



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the ninth periodic report of Peru*

1. The Committee considered the ninth periodic report of Peru ([CEDAW/C/PER/9](#)) at its 1863rd and 1865th meetings ([CEDAW/C/SR.1863](#) and [CEDAW/C/SR.1865](#)) held on 15 and 16 February 2022. The list of issues and questions raised by the pre-sessional working group is contained in [CEDAW/C/PER/Q/9](#) and the responses of Peru are contained in [CEDAW/C/PER/RQ/9](#).

A. Introduction

2. The Committee appreciates the submission by the State party of its ninth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee ([CEDAW/C/PER/CO/7-8/Add.1](#)) and its written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the constructive dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the First Constitutional Vice-President of the Republic of Peru and Minister of Development and Social Inclusion, Dina Boluarte Zegarra. The delegation also included representatives of the Ministry of Development and Social Inclusion, the Ministry of Women and Vulnerable Populations, the Ministry of Labour and Employment Promotion, the National Superintendence of Labour Inspection, the Ministry of Justice and Human Rights, the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Environment, the Ministry of Agrarian Development and Irrigation, the Ministry of Culture, the judiciary, the National Police, the Office of the Public Prosecutor, the National Jury of Elections, the National Penitentiary Institute, the National Council for the Integration of Persons with Disabilities and the Permanent Mission of Peru to the United Nations Office and other international organizations in Geneva.

* Adopted by the Committee at its eighty-first session (7 to 25 February 2022).



B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2014 of the State party's combined seventh and eighth periodic reports (CEDAW/C/PER/7-8) in undertaking legislative reforms, in particular the adoption of the following:

(a) Act No. 31405 (2022), on the protection and comprehensive development of orphaned children, which also includes the successors of human rights defenders;

(b) Act No. 31119 (2021), amending articles 3 and 6 of Act No. 28592, creating the Comprehensive Reparations Plan;

(c) Act No. 31155 (2021), on preventing and punishing harassment against women in political life;

(d) Act No. 31030 (2020), amending rules in electoral legislation to ensure gender parity and alternation in lists of candidates;

(e) Act No. 30982 (2019), strengthening the role of women in rural communities, and setting a minimum quota of 30 per cent for women and 30 per cent for men on community councils;

(f) Legislative Decree No. 1386 (2018), which explicitly recognizes the obligation to provide specialized care to victims of sexual violence;

(g) Legislative Decree No. 1410 (2018), which defines the crimes of harassment, sexual harassment, sexual blackmail and the dissemination of images, audiovisual content, or audios with sexual content;

(h) Legislative Decree No. 1384 (2018), recognizing and regulating the legal capacity of persons with disabilities on equal terms;

(i) Legislative Decree No. 1323 (2017), which contributes to efforts to combat femicide, domestic violence and gender-based violence by establishing new offences and aggravating circumstances;

(j) Act No. 30364 (2015), on the Prevention, punishment, and eradication of violence against women and their families.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, in particular the adoption of the:

(a) Multisectoral plan for comprehensive intervention in favour of the population exposed to heavy metals, metalloids and other substances, approved by Supreme Decree No. 037-2021-MINAM of 23 December 2021;

(b) National Policy against Trafficking in Persons and its Forms of Exploitation by 2030, approved by Supreme Decree No. 009-2021-IN, of 18 August 2021;

(c) National Environmental Policy, approved by Supreme Decree No. 023-2021-MINAM of 25 July 2021;

(d) Sectorial Protocol for the Protection of Environmental Defenders, approved by Ministerial Resolution No. 134-2021-MINAM of 23 July 2021;

(e) National Plan for the Search for Disappeared Persons (1980–2000), approved by Supreme Decree No. 011-2021-JUS (2021) of 13 July 2021;

(f) National Multisectoral Policy for Children and Adolescents to 2030, approved by Supreme Decree No. 008-2021-MIMP of 25 June 2021;

(g) National Policy for the Reform of the Justice System 2021–2025, approved by Supreme Decree No. 012-2021-JUS of 15 June 2021;

(h) National Policy for Decent Employment, approved by Supreme Decree No. 013-2021-TR of 13 June 2021;

(i) National Action Plan on Business and Human Rights (2021–2025), approved by Supreme Decree No. 009-2021-JUS (2021) of 11 June 2021;

(j) National Multisectoral Policy for Elderly Persons to 2030, approved by Supreme Decree No. 006-2021-MIMP of 5 June 2021;

(k) National Multisectoral Policy on Disability for Development to 2030, approved by Supreme Decree No. 007-2021-MIMP of 5 June 2021;

(l) Intersectoral mechanism for the protection of human rights defenders, approved by Supreme Decree No. 004-2021-JUS, on 22 April 2021;

(m) National Penitentiary Policy to 2030, approved by Supreme Decree No. 011-2020-JUS of 25 September 2020;

