



International Convention for the Protection of All Persons from Enforced Disappearance

Distr.: General
14 May 2025
English
Original: Spanish

Committee on Enforced Disappearances

Concluding observations on the additional information submitted by Peru in accordance with the stand-alone request procedure under article 29 (4) of the Convention*

A. Introduction

1. In accordance with article 29 (4) of the Convention and rule 49 (1) of its rules of procedure, the Committee does not have a system of periodic reports, but it shall, for as long as necessary, follow up on a State Party's progress in implementing the Convention, on the basis of information submitted by the State Party under article 29 (3) and (4) of the Convention. The Committee may request such information in its concluding observations, or may issue a stand-alone request for additional information, whenever it considers it necessary, in the light of the status of implementation of its recommendations and the evolution of the situation related to enforced disappearance in the State Party (rules of procedure, rule 51 (3)).
2. In light of the above, the Committee decided to request additional information¹ from the State Party following the adoption of Bill No. 6951/2023-CR, currently Act No. 32107 delineating the application and scope of provisions on crimes against humanity and war crimes in Peruvian legislation, issued on 7 August 2024. The Committee transmitted a list of questions adopted at its twenty-seventh session and invited the State Party to respond to them at a constructive dialogue at its twenty-eighth session.
3. The Committee considered the information submitted by Peru under article 29 (4) of the Convention at its 519th meeting, held on 20 March 2025.²
4. The Committee appreciates the constructive dialogue held with the State Party's delegation. At its 534th meeting, held on 2 April 2025, it adopted the present concluding observations, which are submitted in a constructive and cooperative spirit to support the State Party in its efforts to eradicate and prevent enforced disappearances, in compliance with its treaty obligations.

* Adopted by the Committee at its twenty-eighth session (17 March–4 April 2025). In accordance with rule 48 of the Committee's rules of procedure and the guidelines on the independence and impartiality of members of the human rights treaty bodies, Committee member Carmen Rosa Villa Quintana did not participate in the discussion or the adoption of the present concluding observations.

¹ [CED/C/PER/QSA/AI/1](#).

² [CED/C/SR.519](#).



B. Observations and recommendations of the Committee

1. Reasons for the adoption of Act No. 32107 delineating the application and scope of provisions on crimes against humanity and war crimes in Peruvian legislation

5. The Committee notes the information provided by the State Party on the reasons why it considered it appropriate to adopt Act No. 32107,³ which, as it explained, aims to (art. 1):

delineate the application and scope of crimes against humanity and war crimes in Peruvian legislation given the entry into force for Peru of the Rome Statute of the International Criminal Court and the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, in conformity with the principles of legality and non-retroactivity.

6. During the dialogue, the State Party noted that article 4 of Act No. 32107 establishes that offences committed prior to the entry into force of the Rome Statute for Peru and of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity are subject to the statute of limitations established in national law. Article 5 stipulates that the proceedings against anyone who is prosecuted, convicted or punished for crimes against humanity or war crimes in relation to acts committed prior to 1 July 2002 will be invalidated and legal action will be taken against the judicial officials concerned. No act committed prior to this date can be qualified as a crime against humanity or a war crime.

7. The Committee notes the statement by the delegation of the State Party according to which, in the event of an alleged violation or infringement of a right in Peru, and by virtue of the principle of the separation of powers, the case should be heard by the national courts, emphasizing that international law is subsidiary to national systems of human rights guarantees.

8. The Committee notes the position expressed by the delegation, according to which, should a law contravene a provision of the Constitution, the State Party's legal system is capable of responding within the framework of the Constitution and international human rights standards. In this regard, the delegation highlighted the constitutional review provided for in article 200 (4) of the Constitution and the fourth final and transitory provision of the Constitution on the interpretation of fundamental rights. The Committee also notes that, as of the date of the constructive dialogue, two applications for constitutional review have been filed with regard to Act No. 32107, by the Lima Bar Association and the Public Prosecution Service, which the Constitutional Court has agreed to hear.

