

Peru: Pardon of former President Fujimori a 'slap in the face' for victims, say UN rights experts

28 December 2017 – Condemning the pardoning of former President of Peru, Alberto Fujimori, a group of United Nations independent human rights experts have said that the move undermines the work of the judiciary and the international community to achieve justice.

["It is a major setback for the rule of law in Peru:](#) a humanitarian pardon has been granted to someone convicted of serious crimes after a fair trial, whose guilt is not in question and who does not meet the legal requirements for a pardon," said the experts in a news release issued by the UN human rights office.

"We are appalled by this decision. It is a slap in the face for the victims and witnesses whose tireless commitment brought him to justice."

The experts voicing their concern include Agnès Callamard, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions; Pablo de Greiff, the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; and the Working Group on Enforced or Involuntary Disappearances.

In the news release, the experts stressed that the Peruvian President's constitutional right to pardon people could not be seen in isolation from the international conventions ratified by the country.

"International human rights law restricts the granting of amnesties, pardons or other exclusions of responsibility in cases of serious human rights violations including extrajudicial killings and enforced disappearances," they said, noting that a request of habeas corpus on Mr. Fujimori's health condition was already rejected by the judiciary.

Mr. Fujimori was serving a 25-year jail term for serious human rights violations, including extrajudicial killings, enforced disappearances and kidnapping. His conviction had been hailed as a major achievement in the fight against impunity.

The announcement of his pardon by current President Pedro Pablo Kuczynski, on December 24, has sparked protests in the capital, Lima, and elsewhere in the country.

Government should not give in to political pressure – rights experts

Also in the release, the experts said that the Government should not give in to political pressure and must honour its domestic and international obligations.

“Mr. Fujimori must be treated like any other person convicted of serious human rights crimes. His treatment should be compatible with his state of health and in accordance with the established standards and procedures,” added the experts.

The Government should respect the victims and witnesses who fought for justice and should adopt a comprehensive transitional justice strategy as a matter of priority, the experts added.

UN Special Rapporteurs and independent experts are appointed by the Geneva-based Human Rights Council to examine and report back on a specific human rights theme or a country situation. The positions are honorary and the experts are not UN staff, nor are they paid for their work.