(n) Intersectoral Protocol for the participation of the Government before international and regional human rights protection mechanisms and capacities of the national mechanism for reporting and follow-up, approved by Supreme Decree No. 010-2020-JUS of 20 August 2020;

(o) National Gender Equality Policy, approved by Supreme Decree No. 008-2019-MIMP of 4 April 2019;

(p) National Plan against Gender-Based Violence 2016–2021 approved by Supreme Decree No. 008-2016-MIMP of 26 July 2016 and the Joint Action Plan to Prevent Violence against Women, through Supreme Decree No. 008-2018-MIMP of 25 August 2018;

(q) Action Plan on Gender and Climate Change, approved by Supreme Decree 012-2016-MINAM of 24 July 2016.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international and regional instruments:

(a) Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization, in 2022;

(b) Amendments to the Rome Statute of the International Criminal Court on the crime of aggression, in 2022;

(c) Treaty on the Prohibition of Nuclear Weapons, in 2021;

(d) Inter-American Convention on Protecting the Human Rights of Older Persons, in 2020;

(e) Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization, in 2018;

(f) Optional Protocol to the Convention on the Rights of the Child on a communications procedure, in 2015;

(g) Convention on the Reduction of Statelessness, deposited in 2014.

C. Sustainable Development Goals

7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of Peru and to adopt relevant policies and strategies to that effect.

D. Congress

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites Congress, in line with its mandate, to take necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

E. Principal areas of concern and recommendations

General context and historical discrimination

9. The Committee acknowledges the efforts by the State party to mainstream gender equality and women's rights in its legislative, regulatory and policy frameworks. The Committee is concerned, however, about the high levels of gender-based violence against women, which have been exacerbated since the onset of the coronavirus disease (COVID-19) pandemic. It notes with concern the inadequate progress made in addressing the disproportionate levels of violence experienced by disadvantaged and marginalized groups of women and girls in all areas of their lives and who are also facing historical and intersecting forms of discrimination, namely indigenous and Afro-Peruvian women, women with disabilities, lesbian, bisexual and transgender women and intersex persons, rural women, refugee and migrant women and women and girls in detention. The Committee regrets the lack of visibility and priority given to women and girls belonging to those groups in all initiatives of the State party to achieve gender equality and women's rights, thereby perpetuating their social and economic exclusion, and denying the rights guaranteed to them under the Convention.

10. The Committee calls upon the State party to actively promote the use of temporary special measures, including through the adoption of quotas, targets and indicators, in all areas of the Convention, to provide urgent redress for women and girls who are subjected to historical and intersecting forms of discrimination, such as indigenous and Afro-Peruvian women, women with disabilities, lesbian, bisexual and transgender women and intersex persons, rural women and refugee and migrant women and women and girls in detention. It further recommends that the State party develop a strategic and holistic response in cooperation with women's groups and civil society organizations to ensure the timely implementation of such temporary special measures.

Legal framework

11. The Committee commends the State party on its comprehensive legislative and policy framework for the elimination of discrimination against women. However, the

Committee remains concerned about challenges to the effective implementation of, and the slow progress in bringing about the institutional changes necessary to enforce, such legislation and policies.

12. In line with article 1 of the Convention and general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, the Committee recommends that the State party strengthen the enforcement of legislation and policies aimed at eliminating discrimination against women in all areas covered by the Convention, including through enhanced institutional coordination for its enforcement between the legislative, executive and judicial branches.

Access to justice

13. The Committee welcomes the efforts made by the State party to strengthen access to justice for women, including the National Programme on Access to Justice for Vulnerable Persons, 2016–2021. It notes with concern, however, the persistent institutional, structural and practical barriers to women’s access to justice, including the following:

(a) Discriminatory stereotypes and limited knowledge of women’s rights among members of the judiciary, legal practitioners and law enforcement officers, including the police;

(b) Judicial bias, in particular in cases of femicide, harassment and sharing of images and recordings with sexual content, and the lack of accountability mechanisms to ensure compliance by the judiciary with gender-sensitive procedures;

(c) That young women are unable to access the courts or to personally report cases of gender-based violence against women without an adult present, and that indigenous women, rural women, women land right defenders, women with disabilities and lesbian, bisexual and transgender women and intersex persons are often harassed and denied services when seeking to access justice;

(d) Financial, linguistic, accessible and geographical barriers to gaining access to justice faced by low-income, rural women, Afro-Peruvian and other Afrodescendent women, refugee or asylum-seeking and migrant women, and indigenous women and women with disabilities;

(e) Limited awareness among women about their rights under the Convention and the legal remedies available to them, including victims of gender-based violence against women, and the low rate of prosecution in such cases.