9. In this context, the Committee recalls that, under article 26 (1) of the Convention, it is the body entrusted with monitoring compliance with the Convention. Furthermore, it wishes to emphasize that, under article 26 (9) of the Convention, each State Party shall cooperate with the Committee and assist its members in the fulfilment of their mandate and that, under article 29 (4) of the Convention, the Committee may request States Parties to provide additional information on the implementation of the Convention. The Committee also recalls that, in accordance with article 27 of the Vienna Convention on the Law of Treaties, a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.

10. In view of the above, the Committee regrets not having received clear information from the State Party on the compatibility of Act No. 32107 with articles 5 and 8 of the Convention. In this regard, the Committee recalls that the widespread or systematic practice of enforced disappearance constitutes a crime against humanity as defined in applicable international law and shall attract the consequences provided for under such applicable international law and that such acts are not subject to statutory limitations.⁴

³ CED/C/PER/QSA/AI/1, para. 2 (a).

⁴ CED/C/AUT/CO/1, para. 14.

11. The Committee is also concerned that, although two applications for constitutional review have been filed against Act No. 32107, the Act is in force and therefore can be applied at any time.

12. On 13 June 2024, the Board of Senior Government Procurators of the Public Prosecution Service issued a statement warning that, among the legal consequences of the application of Act No. 32107, a significant number of investigations and judicial proceedings will have to be closed or concluded because the statute of limitations will have expired in approximately 600 cases,⁵ including emblematic cases such as the “Huanta 84”, La Cantuta and Pativilca cases. The Board adds that applying the Act would even have a direct impact on cases that have already been tried, including cases of enforced disappearance, thereby affecting more than 550 victims. In this regard, the Committee was informed that, between August and November 2024, as many as 41 requests for the application of Act No. 32107 were filed by the defendants or convicted persons in 15 cases involving enforced disappearance.⁶

13. The Committee notes that, although the delegation stated that no judges have applied Act No. 32107 thus far, it is concerned that decisions to exercise shared oversight of constitutionality and refrain from applying this law may expose judges to reprisals. As expressed to the State Party during the dialogue, the Committee is also concerned at reports that, in at least three cases, members of Congress have presented an official letter to the President of the Congress requesting that judges be charged with the criminal offences of abuse of authority and malfeasance for exercising this shared oversight and issuing guilty verdicts.⁷

14. The Committee was also informed of the submission of Bill No. 09171/2024-CR amending article 14 of the Organic Act on the Judiciary, on shared oversight of constitutionality, to establish that when, in any proceedings, a judge or court of any kind is of the view that a law adopted by Congress is incompatible with a provision of the Constitution, the judge or court should refrain from applying the law, suspend the proceedings and raise the constitutionality issue before the Constitutional Court.⁸

15. The Committee notes with concern that the application of Act No. 32107 could result in judicial decisions declaring the expiry of the term of limitations, even in cases in which the fate and whereabouts of the disappeared person have not yet been clarified and therefore the enforced disappearance has not ceased, in keeping with the continuous nature of enforced disappearance as established in articles 8 and 24 of the Convention and with principle 7 of the Guiding Principles for the Search for Disappeared Persons.

16. In this regard, the Committee is concerned about reports of a possible change in the Constitutional Court’s interpretation of the continuous nature of enforced disappearance contained in judgment No. 300/2024 of 7 November 2024, in which it recognized that the offence should be considered continuous in relation to events that occurred after the entry into force for Peru of the Inter-American Convention on Forced Disappearance of Persons.⁹

17. In the light of the foregoing, the Committee urges the State Party to ensure that all proceedings initiated to determine the conformity of Act No. 32107 and any other related provision with the Convention and international human rights and humanitarian law take fully into account the Committee’s previous and present concluding observations.¹⁰

18. With regard to the provisions of Act No. 32107 on the applicability in Peru of the Rome Statute of the International Criminal Court and the Convention on the

⁵ See <https://www.gob.pe/institucion/mpfn/noticias/971540-postura-institucional-de-rechazo-al-proyecto-de-ley-que-precisa-la-aplicacion-y-alcances-del-delito-de-lesa-humanidad-y-crmenes-de-guerra>.

