of the Environment. Press release: "Aprueba Protocolo Sectorial para la protección de Defensores Ambientales". Date: 25.07.2021. Available at <https://www.gob.pe/institucion/minam/noticias/508236-aprueban-protocolo-sectorial-para-la-proteccion-de-defensores-ambientales>.

19. By decision No. 461-2021-MP-FN of 31 March 2021, the Attorney General's Office created a commission to put forward strategies or a working mechanism to facilitate access to justice for human rights defenders, to help prosecutors achieve better results when investigating cases involving violations of the rights of human rights defenders and to monitor and follow up on those cases.

20. Similarly, the Ombudsman's Office, by administrative decision No. 29-2020/DP-PAD,³² adopted guidelines for the intervention of the Office in cases involving human rights defenders. The document sets out parameters for the Office's interactions with sub-prefectures and prefectures, police stations, the Attorney General's Office, the judiciary and State institutions in general in responding to attacks against human rights defenders, a specially protected group, as such situations involve actual or potential violations of their rights. With this instrument, the Ombudsman's Office also seeks to ensure the recognition, protection and defence of human rights defenders, who peacefully engage in efforts to make the rights enshrined in the Constitution and international human rights instruments a reality and who, for their efforts, are stigmatized, persecuted, treated as criminals and assassinated.³³

21. Lastly, the preliminary investigation into the murder of Olivia Arévalo Lomas, which occurred on 19 April 2018, was initiated in April of that same year by the second provincial criminal prosecutor's office of Yarinacocha, in the Ucayali region, under prosecution file No. 3006064502-2018-959-0. After the necessary investigations, it was confirmed that Ms. Arévalo had died from the impact of a bullet shot by a Canadian citizen, S.P.W., who was the sole perpetrator of the crime, according to the expert's report. S.P.W. was murdered and found buried in a grave on 21 April 2018 according to papiloscopic expert opinion No. 08-2018-V-MACREPOL HUANUCO/REGPOL UCA-DIVINCRI-OFICRI-SI.³⁴

22. In accordance with article 78 (1) of the Criminal Code,³⁵ the public prosecutor's office in charge of the investigation closed the criminal investigation into the death of Olivia Arévalo Lomas, declaring the criminal prosecution for the death of the accused S.W. terminated.³⁶

B. Follow-up information relating to paragraph 25 (d) of the concluding observations

23. Regarding the allegations of excessive use of force, ill-treatment and abuse by law enforcement officials, Peru has been developing and expanding the regulatory framework governing the use of force by the Peruvian National Police and the Armed Forces. The Attorney General's Office, together with the judiciary, have issued institutional guidelines applicable to the investigation and prosecution of acts of arbitrary use of force.

1. Armed Forces

24. In 2010, Legislative Decree No. 1095,³⁷ establishing the rules for the use of force by the Armed Forces in the national territory, was promulgated and, in March 2020, its enabling regulations were adopted by Supreme Decree No. 003-2020-DE.³⁸

25. The enabling regulations of Legislative Decree No. 1095 provide that the intervention of the Armed Forces in support of the Peruvian National Police, in areas not declared in a state of emergency, must be authorized by the President of the Republic by a supreme

³² Ombudsman's Office. R.A. No. 29-2020/DP-PAD. Published on the official website of the Government of Peru: 15.06.2020.

³³ Ombudsman's Office. Ombudsman's Office adopts guidelines to protect human rights defenders. Date: 04.07.2020. Available at <https://www.defensoria.gob.pe/defensoria-del-pueblo-aprueba-lineamientos-para-proteger-a-defensoras-y-defensores-de-derechos-humanos/>.

³⁴ Attorney General's Office. Provision No. 03-2018-MP-FN-2 FPPC-YARINACOCHA. Date: 26.11.2018.

³⁵ PE. D.L. No. 635. Published in *El Peruano* on 08.04.1991. Art. 78 (1).

³⁶ Idem.

³⁷ PE. D.L. No. 1095. Published in *El Peruano* on 01.09.2010.

³⁸ Ministry of Defence. D.S. No. 003-2020-DE. Published in *El Peruano* on 15.03.2020.

decision (art. 29 (1) (b)), when the Peruvian National Police is no longer able to maintain internal order, when such a situation is foreseeable or when there is a risk that such a situation will occur, in cases of illicit drug trafficking, terrorism, protection of essential public services or strategic facilities necessary for the country to function, or in extreme cases in which the life, integrity, health or safety of persons, or of all or part of a population is in jeopardy (art. 3 (4)–(5)).

26. The regulations also state that the provisions on the use of force must be interpreted in accordance with the Constitution of Peru, the legal norms of international human rights law recognized by the Peruvian State, the decisions of supranational courts and monitoring mechanisms of international human rights treaties to which Peru is a State party, the Code of Conduct for Law Enforcement Officials, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and national legislation (art. 23).

