



association for
the prevention
of torture



Grupo de Trabajo Contra La Tortura



International
Rehabilitation
Council for
Torture Victims

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JOINT STATEMENT CALLING UPON THE GOVERNMENT OF PERU TO URGENTLY ESTABLISH THE NATIONAL MECHANISM TO PREVENT TORTURE

The government of Peru must fulfil its obligations to establish a National Preventive Mechanism (NPM) to prevent torture, says an ad hoc coalition of anti-torture organisations.

The Association for the Prevention of Torture (APT), the Working Group against Torture (GTCT) and the International Rehabilitation Council for Torture Victims (IRCT) have come together on this issue to echo profound concerns regarding the conditions and treatment of persons deprived of their liberty in Peru as expressed by several international human rights bodies.

A NPM is an independent monitoring body intended to prevent torture and other cruel, inhuman or degrading treatment or punishment through regular visits to all places of detention. Thus, its prompt establishment is an essential step towards improving the conditions for persons deprived of their liberty in the country.

The establishment of an independent and sufficiently resourced NPM is a pending obligation under the Optional Protocol to the Convention against Torture (OPCAT), which Peru ratified in 2006.

In light of the upcoming visit by the UN Subcommittee on Prevention of Torture (SPT), the creation of the NPM would provide opportunities to benefit further from the expertise of this international body. The SPT is established through the OPCAT and has an operational function consisting of visiting places of detention in State parties. The SPT also provides assistance and advice to State parties and NPMs.

Recently, the UN Human Rights Committee, the Committee against Torture and the Universal Periodic Review of the Human Rights Council expressed concern about the crisis in Peru's criminal justice and penitentiary system. Concerns included lack of medical personnel, abuse of pre-trial detention, reports of torture and ill-treatment and overcrowding that, according to the National Penitentiary Institute, was above 100% in 2012. All these international bodies identified the NPM establishment as an essential step to improve this situation.

The Peruvian State has recently intensified its efforts to promote the legislation designating the Ombudsman's Office as the NPM. While this is a positive development, the Peruvian government must provide this institution with the necessary resources to carry out this role effectively and independently.

Thus, we encourage the government of Peru to take the following steps:

- Accelerate the process to adopt the legislation creating the NPM
- Provide the Ombudsman's Office with the necessary material, financial and human resources to fulfil the NPM mandate independently and effectively
- Ensure that the NPM collaborates with civil society, for instance through an advisory committee
- Work constructively with relevant national and international stakeholders, including the SPT, to ensure that the NPM becomes a strong mechanism with the necessary skills to monitor detention centres

The Association for the Prevention of Torture (APT) is an independent NGO based in Geneva, Switzerland, working globally to prevent torture and other ill-treatment. Since 2010, it has opened a Regional Office for Latin America, based in Panama. It has played a key role in promoting the international campaign for the adoption, entry into force and implementation of the OPCAT. For further information, please contact Sylvia Dias: sdias@apt.ch or (+507) 317-1021.

The Working Group Against Torture (GTCT) is a specialised entity on the theme of torture in Peru, established within the National Coordinator for Human Rights (CNDDHH) and composed of the following NGOs: CAPS, CEAS, FEDEPAZ, IDL, REDINFA, the Peruvian Section of Amnesty International, ADEHSUR Tacna and COMISEDH that is responsible for coordinating the group. For more information, contact Miguel Huerta: miguel.huerta@comisedh.org.pe or (+511) 3305255

The International Rehabilitation Council for Torture Victims (IRCT) is a health-based umbrella organization that supports the rehabilitation of torture victims and the prevention of torture worldwide. The members of IRCT comprise more than 140 independent organizations in over 70 countries who govern the work of the IRCT. Today, the IRCT is the largest membership-based civil society organisation to work in the field of torture rehabilitation and prevention. For further information please contact Miriam Reventlow: mr@irct.org or (+45) 36 93 87 24.