14. In accordance with the Convention and with the Committee’s general recommendation No. 33 (2015) on women’s access to justice, the Committee recommends that the State party:

(a) **Ensure systematic and mandatory capacity-building for judges, prosecutors, public defenders, lawyers, the police and other law enforcement officers, at the federal, state and local levels, on women’s rights and gender equality, to eliminate judicial bias and discrimination against women and girls and ensure accountability for judges who discriminate against women;**

(b) **Continue raising awareness among women about their rights under the Convention, targeting in particular women belonging to marginalized groups, including low-income, rural women, Afro-Peruvian and other Afrodescendent women, refugee or asylum-seeking and migrant women, and indigenous women and women with disabilities;**

(c) **Encourage women to report incidents of gender-based violence against women, including domestic violence, ensure that women who are victims of discrimination and gender-based violence against women have access to timely and effective remedies and ensure that all cases of gender-based violence against women are effectively investigated and that perpetrators are prosecuted and adequately punished.**

Women human rights defenders

15. The Committee welcomes the efforts to protect and support all women human rights defenders, including the protocol, the inter-sectorial protection mechanism, the registry and sectorial protocol for environmental defenders, among others, to ensure their protection. It remains concerned, however, about harassment, gender-based violence against women and discrimination, as well as acts of intimidation and reprisals perpetrated against women human rights defenders.

16. **The Committee recommends that the State party:**

(a) **Expedite the investigation and prosecution of all acts of harassment, gender-based violence against women and discrimination, as well as acts of intimidation and reprisals perpetrated against women human rights defenders, provide remedies and reparations to victims, and establish a specific registry of such incidents, with gender sensitive indicators, disaggregated data and publicly available statistics;**

(b) **Raise awareness of the contribution of women human rights defenders to the realization of women's rights and take legislative and other measures necessary to prevent attacks and threats against and provide protection and reparations for women human rights defenders;**

(c) **Enhance collaboration between the Ministry of Women and Vulnerable Populations and networks of women human rights defenders.**

National machinery for the advancement of women and national human rights institution

17. The Committee welcomes the establishment of gender equality mechanisms in regional and local governments and efforts towards a more effective implementation of plans and policies related to women's rights. It notes the approval of the National Gender Equality Policy for the period 2019–2030. It is, however, concerned about the proposed draft law that proposes to change the name of the Ministry of Women and Vulnerable Populations to “Ministry of the Family and Vulnerable Populations”, noting that this would weaken the institutional mechanism for women's rights by shifting the focus from the National Gender Equality Policy to a traditional concept of family. It further regrets the lack of resources allocated to the plans, programmes and activities to achieve gender equality and women's rights. The Committee is also concerned that the enabling legislation of the Defensoría del Pueblo of Peru does not adequately ensure its independence and that the Defensoría lacks a strong mandate for the protection and promotion of women's rights.

18. **Recalling the guidance provided in the Beijing Declaration and Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries, the Committee recommends that the State party:**

(a) **Ensure the integrity of the Ministry of Women and Vulnerable Populations, both in name and mandate, to reinforce its capacity to promote and monitor the implementation of gender equality policies, strengthening its role**

within the regulatory framework that governs gender mainstreaming, at all levels of government;

(b) **Adopt an integrated gender-responsive budgeting process and allocate sufficient budgetary resources for the advancement of women's rights, ensure the application of effective monitoring and accountability mechanisms across all government departments and improve the system for tracking the allocation of resources for women;**

(c) **Strengthen efforts aimed at ensuring systematic and institutionalized coordination between the National Women's Institute of the Ministry of Women and Vulnerable Populations and gender equality mechanisms at the regional and local levels, with the active participation of women's rights groups and civil society organizations;**

(d) **Introduce effective monitoring, evaluation and accountability mechanisms to address the structural factors causing persistent inequalities and enforce the integrated approach to gender mainstreaming on the basis of compliance with the National System of Gender Indicators;**

(e) **Allocate a sufficient budget to fulfil the priority objectives of the National Gender Equality Policy by 2030 and the Strategic Planning, Multiannual Programming and Investment Management, Public Budget and Human Resources Management and approve a results-oriented budgetary programme for this purpose;**

(f) **Amend the legislation governing the Defensoría del Pueblo of Peru to bring it in line to comply with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) contained in the annex to General Assembly resolution 48/134 of 20 December 1993, and ensure that it has a strong mandate for the promotion of gender equality and the protection of women's rights.**

Temporary special measures

19. The Committee notes the introduction of statutory quota to foster women's participation, including in Act No. 30982 to strengthen the role of women in rural communities, setting a minimum quota of 30 per cent for women and 30 per cent for men on community councils; Act No. 31030, amending rules in electoral legislation to ensure gender parity and alternation in lists of candidates; and Supreme Decree No. 017-2021-TR, regulating Act No. 31153, a quota for the preferential inclusion of victims of domestic violence in programmes for the promotion or generation of employment, or in vocational training programmes. It is concerned, however, about the lack of effective implementation and monitoring to ensure that those quotas are met.