27. In 2019, the Armed Forces Centre for International Humanitarian Law and Human Rights, which is attached to the Ministry of Defence, provided training to officers of the Armed Forces and civilian personnel of the defence sector in national and international human rights standards, as part of its continuous training programme for military personnel. The training covered topics such as public international law and human rights, international, regional and national human rights protection systems, and standards on the use of force and social conflict.³⁹

28. Lastly, in 2015, the Constitutional Court – the final arbiter in matters of constitutional interpretation – in its ruling in case No. 00022-2011-PI/TC, declared that the provisions on the prerogatives and limits of the Armed Forces in the exceptional use of force in cases of states of exception, or attacks on “essential public services” were constitutional.⁴⁰

2. Peruvian National Police

29. As indicated in the combined twenty-second and twenty-third periodic reports of Peru, Legislative Decree No. 1186,⁴¹ regulating the use of force by the National Police, was adopted in 2015, and its enabling regulations, consisting of legal rules that incorporate international human rights standards with respect to policing, in particular the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, were adopted in 2016 by Supreme Decree No. 012-2016-IN.⁴²

30. A human rights handbook for police officers was approved in 2018.⁴³ This normative instrument provides information on the doctrinal and normative aspects of human rights that are related to the functions of the National Police. The aim is to ensure that police work is carried out appropriately, with a view to guaranteeing individuals’ free exercise of their fundamental rights and minimizing risks to the integrity or life of those involved in police work. In the same year:

31. To promote a better understanding of the legal framework on the use of force, the Ministry of the Interior and the National Police conducted workshops on the use of public force and human rights; training was thus provided to 4,758 personnel in 2018 and to 2,798 personnel between January and November 2019.⁴⁴ In addition, the National Police approved

³⁹ Ministry of Defence. Press release: “Personal militar fue capacitado en normas nacionales e internacionales de derechos humanos”. Date: 06.08.2019. Accessed on 20.10.2021. Available at <https://www.gob.pe/institucion/mindef/noticias/49582-personal-militar-fue-capacitado-en-normas-nacionales-e-internacionales-de-derechos-humanos>.

⁴⁰ TC. STC. Case No. 00022-2011-PI/TC. Date: 08.07.2015.

⁴¹ PE. D.L. No. 1186. Published in *El Peruano* on 16 August 2015.

⁴² Ministry of the Interior. D.S. No. 012-2016-IN. Published in *El Peruano* on 27.07.2016.

⁴³ Ministry of the Interior. R.M. No. 952-2018-IN. Published in *El Peruano* on 13.08.2018.

⁴⁴ Information provided by the alternate representative of the Ministry of the Interior to the National Human Rights Council. Date: 05.12.2019.

a new curriculum for the Officer Training School, in which the use of force is addressed as part of the human rights course, which is taught in 8 of the 10 semesters of the programme.⁴⁵

32. In 2020, the Congress promulgated Act No. 31012, the Police Protection Act,⁴⁶ repealing the provision on the principle of proportionality in Legislative Decree No. 1186 (art. 4 (1) (c)) and amending a provision on exemption from criminal liability in the Criminal Code (art. 20 (11)):

(a) In 2020, a total of 23 commissioned and non-commissioned officers of the National Police completed a day-long train-the-trainer course on human rights in police work. The course, which was led by the Directorate General for Democratic Security of the Ministry of the Interior, was designed to provide police officers with a basic understanding of methodological and pedagogical tools for sharing human rights information, and of the techniques for carrying out police work in line with fundamental rights standards;⁴⁷

(b) In December 2020, the Ministry of the Interior presented a decentralization plan for a train-the-trainer human rights programme for police officers; as a result, police officers were given training on the proper use of force, and on ways to intervene in situations of risk that affect the life and integrity of persons, while observing the principles of legality, necessity and proportionality.⁴⁸

33. As for 2021:

(a) In February 2021, a document on the bases for strengthening and modernizing the National Police was published; one of the strategic actions highlighted involves ensuring compliance with quality protocols and respect for human rights by the entire police force in their direct interactions with citizens, and one of the measures indicated is to expand the train-the-trainer programme on the application of human rights standards in the use of force;⁴⁹

(b) More than 300 police officers from 17 police stations in Lima have been trained in the use of force and human rights in police work, as part of the initiatives carried out by the Ministry of the Interior to strengthen police officers' skills in their work;⁵⁰

(c) In June 2021, a human rights training programme, aimed at more than 120 police instructors across the country, was rolled out with the aim of reinforcing human rights knowledge and related skills in the performance of their duties;⁵¹

⁴⁵ Peruvian National Police. Academic and Disciplinary High Council Decision No. 671-2018-ENFPP-PNP-DIVACA.

⁴⁶ PL Act No. 31012. Published in *El Peruano* on 28.03.2020.

⁴⁷ Ministry of the Interior. Press release: "Ministerio del Interior capacita a policías en derechos humanos". Date: 10.12.2020. Accessed on 20.10.2021. Available at <https://www.gob.pe/institucion/mininter/noticias/320112-ministerio-del-interior-capacita-a-policias-en-derechos-humanos>.

