



# General Assembly

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## Seventy-eighth session

Item 117 (c) of the preliminary list\*

**Elections to fill vacancies in subsidiary organs and other elections: election of members of the Human Rights Council**

### **Note verbale dated 23 March 2023 from the Permanent Mission of Peru to the United Nations addressed to the President of the General Assembly**

The Permanent Mission of Peru to the United Nations presents its compliments to the President of the General Assembly and has the honour to refer to the candidature of the Government of Peru to the Human Rights Council for the term 2024–2026, at the elections to be held in October 2023 during the seventy-eighth session of the United Nations General Assembly.

In this regard, in accordance with General Assembly resolution [60/251](#), please find attached the voluntary pledges and commitments that reaffirm the determination of the Government of Peru to promote and protect human rights (see annex). The Permanent Mission of Peru to the United Nations would be grateful if the present note and its annex could be circulated as a document of the General Assembly, under item 117 (c) of the preliminary list.

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\* [A/78/50](#).



## **Annex to the note verbale dated 23 March 2023 from the Permanent Mission of Peru to the United Nations addressed to the President of the General Assembly**

### **Candidature of Peru to the Human Rights Council (2024–2026)**

#### **Voluntary pledges and commitments pursuant to General Assembly resolution 60/251**

1. Peru maintains a firm commitment to the promotion and protection of human rights and, convinced of the critical importance of the Human Rights Council in the defence of such rights around the world, presents its candidature for the period 2024–2026.
2. As part of the lessons learned during the period of violence that Peru experienced between 1980 and 2000, the Government has been strengthening its institutions in order to defend and protect human rights. This commitment has been clear since 2002, when the National Agreement was signed, demonstrating the Government's willingness to consolidate the rule of law and representative democracy in order to safeguard the exercise of fundamental rights, and continues to put forward various initiatives to strengthen the promotion and protection of human rights and fundamental freedoms at the national level.
3. Moreover, the engagement of Peru in the international human rights protection system and its participation in the Human Rights Council have contributed substantially to this progress. This has led Peru to become an international promoter of human rights, a fact evident in its adoption of the Universal Declaration of Human Rights, and in its support for and promotion of the establishment of the International Criminal Court, where Peruvian judge Luz Ibáñez has served as Vice-President since 2021, and of the Human Rights Council. Peru played an important role in the transition to the Human Rights Council as the final Chair of the Commission on Human Rights and as one of the founding members of the Council. It has also served on the Council on two previous occasions.<sup>1</sup>
4. In this regard, Peru will continue with plans aimed at strengthening its institutions, its commitment to democracy and its aspirations to join other bodies that contribute to these objectives, such as the Organisation for Economic Co-operation and Development, which has recently invited Peru to become a member. In the light of the above, and through national, autonomous, democratic, social and decentralized diplomacy, Peru believes that it has the appropriate profile to carry out the important mandate of the Human Rights Council.
5. The Government of Peru is aware of the challenges posed by the coronavirus disease (COVID-19) pandemic, an unprecedented phenomenon that has not only affected every economy around the globe but has also had an impact on the enjoyment and promotion of human rights and fundamental freedoms. Similarly, in various parts of the world in recent months there have been various violations of and attacks against the Charter of the United Nations, international human rights law and international humanitarian law. It is therefore necessary to renew and strengthen multilateralism and promote shared values that enable the progressive protection and reestablishment of the primacy of human rights.
6. In a context such as the current one, we envisage a Human Rights Council that is more active in addressing increasingly complex situations in the world and, based

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<sup>1</sup> Peru has been a member of the Human Rights Council for the periods 2006–2008, 2012–2014 and 2018–2020.

on a spirit of dialogue and cooperation, to build an agenda for the post-pandemic phase that contributes, by applying a human rights approach, to improving the lives of people in the world, especially people in vulnerable situations.

7. Therefore, this candidature does not reflect new aspirations but rather the natural extension of the Peruvian Government's vision and it continues the work that has been carried out within the framework of the international system for the protection and promotion of human rights, as described below.

## **I. Relevant international normative framework**

8. Peru is a party to the core United Nations human rights instruments, including:

- The International Covenant on Civil and Political Rights and the Optional Protocol thereto
- The International Covenant on Economic, Social and Cultural Rights
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol thereto
- The International Convention for the Protection of All Persons from Enforced Disappearance
- The Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto
- The International Convention on the Elimination of All Forms of Racial Discrimination
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- The Convention on the Rights of the Child and the three Optional Protocols thereto
- The Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

## **II. Peru and the universal human rights system**

9. Peru has a policy of strict compliance with its international human rights commitments. This policy is based on the belief that the active participation of States in the Human Rights Council and their close cooperation with its mechanisms and special procedures strengthen the universal human rights system.

## **III. Participation of Peru in the Human Rights Council**

10. Peru is committed to the construction and institutional strengthening of the Human Rights Council. As a result, it participates actively in the Council's debates and collaborates with its organs and special procedures, thereby helping the body to more efficiently promote universal respect for and the protection of the fundamental rights of all people.

