



Human Rights Council Thirty-Seventh Session, 26 February–23 March 2018

Item 6: Adoption of UPR outcome on Peru

Organization: Center for Reproductive Rights

Speaker: Paola Salwan Daher

Thank you, Mr. President,

In Peru, interrupting a pregnancy is only legal in order to save the life of the woman or to avoid serious and permanent damage to her health, also known as 'therapeutic abortion'. The government of Peru however, only took note of the recommendation made under its review to decriminalize abortion in all instances.ⁱ

Therapeutic abortion has been legal in Peru since 1924. Nevertheless, the reaction by Peru is worrying given current significant efforts at the national level to regress the current law and make therapeutic abortion unlawful again.

A pending lawsuit before the Constitutional Court could potentially ban therapeutic abortion,ⁱⁱ preventing women and girls seeking abortions under the current law to do so, with dire consequences to their lives and health.

These developments are happening in a wider context of backlash against women's sexual and reproductive rights in Peru. Indeed, more than 200,000, mostly poor, Indigenous Quechua-speaking women are said to have been forcefully sterilized between 1996 and 2000 under Alberto Fujimori's rule.ⁱⁱⁱ Yet in December 2017, President Pedro Pablo Kuczynski, granted him a humanitarian pardon.^{iv}

In a hearing before the Inter-American Court of Human Rights last month, the Inter-American Commission on Human Rights urged the Peruvian State to revoke the humanitarian pardon granted to Fujimori. With the recent pardon, thousands of victims of human rights violations committed under his government will be unable to receive truth, justice and reparation. In addition, to date, the government has not issued an official apology or offered reparations to victims.

We urge the State of Peru to fulfill its human rights obligations by implementing the recommendations made by UN human rights bodies, and protect the rights of indigenous and all women victims of violations under

Thank you, Mr. President.

ⁱ “8. El Perú toma nota de la recomendación 111.102 de “despenalizar el aborto en todas las circunstancias y garantizar que las mujeres y las niñas puedan acceder al aborto seguro y legal”, en la medida que el término “en todas las circunstancias” resulta confuso por ser, en sentido estricto, incompatible con los estándares internacionales sobre la materia.” – Page 2.

ⁱⁱ Case 31583-2014-0-1801-JR-CI-01, Primer Juzgado Constitucional de Lima.

ⁱⁱⁱ <https://www.telesurtv.net/english/opinion/Peru-Forced-Sterilizations-Victims-Oppose-Fujimori-Pardon--20170810-0025.html>

^{iv} <https://elcomercio.pe/politica/alberto-fujimori-libertad-ppk-le-dio-indulto-humanitario-noticia-483996>