⁶ See <https://larepublica.pe/politica/actualidad/2024/11/11/congreso-ya-van-41-solicitudes-de-exmilitares-para-acogerse-a-la-ley-de-impunidad-32107-157575>.

⁷ Official letter No. 032-2024-2025-FMRC-CR dated 3 October 2024.

⁸ See <https://wb2server.congreso.gob.pe/spley-portal/#/expediente/2021/9171>.

⁹ See <https://www.tc.gob.pe/jurisprudencia/2024/04106-2023-HC.pdf>, paras. 25, 31 and 32.

¹⁰ CED/C/PER/CO/1.

Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, and in line with the statements by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence,¹¹ the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, the Committee recalls that:

(a) While the non-retroactivity clause in article 24 of the Rome Statute refers exclusively to the jurisdiction of the International Criminal Court over crimes committed after the Statute's entry into force, it does not exempt States from their obligation to investigate, prosecute and punish serious human rights violations, regardless of the date of their commission;¹²

(b) The inapplicability of statutory limitations to war crimes and crimes against humanity, as enshrined in articles I and IV of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, derives from a non-derogable peremptory norm of international law (*jus cogens*);¹³

(c) Regarding the reservation made by Peru upon ratifying the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, the Committee recalls that, in 2011, the Constitutional Court declared this reservation unconstitutional insofar as it violates the object and purpose of the treaty.¹⁴

19. In this context, the Committee urges the State Party to ensure at national level, in law and in practice, that the widespread or systematic practice of enforced disappearance is considered a crime against humanity in accordance with applicable international law and is punished accordingly, and to guarantee the inapplicability of statutes of limitation to such acts.

20. The Committee also urges the State Party to ensure that national legislation takes due account of the continuous nature of enforced disappearances and that efforts to search for disappeared persons and investigate their enforced disappearance continue until their fate and whereabouts have been clarified, in keeping with articles 8 and 24 of the Convention and principle 7 of the Guiding Principles for the Search for Disappeared Persons.

21. With regard to Bill No. 09171/2024-CR and potential reprisals against judges who, in exercise of shared oversight of constitutionality, decide not to apply Act No. 32107, the Committee recalls that States Parties must take the measures necessary to prevent and punish acts that hinder the conduct of investigations and to ensure, in accordance with article 12 of the Convention, that persons suspected of having committed an offence of enforced disappearance are not in a position to influence the progress of an investigation by means of pressure or acts of intimidation or reprisal aimed at persons participating in the investigation.

¹¹ Special procedures of the Human Rights Council, "Peru: Draft bill establishing statute of limitations on atrocity crimes contravenes international standards, say UN experts", press release, 14 June 2024. Available at <https://www.ohchr.org/en/press-releases/2024/06/peru-draft-bill-establishing-statute-limitations-atrocity-crimes-contravenes>.

¹² Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. Amicus curiae brief to the Constitutional Court of Peru in the application for constitutional review filed against Act No. 32107. 10 January 2025. Available at <https://www.ohchr.org/sites/default/files/documents/issues/truth/amicus-curiae-peru.pdf>.

¹³ Inter-American Court of Human Rights, cases of *Barrios Altos v. Peru* and *La Cantuta v. Peru*, interim measures and enforcement monitoring, 1 July 2024, paras. 36, 52 and 60.

¹⁴ Constitutional Court of Peru, judgment of 21 March 2011, case No. 024-2010-PI/TC, para. 74. Available at <https://www.tc.gob.pe/jurisprudencia/2011/00024-2010-AI.html>. See also the Vienna Convention on the Law of Treaties, art. 31.