⁴⁸ Ministry of the Interior. Press release: "Presentan Plan de Descentralización para la Formación de Instructores Policiales en Derechos Humanos". Date: 24.12.2020. Accessed on 20.10.2021. Available at <https://www.gob.pe/institucion/mininter/noticias/322079-presentan-plan-de-descentralizacion-para-la-formacion-de-instructores-policiales-en-derechos-humanos>.

⁴⁹ Ministry of the Interior. Bases for the Strengthening and Modernization of the Peruvian National Police. Date: 26.02.2021. Available at <https://www.gob.pe/de/institucion/mininter/informes-publicaciones/1722538-bases-para-el-fortalecimiento-y-modernizacion-de-la-ppn>.

⁵⁰ Ministry of the Interior. Press release: "Más de 300 policías de Lima son entrenados en uso de la fuerza y derechos humanos". Date: 08.04.2021. Accessed on 20.10.2021. Available at <https://www.gob.pe/institucion/mininter/noticias/419046-mas-de-300-policias-de-lima-son-entrenados-en-uso-de-la-fuerza-y-derechos-humanos>.

⁵¹ Ministry of the Interior. Press release: "Más de 120 instructores de la PNP actualizan sus conocimientos en derechos humanos". Date: 17.06.2021. Accessed on 20.10.2021. Available at <https://www.gob.pe/institucion/mininter/noticias/500905-mas-de-120-instructores-de-la-ppn-actualizan-sus-conocimientos-en-derechos-humanos>.

(d) In July 2021, the Ministry of the Interior approved a job profile for police officers⁵² that includes the use of force with respect for human rights as one of its specific competencies.⁵³

3. Attorney General's Office and the judiciary

34. In 2018, the Attorney General's Office adopted General Directive No. 003-2018-MP-FN,⁵⁴ on the exercise of the prosecutorial function in case of use of force by the National Police, in order to regulate prosecutorial action in such cases. Training workshops on the content of this Directive have been held in various regions of Peru.⁵⁵

35. In 2019, the Supreme Court adopted Plenary Agreement No. 005-2019/CJ-116, on police activities and exemption from criminal liability. Paragraph 53 of this agreement establishes, as a legal doctrine applicable by judges in the criminal courts, that the legal provision for exemptions of criminal liability related to the performance of duty does not "provide for such exemption for Peru (or for Peruvian police officers) in order to limit or circumvent the parameters for the use of force that have been established for everyone worldwide in the international instruments to which the community of the United Nations (of which our country is a Member State) has committed to comply"; nor may provisions for exemption be interpreted in such a way as to contravene the provisions of Legislative Decree No. 1186, its enabling regulations or the human rights handbook for police officers.⁵⁶

36. The Supreme Court also established in the Plenary Agreement that the exemption from criminal liability for actions performed in the line of duty does not cover inhuman or degrading treatment, which is prohibited by the Constitution and by international instruments, as it seriously undermines human dignity. It also stated that, in line with the rulings of the Inter-American Court of Human Rights, the use of arms must be limited when such use undermines human dignity; when the use of force is required, police officers must take care to observe the principles of necessity and proportionality.

C. Follow-up information relating to paragraph 27 of the concluding observations

1. Investigation and punishment of cases of forced sterilization

37. With respect to the investigations into forced sterilizations that took place between 1995 and 2000, the Attorney General's Office has indicated that proceedings are under way in cases No. 26-2014 and No. 59-2019.⁵⁷

(a) An opinion was issued in case No. 26-2014 on 27 September 2018, setting out a charge of endangerment of persons in a situation of dependence against S.L.C.R., for acts committed against M.M.M.C., and requesting the dismissal of the proceedings against E.O.M.O., E.Z.D. and E.C.C., who were facing identical charges, also for acts committed against M.M.M.C. The recommendation was sent by the transitory fourth division of the national high court to the Supreme Prosecutor's Office for consideration in December 2020 and was returned on 30 April 2021. The trial of S.L.C.R. on a charge of endangerment of persons in a situation of dependence, for acts committed against M.M.M.C., is now expected to begin;⁵⁸

(b) In case No. 59-2019, A.F.F. and others are alleged to have committed an offence against life, body and health, through the infliction of serious injuries leading to death,

⁵² Ministry of the Interior. R.M. No. 0590-2021-IN. Published in *El Peruano* on 28.07.2021.

⁵³ Ministry of the Interior. Peruvian Police Profile. Date: 27.07.2021. Accessed on 20.10.2021. Available at

<https://cdn.www.gob.pe/uploads/document/file/2049795/Perfil%20Policial%20Peruano.pdf>.

⁵⁴ Attorney General's Office. Decision of the Attorney General's Office No. 1907-2018-MP-FN.

