



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
27 July 2020

Original: English
English, French and Spanish

Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the ninth periodic report of Peru*

Impact of the pandemic on women's rights and gender equality

1. Please indicate measures implemented by the State party in the context of the coronavirus disease (COVID-19) pandemic to redress long-standing inequalities between women and men by placing women at the centre of the recovery as an economic diversification strategy; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in conflict or other humanitarian situations; and to ensure that lockdown measures, whether partial or total, and post-crisis recovery plans do not see women and girls relegated to stereotyped gender roles. Please indicate measures in place to ensure that all COVID-19 crisis response and recovery efforts: (a) address and are aimed at effectively preventing gender-based violence against women and girls; (b) guarantee that women and girls have equal participation in political and public life, decision-making, economic empowerment and service delivery; and (c) seek to ensure that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit access by women and girls, including those from disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

Women and peace and security

2. Please provide information on measures taken or envisaged to increase the participation of women in mechanisms for reparation, the search for the disappeared, the prosecution of gender crimes and other transitional justice activities during the period of violence between 1980 and 2000, its aftermath and outside that period. Please indicate how the State party is guaranteeing the participation of women in political and economic processes, in accordance with Security Council resolutions [1325 \(2000\)](#) and [2204 \(2015\)](#), in addition to other relevant resolutions, such as resolutions [1820 \(2008\)](#), [1888 \(2009\)](#), [1889 \(2009\)](#), [1960 \(2010\)](#), [2106 \(2013\)](#) and

* Adopted by the pre-sessional working group on 17 July 2020.



2122 (2013). Please also indicate steps taken to adopt a national action plan to implement resolution 1325 (2000) and subsequent resolutions on women and peace and security.

3. Please provide information on measures taken to mainstream a gender perspective into terrorism prevention strategies and to ensure the effective participation of women in negotiations and in mediation activities to resolve conflicts in the region of the valley of the Apurímac, Ene and Mantaro Rivers.

Legislative framework and discriminatory laws

4. In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, and indicator 5.1.1, please specify the timeline for the completion of the process of harmonizing legislation and policies on equality and non-discrimination on the basis of sex in all areas covered by the Convention, as well as measures taken or envisaged by the State party to promote, enforce and monitor such legislation.

Access to justice

5. Please provide information on steps taken to enhance women's awareness of their rights and legal literacy in all areas, including civil and labour law disputes, in particular targeting women living in poverty, rural women, women living in marginal peri-urban areas, women belonging to indigenous or Amazon communities or communities of African descent and women with disabilities. Please advise on measures taken to increase the number of female police officers. Please provide information, including statistical data, on measures taken to guarantee that women have effective access to free legal aid and support. Please explain which measures have been taken to strengthen the capacity of law enforcement personnel, as well as lawyers, judges and prosecutors, with regard to women's rights and gender equality. Please report on measures taken to expedite and monitor the implementation of rulings of international and regional courts and the views of the treaty bodies in *L.C. v. Peru* (CEDAW/C/50/D/22/2009) and *K.L. v. Peru* (CCPR/C/85/D/1153/2003).

6. Please advise on measures to address attitudinal barriers and the stigmatization of women facing gender-based violence, ensure gender-sensitive procedures for women to lodge complaints and build the capacity of judges in adjudicating cases of gender-based discrimination brought by women. Please also describe measures to ensure legal and psychosocial counselling for women in the scope of criminal and other court proceedings, including information about support available for women in cases of gender-based violence against them, and report on measures taken to provide women with free legal aid.

National machinery for the advancement of women

7. Please clarify the status, time-bound goals and targets of the national human rights plan for the period 2017–2021 (A/HRC/37/8, para. 8) and the national policy of 2019 for gender equality, and their implementation plans, in addition to the human, technical and financial resources allocated for their effective implementation across all sectors and levels of the State party. Please provide updated information on the activities undertaken by the Ministry for Women and Vulnerable Groups and their impact. Please provide updated information on the level of implementation of the National System of Gender Indicators (CEDAW/C/PER/9, para. 14)¹ and detailed

¹ Unless otherwise indicated, paragraph numbers refer to the ninth periodic report of the State party.

information on the areas of gender equality covered, the indicators chosen to monitor developments in gender equality, accountability mechanisms, gender-sensitive budgeting and the scheduled publication of the information.

Temporary special measures

8. Please provide information on temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, applied during the reporting period through national policies and programmes, including with regard to access to land and higher education by women. Please also provide information on any positive action taken to address the specific difficulties faced by the most disadvantaged groups of women.