2. Compatibility of Act No. 32107 with the rights and obligations under the Convention and with the Committee's concluding observations transmitted to the State Party in 2019¹⁵

22. The Committee regrets not having received a clear response from the State Party on the compatibility of Act No. 32107 with the Convention. The Committee notes that, should Act No. 32107 be applied, and thereby the statute of limitations for crimes against humanity committed before 1 July 2002, it would violate, at a minimum, the following treaty obligations: (a) to recognize enforced disappearance as a crime against humanity; (b) to refrain from applying terms of limitations to cases of enforced disappearance constituting crimes against humanity; (c) to hold alleged perpetrators criminally responsible and, where appropriate, impose penalties commensurate with the seriousness of the offence; (d) to take the necessary measures to prevent and sanction acts that hinder the conduct of an investigation; (e) to investigate enforced disappearances until the fate and whereabouts of the disappeared person have been clarified; and (f) to respect the right of victims to justice, truth and appropriate reparation (articles 5–8, 12 and 24 of the Convention).

23. Concerning the compatibility of Act No. 32107 with the Committee's recommendations transmitted to the State Party in 2019, the Committee notes the information provided by the delegation of the State Party, according to which the provisions of Act No. 32107 do not refer to pardons and would not, therefore, contravene the recommendation that the State Party take the necessary measures to preclude the granting of pardons in respect of international crimes, including enforced disappearance.¹⁶

24. The Committee also notes that, according to the delegation, Act No. 32107 has no impact on the investigation process. In this regard, the delegation pointed out that, under Act No. 30470 on the search for persons who disappeared during the violence of 1980–2000, the task of conducting searches, including forensic investigations, using a humanitarian approach falls to the Ministry of Justice and Human Rights, through the Directorate General for the Search for Disappeared Persons. The delegation also explained the difference between criminal investigations, which are carried out by the Public Prosecution Service, and humanitarian investigations, conducted by the Directorate General for the Search for Disappeared Persons with a view to relieving the uncertainty, suffering and need for answers of the relatives of disappeared persons. These activities are carried out as part of administrative procedures that are completely unrelated to the judicial investigations.

25. The Committee welcomes the fact that the Directorate General for the Search for Disappeared Persons of the Ministry of Justice and Human Rights conducts search and investigation operations using a humanitarian approach. However, the Committee recalls that conducting humanitarian investigations does not absolve the State Party from its responsibility to conduct a criminal investigation into cases of enforced disappearance, without exception, to prosecute the alleged perpetrators and, if found guilty, to punish them with appropriate penalties commensurate with the extreme seriousness of the offence, ensuring that no act of enforced disappearance goes unpunished.¹⁷

26. In this context, the Committee recalls the importance of the position expressed by the State Party in its follow-up report to the Committee's 2019 concluding observations, according to which, when a trial is carried out to completion and achieves what it was meant to, it gives a very clear sign that human rights violations are not tolerated because it helps to provide reparation to the victims and to demonstrate to the public that justice has been done.¹⁸

27. The Committee recommends that the State Party ensure that its legislative and institutional framework is fully aligned with the Convention and that the State Party:

¹⁵ CED/C/PER/CO/1.

¹⁶ Ibid., para. 15 (e).

¹⁷ Ibid., para. 19 (a).

¹⁸ CED/C/PER/FCO/1, para. 14.

(a) **Recognize that the widespread or systematic practice of enforced disappearance constitutes a crime against humanity and shall attract the consequences defined under applicable international law (art. 5);**

(b) **Take the measures necessary to hold criminally responsible any person who commits or orders the commission of an enforced disappearance or induces, attempts to commit, is an accomplice to or participates in an enforced disappearance, and to consider the responsibility of hierarchical superiors for such acts (art. 6);**

(c) **Ensure that the offence of enforced disappearance is punishable with appropriate penalties that take into account its extreme seriousness (art. 7);**

(d) **Ensure that when enforced disappearance constitutes a crime against humanity it is not subject to statutory limitations, regardless of when it began;**

(e) **Where enforced disappearance does not constitute a crime against humanity, ensure that, given the continuous nature of the offence, the period of limitation begins from the moment when the enforced disappearance ceases (art. 8);**