⁵⁵ Attorney General's Office Note No. 011-2018-MP-FN-RENADESPPLE. Date: 06.09.2018.

⁵⁶ PJ. Plenary Agreement No. 005-2019/CJ-116. Date: 10.09.2019.

⁵⁷ Attorney General's Office. Note No. 001132-2021-MP-FN-FSC-FSPN-FPS. Date: 21.09.2021 pp. 1–2.

⁵⁸ *Ibid.*

against M.M.M.C. and four other women, and an offence of serious injury against 1,310 victims. Both offences were committed in a context of serious human rights violations. The hearings on the charges began on 11 January 2021 before the Transitory Supranational Criminal Court for Organized Crime. Forty-three consecutive sessions were held – the last on 14 June 2021 – during which the Attorney General’s Office orally substantiated its request for an indictment. The judge held two hearings, on 14 and 21 September 2021, at which he weighed the arguments for initiating the criminal proceedings against the suspects requested by the Attorney General’s Office.⁵⁹ The hearings were continued on 29 September,⁶⁰ 18 October,⁶¹ 25 October,⁶² 2 November,⁶³ 17 November (rescheduled),⁶⁴ 20 November,⁶⁵ 25 November,⁶⁶ 26 November,⁶⁷ 2 December 2021,⁶⁸ and 3 December 2021 (two sessions, at 10 a.m.⁶⁹ and 3 p.m.⁷⁰), rescheduled for 6 December 2021 at 9 a.m.

38. Case file No. 14-2016 is composed of 169 volumes (67,851 pages) and involves a total of 2,729 alleged victims nationwide, from 14 regions (Ancash, Apurímac, Ayacucho,

⁵⁹ Ibid.

⁶⁰ PJ. Official Twitter account: “Audencia continuará el próximo 29 de setiembre a partir de las 10:00 horas.” Accessed on 22.09.2021. Available at https://twitter.com/Poder_Judicial_/status/1440380138235973632.

⁶¹ PJ. Official Twitter account: “Juez Rafael Martínez continúa lectura de resolución que establecerá si abre instrucción (inicio del proceso) o archiva denuncia contra #AlbertoFujimori y otros, investigados por lesiones graves seguidas de muerte y otros delitos.” Date: 18.10.2021. Accessed on 20.10.2021. Available at https://twitter.com/Poder_Judicial_/status/1450245281803538441.

⁶² PJ. Official Twitter account: “Juez Rafael Martínez continúa lectura de resolución que decidirá si abre instrucción (inicia proceso) o archiva denuncia contra #AlbertoFujimori y otros, en investigación por lesiones graves seguidas de muerte y otros.” Date: 25.10.2021. Accessed on 04.11.2021. Available at https://twitter.com/Poder_Judicial_/status/1452640964082872325.

⁶³ PJ. Official Twitter account: “Juez Rafael Martínez continúa lectura de resolución que establecerá si abre instrucción (inicio del proceso) o archiva denuncia contra el expresidente Alberto Fujimori y otros, investigados por lesiones graves seguidas de muerte y otros delitos.” Date: 02.11.2021. Accessed on 04.11.2021. Available at https://twitter.com/Poder_Judicial_/status/1455544443109527553.

⁶⁴ PJ. Official Twitter account: Date: 17.11.2021. “Por cuestiones de carga procesal, juez Rafael Martínez reprograma para el sábado 20, a las 15:00 h, la continuación de lectura de resolución que decidirá si inicia proceso o archiva denuncia contra Alberto Fujimori y otros.” Accessed on 04.11.2021. Available at https://twitter.com/Poder_Judicial_/status/1461041083467640833.

⁶⁵ PJ. Official Twitter account: “Juzgado Penal Supraprovincial Liquidador Transitorio de la @CSNJPE realiza lectura de resolución en contra de #AlbertoFujimori y otros por el delito de lesiones graves seguidas de muerte en agravio de Mamérita Mestanza Chávez y otras.” Date: 20.10.2021. Accessed on 04.11.2021. Available at https://twitter.com/Poder_Judicial_/status/1462157287196434436.

⁶⁶ PJ. Official Twitter account: “Conoce la relación de #audiencias que se llevan a cabo hoy jueves 25 de noviembre y serán transmitidas por nuestro canal Justicia TV y redes sociales.” Date: 25.11.2021. Accessed on 01.12.2021. Available at https://twitter.com/Poder_Judicial_/status/1463832194091208708.

⁶⁷ PJ. Official Twitter account: “Conoce la relación de #audiencias que se llevan a cabo hoy viernes 26 de noviembre y serán transmitidas por nuestro canal Justicia TV y redes sociales.” Date: 26.11.2021. Accessed on 26.11.2021. Available at https://twitter.com/Poder_Judicial_/status/1464207635654356995.

⁶⁸ PJ. Official Twitter account: “Conoce la relación de audiencias que se llevan a cabo hoy jueves 2 de diciembre y serán transmitidas por nuestro canal Justicia TV y redes sociales.” Date: 02.12.2021. Accessed on 03.12.2021. Available at https://twitter.com/Poder_Judicial_/status/1466399854012383233.