11. In this context, in recent years Peru has submitted resolutions on equal participation in public and political affairs; the impact of arms transfers on human rights in armed conflicts; national policies and human rights; human rights and the regulation of civilian acquisition, the possession and use of firearms; the promotion

and protection of human rights in Nicaragua; and the promotion and protection of human rights in the Bolivarian Republic of Venezuela. Peru has also sponsored other important resolutions, notably those related to combating all forms of discrimination and to the protection and promotion of the human rights of vulnerable groups.

#### **IV. Cooperation with the mechanisms and special procedures of the universal human rights system**

12. Peru has recognized the competence of seven treaty bodies to receive individual complaints: (a) the Committee against Torture; (b) the Human Rights Committee; (c) the Committee on the Rights of the Child; (d) the Committee on the Rights of Persons with Disabilities; (e) the Committee on the Elimination of Discrimination against Women; (f) the Committee on Enforced Disappearance; and (g) the Committee on the Elimination of Racial Discrimination, on which prominent Peruvians have served. The Government of Peru cooperates, in particular, by submitting the relevant national reports within the established deadlines and implementing the observations and recommendations made by those bodies.

13. Similarly, in a demonstration of its commitment to the respect for and protection of human rights, Peru volunteered to be one of the first States reviewed under the universal periodic review mechanism. The balance of the four periodic reviews has been highly positive because they gave the Peruvian Government the opportunity to present the significant progress made at the national level in the process of consolidating democracy, while receiving and accepting a large number of recommendations that strengthened and ensured respect for human rights and fundamental freedoms.

14. In addition, in 2002 Peru extended a standing invitation to the special procedures of the former Commission on Human Rights, now the Human Rights Council, to visit, assess and report on the country, in accordance with their respective mandates. Peru has received 19 such visits to date.<sup>2</sup>

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<sup>2</sup> Visits to Peru have been made by the Special Rapporteur on the independence of judges and lawyers, in September 1996; the Working Group on Arbitrary Detention, in January 1998; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, in March 2003; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, in June 2004; the Special Rapporteur on the human rights of migrants, in September 2004; the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, in February 2007; the Special Rapporteur on the rights of Indigenous Peoples, in June 2009 and in December 2013; the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, in September 2010; the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, in May 2011; the Working Group on discrimination against women and girls, in September 2014; the Working Group on Enforced or Involuntary Disappearances, in June 2015; the Working Group on the issue of human rights and transnational corporations and other business enterprises, in July 2017; the Special Rapporteur on the situation of human rights defenders, in January 2020; the Working Group of Experts on People of African Descent, in February 2020; the ad hoc observer mission of the Office of the United Nations High Commissioner for Human Rights, in November 2020; the official visit of the United Nations High Commissioner for Human Rights, in July 2022; the Special Rapporteur on the human rights to safe drinking water and sanitation, in December 2022; and the Special Envoy of the United Nations High Commissioner for Human Rights, in January 2023.

## V. Peru and the inter-American human rights system

15. At the level of the Americas, Peru is committed to regional stability and the strengthening of peace. Peru reiterates its commitment to dialogue as the means for peaceful resolution of disputes.

16. Peru maintains a policy of respecting and complying with the recommendations and decisions of the organs of the inter-American human rights system.

17. Within the Organization of American States, Peru has submitted a number of important resolutions on human rights in recent years, including those relating to access to public information and protection of personal data, persons who have disappeared and assistance to members of their families, and gender equity and balanced geographic and legal-system representation on the Inter-American Commission on Human Rights. Peru has also sponsored many other resolutions, notably those aiming to strengthen the promotion and protection of the rights of persons in vulnerable situations.

## VI. Progress at the national level

18. Peru recognizes that international human rights commitments involve numerous efforts for their domestic implementation and that they help to extend the exercise of fundamental freedoms at the national level. Consequently, the Government of Peru has sought to design solid and coordinated institutions within the State apparatus, in order to ensure the protection and promotion of human rights.

19. National human rights plans are strategic, multisectoral and comprehensive tools designed to ensure and promote the human rights of all citizens, particularly those belonging to groups that require special protection.

20. The commitment to human rights of the Government of Peru is evident in the development and implementation of three national human rights plans, which have enabled significant measures to be carried out for the most vulnerable people. Examples of concrete progress are described below:

- Despite facing limitations, Peru has received more than 1.3 million Venezuelan nationals (as at September 2021, according to the regional response plan for refugees and migrants), whose rights it protects through migrant regularization and the granting of the status of humanitarian migrants. The asylum system continues to operate without interruption to address cases of persecution or heightened vulnerability.
- As a result of the Act on gender parity and alternation, the presence of women in the current Congress of the Republic (for the period 2021–2026) has never been higher (36 per cent), which shows significant progress in the representation of women in decision-making, the drafting of legislation and the proposal of policy agendas.
- As of 2021, more than 11,400 children and adolescents who were orphaned owing to the death of a parent resulting from COVID-19 have received financial assistance to enable the persons who took charge of their care to meet their basic needs. In addition, in January 2022, the Congress of the Republic passed a law in order to expand this benefit with a view to reaching more than 83,000 orphaned children and adolescents.
- The Government of Peru is striving to meet the linguistic and cultural needs and rights of the speakers of Indigenous languages. To that end it is promoting and training translators and interpreters of Indigenous languages. The national

register of interpreters and translators of Indigenous languages has more than 450 interpreters and translators working in 37 of the 48 country's Indigenous languages.