20. **In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party ensure that all statutory quotas for gender equality are met through systematic monitoring, evaluation and reporting on their realization and impact and instituting sanctions for non-compliance with such quotas.**

Discriminatory stereotypes and harmful practices

21. The Committee welcomes the efforts made by the State party to eliminate patriarchal attitudes, deeply rooted stereotypes and harmful practices. It nevertheless remains concerned at the pervasiveness of such attitudes and the social legitimization of harmful practices against women and girls in the State party, as manifested in:

(a) The high prevalence of child marriages, noting that almost one in five girls in Peru is married before the age of 18;

(b) Gender-based violence against women and discrimination against women with disabilities, lesbian, bisexual and transgender women and intersex persons, refugee or asylum-seeking and migrant women and indigenous and Afro-Peruvian women, in particular in the delivery of health services and in their engagement with the justice system.

22. In line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, the Committee recommends that the State party:

(a) **Develop and implement a comprehensive strategy across all sectors to eliminate discriminatory stereotypes on the roles and responsibilities of women and men in the family and in society, working with a broad range of stakeholders, including women's organizations, to ensure that all public policies integrate a gender perspective, with a view to dismantling discriminatory attitudes that perpetuate gender-based violence against women and discrimination, as well as harmful practices against women and girls, and, in particular, against those who are lesbian, bisexual, transgender, intersex, refugees, asylum-seekers, migrants or with disabilities;**

(b) **Strictly enforce the provisions of the Civil Code prohibiting child marriage;**

(c) **Conduct comprehensive awareness-raising campaigns, at the community level, to challenge cultural attitudes that legitimize child marriage and educate the general public on its harmful effects on girls;**

(d) **Design and implement gender education programmes for the empowerment and autonomy of girls and adolescents and positive masculinities, including through revised school curricula teacher and parenting education programmes and media campaigns.**

Gender-based violence against women

23. The Committee welcomes the strengthening of legal provisions to combat gender-based violence against women in the State party, including the adoption of Act No. 30364 on the prevention of violence against women and members of the family group, in 2015; the National Plan against Gender-Based Violence 2016–2021; and the guidelines for an intercultural perspective on the prevention, protection, and support for cases of violence against women, children, adolescents, and indigenous women, lesbian, bisexual and transgender women and intersex persons and women with disabilities, published in 2019. It remains deeply concerned, however, about the high incidence of intimate partner violence against women, exacerbated by the ongoing COVID-19 pandemic, noting that over the past two years the numbers of femicides, sexual violence and disappearances of young women increased exponentially.

24. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) **Enhance mechanisms to monitor the enforcement of laws criminalizing gender-based violence against women and providing for victim support services, in particular with regard to disadvantaged and marginalized groups of women, such as young women, indigenous, Afro-Peruvian and other**

Afrodescendants, lesbian, bisexual and transgender women and intersex persons and women with disabilities;

(b) **Prevent, register, investigate and sanction discrimination and gender-based violence against lesbian, bisexual and transgender women and intersex persons, indigenous and Afro-Peruvian women and uphold their rights to dignity, equality and non-discrimination and to ethnic and cultural identity;**

(c) **Strengthen women's rights and gender equality components at all levels of judicial training;**

(d) **Invite the National Board of Justice to adopt and implement a gender-responsive guide for the selection and evaluation of magistrates;**

(e) **Ensure that the judiciary reinstates the course on gender and justice and strengthens gender sensitization in judicial training programmes at all levels;**

(f) **Establish a clear time frame for the implementation of Act No. 30926 that strengthens effective coordination between the five institutions that oversee the national strategy for the implementation of the Specialized National Justice System for the protection and punishment of violence against women and members of the family group, which has been suspended since 2019;**

(g) **Establish special programmes to address sexual violence against young women and amend the law to allow minors to report incidents without the presence of a parent or legal guardian;**

(h) **Approve the new national policy for the prevention and attention to gender violence 2022–2027, which includes public responses in emergency and humanitarian settings, and ensure the allocation of an adequate budget for its implementation;**

(i) **Ensure the provision of appropriate, accessible and quality support services responding to the needs of survivors of gender-based violence against women, especially indigenous women, Afro-Peruvian and other Afrodescendent women, women with disabilities, refugee, asylum seeking and migrant women, women living with HIV/AIDS, and lesbian, bisexual and transgender women and intersex persons;**

(j) **Approve a disaggregated case registration system, with variables such as ethnic and linguistic self-identification, disability, nationality, sexual orientation and gender identity;**

(k) **Develop and strengthen the capacities of victim service providers to enable them to provide quality services free of discrimination to women survivors of gender-based violence in development and humanitarian settings.**

Women, peace and security

25. The Committee notes with concern that women continue to face multiple barriers in access to mechanisms for reparations, the search for the disappeared, and initiating criminal proceedings in cases of crimes related to gender-based violence against women, and other transitional justice activities. It is further concerned about the extremely low conviction rates in cases of rape committed during the internal conflict (1980–2000).

