

URGENT ACTION

RISK OF IMPUNITY IN CASES OF FORCED STERILIZATIONS

The right to justice of thousands of women - mainly peasant, Indigenous and Quechua-speaking women – who were sterilized against their will is at risk, after authorities failed to file charges against those responsible before the legal deadline passed.

On 4 July the deadline passed for the Public Prosecutor's office to file charges against those responsible for the forced sterilization of **2,074 women** in Peru around the end of the 1990s.

On 10 May 2015 the Public Prosecutor's office reopened the investigation into cases which had initially been closed in January 2014. The Public Prosecutor's office requested an extension of the deadline in August 2015 and then again in February 2016 in order to continue to investigate the charges. However the Public Prosecutor's office has failed to comply with their responsibility to file the charges against those responsible before the established deadline on 4 July, which represents a serious risk to the right to justice of all the victims.

The Peruvian government has committed to carry out an exhaustive investigation into the cases and legally punish all those who participated in these serious violations of human rights, either as intellectual or physical perpetrators, perpetrators-by-means or in any other capacity, even in the case of public officials or civil servants, be they civilian or military employees.

Yet 18 years after the first charges were filed, the victims of this grave violation of human rights are still awaiting justice.

Please write immediately in Spanish or your own language:

- Calling on the Public Prosecutor's office to file charges immediately, which will guarantee truth, justice and reparations for the victims and their families;
- Reminding the authorities of their obligation to legally punish any individual who participated in these grave human rights violations, either as intellectual or physical perpetrators, perpetrators-by-means or in any other capacity, even in the case of public officials or civil servants, be they civilian or military employees.

PLEASE SEND APPEALS BEFORE 19 JULY 2016 TO:

Attorney General

Pablo Sánchez Velarde
Ministerio Público.
Fiscalía General de la Nación.
Avenida Abancay, Cdra 5 s/n.
Lima, Perú.
Fax: +5116255555 or +5112085555

(Ask for: "tono de fax, por favor")

Email: psanchez@mpfn.gob.pe

Salutation: **Dear Attorney General / Sr.**

Fiscal de la Nación

Head Prosecutor of the Second Supranational Criminal Prosecutor's Office in Lima

Marcelita Gutiérrez Vallejos
Jirón Carabaya N° 442, tercer piso,
oficina 302.
Lima, Perú.

Fax: +5116255555 or +5112085555

(Ask for: "tono de fax, por favor")

**Salutation: Ms. Prosecutor / Sra.
Fiscal**

And copies to:

Amnesty International Peru
Enrique Palacios 735-A.
Miraflores. Lima 18. Perú
Email: amnistia@amnistia.org.pe

Also send copies to Peruvian diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

MR CLAUDIO DE LA PUENTE RIBEYRO, Embassy of Peru, 52 Sloane Street, SW1X 9SP Fax 020 7235 4463

Email postmaster@peruembassy-uk.com Salutation Your Excellency

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

RISK OF IMPUNITY IN CASES OF FORCED STERILIZATIONS

ADDITIONAL INFORMATION

During the 1990s around 200,000 mainly peasant and Indigenous women were sterilized as part of a demographic control policy targeted at those living in poverty. There is strong evidence that health professionals implementing family planning programs were pressured into meeting sterilization quotas and that in most cases, women did not give their free and informed consent. Women and their families were allegedly threatened with fines, prison sentences, or the withdrawal of food subsidies if they refused to undergo the operation. Many did not receive adequate aftercare and suffered health problems as a result, and 18 died.

In 2004 the Public Prosecutor's office opened their investigations, following a friendly settlement at the Inter-American Commission on Human Rights relating to the proceedings of a case of forced sterilization, the case of Mamérita Mestanza. The investigation was initially closed in 2009. Following national and international pressure, the investigation was reopened in October 2011. However, lawyers representing the victims raised concerns at the time over the lack of resources allocated to the investigation and the lack of progress made towards determining the responsible parties at all levels, both in terms of the health professionals who directly carried out the sterilizations as well as the government authorities who created and promoted this practice.

In January 2014, the Public Prosecutor's office decided that it would file charges in just one case out of the more than two thousand investigated, and close the others. Following national and international pressure, on 10 May 2015 the Public Prosecutor's office reopened the case. In August 2015 the deadline for investigation was extended for six months, and in February 2016 an extension for another five months was requested. This last deadline passed on 4 July 2016.

At the end of 2015 Amnesty International launched the campaign "Against their Will" to seek the creation of a single register of victims of forced sterilization. The Peruvian government responded to this campaign by creating the register, although integral reparations have still not been received and the perpetrators of these grave human rights violations have not been brought to justice.

Forced or involuntary sterilization is a grave violation of human rights in accordance with international standards which Peru is bound by. In particular, it violates the rights to physical integrity, health, intimacy, family life (including the right to decide the number and spacing of children), along with the right to non-discrimination. In some cases this constitutes torture and/or cruel, inhuman or degrading treatment, and in some cases a violation of the right to life.

Name: 2,074 forcibly sterilized women

Gender (m/f): f

UA: 158/16 Index: AMR 46/4402/2016 Issue date: 6 July 2016