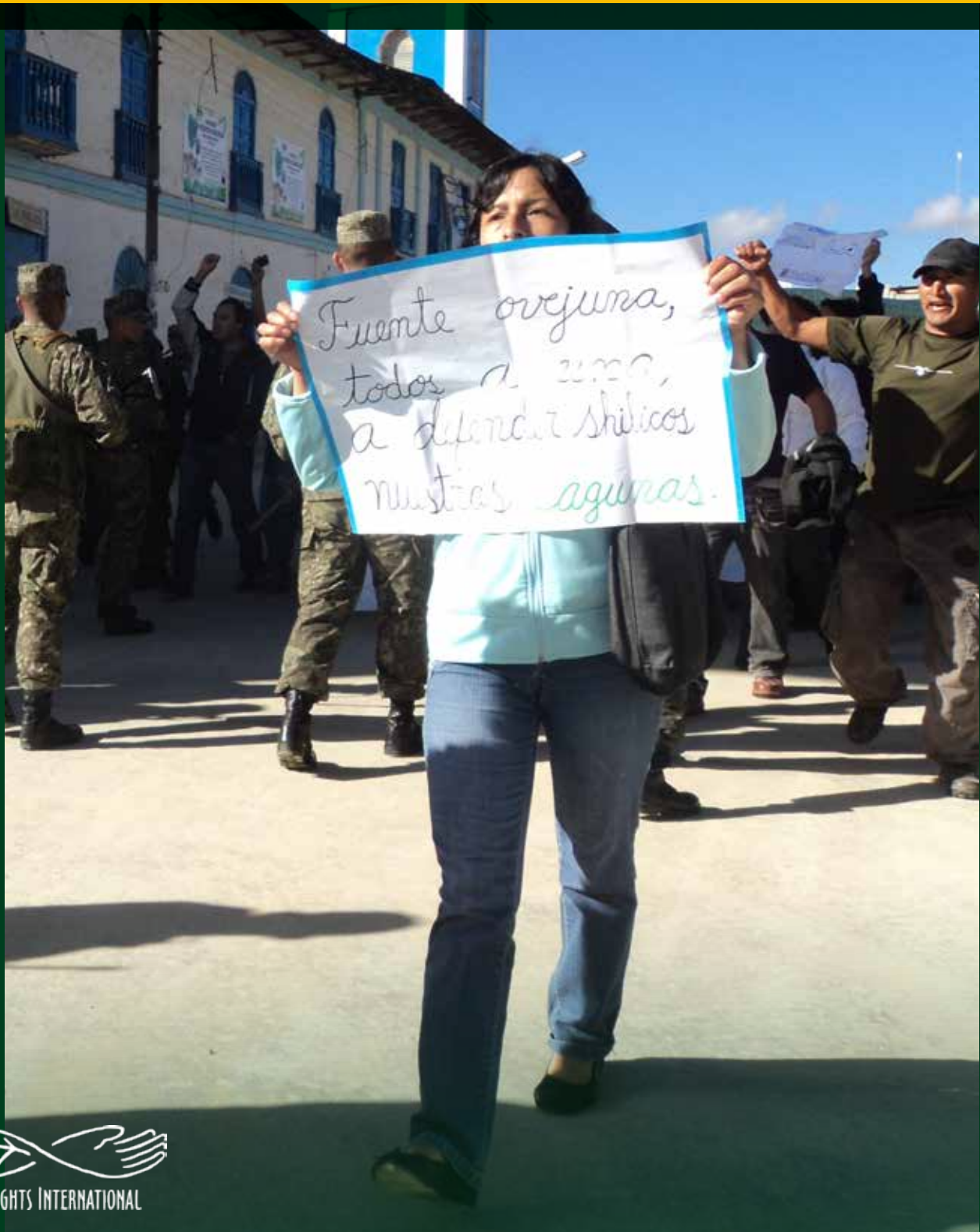


# Criminalization of Earth Rights Defenders in Peru

Highlights from the Report



REPORT 2020 - EARTHRIGHTS INTERNATIONAL

## **Criminalization of Earth Rights Defenders in Peru Highlights from the Report (2020)**

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# highlights from the report

In response to unchecked natural resource exploitation in Peru, numerous organized groups have taken up the peaceful defense of land and environmental rights. Many of them belong to ethnic and Indigenous communities whose livelihoods depend heavily on their lands and forests in the Peruvian Amazon.

Latin America is one of the most dangerous regions in the world for environmental defenders. In recent years, thousands of environmental defenders and their families have suffered killings, violence, harassment, and intimidation. In Peru, state and non-state actors increasingly use “criminalization” as one of the means to silence environmental defenders.

Criminalization refers to the misuse of criminal law and the justice system in order to punish the legitimate, constitutionally protected activities of environmental defenders. Criminalization can have serious consequences for environmental defenders, both individually and collectively. In addition to weakening protections for the environment and the rights of Indigenous Peoples, criminalization can impose years of psychological, reputational, and financial impacts on environmental defenders, while also making them and their families more vulnerable to physical attacks. At the collective level, criminalization can threaten the effectiveness and legitimacy of civil society organizations and reduce the civic space where defenders can carry out their work.

In this report, EarthRights International takes

a deeper look at the use of criminalization to silence environmental defenders in Peru. The report focuses on three emblematic cases: attacks against **Milton Sánchez Cubas** by the developers of the Yanacocha mining project; **Ronderos de Yagén** by the developers of the Chadín 2 hydroelectric project; and the **communities of Llusco, Santo Tomás, and Quiñota** by the Anabi SAC mining company.

These environmental defenders faced a range of criminalization tactics designed to harass and intimidate them. Many of these tactics are being used more broadly around Peru and in other parts of the world. For example, the report highlights how state and non-state actors are:

- **Filing unfounded lawsuits** that attempted to punish defenders for their legitimate exercise of social protest without providing evidence of the existence of a crime.
- **Suddenly delaying and cancelling proceedings** in order to keep the case in court as long as possible. This is especially burdensome on environmental defenders, many of whom live in remote areas far from the cities where judicial proceedings take place.
- **Moving the court proceedings to locations far away from the defendants’ homes**, which imposed further burdens on travel time and cost for environmental defenders living in remote areas.



- **Privatizing the use of force**, by allowing the Peruvian National Police to enter into contracts to provide private security services at the facilities of extractive companies.
- **Misusing state of emergency laws** to allow security forces to suspend rights to assembly and free expression in response to social protests in order to “restore internal order.”
- **Allowing the use of force to protect “critical assets,”** which gives security forces more leeway to repress social protests focused on the harms caused by natural resource extraction and infrastructure projects.

*To read the full report in Spanish, visit [this link](#).*

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