



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination

**Combined twenty-fourth and twenty-fifth periodic
reports submitted by Peru under article 9 of the
Convention, due in 2022^{*}, ^{**}**

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* The present document is being issued without formal editing.
** The annexes to the present document may be accessed from the web page of the Committee.



1. The Government of Peru hereby submits its combined twenty-fourth and twenty-fifth periodic reports, in accordance with article 9 (1) of the International Convention on the Elimination of All Forms of Racial Discrimination and rule 65 of the Committee's amended rules of procedure.
2. The report was prepared using inputs from various State entities and, prior to its approval by the Ministry of Justice and Human Rights, was disseminated to various civil society organizations, including members of the National Human Rights Council (comprising public, private and civil society entities), for their consideration.
3. The report, covering the period 2017–2023, describes the progress made in strengthening the defence and promotion of human rights and the measures taken with a view to eliminating racial discrimination, in accordance with the concluding observations issued by the Committee on the Elimination of Racial Discrimination in 2017 ([CERD/C/PER/CO/22-23](#)).

I. General measures of protection against discrimination (paras. 7, 9, 11 and 13)

A. Follow-up information relating to paragraph 7 of the concluding observations, on statistical data

4. The Peruvian Government has incorporated an ethno-racial variable into its methods of collecting statistical data. In 2017, for the first time, the National Institute of Statistics and Information Management¹ added a question on ethnic self-identification to national censuses and, as part of the national population and housing census, conducted a national census of Indigenous communities. This enabled it to characterize the population that self-identifies as belonging to Indigenous peoples of the Andes and the Amazon, as well as the Afro-Peruvian population.² On this basis, it was found that 25.8 per cent of Peruvians self-identify as belonging to an Indigenous people, while 3.6 per cent self-identify as belonging to the Afro-Peruvian population.³
5. Also in 2017, the first survey on perceptions of ethnic and racial discrimination was conducted. The persons surveyed belonged to the Quechua and Aymara peoples, Indigenous peoples of the Amazon and the Afro-Peruvian population. The questionnaire was administered in Spanish, Chanka Quechua, Cusco-Collao Quechua and Aymara.⁴ The survey revealed that the majority of the respondents (59 per cent) consider that the Quechua or Aymara population and the Afro-Peruvian population are the groups most discriminated against in the country, followed by the Indigenous population of the Amazon (57 per cent). In addition, 28 per cent of the respondents consider that they are discriminated against because of the colour of their skin.⁵
6. In 2018, an ethno-linguistic map of the languages of Indigenous peoples of Peru was adopted. It comprises an information system and a qualitative and quantitative database on speakers of existing Indigenous languages and of languages that have died out in Peru.⁶ The map was updated in 2021.⁷

¹ National Institute of Statistics and Information Management, official communication No. 0674-2022-INEI/JEF enclosing Report No. 025-2022-INEI/DTDI, p. 1.

² Ibid.

³ Ministry of Culture, Directorate General of Intercultural Citizenship, Report No. 000009-2023-DGCI-JCM/MC of 16 August 2023, para. 2.69.

⁴ Ministry of Culture, first survey on perceptions of ethnic and racial discrimination. Available at <https://centroderecursos.cultura.pe/es/registrobibliografico/i-encuesta-nacional-percepciones-y-actitudes-sobre-diversidad-cultural-y>.

⁵ Ministry of Culture, Directorate General of Intercultural Citizenship, Report No. 000009-2023-DGCI-JCM/MC of 16 August 2023, para. 2.78.

⁶ Ministry of Education, Supreme Decree No. 011-2018-MINEDU of 16 November 2018.

⁷ Ministry of Culture, Supreme Decree No. 009-2021-MC of 21 April 2021.

7. In 2021, the Ministry of Culture approved a list of districts with the highest concentrations of persons belonging to Indigenous peoples nationwide. The list includes geolocation information to facilitate the incorporation of the intercultural approach and the design of public policies and implementation of public services for the Indigenous population at the national level.⁸

8. The 2022 national household survey provides for ethnic self-identification for the purpose of monitoring indicators on the population's living conditions.⁹ The survey results showed that the population of Indigenous origin and the Afro-Peruvian population have higher rates of poverty, reaching 33.3 per cent and 35.3 per cent, respectively.¹⁰ Also in 2022, the ethnic variables "Indigenous People" and "mother tongue" were included in the prosecutor management system to enable it to generate reports in which cases can be filtered by sex, offence, status, prosecutorial district, Indigenous ethnicity and mother tongue.¹¹

9. In 2023 the authorities adopted provisions for the implementation of the National Registry of Indigenous Languages,¹² a technical instrument that contains the official list of Indigenous languages included in the ethno-linguistic map of Peru and their predominance, establishing their official use by entities of the public administration at the district, provincial and departmental levels.

