



Coalition for Academic Freedom in the Americas

Statement on the situation at the Universidad Nacional Mayor de San Marcos in Peru

January 23, 2023

The Coalition for Academic Freedom in the Americas (CAFA) condemns the violation of the physical autonomy of the Universidad Nacional Mayor de San Marcos, located in Lima, by the Peruvian National Police on Saturday, January 21, 2023.

The Political Constitution of Peru recognizes university autonomy as one of the pillars of higher education. The destruction of one of the university's entrance gates by the police and the subsequent arrest of 205 people, including university students in their dormitories, represents a disproportionate use of force and violation of university autonomy, and severely undermines one of the premises on which academic freedom functions: that the university campus must be a safe place for the open expression of ideas.

Indeed, the [Inter-American Principles on Academic Freedom and University Autonomy](#), adopted by the Inter-American Commission on Human Rights in December 2021, recognize that the university campus is a space free of violence (Principle V), establishing the State's duty to prevent all forms of violence. Saturday's events of forced and violent entry of the campus and university residences breached this State duty.

Additionally, Principle VI of the Inter-American Principles establishes the inviolability of the university space. This means that a campus can only be occupied by third parties in exceptional situations, who in all cases must respect internationally recognized human rights. Even the declaration of a state of emergency cannot be used to disregard or breach academic freedom and university autonomy.

Furthermore, CAFA is appalled to read reports that female members of the university community who were arrested and taken to police precincts were strip-searched by male officers, who were apparently looking for drugs, without any indication that they were in possession of narcotics. We condemn in the strongest possible terms this and any form of sexual violence.

While the university rector requested police support to clear the campus of individuals who participated in off-campus protests, the [university's council reported](#) that it had never authorized an operation of such violence and magnitude. Media reports demonstrate that police used a disproportionate use of force and arrests of civilians without the presence of district attorneys, an act that breaches Peruvian law. In addition, there are reports and



testimonies showing police officers barring the access of lawyers to defend the people arrested, which represents a breach in the right to access to justice and due process. The State is obliged to respect the principles of proportionality, reasonableness, legality, and necessity; this did not occur on January 21.

The above-mentioned actions go against the provisions of the Inter-American Principles, which reflect internationally recognized obligations of the Peruvian State and those found in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the American Convention on Human Rights and the San Salvador Protocol on Economic, Social and Cultural Rights.

CAFA urges the Peruvian authorities to investigate these breaches of university autonomy and to issue a report of their findings; to commit to protecting the autonomy of all higher education institutions in Peru; and to take affirmative action, within their capabilities, aimed at the practical application of the Inter-American Principles on Academic Freedom and University Autonomy. We call for peace and respect for human rights in the difficult situation that Peru is going through.

Coalition for Academic Freedom in the Americas:

<https://www.udem.edu.mx/en/institutional/coalition-academic-freedom-americas-cafa>

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