Stereotypes and harmful practices

9. Please provide specific information about measures taken to raise awareness of gender equality among adolescent girls, in schools, in the media, in communities and in society, and measures to challenge traditional gender stereotypes of male domination in the family. Please also provide information on measures taken to tackle sexist attitudes and behaviour in the media. Please provide information about measures taken to develop and implement a comprehensive strategy to eliminate harmful practices, including the abduction, mistreatment and killing of so-called "witches". Please outline measures taken to align customary laws and practices and to revise and amend policies and legislation in order to prohibit harmful practices. Please provide statistics on the prevalence of the above-mentioned harmful practices against women and girls, disaggregated by age, ethnicity, race, socioeconomic status, nationality, disability and any other relevant factors.

Gender-based violence against women

10. Please clarify the status, time-bound goals and targets of the national plan to combat gender violence for the period 2016–2021, in addition to the human, technical and financial resources allocated for its effective implementation and coordination across all sectors and levels of the State party. Information before the Committee indicates the prevalence of several forms of gender-based violence against women, together with forms of violence targeting specific groups, such as indigenous women, women of African descent, women deprived of liberty, women human rights defenders, lesbian, bisexual, transgender and intersex women and women with disabilities. Please elaborate on measures taken to address the root causes and combat all forms of gender-based violence against women, including physical, psychological and sexual violence and femicide.

11. With reference to the legislative framework governing gender-based violence against women and in particular to Plenary Agreement No. 001-2016/CJ-116, please provide information about: (a) measures taken to harmonize the definition and scope of femicide with international standards; (b) measures taken to encourage and facilitate reporting of cases of gender-based violence against women, including sexual violence against women with disabilities in institutions, women living in rural areas and lesbian, bisexual, transgender and intersex women; (c) the number and location of shelters for women who are victims of gender-based violence throughout the country and measures taken to ensure that such shelters are accessible by women with disabilities; and (d) redress and rehabilitation services for women facing all forms of violence. Please provide updated statistical data on prosecutions and convictions of perpetrators of gender-based violence against women, including femicide, in the past five years, disaggregated by the age of the victim, the relationship between the perpetrator and the victim, the type of sentence imposed and

other relevant characteristics, and report on the reparations, rehabilitation and compensation provided.

Trafficking in women and exploitation of prostitution

12. Information before the Committee indicates that Peru is a country of origin with regard to trafficking. Please provide information about measures taken to disseminate information and raise awareness about trafficking and exploitation among women and adolescent girls, including through the use of Internet-based media. Please provide information about the implementation of early warning, search and identification measures for women, including adolescent girls who have allegedly disappeared. Please also provide data, disaggregated by sex, age, nationality and geographical area, on the number of victims/survivors of trafficking in the past five years and on the extent and forms of exploitation of women in prostitution. Please also advise on the number of prosecutions and convictions of perpetrators of trafficking, and whether there are shelters for women who are victims of trafficking and the health, psychosocial and legal services available to them.

Participation in public and political life

13. Please inform the Committee about specific measures taken to achieve the equal participation of women in elected positions, including at the local and national levels, provide them with support to build their constituencies, facilitate their fundraising for campaigns and empower them in leadership positions within political parties and in their communities. Please explain the measures taken to build the capacity of female mayors, deputy mayors and councillors at the municipal level. Please also explain the measures taken to ensure the equal participation of women in managerial positions in public and private companies. Please provide information about measures to ensure that indigenous women and women of African descent have access to elected positions at the national, local and community levels, including by expediting the appointment of women to those positions. Please provide information on legislative measures taken to address political harassment.

Women human rights defenders

14. Please provide information about measures taken to combat harassment, intimidation and reprisals, including threats against the life and integrity of women human rights defenders or members of their families, in particular those advocating their rights, and social activists.

Nationality

15. Please inform the Committee about measures taken to improve access to personal identity documents for undocumented women and girls, including those living in extreme poverty and/or in remote and isolated communities. With reference to the implementation of an online system for the registration of births (para. 60), please provide information on any other measures taken to ensure universal birth registration and access to personal documentation for all children born in the State party.