⁶⁹ PJ. Justicia TV. Official Facebook account: “Lectura de resolución en el proceso contra Alberto Fujimori Fujimori y otros por el delito de lesiones graves seguidas de muerte en agravio de Mamérita Mestanza Chávez y otras - Caso: ‘Esterilizaciones forzadas’.” From: Transitory Supraprovincial Criminal Court of the Supreme Court of Buenos Aires Province. Accessed on 06.12.2021. Available at https://fb.watch/9JN_oAHhWG/.

⁷⁰ PJ. Justicia TV. Official Facebook account: “Lectura de resolución en el proceso contra Alberto Fujimori Fujimori y otros por el delito de lesiones graves seguidas de muerte en agravio de Mamérita Mestanza Chávez y otras – Caso: ‘Esterilizaciones forzadas’.” From: Transitory Supraprovincial Criminal Court of the Supreme Court of Buenos Aires Province. Accessed on 06.12.2021. Available at <https://fb.watch/9JOCFvNWsf/>.

Cajamarca, Cuzco, Huancavelica, Huánuco, Junín, Lima, Loreto, Moquegua, Piura, San Martín and Ucayali).⁷¹

39. Furthermore, a criminal investigation into case No. 96-2019 was opened on 12 November 2019 regarding an offence against life, body and health allegedly committed, through the infliction of serious injuries and in a context of serious human rights violations, against O.A.P. and other victims who were not identified as such in the request for an indictment described above. This investigation has been combined with that relating to case No. 14-2016, since the two files are closely related.⁷²

40. The investigations under way relate to 4,044 alleged victims of forced sterilization.⁷³

2. Measures taken by the Government with respect to forced sterilizations

41. Without prejudice to the foregoing, it should be noted that, in November 2015, under Supreme Decree No. 006-2015-JUS, priority assistance for victims of forced sterilizations that took place between 1995 and 2001 – including free legal assistance, psychological support and comprehensive health care – was declared a matter of national interest. The Register of Victims of Forced Sterilization was set up by the Ministry of Justice and Human Rights in order to identify all affected persons, ensure their access to justice and provide free legal assistance to anyone in Peru who considers himself or herself to be a victim of forced sterilization.⁷⁴

42. In December 2015, the Ministry approved a procedure for entering information on victims of forced sterilizations that took place between 1995 and 2001 into the Register.⁷⁵ In addition, the adoption of ministerial decisions No. 0319-2015-JUS,⁷⁶ No. 0001-2016-JUS,⁷⁷ No. 0161-2016-JUS⁷⁸ and No. 0157-2017-JUS⁷⁹ made it possible to establish a timeline for the progressive roll-out of the Register. The first phase involved district-level offices in five regions: Cuzco, Cajamarca, Piura, Huancavelica and Lima Este. The second phase involved district-level offices in a further four regions: Ayacucho, Lima Centro, Lima Sur and San Martín. The third phase involved district-level offices in a further nine regions: La Libertad, Huánuco, Junín, Moquegua, Ventanilla, Apurímac, Ucayali, Loreto and Ancash.⁸⁰ Between January 2016 and August 2021, 7,769 procedures were initiated to include in the Register persons who have declared and consider themselves to be victims of forced sterilization.⁸¹

43. In 2016, an intersectional approach reflecting intercultural, gender and human rights perspectives was applied to the Register, taking into account the situation of indigenous women who speak the language of an indigenous community. The same year, the Ministry of Culture made interpreters available to 2,000 people, in particular indigenous women, to help them get their information entered into the Register. In addition, 200 employees of the Ministry of Justice and Human Rights and the Ministry for Women and Vulnerable Groups

⁷¹ Ibid.

⁷² Ibid.

⁷³ Ibid.

⁷⁴ Ministry of Justice and Human Rights. D.S. No. 006-2015-JUS. Published in *El Peruano* on 06.11.2015.

⁷⁵ Ministry of Justice and Human Rights. R.M. No. 0319-2015-JUS. Published in *El Peruano*. Date: 04.12.2015.

⁷⁶ Idem.

⁷⁷ Ministry of Justice and Human Rights. R.M. No. 001-2016-JUS. Published in *El Peruano*. Date: 08.01.2016.

⁷⁸ Ministry of Justice and Human Rights. R.M. No. 0161-2016-JUS. Published in *El Peruano*. Date: 08.07.2016.

⁷⁹ Ministry of Justice and Human Rights. R.M. No. 0157-2017-JUS. Published in *El Peruano*. Date: 26.06.2017.

⁸⁰ Ministry of Justice and Human Rights. Directorate General of the Public Defence Service and Access to Justice. Note No. 2983-2019-JUS/ DGDPAJ. Date: 26.12.2019.

