

WOMEN'S AND GIRLS' RIGHTS

A law submitted to Congress in 2012 to prevent, punish and eradicate sexual and gender violence was still pending.

In August the Senate passed legislation to reform an article in the Criminal Code which only sanctions domestic violence if the assault happens regularly. The reform proposes to sanction the crime even if committed only once. The reform also increases the penalties under this article and was pending final approval by the Deputy Chamber at the end of the year.

In August, Lucía Sandoval was acquitted of killing her husband in 2011 in the context of domestic violence. She spent three years in detention pending trial. The court found that there was insufficient evidence to prove her involvement in the killing and released her. The case raised concerns about the lack of appropriate measures to protect women survivors of domestic violence in Paraguay. An appeal against the decision was pending at the end of the year.

Abortion remained criminalized in most circumstances, including in cases where the pregnancy was the result of rape or incest or where the foetus would be unable to survive outside the womb. Abortion was only permitted when the life or health of the woman or girl was at risk.

DISCRIMINATION

In November, the Senate rejected legislation to prevent and combat discrimination on all grounds.

ARMS TRADE

Legislation to ratify the Arms Trade Treaty was passed.

1. Paraguay: Celebrations as law will return ancestral land to Indigenous community after two decades of destitution (NWS 11/109/2014)
www.amnesty.org/en/news/paraguay-celebrations-law-will-return-ancestral-land-indigenous-community-after-two-decades-des

2. Paraguay: No justice for peasants in forced eviction killings (NWS 11/111/2014)

www.amnesty.org/en/news/paraguay-no-justice-peasants-forced-eviction-killings-2014-06-15

PERU

Republic of Peru

Head of state and government: **Ollanta Moisés Humala Tasso**

Activists and government critics were attacked. Use of excessive force by security forces was reported. The rights of Indigenous Peoples to adequate consultation, and free, prior and informed consent were not fulfilled. Sexual and reproductive rights were not guaranteed. Impunity remained a concern.

BACKGROUND

Social conflict and protests in communities affected by extractive industries continued to be widespread. Some protests led to clashes with security forces.

At least four members of the security forces were killed and seven were injured in clashes with remnants of the armed opposition group, Shining Path.

A national mechanism for the prevention of torture and other ill-treatment was approved by the Congress in June. At the end of the year, it had not been implemented as the President had not ratified it.

Serious concerns were raised over the conditions in which over 100 prisoners were kept in Challapalca Prison situated over 4,600m above sea level in the Tacna region. The prison's inaccessibility to relatives, doctors and lawyers limits the prisoners' right to visits and constituted cruel, inhuman and degrading treatment.

In July, the second two-year National Plan for Human Rights was approved by Congress,

amidst concerns that LGBTI rights were explicitly excluded, and that the Plan had not been fully resourced for its implementation.

A law which would grant equal rights to same-sex couples had not been discussed in Congress at the end of the year.

REPRESSION OF DISSENT

Activists and government critics, including human rights defenders, continued to be attacked, in particular those defending the rights of communities affected by extractive industries.

Security forces and private security personnel of the Yanacocha gold mining company intimidated and attacked Máxima Chaupe, her family and others from Indigenous and peasant communities in Cajamarca, Celendín and Hualgayoc-Bambamarca provinces, Cajamarca region. They opposed the mining on their lands claiming that they had not been consulted and that their right to water and means of subsistence were under attack. In May, the Inter-American Commission on Human Rights requested precautionary measures on their behalf. At the end of the year, no protection had been granted.

INDIGENOUS PEOPLES' RIGHTS

In September, Indigenous leaders Edwin Chota Valera, Jorge Ríos Pérez, Leoncio Quinticima Meléndez and Francisco Pinedo from the Asháninka Indigenous community of Alto Tamaya-Saweto, Ucayali region, were killed by suspected illegal loggers, in retaliation for their activism against illegal logging on their ancestral lands. Prior to the attack, the community had raised concerns about their safety and the authorities had failed to protect them. At the end of the year, an investigation had been opened. However, there were still concerns about the safety of the families of those killed.