- The first National Action Plan on Business and Human Rights 2021–2025 has been adopted. It aims to ensure the protection and respect of human rights in the field of business activities. The plan is the product of collaboration involving, since January 2019, 132 government institutions, the business sector, Indigenous Peoples, trade unions and organized civil society, with the support of international organizations and international aid agencies.
- The Protocol for the Protection of Human Rights Defenders was adopted in 2019 and the register of situations of risk facing human rights defenders was established in 2020. The intersectoral mechanism for the protection of human rights defenders was adopted in 2021. It seeks to prevent the emergence of the risks that human rights defenders face as a result of their work, to protect human rights defenders who face such risks and to ensure that they have access to justice.

21. The National Human Rights Plan 2018–2021 is currently being updated to become the first National Human Rights Policy. It will be in force until 2030 and is designed to expand the recognition of groups that deserve special protection. This recognition has facilitated an understanding of the vulnerabilities, needs and aspirations of the citizens concerned, making it possible to draft and implement specific policies for the following groups: (a) older persons; (a) Peruvians of African descent; (c) persons with disabilities; (d) women; (e) children and adolescents; (f) persons deprived of liberty; (g) persons with HIV/AIDS and persons with tuberculosis; (h) domestic workers; (i) lesbian, gay, bisexual, transgender and intersex persons; (j) human rights defenders; (k) Indigenous Peoples; (l) migrants; and (m) victims of the violence that occurred between 1980 and 2000.

## VII. Human rights commitments made by Peru

22. The following examples of national and international commitment made by the Republic of Peru demonstrate the importance that it attaches to the promotion and protection of human rights:

### (a) At the national level

- To strengthen the implementation of policies on social inclusion, equity and poverty eradication, from a human rights, gender, disability and intercultural perspective, in order to ensure a decent quality of life and improve the level of well-being of all people, especially vulnerable people.
- To continue to implement policies intended to ensure equal access to inclusive and high-quality education, in particular to protect the rights of vulnerable individuals such as persons with disabilities and Indigenous Peoples, and to eliminate gender disparities at all levels of education.
- To continue to strive to ensure the right to health of all persons and, in the context of the pandemic, continue to vaccinate all nationals and foreigners residing in Peru against COVID-19.
- To strengthen the measures adopted to eliminate all types of discriminatory practices and promote human equality.
- To continue to make every effort to combat all forms of discrimination against women and girls, seeking to eliminate all forms of violence against them,

including trafficking in persons, sexual exploitation and other types of exploitation, and fostering the effective participation of and equal opportunities for women in political, economic and public life.

- To improve access to justice in Peru by taking measures to guarantee a person's right to due process, with a view to, among other things, combating impunity.
- To continue to work for the victims of the period of violence that occurred during the 1980s and 2000s.
- To improve dialogue with Indigenous Peoples and scale up efforts to improve their quality of life, focusing on reducing poverty, promoting their development and adequately protecting their living environment.
- To expand and develop public policy measures aimed at protecting vulnerable population groups.
- To ensure the rights of human rights defenders and strengthen measures to ensure a safe environment.
- To maintain a constructive and ongoing dialogue with civil society regarding the design and promotion of public human rights policies.
- To continue to regularize the immigration status of foreigners in Peru and eliminate cases of statelessness.

**(b) At the international level**

- To continue to promote and protect human rights and fundamental freedoms in all areas of the United Nations based on the principles of universality, interdependence and indivisibility.
- To promote the strengthening of democracy, institutions and the rule of law, which are essential for the promotion and protection of human rights and fundamental freedoms.
- To participate constructively in the upcoming universal periodic review process and respond to the recommendations emanating from this mechanism.
- To continue to promote the strengthening of the Human Rights Council's special procedures and the extension by more States of standing invitations. Peru serves as an example of this practice, as it has maintained a standing invitation to such mechanisms to visit the country and submit reports in accordance with their mandates.
- To focus its efforts on submitting and supporting resolutions and documents in the United Nations General Assembly and the Human Rights Council that deal with important human rights issues and closely related topics, such as democracy, extreme poverty, combating impunity, and the rights of Indigenous Peoples, among others.
- To continue to support the work and the strengthening of the Office of the United Nations High Commissioner for Human Rights and cooperate with its mandate.
- To continue to foster the promotion and protection of the human rights of all people, especially women, children and adolescents, older persons, persons with disabilities and Indigenous Peoples, and to continue to participate actively in all efforts being carried out at the global level or the level of the Americas in this area.

- To strengthen our collaboration with the monitoring bodies for the human rights treaties to which Peru is a party, submitting the relevant periodic reports and implementing the recommendations issued by those bodies.
  - To continue supporting the work of international judicial bodies, in particular the International Criminal Court, and promoting the gradual universalization of the Rome Statute and its amendments.
  - To strengthen cooperation and the exchange of information between the United Nations human rights system and regional systems, in particular the inter-American human rights system.
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