(f) **Prevent and sanction acts that hinder the conduct of an investigation (art. 12);**

(g) **Ensure the right of victims to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person, as well as their right to obtain reparation and prompt, fair and adequate compensation, and ensure that the investigation continues until the fate and whereabouts of the disappeared person have been clarified (art. 24).**

28. **The Committee requests the State party to ensure that all enforced disappearances, without exception, are thoroughly and impartially investigated, regardless of the time that has elapsed since they began, to prosecute the alleged perpetrators and, if found guilty, to punish them with appropriate penalties commensurate with the extreme seriousness of the offence, thus ensuring that no act of enforced disappearance goes unpunished.**

29. **The Committee recalls that, in keeping with principle 13 of the Guiding Principles for the Search for Disappeared Persons, the search for a disappeared person and the criminal investigation into those responsible for the disappearance should be mutually reinforcing.**

3. Measures taken to ensure that the implementation of Act No. 32107 does not violate the right to justice, truth and reparation

30. **The Committee appreciates the commitment by the State Party to ensuring that the relatives of disappeared persons enjoy the right to truth, justice and reparation. In this regard, it notes the information provided by the delegation on the implementation of Act No. 30470 on the search for persons who disappeared during the violence of 1980–2000, the Search for Disappeared Persons Plan, which extends to 2030, and the activities of the Directorate General for the Search for Disappeared Persons of the Ministry of Justice and Human Rights.**

31. **However, the Committee regrets that the information provided by the State Party did not clarify the measures taken to ensure that the implementation of Act No. 32107 is fully compatible with the right to justice, truth and reparation, especially with regard to criminal investigations into enforced disappearances. In this regard, the Committee is concerned that the fact that events that occurred before 1 July 2002 will be subject to statutory limitations pursuant to the Act may pose an obstacle to access to justice and the truth about the events and prevent the punishment of those responsible. The Committee also recalls that the right to the truth is explicitly recognized in article 24 of the Convention. In the context of enforced disappearance, the truth includes knowledge of the progress and results of an**

investigation, the fate and whereabouts of the disappeared persons, the circumstances of the disappearance and the identity of the perpetrator.¹⁹

32. With regard to reparations, the Committee takes note of the information provided by the delegation on the distinction between the two types of reparations in relation to the period between 1980 and 2000, which include an administrative reparations programme and court-ordered reparations. It welcomes the fact that, according to information provided by the State Party, at least 19,257 families of disappeared persons registered in the Central Register of Victims have received economic reparations through administrative procedures under the economic reparations programme of the Ministry of Justice and Human Rights.²⁰

33. However, the Committee is concerned about the negative impact that the application of Act No. 32107 will have on victims' future access to court-ordered reparations. The Committee is also concerned about reports indicating that victims of enforced disappearance have still not received payment of civil reparations ordered in national and international court rulings issued more than 10 years ago.

34. In view of the above, the Committee requests the State party to guarantee the right of all victims of enforced disappearance to justice, the truth and reparation. In this regard, the Committee recalls that, in accordance with the updated set of principles for the protection and promotion of human rights through action to combat impunity:

(a) **Victims have the imprescriptible right to know the truth about the circumstances in which violations took place and, in the event of death or disappearance, the victims' fate (principle 4);**

(b) **States must take appropriate action, including measures necessary to ensure the independent and effective operation of the judiciary, to give effect to the right to know (principle 5);**

(c) **States shall undertake prompt, thorough, independent and impartial investigations of violations of human rights and international humanitarian law and take appropriate measures in respect of the perpetrators, particularly in the area of criminal justice, by ensuring that they are prosecuted, tried and duly punished (principle 19);**

(d) **Prescription shall not apply to crimes under international law that are by their nature imprescriptible (principle 23);**

(e) **Legislation and administrative regulations and institutions that contribute to or legitimize human rights violations must be repealed or abolished (principle 38);**

(f) **Any human rights violation gives rise to a right to reparation on the part of the victim or his or her beneficiaries (principle 31).**