⁸¹ Ministry of Justice and Human Rights. Directorate General of the Public Defence Service and Access to Justice. Report No. 643-2021-JUS/ DGDPAJ-DALDV. Date: 09.09.2021.

were trained in how to provide culturally sensitive services. In 2017, the first decision of the Attorney General's Office to be issued in the Awajún language.⁸²

44. Between January 2016 and December 2019, 42 mobile registration drives and campaigns relating to the Register of Victims of Forced Sterilization were held at the district-level offices of the Public Defence Service in Ancash, Apurímac, Ayacucho, Cuzco, Cajamarca, Huancavelica, Huánuco, Junín, La Libertad, Loreto, Moquegua, Piura, San Martín and Ucayali. In addition, between January and December 2019, the Directorate General of the Public Defence Service and Access to Justice of the Ministry of Justice and Human Rights, together with the programme Platforms for Action for Social Inclusion (PAIS), organized six talks to raise awareness⁸³ of the Register at the centres known as "*tambos*", set up the Ministry of Development and Social Inclusion in district-level offices in the Amazonas, Ancash, Huánuco, Huancavelica, Ayacucho and Puno Departments.⁸⁴

45. Given the current situation in Peru, the Internet has become an essential, strategic tool for connecting people and providing access to necessary services while avoiding face-to-face interactions and thereby helping to prevent the further expansion of the pandemic. As a result, various forms of support have been provided to help users gain access to information and communications technology and, in turn, the services of the Public Defence Service.⁸⁵

46. This is the case with the *tambos*, which give the State an effective presence in small rural communities of varying sizes. The *tambos* have trained staff and modern equipment and provide services relating to social and productive activities to the poor in the areas they serve. The *tambos* bring State benefits closer to people in situations of vulnerability in dispersed rural settlements and help address any unmet or only partially met needs for public services.⁸⁶

47. Two workplans have been introduced as part of the PAIS programme of the Ministry of Development and Social Inclusion and the Directorate General of the Public Defence Service and Access to Justice of the Ministry of Justice and Human Rights: (a) one from September to December 2020 and (b) one from January to December 2021.⁸⁷

48. Between September 2020 and July 2021, representatives of the Public Defence Service gave 57 virtual talks to publicize and raise awareness of the Register of Victims of Forced Sterilization. These talks were the same as those held jointly with the PAIS programme and delivered at district-level offices in Ancash, Apurímac, Ayacucho, Cajamarca, Cuzco, Huánuco, Junín, Loreto, Moquegua, Piura, San Martín and Ucayali.⁸⁸

49. According to information from the Comprehensive Health Insurance System, as at 19 June 2021, 6,131 of all persons appearing in the Register of Victims of Forced Sterilization were covered by the System.⁸⁹ People covered by the System can receive health-care services at their designated primary health-care facility and, if necessary, can be referred to facilities with more sophisticated resources. In emergencies, they can receive care at any health-care facility that is run by the Ministry of Health or a regional government and/or that has signed an agreement with the System.⁹⁰

50. With respect to access to justice, between January 2016 and July 2021, the Directorate General of the Public Defence Service and Access to Justice provided legal services to 1,882 citizens from Amazonas, Apurímac, Ayacucho, Cajamarca, Cuzco, Huancavelica,

⁸² Attorney General's Office. Note No. 000005-2019-MP-FN-CAIMP, p.3 Date: 22.01.2019.

⁸³ As part of one itinerant day.

⁸⁴ Ministry of Justice and Human Rights. Directorate General of the Public Defence Service and Access to Justice. Op. cit., pp. 5–6.

⁸⁵ Ministry of Justice and Human Rights. Directorate General of the Public Defence Service and Access to Justice. Op. cit., p. 6.

⁸⁶ Ministry of Justice and Human Rights. Directorate General of the Public Defence Service and Access to Justice. Op. cit., p. 6.

⁸⁷ Ministry of Justice and Human Rights. Directorate General of the Public Defence Service and Access to Justice. Op. cit., p. 6.

⁸⁸ Ministry of Justice and Human Rights. Directorate General of the Public Defence Service and Access to Justice. Op. cit., p. 6.

⁸⁹ SIS. Report No. 119-2021-SIS-GA/GADJ. Date: 09.09.2021.

⁹⁰ Ministry of Health. Information note No. 324-2019-SIS-GA. Date: 20.11.2019.

