

SITUATION OF SEXUAL AND REPRODUCTIVE RIGHTS DEFENDERS

Recommendation accepted by the Peruvian State in the 2nd cycle of the UPR:
N.º 116.72 Continue efforts to protect human rights defenders from threats and intimidation to ensure they can perform their functions properly (Australia)



Implementation of the recommendation:

In 2012, during the 2nd Cycle of the UPR, the State accepted a recommendation on the protection of human rights defenders. However, in the last five years, no legislative nor public policy measure has been approved nor implemented in this respect, even though attacks on human rights defenders have been intensified, especially against those who defend sexual and reproductive rights, the rights of LGBTI persons and their organizations. Until this moment there is not a Plan of Human Rights until one year ago.

Campaigns of defamation, slander and stigmatization that exceed the limits of freedom of expression and infringe the right to honor and good reputation of human rights organizations and their members.

In recent years, due to the context of discussion on the decriminalization of abortion in cases of rape, several organizations, including Promsex, have been systematically attacked for their work in the defense of the right of women to decide.

Media with an openly confessional editorial line carried out a **campaign of stigmatization, defamation, slander and public discredit of various organizations that defend sexual and reproductive rights**. The organizations were signaled as “advocates for the dismemberment of innocent children”¹, in reference to abortion, and they were accused of the crime of corruption of authorities indicating that they are “salaried employees that corrupt local authorities”².

Political persecution of sexual and reproductive rights organizations.

In 2015, the Commission of Foreign Affairs of the Congress encouraged the oversight of organizations that received funds from international organizations, with special emphasis on those who work on the decriminalization of abortion in cases of rape. “*One cannot remain indifferent in the face of an initiative that promotes the murder, the crime of innocent people. The Congress can investigate, but the Judiciary must warn if there is a crime*”, said the Congresswoman heading that Commission³. However, access to international funding is legal.

Thus, for example, public servants from the Peruvian Agency for International Cooperation (APCI) initiated an **ex officio** oversight of Promsex’s project “Access to sexual and reproductive health care from a rights-based approach in Peru: Reducing the stigma and strengthening the debate”, known as the campaign “Déjala Decidir” (Let her decide).

¹ Available at: <https://www.aciprensa.com/blog/los-corsarios-del-aborto/>

² Available at: <https://www.aciprensa.com/noticias/lobby-del-aborto-en-peru-intenta-ocultar-vinculo-con-planned-parenthood-85837/>

³ Ibidem.

Threats to human rights defenders that endanger their lives and integrity.

In 2016, through Ministerial Resolution 281-2016-MINEDU, the National Basic Education Curriculum was approved; it includes a gender equality approach and promotes non-discrimination based on sexual orientation in schools.

However, in recent months, political leaders and religious fundamentalist groups have objected its implementation, forming a citizen group called “Con Mis Hijos No Te Metas” (Don’t mess with my children)⁴. This has led to a direct impact on the organizations that defend sexual and reproductive rights and the rights of LGBT persons. Three (03) human rights defenders that conducted defense functions of this public policy in the media were harassed in the streets and threatened with death and rape⁵ by members of this group.

Recommendations suggested for the 3rd cycle of the UPR:

- Create a *Special Directorate* in the Ministry of Justice and Human Rights entrusted with the design and implementation of the public policy for the protection and defense of human rights defenders.
- Elaborate protocols with gender approach for the protection of human rights defenders.
- Prevent the stigmatization of human rights defenders. Investigate and sanction State agents who support, promote or facilitate acts of stigmatization, as well as those who make statements that stigmatize human rights defenders.

Questions suggested for the 3rd cycle of the UPR:

- **What are the comprehensive mechanism that the States has to ensure that the work of human rights defenders is protected from violence?**
- **Why there is not a Plan of Human Rights until one year ago?**

⁴ **Con mis hijos no te metas** (Don't mess with my children) is a Peruvian association that appeared in 2016 and its main goal is to ensure that the Peruvian government eliminates the current National Curriculum 2017 that, according to its position, “promotes the controversial gender ideology, which would generate a sexual identity disorder” among students. According to its leaders, gender ideology is part of a conspiracy by the New World Order to “homosexualize” the country, disrupt the family unit and make individuals obedient to the government. Although they have claimed that their goal is not political nor religious; their association is mainly represented by evangelicals and members or supporters of political parties.

⁵ Available at: <http://larepublica.pe/impresasociedad/854284-defensoras-del-curriculo-escolar-son-amenazadas-de-muerte> and <http://exitosanoticias.pe/defensoras-del-curriculo-nacional-reciben-amenazas-de-muerte/>