26. **Recalling the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee recommends that the State party strengthen the reparations processes and prevent revictimization of women, including by:**

(a) **Establishing a clear time frame for the development of a comprehensive intersectoral national action plan to implement Security Council resolution 1325 (2000) and subsequent resolutions on women and peace and security, in cooperation with women's civil society organizations;**

(b) **Implementing the Integral Reparations Plan and amending its Criminal Code and Code of Criminal Procedure to align them with the Rome Statute of the International Criminal Court and ensure that perpetrators of international crimes against women are brought to justice.**

Trafficking and exploitation of prostitution

27. The Committee notes the State party's efforts to combat trafficking in women and girls, including through the adoption of Act No. 31146 amending criminal law provisions against trafficking in persons to ensure the procedural representation of minors and reparations for victims of trafficking, as well as the National Policy against Trafficking in Persons (2030). It notes with concern, however:

(a) That the State party continues to be a country of origin, transit and destination for trafficking in persons, in particular women and girls, for the purposes of sexual exploitation, including online and sex tourism;

(b) That indigenous women living in remote areas with limited access to government services; migrant women seeking employment opportunities in the gold mining industry; women from communities residing on the Amazon River; and refugee and migrant women from the Bolivarian Republic of Venezuela are at a particularly high risk of being trafficked;

(c) The lack of information on a national referral mechanism for victims of trafficking, as well as on remedies for victims, including the recognition of their victim status under criminal law, and on any progress in establishing a fund comprised of seized assets to compensate victims.

28. **In line with its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:**

(a) **Address the root causes of trafficking and the situations of vulnerability to which trafficking victims are exposed, including by ensuring their access to basic services, such as education and health care, as well as to employment opportunities, irrespective of their migration status;**

(b) **Strengthen the capacity of first-line responders to identify cases of trafficking in women and girls in remote areas, in mining communities and along the Amazon River; and in areas of the country hosting refugee and migrant women from the Bolivarian Republic of Venezuela;**

(c) **Establish a national mechanism to refer victims of trafficking to protection and assistance, strengthen the number of shelters and services provided to victims of trafficking across the State party, including counselling and rehabilitation services and accessibility measures, and provide sufficient funding to civil society organizations that run shelters and provide victim support services;**

(d) **Recognize by law the victim status of trafficking victims and ensure that they receive prompt and adequate compensation from the fund;**

(e) **Provide in the next periodic report information on the impact of the national strategy to combat trafficking in women and girls, including their exploitation for sexual purposes.**

Equal participation in political and public life

29. The Committee welcomes the progress made by the State party in increasing women's participation in political and public life, in particular the establishment of the Group for Strengthening Indigenous Political Participation (resolution 085-A-2016-P/JNE), as well as Act No. 31030, raising the quota in both regional and municipal elections to 50 per cent (gender parity). The Committee nevertheless notes with concern:

(a) The persistence of structural barriers faced by women, in particular women from marginalized groups, in access to political and public life, decision-making processes and dialogues with the Government on issues such as extraction mining ventures and large-scale agricultural initiatives;

(b) That discriminatory gender stereotypes continue to impede women from standing for election at the state and municipal levels;

(c) Increased political harassment against women, largely with impunity for those responsible;

(d) Complaints about women with disabilities being disfranchised because they were not on the electoral roll as a consequence of previously being subject to guardianship/interdiction status.

30. Recalling its general recommendation No. 23 (1997) on women in political and public life, as well as target 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) **Adopt temporary special measures in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, including statutory quotas for the equal representation of women in decision-making positions in the Government, the civil service and the foreign service;**

(b) **Adopt measures to encourage women's equal participation at all levels of decision-making, including on mining ventures, large-scale agricultural initiatives, in the security sector and in managerial positions in the private sector;**

(c) **Adopt measures to address discriminatory gender stereotypes and practices within political parties that discourage women, in particular indigenous, Afro-Peruvian and other Afrodescendants, lesbian, bisexual and transgender women and intersex persons and women with disabilities, from standing for election at the federal, state or municipal levels;**

(d) **Strengthen mechanisms to prevent gender-based violence against women politicians, human rights defenders and candidates in public discourse, including online, and strengthen measures to prevent harassment and threats against them, including by strengthening reporting and monitoring mechanisms, and requiring all political parties to develop policies to promote gender equality and combat harassment, and hold social media companies accountable for unlawful user-generated content;**

(e) **Adopt urgent measures for a permanent parity in the composition of the constitutionally autonomous bodies of the justice system, including at the highest decision-making levels;**

(f) **Ensure equal voting rights for women with disabilities, including by ensuring that women previously subject to guardianship/interdiction status are included on the electoral roll.**

Nationality

31. The Committee is concerned about the requirement for parents to present identity documents to obtain birth certificates for their children, which may result in statelessness of children born to undocumented parents given the large number of migrant, refugee and asylum-seekers in the State party.

32. The Committee recommends that the State party remove the requirement of parents' official documentation for the issuance of birth certificates and ensure that civil registry staff issue birth certificates to all children born in the State party, without exception.