Lambayeque, Lima Centro, Lima Este, Lima Sur, Loreto, Moquegua, Piura, San Martín, Sullana and Tumbes:⁹¹

(a) Victims of forced sterilization have access to free legal assistance and counsel from the Ministry of Justice and Human Rights. The public defender must inform them of the scope and benefits of the free public defender service for victims,⁹² the right to decide whether or not to press charges and the right to freely choose one's legal counsel;⁹³

(b) Because information on the system of access to justice is provided to indigenous communities in their own languages, the Public Defence Service, taking an intercultural approach, currently has 125 public defenders who are certified to provide services in Quechua and 8 who are certified to do so in Aymara;⁹⁴

(c) These public defenders can be found at district-level offices in Ancash, Apurímac, Arequipa, Ayacucho, Callao, Cañete, Cuzco, Huancavelica, Ica, Junín, La Libertad, Lambayeque, Lima Norte, Lima Este, Lima Sur, Madre de Dios, Pasco, Piura, Puno, San Martín, Selva Central, Tacna and Ventanilla.⁹⁵

51. The National Human Rights Plan provides for the creation of a working group with representatives of the State and civil society to analyse and address the issues relating to the victims of forced sterilizations that took place between 1995 and 2001, a strategic measure that the Ministry of Justice and Human Rights, the Ministry of Health and the Ministry for Women and Vulnerable Groups have been given responsibility for implementing.⁹⁶

52. The working group was set up in September 2018 with representatives of the State and civil society, including the Follow-up Group on Reparations for Victims of Forced Sterilizations, to analyse and address the issues relating to the victims of forced sterilizations that took place between 1995 and 2001.⁹⁷ The first local meeting of the working group, held in September 2019, in the city of Cuzco, with the participation of 40 civil society organizations from the Provinces of Anta, Chumbivilcas and Paruro, sought to raise awareness of the issues facing affected persons in the region and promote dialogue between the organizations and State actors.⁹⁸

53. Within the framework of the justice system, a multisectoral working group was set up under ministerial decision No. 216-2020-JUS⁹⁹ of 14 August 2020 to further the process of institutionalization, achieve the goals of the working group referred to above and analyse and make proposals for mechanisms to address issues facing the persons affected by the forced sterilizations that took place between 1995 and 2001. The purpose of the multisectoral working group is to coordinate, promote and bolster the strategic measures taken by the State to assist persons affected by forced sterilizations through coordinated and aligned efforts by the sectors involved:¹⁰⁰

(a) The multisectoral working group was inaugurated on 27 August 2020 with representatives of the Ministry for Women and Vulnerable Groups, the Ministry of Health

⁹¹ Ministry of Justice and Human Rights. Directorate General of the Public Defence Service and Access to Justice. Op. cit., p. 5.

⁹² Ombudsman's Office. Op. cit., p. 4.

⁹³ Ministry of Justice and Human Rights. Directorate General of the Public Defence Service and Access to Justice. Email dated: 23.09.2021.

⁹⁴ Ombudsman's Office. Op. cit., pp. 4–5.

⁹⁵ Ombudsman's Office. Op. cit., p. 5.

⁹⁶ Ministry of Justice and Human Rights. D.S. No. 002-2018-JUS. Published in *El Peruano*. Date: 01.02.2018.

⁹⁷ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Record No. 1-2018-JUS-DGDH/DPGDH. Date: 28.09.2019.

⁹⁸ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Report No. 019-2019-ACDVC. Date: 27.09.2019.

⁹⁹ Ministry of Justice and Human Rights. R.M. No. 0216-2020-JUS. Date: 16.08.2020.

¹⁰⁰ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 3.

and the Ministry of Justice and Human Rights. They were subsequently asked for information on the status of implementation of Supreme Decree No. 006-2015-JUS;^{101, 102}

(b) The second meeting of the multisectoral working group was held on 12 February 2021, with representatives of the Ministry of Justice and Human Rights, the Ministry for Women and Vulnerable Groups and the Ministry of Health taking part as members of the working group and representatives of the Ministry of Development and Social Inclusion and the Ministry of Culture taking part as guests. At the meeting, the workplan was approved and invitations to other State institutions that might offer services to persons affected by forced sterilizations were prepared;¹⁰³

(c) The third and last meeting of the multisectoral working group was held on 27 July 2021. A report on the State assistance provided to persons affected by the forced sterilizations that took place between 1995 and 2001 was adopted at that meeting.¹⁰⁴ The group also prepared a flow chart on mental health care for persons affected by forced sterilizations.¹⁰⁵

54. The National Programme of the Ministry for Women and Vulnerable Groups for the Prevention and Eradication of Violence against Women and Family Members, also known as AURORA, reported that, between 2016 and June 2021, women's emergency centres had provided 6,103 specialized, individualized services in 70,596 cases involving victims of forced sterilization.¹⁰⁶

55. In order to reinforce the assistance provided, teams of professionals specialized in psychological and social support, with profiles consistent with the characteristics and needs of the population, were dispatched to 46 women's emergency centres in 22 regions in 2016 and 2017 with the aim of adapting the services and offering them in rural areas. The regions in question were Cuzco, Cajamarca, Piura, Huancavelica, Lima, Huánuco, San Martín, Ayacucho, Moquegua, La Libertad, Junín, Apurímac, Ucayali, Loreto, Ancash, Arequipa, Puno, Tumbes, Amazonas, Pasco, Lambayeque and Ica.¹⁰⁷

