



Q11074 - Peru - Researched and compiled by the Refugee Documentation Centre of Ireland on 14 October 2009

Information on treatment of indigenous communities by the guerrillas and authorities and counter-terrorists/paramilitaries groups

The *United States Department of State* states:

“The government did not provide sufficient resources to protect effectively the civil and political rights of indigenous persons. Most indigenous persons and those with indigenous features faced societal discrimination and prejudice. They were often the victims of derogatory comments and subjected to illegal discrimination in restaurants and clubs. Language barriers and inadequate infrastructure in indigenous communities impeded the full participation of indigenous persons in the political process. Many indigenous persons lacked identity documents and could not exercise basic rights. (US Department of State (25 February 2009) *2008 Human Rights Report: Peru, Indigenous People, Section 5 Discrimination, Societal Abuses, and Trafficking in Persons*)

A report by the *UN International Convention on the Elimination of All Forms of Racial Discrimination* states: “Bearing in mind that the 1993 Constitution recognizes and protects the ethnic and cultural diversity of the Peruvian nation, the Committee remains concerned that a high proportion of persons among the indigenous peoples and Afro-Peruvian communities continue to suffer in practice from racism and structural racial discrimination in the State party.” (UN International Convention on the Elimination of All Forms of Racial Discrimination (3 September 2009) *Consideration of reports submitted by States parties under article 9 of the Convention : concluding observations of the Committee on the Elimination of Racial Discrimination : Peru*, p.2). This report also states: “The Committee is also concerned at the evidence of racial discrimination in everyday life and at information it has received on acts of racial discrimination committed by government officials.” (ibid, p.5)

Amnesty International states:

“Peru is a recent example of the sad response of some States to the legitimate protests of Indigenous Peoples for their rights. Amnesty International was able to document the serious human rights violations that took place on the part of the State on 5 June this year in response to protests on the part of Indigenous Peoples who were claiming their right to land and to be consulted with regard to a series of decree laws on land and natural resource use in the Peruvian Amazon, approved in June 2008; such consent is required under international law. Following an emergency visit to the region, Amnesty International observed the excessive use of force employed by the forces of law and order, and the way in which defenceless people, even wounded people in ambulances, were being

mistreated, along with the indiscriminate and disproportionate use of firearms against unarmed individuals. The State has now commenced a process of dialogue with Indigenous Peoples. This is positive but the involvement of their legitimate leaders is not guaranteed as a number of them (both men and women) face disproportionate and unsubstantiated criminal charges that may be politically motivated.” (Amnesty International (7 August 2009) *Solutions To The Historic Violation Of Indigenous Rights Will Only Be Found Through Respectful Dialogue, In Good Faith, With Indigenous Peoples*, p.7)

A report by *Minority Rights Group International* notes: “In the lowlands, apart from the activities of the guerrilla groups Tupac Amaru and Sendero Luminoso, the most significant issues are the Camisea Natural Gas Project and oil politics. These have had a tremendous effect on indigenous peoples, and have led to desperate campaigning by indigenous organizations and a major international effort on their behalf.” (Minority Rights Group International (Undated) *Peru Overview*)

BBC news notes:

“The removal by Peruvian riot police of thousands of native Amazonian protesters from a road they were blocking was the worst violence the country had seen in a decade. Some 54 people are thought to have died - among them 14 police officers. In what appeared to be a revenge attack 10 more police officers were killed by their indigenous captors. More than 100 indigenous protesters still cannot be accounted for. It was the culmination of two months of massive rallies and blockades across Peru's Amazon - an area that is vital to the country's economy.” (BBC News (10 June 2009) *Peru polarised after deadly clashes*)

This report also notes:

“It was the culmination of two months of massive rallies and blockades across Peru's Amazon - an area that is vital to the country's economy. The protests threatened to disrupt both national energy supplies and exports. But it was also the tragic consequence of Peru's failure to decide the true place of its indigenous peoples in the Amazon rainforest and their role in this multicultural nation. The brutal violence has left both sides embittered, but it has been made worse by accusations that the government is covering up the true number of dead protesters.” (ibid)

References

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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