In spite of some efforts to implement the 2011 law that guarantees the right to free, prior and informed consent of Indigenous Peoples, there were concerns over the lack

of a clear methodology and consistency in its implementation prior to granting extractive industries' concessions. In January, the authorities granted a concession to expand the Camisea gas extraction project in the Cusco region, amid concerns that none of the Indigenous communities that could be affected had given their consent and that nearly a quarter of the territory could be occupied by Indigenous Peoples living in voluntary isolation.

In May, the trial of 53 people started, including Indigenous people and some of their leaders. They had been accused of the death of 12 police officers during a police and military operation to disperse a road blockade led by Indigenous people in Bagua, Amazon region, in 2009. A total of 33 people died, including 23 police officers, and over 200 people were injured. No police or military officers have been held accountable for the human rights violations committed against civilians.

IMPUNITY

Excessive use of force

At least nine people were killed and scores were injured amid concerns that the security forces had used excessive force during protests throughout the year. At the end of the year, no investigation was known to have been initiated into the deaths.

There were concerns that a new law passed in January could perpetuate impunity. The law exempted security forces of penal responsibility when killing or injuring people while on duty. In February, four police officers, who were being tried for their responsibility in the deaths of three protesters in Huancavelica in 2011, were acquitted when the judge applied the law retroactively. There were allegations of excessive use of force when scores of protesters were injured during the demonstrations.

Internal armed conflict

Eleven years after the publication of the Truth and Reconciliation Commission's report, progress to guarantee truth, justice

and reparation to all the victims remained slow. There were concerns that the armed forces continued to fail to co-operate with the judiciary and that some cases were closed as the judges ruled that the crimes had prescribed.

SEXUAL AND REPRODUCTIVE RIGHTS

In January, the Public Prosecutor's Office in Lima, the capital, closed the cases of over 2,000 Indigenous and *campesino* women who were allegedly forcibly sterilized in the 1990s. After an investigation, which started in 2004 and lasted nearly 10 years, the Prosecutor only filed charges against some health professionals allegedly responsible in one of the cases. No charges were filed against any of the government authorities responsible for implementing the family planning programme, which resulted in these sterilizations.

In June, the Ministry of Health adopted technical guidelines for therapeutic abortion. There were concerns that the restrictive interpretation of therapeutic abortion in the protocol may lead women to seek unsafe and illegal terminations because the two access conditions required - presence and signature of a witness and approval of a board - were considered obstructive.

Abortion in cases of pregnancy resulting from rape or incest remained criminalized and the free distribution of emergency contraceptives, including in cases of sexual abuse, continued to be banned. At the end of the year, a draft law to legalize abortion for victims of rape, backed by 60,000 signatures, was waiting to be discussed in Congress.

PHILIPPINES

Republic of the Philippines

Head of state and government: **Benigno S. Aquino III**

Torture continued with impunity in the Philippines. Human rights defenders, local journalists and witnesses in the Maguindanao massacre trials, the world's largest single attack on journalists committed in 2009, remained at risk of unlawful killing. The Philippines acknowledged state accountability for human rights violations during the Martial Law under the Marcos regime and established a Human Rights Victims' Claims Board to determine the eligibility of claims for human rights violations and award reparations. The Supreme Court upheld the constitutionality of the Reproductive Health Law in April.

BACKGROUND

The Philippine government in March signed a comprehensive peace agreement with the armed group Moro Islamic Liberation Front, concluding 17 years of peace negotiations. The peace accord created the autonomous Bangsamoro region, providing greater political autonomy in southern Philippines in exchange for a commitment to end the insurgency and calls for a separate state. The Philippines continued its claim over the Spratly Islands against Brunei, China, Malaysia, Taiwan and Vietnam, submitting a memorandum before the International Tribunal on the Law of the Seas in March and protesting against China's actions in the Spratlys in May and November.

A visit by US President Barack Obama in April culminated in the signing of an Enhanced Defence Co-operation Agreement, further allowing US military troops to use Philippine military bases.