Education

33. The Committee welcomes the efforts to increase girls' and women's access to education across the State party through the development of a bilingual and intercultural education service model in 2018. It notes with concern, however:

(a) That the high illiteracy rates disproportionately affect women and girls from marginalized communities who face intersecting forms of discrimination, such as indigenous, rural and Afro-Peruvian women and girls and women and girls with disabilities, refugees and migrants, many of whom have no formal education at all;

(b) The disproportionately low literacy and school completion rates among girls who become pregnant;

(c) The lack of age-appropriate sexuality education at all levels, including education on sexual and reproductive health and rights and gender equality.

34. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party promote understanding of the importance of girls' education at all levels as a basis for their empowerment, and:

(a) Take targeted measures to ensure that disadvantaged and marginalized groups of girls, and in particular indigenous, Afro-Peruvian girls, rural girls and girls with disabilities, refugees and migrants, have adequate access to quality education, as well as their retention in school, including by:

(i) Strengthening the educational infrastructure in indigenous communities and rural areas;

(ii) Providing free, reliable and safe school transport for girls and women in rural and remote areas;

(iii) Facilitating the enrolment of girls from marginalized groups in educational institutions at all levels;

(iv) Ensuring adequate opportunities for indigenous girls and women to receive instruction in their own languages;

(b) Ensure that sufficient human and financial support is available for implementation of strategies to prevent early pregnancies and strengthen support mechanisms to encourage pregnant girls and young mothers to continue their education during and after pregnancy, including by providing affordable childcare facilities, informing pregnant girls of their rights and imposing fines on educational institutions that expel pregnant girls and/or deny young mothers the opportunity to reintegrate into education;

(c) Strengthen the delivery of gender-sensitive, age-appropriate and accessible education on sexual and reproductive health and rights in curricula at

all levels of education to foster responsible sexual behaviour with a view to preventing early pregnancies and sexually transmitted infections, including by providing teachers with systematic training on sexual and reproductive health and rights.

Employment

35. The Committee welcomes the ongoing efforts by the State party to promote the integration of women into the labour market, including through the adoption of the National Action Plan on Business and Human Rights (2021–2025), which seeks to reconcile work and family life, training on good practices and gender equality, fighting harassment and gender-based violence against women in the workplace, and ensuring equal and decent conditions of work for lesbian, bisexual and transgender women and intersex persons. It notes with concern, however:

(a) That women facing intersecting forms of discrimination, including indigenous and Afro-Peruvian and other Afrodescendent women, lesbian, bisexual and transgender women and intersex persons and women with disabilities, have limited access to employment opportunities;

(b) Delays in the adoption of the draft law on the creation of a national care system and the slow progress in the implementation of measures to ensure and monitor the protection of the social and labour rights of domestic workers, following the ratification of the Maternity Protection Convention, 2000 (No. 183) and the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization;

(c) The limited effectiveness of the free hotline to respond to cases of sexual harassment at work.

36. The Committee draws attention to its general recommendation No. 13 (1989) on equal remuneration for work of equal value and to target 8.5 of the Sustainable Development Goals and recommends that the State party:

(a) **Monitor, evaluate and report on the impact of efforts to include a gender perspective in the National Agricultural Policy as decreed by the Ministry of Agricultural Development in 2016;**

(b) **Establish hiring quotas and employment retention schemes specifically targeted at promoting access by women facing intersecting forms of discrimination, including indigenous, Afro-Peruvian and lesbian, bisexual and transgender women and intersex persons and women with disabilities, to formal employment;**

(c) **Allocate an adequate budget for the implementation of the National Care System, with specialized human resources to ensure compliance with the National Action Plan on Business and Human Rights.**

Health

37. The Committee notes the measures taken by the State party to prevent early pregnancies, including the National Multisectoral Policy for Children and Adolescents (2030), establishing guidelines aimed at reducing early pregnancies and prioritizing comprehensive sexuality education for basic education students. However, the Committee notes with concern:

(a) The lack of progress made in attaining the national goal of reducing early pregnancies by 20 per cent by 2021, and that 12.6 per cent of women and girls between 15 and 19 years old had children or were pregnant, according to the National Survey on Health and Family conducted in 2019;

(b) That the highly restrictive access to abortion in therapeutic cases has resulted in the denial of this procedure to women and girls who are victims of forced pregnancy through sexual violence, noting that in 2018 the National Victim Registry reported 5,266 cases of sexual abuse and that 201 women and girls had children of their aggressors;

(c) Provisions in criminal legislation that hold women criminally liable for accessing abortion in non-therapeutic cases, forcing women and girls to resort to unsafe abortion at the risk of their life and health;

(d) Economic barriers that restrict access to sexual and reproductive health services and information, including emergency contraception, for rural women and girls, as well as indigenous and Afro-Peruvian women;

(e) Reports of forced sterilization of women and girls, in particular women and girls with intellectual and psychosocial disabilities, despite the prohibition in law;

(f) The limited access for women living with HIV/AIDS to prevention programmes, treatment and quality care and support, and the stigmatization and discrimination faced by them.

