

Peru's far right rams through amnesty for human rights violators

Armando Cruz
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Peru's far-right forces, through their representatives in the totally discredited Congress and their puppet President Dina Boluarte, are in the final stages of implementing a legal framework for granting total amnesty for human rights violators and breaking from the Inter-American Human Rights System (IAHRS).

The IAHRS is the legal body responsible for human rights within the Organization of American States (OAS), to which Peru and all South American countries belong. To date, only the governments of Trinidad and Tobago and Venezuela, the latter of which the Peruvian far right denounces as a dictatorship, have effectively separated from the IAHRS.

On July 9, congressmen from the right-wing parties Fuerza Popular, Avanza País, Alianza para el Progreso, among others, voted in a session of the Permanent Commission (a body that meets when Congress is out of session) for Law 32107, which establishes a new statute of limitations for crimes against humanity committed before July 1, 2002.

The law has provoked condemnation and outrage from lawyers, human rights organizations and representatives of victims, who rightly denounce the law as an open door to police state impunity. This was confirmed just days after the law came into effect when three members of the former paramilitary group Colina requested to invoke the new law to apply the new statute of limitations on their convictions.

Colina was created by the authoritarian regime of Alberto Fujimori (1990-2000) during the so-called Internal Conflict of the 1980s and early 1990s, in which the armed forces fought a dirty war against the Maoist guerrilla insurgency Shining Path and, to a lesser extent, the Castroite MRTA.

Members of the Colina group were convicted in various courts for two massacres of civilians that occurred at that time—Barrios Altos and La Cantuta. In 2009, Fujimori himself was found guilty of “direct responsibility” for these crimes and sentenced to 25 years in prison.

Fujimori was pardoned in 2017 as part of a corrupt agreement with right-wing President Pedro Pablo Kuczynski, but was sent to prison again in October 2018 when the judiciary overturned the pardon. Fujimori was

finally released by the Constitutional Court in December 2023 with the support of President Boluarte. He died of cancer in September of last year.

Keiko Fujimori, his daughter and political heir, is the main ally and political supporter of Boluarte, who assumed the presidency after pseudo-leftist President Pedro Castillo was overthrown in a parliamentary coup in December 2022. She consolidated her power by ordering lethal repression, killing 50 unarmed protesters in the southern Andean regions, where Castillo had strong support.

Since then, Boluarte has been nothing more than a willing puppet of the right-wing forces led by Fujimori and her capitalist, anti-worker, and anti-human rights agenda. In exchange, Fujimori ensures that her party's 24 congressmen and political allies support Boluarte, her ministers, and officials in the face of any crime, accusation or scandal that may arise.

Boluarte's sympathy for the impunity laws enacted by Congress are no doubt driven by her own fears of facing prosecution once she leaves office for crimes against humanity for the bloody repression she oversaw as the regime sought to assure international capitalism that it had the nation under control.

Boluarte and the far-right factions with which she is aligned have implemented the most reactionary policies and laws since the fall of the Fujimori regime, of which the impunity laws are one of the most eagerly awaited and planned packages.

Currently, Boluarte, with a 3 percent approval rating, and Congress, with a 2 percent approval rating, are the most unpopular president and Congress in the world.

On March 13 of this year, the so-called APCI Law was passed, which strengthens the control, sanctioning and supervision of NGOs active in Peru. The law was criticized by Amnesty International because it states that everything NGOs do with international cooperation funds must be approved in advance by the state.

Two months later, in June, Congress voted 61 to 44, with three abstentions, in favor of Bill 7549, which was

specifically created to grant direct amnesty to military and police personnel accused of or on trial for human rights violations during the internal conflict. The main promoters of this new law were Fernando Rospigliosi, a staunch Fujimori supporter and long-time agent of the US embassy—an accusation he has never attempted to deny—and Jorge Montoya of the Honor and Democracy caucus, a reactionary and racist retired Navy admiral who served as chief of the armed forces command and who is the direct voice of the most fascistic factions of the Armed Forces.

In an interview, Rospigliosi stated that there are “endless judicial proceedings that seek not justice but revenge,” referring to the trials against military and police personnel. Montoya, meanwhile, stressed that military and police personnel who fought against “terrorism” should not be prosecuted. “Endless trials have been opened. This is manipulation of justice,” he declared.

Montoya is also a former member of the far-right and ultra-conservative Popular Renewal party, whose leader, Rafael López Aliaga, is the current mayor of Lima and a candidate for the presidency in the upcoming elections. López, a businessman and member of the Catholic sect Opus Dei, is likely to become the leader of the entire right wing, as corporate elites are reportedly abandoning Keiko Fujimori in favor of his candidacy. He recently stated that he would “solve” the growing wave of crime by sending prisoners to the infamous CECOT prison in El Salvador.

As with Law 32107, this new legislation was criticized because it would effectively upend more than 600 ongoing judicial proceedings and 156 cases in which convictions have already been handed down for crimes such as forced disappearance, torture or extrajudicial execution, almost all of them committed during the Internal Conflict. Delia Espinoza, the nation’s prosecutor, stated that the new law would contradict the norms of the IACHR, to which Peru is a signatory: “The Inter-American Court of Human Rights has been clear. Amnesty laws for crimes against humanity are inadmissible.”

The day after the law was passed, Prime Minister Eduardo Arana announced in a speech to Congress that he would propose to Congress the creation of a high-level commission to evaluate Peru’s withdrawal from the Inter-American Court of Human Rights (IACHR). No further details have been provided, but withdrawal from the IACHR is a plan that has strong support from the Armed Forces, the government, the extractive companies and even the Catholic Church. Many victims of the internal conflict have turned to the IACHR as a last resort to sue the Peruvian state and the Armed Forces for their role in human rights crimes. The IACHR has also shown its support for environmentalists and indigenous peoples in conflicts with extractive corporations,

as well as for LGBT rights.

Just one month before Arana’s proposal, a hearing was held at the IACHR in San José, Costa Rica in the case of Celia Ramos, a Peruvian working woman who died after being coerced into undergoing surgical sterilization under a “family planning” campaign imposed during Fujimori’s second term in office.

The case concerns “Forced Sterilizations.” It was presented by the Ministry of Health at the time as the “National Reproductive Health and Family Planning Program,” whose objective was to reduce the birth rate, but in reality it was a quasi-eugenic campaign in which women of poor, rural and indigenous origin were deliberately selected and coerced or deceived into being sterilized in order to reduce their population. An estimated 270,000 women (and a smaller number of men) were sterilized during this period.

According to documents released under the Freedom of Information Act, the recently closed USAID agency participated in or directed this program.

Celia’s daughter, Marisela Monzón Ramos, managed to bring this case to the IACHR after the Peruvian justice system shelved the sterilization prosecutions; and in 2021 the IACHR declared the Peruvian state responsible for Celia’s death and recommended comprehensive reparations.

However, this case, like thousands of others, would once again be shelved and forgotten under the new amnesty law, which seeks to protect the most heinous crimes committed by the Peruvian bourgeois state and thus pave the way for future crimes.



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