56. Between 2018 and June 2021, the women's emergency centres provided assistance to 125 affected women, carrying out 1,191 specialized and individualized services in coordination with the relevant sectors,¹⁰⁸ in accordance with directive No. 010-2015-MIMP, which contains guidelines for the care of victims of forced sterilization in women's emergency centres.¹⁰⁹

57. By August 2021, there were 423 women's emergency centres, of which 247 had been set up as standard women's emergency centres, 175 in police stations and 1 in a health-care centre. In terms of capacity-building, in 2021, technical assistance relating to the guidelines mentioned in the paragraph above was provided to 66 staff members in the AURORA field units responsible for providing services at the women's emergency centres in order to make psychological support available to 93 persons appearing in the Register of Victims of Forced Sterilization.¹¹⁰

58. In 2016 and 2017, AURORA provided ongoing technical assistance to 46 teams at the women's emergency centres working with the Register of Victims of Forced Sterilization

¹⁰¹ Ministry of Justice and Human Rights. D.S. No. 006-2015-JUS. Published in *El Peruano* on 06.11.2015.

¹⁰² Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 3.

¹⁰³ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., p. 3.

¹⁰⁴ Ministry of Justice and Human Rights. Directorate of Human Rights Policies and Management. Op. cit., pp. 3–4.

¹⁰⁵ Ministry for Women and Vulnerable Groups. Technical Report No. D000069-2021-MIMP-DPVLV-RCC. Date: 13.09.2021.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ministry for Women and Vulnerable Groups. R.M. No. 262-2015-MIMP. Published in *El Peruano* on 10.12.2015.

¹¹⁰ Ministry for Women and Vulnerable Groups. Op. cit., p. 5.

with a view to properly and progressively offering specialized psychological and social support services for persons affected by forced sterilizations.¹¹¹

59. In 2017, AURORA strengthened the capacity of the teams providing assistance at the women's emergency centres, the Register of Victims of Forced Sterilization and the Rural Strategy through:¹¹²

(a) A 2017 capacity-building course on psychological care and social support for persons affected by gender-based violence in cities and communities at women's emergency centres around the country, held as 11 regional workshops, each consisting of 16 hours of in-person instruction, with 197 professionals taking part;

(b) Two workshops on how to provide assistance to victims of forced sterilization, aimed at staff of the women's emergency centres working in admissions or on promotional matters; training was given to 448 persons;

(c) A capacity-building course on psychological care and social support for persons affected by gender-based violence in cities and communities with five training modules – two virtual and three partially in-person – lasting a total of 55 class hours and attended by 305 professionals providing services through AURORA and 1,811 local agents providing assistance in cases of gender-based violence in the Register's areas of focus.

60. Lastly, ministerial decision No. 191-2021-MIMP¹¹³ established a temporary multisectoral working group called the working group to promote gender equality and access to justice. This forum is a mechanism for coordination between the Ministry for Women and Vulnerable Groups and civil society organizations and has the aim of proposing, developing and implementing measures and strategies geared towards the preparation of a technical policy document that will help to promote gender equality in society and access to justice for all groups of women and respond to manifestations of structural gender discrimination, including forms of gender-based violence such as forced sterilizations, femicide and the enforced disappearance of women.¹¹⁴

61. Additionally, under administrative decision No. 10-2016-JNAC-RENIIEC,¹¹⁵ adopted in 2016, first-time applications for national identity cards and applications to renew, correct or request copies of existing cards are to be processed – and the cards themselves issued – free of charge nationwide for victims of forced sterilizations that took place between 1995 and 2001.

62. Finally, in a ruling handed down on 27 October 2020 in case No. 02064-2018-PA/TC, the Constitutional Court found without merit the appeal for constitutional review filed by M.R.L.C.B., the Minister of Health during the Administration of A.F.F., who had been responsible for the implementation of the 1996–2000 National Programme for Reproductive Health and Family Planning. In its decision, the Court noted that the lack of a response 20 years after the events was incompatible with the State's duty to investigate and punish serious human rights violations.¹¹⁶

III. Conclusion

63. The Peruvian State has taken steps to give effect to the Committee's recommendations, by creating the intersectoral mechanism for the protection of human rights defenders; by adopting regulatory measures on the use of force, as well as training for the Peruvian National Police and Armed Forces personnel; and by making progress in judicial proceedings on forced sterilizations.

¹¹¹ Ministry for Women and Vulnerable Groups. Op. cit., p. 8.

¹¹² Ministry for Women and Vulnerable Groups. Op. cit., pp. 8–9.

¹¹³ Ministry for Women and Vulnerable Groups. R.M. No. 191-2021-MIMP. Published in *El Peruano* on 18.07.2021.

¹¹⁴ Ministry for Women and Vulnerable Groups. Op. cit., p. 9.

¹¹⁵ National Registry Office. R.J. No.10-2016-JNAC-RENIIEC. Date: 19.01.2016.

¹¹⁶ C. STC case No. 02064-2018-PA/TC. Date: 27.10.2020.