



Brussels, 19th April 2024

Dear Mr. High Representative/Vice-President, Josep Borrell Fontelles,

We, the undersigned, Members of different political groups of the European Parliament, would like to draw your attention to the complex political situation undergoing in Peru, a country that has been an important partner of the European Union in Latin America for more than two decades.

As you are aware, since the end of 2022, Peru has been experiencing an institutional and political crisis, which has led to a serious deterioration in democracy and the rule of law. This has entailed a shrinking civic space and a strong setback in fundamental rights and freedoms for citizens. The attacks on democratic institutions with the aim to co-opt the powers of the State have fostered a context prone to corruption, impunity and authoritarianism. This is reflected in two worrisome recent events:

i. **The possible approval of Law 6951/2023 “Law that specifies the application and scope of the crimes against humanity and war crimes in Peruvian legislation (“Law 6951/2023”)**. This law seeks to limit the application of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity (“the Convention”). On March 13, 2024, the Constitutional Commission of Congress approved the draft law, which will now be discussed in the plenary session of the Congress.

The approval of Law 6951/2023 could lead to impunity for crimes committed before November 10, 2003. This is the date to which the application of the Convention is intended to be limited, being the day that Peru ratified it. **The scope of this law would allow the convictions handed down for crimes carried out during the period of internal armed conflict against Alberto Fujimori, and against other political and military leaders, to be declared null and void, guaranteeing their impunity.**

ii. **The recent attacks on the National Board of Justice by the Congress, the institution in charge of appointing, ratifying and dismissing the country's judges, as well as appointing electoral authorities. These attacks constitute a serious attempt to undermine the independence of the judiciary.**

Specifically, the Peruvian Congress has carried out an unconstitutional impeachment of the seven judges of the Board. Despite this and the due process violation warnings, two of the judges were removed. The two dismissed magistrates filed a claim and requested a precautionary measure before the Judiciary. The latter, on March 22, ordered for the judges to be temporarily reinstated in their positions until the final sentence is issued. However, the Congress has reacted by indicating that it will denounce the Constitutional Chamber that issued the precautionary measure. It should be noted that behind this attempt, there are political groups linked to situations of corruption and serious violations of human rights who seek to appoint biased judges to guarantee their impunity. The UN had already expressed concern about these attacks [last year](#), and again a [few weeks ago](#).

Both situations are an example of the serious deterioration of the rule of law and democracy in Peru, which has also entailed attacks on the independence of the National Election Jury, the questionable appointment of an ombudsman with no experience in human rights, as well as the closure of civic spaces and widespread human rights violations. According to the [National Human Rights Coordinator](#), 49 people were killed in extrajudicial executions during the repression of the 2022 and 2023 protests.



Likewise, according to [Human Rights Watch](#), from December 2022 to March 2023, more than 1,300 people were injured as a result of this same repression. The same organization identified serious deficiencies in the initial investigations of these crimes, indicating that to date, the Peruvian government has not adopted reforms to prevent these abuses from happening again.

Moreover, civil society organizations and Peruvian human rights defenders [have faced a constant harassment](#) and attacks by extremist anti-rights groups. As a consequence, many defenders are in a dire situation, facing acts of brutal police repression, the approval of laws that criminalize the legitimate exercise of social protest and the defense of rights, as well as the development of defamation and smear campaigns.

In light of the documentation on serious human rights violations issued by civil society organizations, the statements of the EU Delegation and EEAS itself, and in view of the most recent and serious attacks on democratic institutions in Peru, we urge you to join the call to defend democracy, the rule of law and human rights and we kindly request:

1. In your capacity as the High Representative for Foreign Policy, to express your concern regarding the serious deterioration of democracy and the rule of law in said country, making an urgent call to the Peruvian authorities to reject Law 6951/2023, to respect their international human rights obligations, and in particular the right to truth, justice, and reparation of the victims and their families.
2. To urge the Peruvian Government to put an end to the repression and criminalization of peaceful protest as well as the closure of spaces for the defense and full exercise of human rights in the country.
3. To call on the Congress of the Republic of Peru to respect the rule of law and immediately cease its attacks on democratic institutions and the independence of the judiciary system.
4. Within the framework of the Guidelines on human rights defenders, to ask the EU delegation in Peru, in coordination with the OHCHR and the rest of the international community: i) to carry out on-site visits in the provinces most affected by the repression and persecution against communities and defenders, ii) maintain a periodic and articulated dialogue with civil society organizations, iii) observe hearings in cases of accusations against defenders, and iv) continue publicly supporting the work of human rights defenders, the dialogue and the end of violence.
5. To request accountability from the Peruvian State, particularly within the framework of the EU-Peru Human Rights Dialogue that would take place in the first half of 2024, and in accordance with the obligations acquired within the framework of the European Union Trade Agreement with Peru.

We thank you in advance for your response, and we hope that this delicate situation will retain your greatest attention.

Sincerely,

Jordi Solé, Greens/EFA
Ana Miranda, Greens/EFA
Benoit Biteau, Greens/EFA



Saskia Bricmont, Greens/EFA
Maria-Manuel Leitao-Marques, S&D
Ibán García del Blanco, S&D
César Luena López, S&D
Eider Gardiazábal Rubial, S&D
Javi López Fernández, S&D
Lina Gálvez Muñoz, S&D
Jonás Fernández Álvarez, S&D
Cristina Maestre Martín de Almagro, S&D
Clara Aguilera García, S&D
Juan Fernando López Aguilar, S&D
Inmaculada Rodríguez Pinero, S&D
Estrella Durá Ferrandis, S&D
Nicolas González Casares, S&D
María Soraya Rodríguez Ramos, Renew Europe
Javier Nart, Renew Europe
Fabio Massimo Castaldo, Renew Europe
Miguel Urbán Crespo, The Left
Manu Pineda , The Left
Idoia Villanueva Ruiz, The Left
Esther Sanz Selva, The Left
Leïla Chaïbi, The Left