38. In line with its general recommendation No. 24 (1999) on women and health, the Committee recommends that the State party:

(a) Reduce maternal mortality, including by legalizing abortion in cases of rape, incest, threats to the life or health of the pregnant woman or severe fetal impairment, decriminalize it in all other cases, and provide women with access to safe abortion and post-abortion comprehensive care and services, in particular in cases of complications resulting from unsafe abortion;

(b) Develop and approve an exclusive technical health standard for differentiated comprehensive care for girls who are pregnant as a result of rape, in accordance with international human rights standards for children and adolescents, ensuring that medical personnel are trained to ensure specialized attention for victims, including the provision of essential services for emergency contraception and abortion;

(c) Develop and strengthen the capacities of health personnel in the implementation of the National Technical Guide for the Standardization of the Procedure for the Comprehensive Care of the Pregnant Woman in the voluntary interruption for therapeutic indication of pregnancy of less than 22 weeks;

(d) Intensify inclusive awareness-raising programmes to ensure that women and girls, and in particular those from marginalized groups, have confidential access to modern contraceptives and information on sexual and reproductive health and rights, including their right to make autonomous decisions, and to eliminate discriminatory gender stereotypes and attitudes regarding the sexuality of women and girls;

(e) Ensure that no sterilizations are performed without the free, prior and informed consent of the woman concerned, that practitioners performing sterilizations without such consent are adequately punished and that redress and adequate financial compensation are provided without delay to women who are victims of non-consensual sterilizations;

(f) Provide free access for all women and girls to COVID-19 vaccination and collect disaggregated data on the impact of COVID-19 on women's health in the State party;

(g) Ensure a comprehensive approach to access prevention programmes, treatment and quality care and support to address HIV/AIDS, tuberculosis and

viral hepatitis within sexual and reproductive health care, in both urban and rural areas, and implement strategies to prevent and counter stigmatization and discrimination against women living with HIV/AIDS.

Economic empowerment and social benefits

39. The Committee remains concerned about the disproportionately high levels of poverty and the inequality in access to economic and social benefits faced by disadvantaged and marginalized groups of women, especially indigenous women, Afro-Peruvian and other Afrodescendent women, rural women and women with disabilities.

40. **The Committee recommends that the State party:**

(a) **Strengthen its national poverty reduction strategy with a particular focus on disadvantaged and marginalized groups of women, in particular indigenous women, Afro-Peruvian and other Afrodescendent women, rural women and women with disabilities, and encourage the active participation of women in the formulation and implementation of poverty reduction strategies;**

(b) **Increase women's access to the national social security system and develop coordinated social protection and compensation programmes for women, especially women belonging to disadvantaged groups.**

Rural women

41. The Committee notes with concern:

(a) The adverse impact of mineral, oil extraction and large-scale agricultural industries on rural women's health and environment, in particular for indigenous, Afro-Peruvian and other Afrodescendent women;

(b) The limited access in rural areas to justice, basic services, such as education and health care, including sexual and reproductive health services, support services for victims of gender-based violence against women, adequate water and sanitation, and to the Internet.

42. **In line with general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party:**

(a) **Establish a legal framework to regulate and ensure that extractive industries and other business projects are submitted to social and environmental impact studies and implemented only with the free, prior and informed consent of and adequate benefit-sharing with affected indigenous women, Afro-Peruvian and other Afrodescendent women and rural women;**

(b) **Ensure reparations and compensation for women in rural areas whose health and other rights are affected by extractive industry development and ensure their access to affordable, quality health care;**

(c) **Increase the human, technical and financial resources allocated to improve women's access in rural areas to justice and basic services, such as education and digital literacy programmes, health care, including sexual and reproductive health services, support services for victims of gender-based violence against women, adequate water and sanitation, and the Internet.**

Women with disabilities

43. The Committee welcomes the adoption of Legislative Decree No. 1384 (2018), recognizing and regulating the legal capacity of persons with disabilities on equal terms; however, it remains concerned that women with disabilities still face

restrictions to take their own decisions and to access to justice and are sometimes subjected to medical interventions without their free, prior and informed consent in the State party.

44. **The Committee recommends that the State party address intersecting forms of discrimination against women and girls with disabilities and ensure their inclusion and enjoyment of all rights under the Convention, including by eliminating restrictions to take their own decisions; ensuring their access to justice, protection from gender-based violence against women, inclusive education, employment and health services, including sexual and reproductive health services; and requiring that no medical interventions, treatments and internments, must be performed on them without their free, prior and informed consent, in line with the Committee's general recommendation No. 18 (1991) on disabled women.**

Refugee, asylum-seeking and migrant women and girls: Venezuelan women and girls working in the informal economy

45. The Committee acknowledges that the State party hosts the largest population of Venezuelan nationals (over 1.2 million), about half of whom are seeking international protection. It notes with concern the limited access by migrant and refugee women and girls to education and health care in the State party, despite legislation providing for free access to health care for all migrants, irrespective of their migration status.

