

13 November 2020

Peru: Arbitrary detention of human rights defender Carlos Rodríguez

On 10 November 2020, human rights defender **Carlos Rodríguez** was arbitrarily detained by national police officers while requesting detention records at a police station and assisting young persons who have been detained while protesting in central Lima. The defender was released on 11 November 2020 and is under investigation for “resisting authority”

Carlos Rodríguez is a member of the SOS-Torture Network of the World Organisation Against Torture (OMCT) and a legal advisor for the National Coordinator of Human Rights (CNDDH), a civil society coalition with a long history defending and promoting human rights in Peru. Since 2016, Carlos has been providing legal assistance to the communities of Chancay who have been judicially harassed by extractive mining companies in the region.

On 10 November 2020, Carlos Rodríguez was arbitrarily detained by plain-clothed police officers at the Alfonso Ugarte police station. Rodríguez was at the police station providing legal assistance to young individuals detained while peacefully participating in [protests](#) against the removal of President Martín Vizcarra. He was detained after refusing to give his phone and personal documentation to the plain-clothed police officers who approached him. In doing so, the officers argued that Carlos Rodríguez was resisting authority and detained him. The defender was held until 11 November 2020 at 2pm, when the 43rd Criminal Prosecutor's Office ordered his release. He remains under investigation on charges of “resisting authority”.

Over 600 police officers have been deployed in central Lima, many of whom have resorted to violence including through the use of tear gas, pellets and firing shots into the air to dispersed protesters. At least 40 people have been detained during the demonstrations, of which 25, including Carlos Rodríguez, have been arbitrarily detained at Alfonso Ugarte police station. Aside from the disproportionate use of force, human rights lawyer **Mar Pérez**, also a member of the CNDDHH, denounced a number of irregularities during the protests such as the use of undercover agents in demonstrations, from the so-called Terna Group in the Green Squad. She has called out instances where undercover agents have prevented detainees from being granted legal assistance or have drafted detention orders without the presence of a prosecutor on duty. Protesters have also denounced widespread identity control at protests, where authorities have been making records of those present at the demonstrations.

The case of Carlos Rodríguez is not an isolated case; in his end of mission statement following his visit to the Peru in January 2020, the former Special Rapporteur on the situation of human rights defenders, Michel Forst, noted that the charge of “violence and resistance to authority” is frequently used to criminalise human rights defenders participating in peaceful demonstrations. In this regards Front Line Defenders is furthermore concerned by the use of new laws enacted in the context of the COVID-19 pandemic, such Supreme Decree N° 006-2020-IN, which has been used to restrict the right to peaceful assembly. According to information received by Front Line Defenders the criminalisation of human rights defenders and peaceful protesters has become ever more prevalent in the context of the pandemic.

While Front Line Defenders welcomes the release of human rights defender Carlos Rodríguez it continues to be concerned by the criminal investigation against him, as well as the excessive use of force used by police against protesters, whose right to peaceful assembly has been violently repressed. Front Line Defenders is deeply concerned that the attacks against and detention of Carlos Rodríguez are part of a broader strategy of harassment and violence against human rights defenders and civil society exercising their right to peaceful demonstration in Peru.

Front Line Defenders urges the authorities in Peru to:

1. Immediately drop all charges against Carlos Rodríguez as it is believed that they are solely motivated by his legitimate and peaceful work in defence of human rights;
2. Guarantee that all human rights defenders, including CNDDH members and those exercising their right to peaceful demonstration, in Peru are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.