



association pour la prévention de la torture
asociación para la prevención de la tortura
association for the prevention of torture

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Read by Mark Thomson

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Item 6: Consideration of UPR Reports, PERU

Oral Statement, Association for the Prevention of Torture

Mr. President,

The conditions of detention and treatment of persons deprived of their liberty in the Republic of Peru continue to be matter of concern, as expressed by the UN Committee against Torture in its concluding observations to Peru in November 2012.¹

During Peru's second Universal Periodic Review in November 2012, many States made reference to the crisis in the penitentiary system in Peru, including such issues as the lack of medical personnel, abuse of pre-trial detention, reports of torture and ill-treatment, and overcrowding² (which in 2012 was over 100 per cent, according to the National Penitentiary System).³

The Association for the Prevention of Torture (APT) welcomes the acceptance by Peru of the recommendations related to the penitentiary system, and calls upon the State to ensure their effective implementation.

The APT would like to highlight, in particular, the importance of the following recommendations. First, Costa Rica and Morocco urged Peru to appoint a national mechanism to monitor places of detention, known as a National Preventive Mechanism or (NPM)⁴. Second, Mexico recommended that Peru provide the Ombudsman's Office (which is slated to be designated as the NPM) with the necessary material, financial and human resources to fulfill the NPM mandate. [Spain made a similar recommendation.]⁵

The APT acknowledges recent efforts made by the State to promote the bill of law creating the National Preventive Mechanism. However, Peru is 5 years late in complying with this international obligation. We, therefore, draw attention to the urgent need to implement the Optional Protocol to the Convention against Torture [and other Cruel, Inhuman or Degrading Treatment or Punishment] in the country.

¹ See Committee against Torture, Concluding observations to the combined fifth and sixth periodic reports of Peru, ¶¶ 8-10, UN Doc. CAT/C/PER/CO/5-6, 21 January 2013.

² See Human Rights Council, Report of the Working Group on the Universal Periodic Review, Peru, ¶¶ 78 (France), 79 (Germany), 86 (Italy), 95 (Norway), and recommendations 116.35 (Norway), 116.55 (Italy), 116.64 (Australia), 116.65 (Iraq), 116.66 (Spain), 116.67 (Thailand), UN Doc. A/HRC/22/15, 27 December 2012.

³ See Human Rights Council, National Report of Peru, ¶ 68, UN Doc. A/HRC/WG.6/14/PER/1, 7 August 2012.

⁴ See UN Doc. A/HRC/22/15, at ¶¶ 105 (Costa Rica) & 116.16 (Morocco).

⁵ See UN Doc. A/HRC/22/15, at ¶¶ 116.17 (Mexico) & 116.18 (Spain).

Finally, we urge Peruvian authorities to make torture prevention a priority, by promptly establishing an independent NPM provided with the necessary financial resources to fulfill its mandate effectively, autonomously and independently. We would also like to emphasize the importance of ensuring that civil society participates actively in the functioning of the NPM.

Thank you, Mr. President.