35. **The Committee urges the State Party to ensure that the right to reparation goes beyond compensation and includes restitution, rehabilitation, satisfaction, including restoration of dignity and reputation, as well as guarantees of non-repetition, in accordance with article 24 (5) of the Convention.**

4. Measures to ensure that the law does not hinder the full implementation of the legislative and institutional framework governing the search for disappeared persons and investigation of cases of enforced disappearance

36. The Committee notes that, according to the State Party, the application of Act No. 32107 does not represent an obstacle to the application of Act No. 30470 on the search for persons who disappeared during the violence of 1980–2000, nor to the implementation of the 2030 Search for Disappeared Persons Plan. In this regard, the State Party affirms that

¹⁹ A/HRC/16/48, para. 39.

²⁰ Act No. 28592 establishing the Comprehensive Reparations Plan and implementing regulations thereto. Available at <https://cdn.www.gob.pe/uploads/document/file/1562505/ley28592.pdf.pdf?v=1664580086>.

the application of Act No. 32107 does not affect the search and humanitarian investigation activities of the Directorate General for the Search for Disappeared Persons, including those related to events that occurred before 1 July 2002, conducted as part of administrative proceedings under the jurisdiction of the Ministry of Justice and Human Rights, which are not subject to judicial proceedings in which Act No. 32107 may be applied. The Committee nonetheless reiterates its concern about the possible consequences of the application of Act No. 32107 in the context of criminal investigations into enforced disappearances, which could lead to situations of impunity for offences of enforced disappearance constituting crimes against humanity (see paras. 11, 12, 25, 26 and 31).

37. The Committee emphasizes its concern about the various allegations that, in the context of the adoption of Bill No. 6951/2023-CR and the entry into force of Act No. 32107, the State Party has adopted measures that appear to undermine the effective implementation of the legislative and institutional framework governing the search for disappeared persons and the investigation of cases of enforced disappearance, as well as the powers and resources required by the competent authorities to address enforced disappearances effectively, in keeping with the Convention. Specifically, the Committee is concerned about the information received regarding the following measures taken by the State Party in recent months:

(a) The entry into force of Act No. 32181 amending the Criminal Code (Legislative Decree No. 635) and the new Code of Criminal Procedure (Legislative Decree No. 957) to ensure the principle of the presumption of innocence and provide greater protection for Peruvian National Police personnel. Article 1 of this Act amends article 22 of the Criminal Code on age-related restrictions on liability and establishes that persons over 80 years of age will, for humanitarian reasons, serve their sentence in accordance with article 288 or article 290 of the new Code of Criminal Procedure (Legislative Decree No. 957), on house arrest, without consideration as to whether the sentence is appropriate for crimes against humanity;

(b) Bill No. 7549/2023-CR on amnesty for members of the armed forces and the Peruvian National Police and State officials who have not received a final sentence in cases related to the fight against terrorism in the period from 1980 to 2000;²¹

(c) The proposed amendment of the regulations on the organization and functions of the Ministry of Justice and Human Rights, which would entail changing the rank of the Directorate General for the Search for Disappeared Persons to an organic unit under the Directorate General of Human Rights, thus limiting its administrative and financial capacity to conduct its search and humanitarian investigation activities;

(d) The proposed amendment of the directive on the search for persons who disappeared during the period of violence of 1980–2000, regarding which the State Party submitted a technical opinion request to the Working Group on Enforced or Involuntary Disappearances.

38. With regard to the latter point, namely, the proposed amendment to the directive on the search for persons who disappeared during the period of violence of 1980–2000, the Committee shares the concerns expressed by the Working Group on Enforced or Involuntary Disappearances about the following aspects:²² (a) the introduction of time limits on humanitarian investigations, capping them at nine months, with the possibility of a six-month extension in “complex cases”; if the disappeared person is not located, the investigator is expected to issue a resolution ending the humanitarian investigation; (b) the need to ensure that the Directorate General for the Search for Disappeared Persons has sufficient financial resources; and (c) reports of the limited participation of victims in the development of the draft amendment of the directive. In this regard, the Committee supports the recommendations transmitted to the State Party by the Working Group on Enforced or Involuntary Disappearances regarding the draft directive²³ and notes that the

²¹ Bill No. 7549/2023-CR.

