



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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21 January 2005

### PER43246.E

Peru: Whether a Peruvian citizen wanted by the police, or sought by DINCOTE/DIRCOTE for terrorism, would be granted a Peruvian passport through normal official channels  
Research Directorate, Immigration and Refugee Board, Ottawa

In a 15 December 2004 telephone interview, an official from the Embassy of the Republic of Peru in Ottawa stated that if the police or the members of the Anti-terrorism Directorate (Dirección Contra el Terrorismo, DIRCOTE), formerly known as the National Anti-terrorism Directorate (Dirección Nacional Contra el Terrorismo, DINCOTE), are looking for someone in Peru, they ask a judge for an arrest warrant. The official further specified that the situation in Peru is similar to the one in Canada, in that if there is an outstanding arrest warrant against someone, the police will arrest that person when they find him or her (Embassy of Peru 15 Dec. 2004).

In all dealings with Peruvian authorities, including passport applications, Peruvians must provide their national Identity Document (Documento Nacional de Identidad, DNI) (ibid.). They must have a valid DNI in order to obtain a passport from the General Department of Migration and Naturalization (Dirección General de Migraciones y Naturalización, DIGEMIN), which issues passports (ibid.). The official could not provide more details on the technicalities surrounding the detection of people in such a situation.

The DIGEMIN Website provides additional details on how to obtain passports. According to the site, the applicant also has to provide fingerprints in this process (Peru n.d.).

On 28 April 1997 the United Nations' Committee Against Torture issued a decision involving a Peruvian man who left Peru in June 1990 and who had sought refugee status in Sweden. He had obtained a Peruvian passport, even though "the police allegedly were looking for him" (United Nations 28 Apr. 1997). According to the Committee's document, the individual "has never claimed to have bribed officials into giving him a passport" (ibid.). The Swedish government argued that the fact that he had a valid Peruvian passport meant that the man "was not being sought by the police when he legally left the country" (ibid.). The Committee ruled that the Swedish government "ha[d] an obligation to refrain from forcibly returning" the asylum seeker in accordance with Article 3 from the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

#### References

The Embassy of the Republic of Peru, Ottawa. 15 December 2004. Telephone interview with official.

Peru. n.d. Dirección General de Migraciones y Naturalización. "Trámites : Pasaportes Nuevos." <[http://www.digemin.gob.pe/f\\_pub\\_det\\_tramite.asp?cpd=305](http://www.digemin.gob.pe/f_pub_det_tramite.asp?cpd=305)> [Accessed 15 Dec. 2004]

United Nations. 28 April 1997. Committee Against Torture. "Communication

No 39/1996 : Sweden. 28/04/97. CAT/C/18/D/39/1996. (Jurisprudence)." <<http://www.unhchr.ch/tbs/doc.nsf/0/ac83790666e4b33d802566f80062a76f?OpenDocument>> [Accessed 20 Dec. 2004]

#### Additional Sources Consulted

**Oral sources:** One oral source consulted did not provide information within the time constraints of this Response (Instituto de Defensa Legal, Lima)

**Internet sites, including:** Amnesty International, *Correo* [Lima], Derechos.org, Human Rights Watch, Instituto de Defensa Legal, Ministry of Foreign Affairs of Peru, Peru National Police, Poder Judicial del Peru.

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