Education

16. Please provide additional information about the availability of schools in remote areas and their level of infrastructure, as well as accessible transportation systems to ensure access to schools, including for indigenous women, women of African descent and women with disabilities. Please provide information about measures taken to encourage women to study science, technology, engineering and mathematics. Please

provide updated data, disaggregated by sex, age, urban or rural area and ethnicity. Please also advise on measures taken to prevent the stigmatization of pregnant girls, allowing them to continue their education and be reintegrated into classes after giving birth. Please provide information about education on sexual and reproductive health and rights, including measures taken to review curricula to include awareness-raising about gender equality and remove sexist approaches.

Employment

17. Please provide additional information on measures taken to ensure that women have equal access to formal employment in all sectors of the economy and report on measures taken to address horizontal and vertical segregation in the labour market. With reference to the promulgation of Act No. 30709 (para. 69), please provide additional information on measures taken to ensure equal pay for work of equal value. Please report on measures taken to ensure social protection for women working in the informal economy and the recognition of maternity leave, paid sick leave, pensions and protection against work-related illnesses for those in the agriculture sector and in free trade zones. Please provide information about measures taken to promote the reconciliation of family and work responsibilities for women and men, including affordable childcare facilities and allowances for women workers who are heads of household.

Health

18. Please inform the Committee about measures taken to ensure that indigenous women and women living in poverty have access to public health schemes. Please also provide information on steps taken to extend the grounds for legalization of abortion to cases of rape, incest and severe fetal impairment and to ensure the availability of safe abortion services. In that regard, please inform the Committee about specific measures taken to harmonize article 30 of the General Health Act and section 326 of the Code of Criminal Procedure with the constitutional right to privacy. Please describe measures taken to prevent early pregnancy, expand the coverage and availability of free and/or affordable family planning services for women and adolescent girls, including access to modern contraceptive methods, and emergency contraception. Please also indicate existing or proposed measures to ensure access to emergency and obstetric health care, including the criminalization of obstetric violence, and access to safe post-abortion services to address the consequences of unsafe abortions, including for indigenous women, women of African descent and rural women.

Rural women

19. Please describe measures adopted to guarantee the equal participation of women in rural and agricultural policies. Please also report on measures taken to integrate a gender dimension into land acquisition and changes in land use and to ensure that adequate compensation is provided to women for large-scale land and other resource acquisitions. Please indicate whether there are measures to ensure the participation of rural women in decision-making processes concerning land ownership and agricultural reform.

Disadvantaged groups of women

20. Please provide information about the situation of the following groups of women:

(a) **Indigenous women and women of African descent.** Please provide information, disaggregated by age, sex and location, on access to social services by

indigenous women and women of African descent, in particular in terms of education, health care and employment. Please report on measures taken to provide redress to such women in cases of racial discrimination, including by the public authorities or private actors. Please indicate how the State party seeks and ensures the free, prior and informed consent of indigenous women with regard to large-scale projects, including extractive activities on ancestral lands. Please indicate measures adopted to involve indigenous women in territorial governments and in decision-making processes related to the use of ancestral lands and to ensure access to and control of indigenous property;

(b) **Women and girls with disabilities.** Please provide information on legislation and public policies to promote the inclusion of women and girls with disabilities and address discrimination against them, including in terms of legal capacity, access to justice, mechanisms to prevent and combat gender-based violence, access to inclusive education, employment and sexual and reproductive health. Please inform the Committee about the situation of women with disabilities who are currently in institutions, including psychiatric hospitals or residential institutions, and on the progress made in establishing accessible facilities, for example in the areas of transportation, educational institutions, public buildings and sanitation facilities;

(c) **Migrant, refugee and asylum-seeking women.** Please provide information about cooperation with international and regional agencies aimed at addressing the vulnerability of migrant and asylum-seeking women and to ensure the safety of Peruvian women and girls who have been returned from third countries;

(d) **Women deprived of liberty.** Please provide information on the number of women deprived of their liberty, disaggregated by age, place of detention, including prisons and police stations, and number of women in detention pending trial and imprisoned following conviction. Please also report on measures taken to ensure that prison conditions are in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and to prevent ill-treatment and torture in line with international human rights standards.

Marriage and family relations

21. Please elaborate on measures taken to raise awareness among women of their economic and property rights in marriage and family relations with a view to protecting those rights upon the dissolution of marriage.

Climate change and disaster risk reduction

22. In the light of the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, please provide information on measures taken to mainstream a gender perspective into national disaster risk reduction management and relief and recovery strategies. Please also report on the involvement of women in the formulation and implementation of disaster risk reduction, post-disaster management and climate change policies and programmes.