²² See <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29812>.

²³ Ibid.

Directorate General for the Search for Disappeared Persons will reportedly soon send a response to the Working Group concerning the observations and recommendations.

39. **In the light of the foregoing, the Committee urges the State Party to ensure that any measures with an impact on the legislative and institutional framework on enforced disappearances are aimed at strengthening the search for disappeared persons, the investigation of their alleged disappearance and the prosecution and, where appropriate, punishment of the perpetrators, in full compliance with due process, and to ensure that all victims of enforced disappearances enjoy the right to the truth, justice and reparation.**

40. **With regard to the draft amendment to the directive on the search for persons who disappeared during the period of violence of 1980–2000 and the introduction of deadlines in the current version of the draft, the Committee is concerned about the negative consequences that the joint application of Act No. 32107 and the new search directive would have on search and investigation efforts in cases of enforced disappearance, particularly those that occurred before 1 July 2002. The Committee reminds the State Party that if Act No. 32107 is applied in ongoing proceedings, criminal action will be declared time-barred and the Public Prosecution Service will close the investigation (criminal investigation). Furthermore, if the new directive is applied to the same case, the humanitarian investigation would be limited once the Ministry of Justice and Human Rights draws up its technical report on the completion of the investigation (search and humanitarian investigation). Consequently, victims of enforced disappearance would be deprived of the resources necessary to continue the search for disappeared persons and to conduct a criminal investigation into the enforced disappearance. The Committee stresses that this would impair the exercise of effective judicial protection and contravene the State Party’s treaty obligations.**

41. **The Committee urges the State Party to implement the recommendations transmitted by the Working Group on Enforced or Involuntary Disappearances regarding the draft directive on the search for persons who disappeared during the period of violence of 1980–2000 with a view to ensuring that the draft complies with international standards, including the International Convention for the Protection of All Persons from Enforced Disappearance.²⁴**

42. **The Committee also urges the State Party to ensure that the authorities competent to investigate enforced disappearances have sufficient personnel and financial and technical resources to conduct their activities effectively and efficiently.**

43. **With regard to Bill No. 7549/2023-CR on possible amnesty for State officials, the Committee recalls the importance of ensuring that domestic laws do not contain provisions that would exempt those responsible for enforced disappearances from any appropriate prosecution or criminal penalty.²⁵**

C. Dissemination and follow-up

44. **The Committee wishes to recall the obligations undertaken by States when becoming parties to the Convention and, in this connection, urges the State Party to ensure that all the measures that it adopts, irrespective of their nature or the authority from which they emanate, are in full accordance with the Convention and other relevant international instruments.**

45. **The State Party is encouraged to widely disseminate the Convention and the present concluding observations in order to raise awareness among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the State Party and the general public. The Committee also encourages the State Party to promote the participation of civil society, in particular**

²⁴ Ibid.

²⁵ [CED/C/CHL/CO/1](#), para. 17. See also [CED/C/ESP/CO/1](#), para. 12; and [CED/C/BRA/Q/1](#), para. 6.

organizations of victims' relatives, in the process of implementing the recommendations contained in the present concluding observations.

46. Under article 29 (4) of the Convention, the Committee requests the State Party to submit information on its implementation of the recommendations made in the present concluding observations, together with the additional information requested in the previous concluding observations.²⁶ The Committee has decided to grant an extension of the deadline indicated in paragraph 40 of its previous concluding observations²⁷ and requests the State Party to submit the combined information by 4 October 2025. The Committee encourages the State Party to consult civil society, in particular organizations of victims' relatives, when preparing this information, on the basis of which the Committee will determine whether it will request additional information under article 29 (4) of the Convention.

²⁶ CED/C/PER/CO/1.

²⁷ Ibid., para. 40.