46. **In line with its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women and general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee recommends that the State party:**

(a) **Ensure effective access to independent and gender-responsive procedures for the determination of refugee status, asylum seekers and regularization of migrants and grant temporary and/or permanent residence permits for women in need of international protection;**

(b) **Raise women's awareness of their rights as migrants, refugees or asylum seekers, including adequate access to basic services, including education and health-care services, irrespective of their status, in accordance with Legislative Decree No. 1350.**

Women and girls in detention

47. The Committee is concerned about the conditions of detention faced by women deprived of their liberty, in particular the lack of adequate services to address the needs of pregnant women and women with children, girls, lesbian, bisexual and transgender women and intersex persons, migrant women, indigenous women, Afro-Peruvian and other Afrodescendent women, women with disabilities, women living with HIV/AIDS and women with other illnesses, such as tuberculosis, in detention.

48. **The Committee recommends that the State party:**

(a) **Develop the penitentiary infrastructure to provide an appropriate environment for women detainees who are pregnant, accompanied by their children and women with disabilities, and consider non-custodial measures alternatives to incarceration;**

(b) **Improve detention conditions to ensure women's access to adequate health services, including obstetric and gynaecological services, as well as to justice, in line with the United Nations Rules for the Treatment of Women**

Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules);

(c) **Identify concrete strategies to incorporate a gender perspective in prisons and monitor the impact, in collaboration between the National Penitentiary Institute and the Ministry for Women and Vulnerable Populations;**

(d) **Implement alternatives to detention, such as appropriate out-of-process measures or community-based socio-educational and cultural measures for young women otherwise placed in youth detention centres;**

(e) **Collect data on women deprived of liberty disaggregated by age, ethnicity, disability, nationality, geographical location and socioeconomic background, with a focus on the system of registration and treatment of lesbian, bisexual and transgender women and intersex persons in prisons.**

Marriage and family relations and economic consequences of divorce

49. The Committee welcomes the laws on the adoption of minors by unmarried couples, free DNA testing and the rationalization of the proceedings for establishing paternity and the provisional payment of maintenance, waiver of court fees in relation to children born out of wedlock, and the recognition of the inheritance rights of unmarried partners and those in common law unions. The Committee acknowledges the progress made in recognizing marriages of lesbian, bisexual and transgender women and intersex persons, including those entered into abroad. It nevertheless notes with concern:

(a) The absence of effective mechanisms to assess women's contributions to joint property through unpaid domestic work in judicial decisions on the division of property upon dissolution of a union, pursuant to Act No. 30550;

(b) That many women and girls are not informed of their economic and property rights upon dissolution of marriage or de facto unions;

(c) The low availability of state-supported mediation programmes in addressing family conflict in urban and rural areas.

50. **Recalling its general recommendation No. 21 (1994) on equality in marriage and family relations and its general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, the Committee recommends that the State party:**

(a) **Strengthen mechanisms to recognize women's contributions to joint property through unpaid domestic work in judicial decisions on the division of property upon dissolution of unions;**

(b) **Inform women of their economic and property rights and provide legal assistance to women to claim these rights upon dissolution of a marriage or union;**

(c) **Expedite the adoption of Bill 525/2021-CR, which seeks to amend the Civil Code;**

(d) **Strengthen the availability of State-supported mediation programmes and their use in addressing family conflict to all women throughout the State party.**

Data collection and analysis

51. The Committee is concerned about the general lack of statistical data disaggregated by sex, age, ethnicity, disability, geographical location and socioeconomic background, which are necessary to accurately assess the situation of women, determine the magnitude and nature of discrimination, develop informed and targeted policies, and systematically monitor and evaluate progress achieved towards the realization of substantive equality between women and men in all areas covered by the Convention.

52. The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, ethnicity, migration status, disability and other relevant factors, and use measurable indicators to assess trends in the situation of women and progress towards the realization by women of substantive equality in all areas covered by the Convention and the gender-related targets of the Sustainable Development Goals.

Optional Protocol to the Convention and amendment to article 20 (1) of the Convention

53. The Committee encourages the State party to ratify, as soon as possible, the **Optional Protocol to the Convention and to accept the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

Beijing Declaration and Platform for Action

54. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the implementation of the Convention in the context of the 25-year review of the implementation of the Beijing Declaration and Platform for Action to achieve substantive equality of women and men.**

Dissemination

55. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the parliament and the judiciary, to enable their full implementation.**

Technical assistance

56. **The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.**

Follow-up to concluding observations

57. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 22(b), 24(a), 34(b) and 38(c) above.**

Preparation of the next report

58. **The Committee invites the State party to submit its tenth periodic report, which is due in February 2026. The report should be submitted on time and cover the entire period up to the time of its submission.**

59. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see [HRI/GEN/2/Rev.6](#), chap. I).
