



Concerns over the humanitarian pardon granted by President Pedro Pablo Kuczynski to Alberto Fujimori

On the eve of the Pope's arrival in Peru, The Plataforma Europa Peru (PEP) and CIDSE express their deepest concern over the human rights situation in Peru after the pardon granted to former president Alberto Fujimori, who had been sentenced to 25 years in prison for crimes against humanity.

The granting of the pardon for alleged health reasons threatens the progress made in recent years in the advancement of democracy and strengthening of the rule of law in Peru. It also represents a major setback in the search for truth, justice and reparation for the victims of the internal conflict.

Alberto Fujimori was sentenced for grave human rights violations, such as the assassination of 9 students and one professor from the University La Cantuta and the assassination of 15 people in Barrio Altos, Lima. These crimes were classified as crimes against humanity by the Inter-American Court of Human Rights in its judgement in the case against Alberto Fujimori in 2011. According to international human rights law, crimes against humanity are not subject to pardons or amnesties, given the gravity of the crimes committed. He was also found guilty of corruption and diversion of funds.

It is important to highlight that the pardon took place in the midst of a political crisis, caused by corruption allegations that have affected a vast number of politicians, including the president, who feared been forced out of office. In fact, president Kuczynski reportedly only escaped been forced to vacate because a number of members of congress who belong to Fujimori's pro party abstain their vote, reason why the number of votes required for impeachment was not reached.

The pardon granted on the 24th of December by president Pedro Pablo Kuczynski, has been interpreted as a political move to please the *Fujimoristas*. The Pro-Fujimori party has a majority in congress and, over the last year, it has limited the executive's capacity to govern effectively. From a wider perspective, the pardon can be considered as part of an impunity pact between the Peruvian government and the *Fujimoristas*, which seeks to cover corruption allegations as well as grave human rights violations over the last decades.

The political background severely questions the fact that the pardon responded to humanitarian reasons. The call for a "national reconciliation" mentioned by president Kuczynski is very worrisome when the rights of victims of human rights violations during the Fujimori mandate are being sidelined, and placed below interests that appear to be politically motivated.

The Inter-American Court and the Inter-American Commission of Human Rights voiced their rejection to the pardon, because “Peru failed to carry out the Court’s ruling and failed to fulfil its international obligations”. They have also called for the implementation of necessary measures to reestablish the rights of the victims affected by this decision.

The PEP and CIDSE add their voice to these concerns and hope that the Peruvian government abides by any forthcoming decision taken by the Inter-American Court on Human Rights, which is holding a special session on February 2nd on the legality of the pardon and its consequences.

The PEP and CIDSE also call on the Peruvian government to adopt the necessary measures to reestablish the right of the victims to obtain justice and to follow the recommendations of international experts and institutions to strengthen the rule of law.

Brussels, January 17, 2018

Plataforma Europa Perú

CIDSE