10. Currently, the official database of Indigenous peoples contains sociodemographic, statistical and geographical information on Indigenous peoples in 9,164 localities. The information is publicly accessible free of charge.¹³

B. Follow-up information relating to paragraph 9 of the concluding observations, on legislative measures

11. With regard to legislative measures to prohibit racial discrimination, in 2017, the definition of the criminal offence of discrimination was amended.¹⁴ Currently, a penalty of not less than 2 and not more than 3 years' imprisonment, or 60 to 120 days' community service, is applicable to any person who, "directly or through third parties, carries out acts of distinction, exclusion, restriction or preference that nullify or impair the recognition, enjoyment or exercise of any right of a person or group of persons recognized in the law, the Constitution or the human rights treaties to which Peru is a party, based on race, religion, nationality, age, sex, sexual orientation, gender identity, language, ethnic or cultural identity, opinion, socioeconomic level, migration status, disability, health status, genetic factor, filiation or any other grounds".¹⁵ In addition, the commission of an offence by reason of discrimination on various grounds, including racial discrimination, was established as an aggravating circumstance.¹⁶

12. On 6 November 2023, the executive branch submitted to Congress Bill No. 6311/2023-PE on the promotion of cultural diversity for the prevention, eradication and punishment of ethnic and racial discrimination. The bill's purpose is to "establish measures to be taken by State entities and individual citizens in combating acts of discrimination based on ethnic or racial origin". The bill is currently being analysed by the Committee on Decentralization, Regionalization, Local Governments and Modernization of State

⁸ Executive branch, Ministerial Decision No. 000152-2021-DM/MC. Published on 2 June 2021.

⁹ National Open Data Platform, national household survey, 2020 (National Institute of Statistics and Information Management). Available at <https://www.datosabiertos.gob.pe/dataset/encuesta-nacional-de-hogares-enaho-2020-instituto-nacional-de-estad%C3%ADstica-e-inform%C3%A1tica-inei>.

¹⁰ National Institute of Statistics and Information Management, official communication No. 000636-2023-INEI/JEF of 11 October 2023, annex.

¹¹ Public Prosecution Service, Attorney General's Office, Report No. 000009-2024-MP-FN-CFSN-FPS-DHI of 10 January 2024, p. 2.

¹² Executive branch, Ministerial Decision No. 000208-2023-MC. Published on 26 May 2023.

¹³ Ministry of Culture, Directorate General for the Rights of Indigenous Peoples, official communication No. 000760-2023-DGPI/MC of 16 November 2023, annex.

¹⁴ Executive branch, Legislative Decree No. 1323, art. 1. Published on 6 January 2017.

¹⁵ Executive branch, Legislative Decree No. 635, art. 323. Published on 8 April 1991.

¹⁶ Executive branch, Legislative Decree No. 1323, art. 1. Published on 6 January 2017.

Management, as well as the Committee on Andean, Amazonian and Afro-Peruvian Peoples, the Environment and Ecology.¹⁷

C. Follow-up information relating to paragraphs 11 and 13 of the concluding observations, on institutional measures to combat structural discrimination

13. In terms of the budget, in 2017, an amount of 2,556,497.00 soles (S/.) was allocated to the Directorate of Cultural Diversity and Elimination of Racial Discrimination of the Ministry of Culture, which is responsible for the “Racism Alert” Platform for Action against Ethnic and/or Racial Discrimination, the execution of information campaigns and the conduct of the first national survey on cultural diversity and ethnic and racial discrimination in Peru. In subsequent years (2018 and 2019), amounts in excess of S/. 1 million have been allocated. During the national health emergency declared in response to the coronavirus disease (COVID-19) pandemic (2020 and 2021), the budget was impacted. In 2022, the amount again exceeded S/. 1 million (S/. 1,271,742.00).¹⁸

14. To combat structural discrimination, in 2018 the authorities adopted the National Human Rights Plan 2018–2021, which provided for the design and implementation of policies for groups in need of special protection, such as Indigenous Peoples and the Afro-Peruvian population.¹⁹ In addition, in 2021, the Ministry of Culture adopted the National Policy on Indigenous Languages, Oral Tradition and Interculturality up to 2040, one of whose objectives is to “reduce discrimination based on the use of Indigenous languages in society in general”; in 2022, it adopted the National Policy for the Afro-Peruvian People up to 2030, which is intended to “reduce ethnic and racial discrimination against the Afro-Peruvian people”.²⁰

15. Work is under way on a national multisectoral human rights policy²¹ that will cover the period up to 2030, with the aim of coordinating the actions of various government agencies in order to reduce structural discrimination and inequality in the exercise of human rights.²²

16. By means of a highly inclusive process involving Indigenous peoples through the eight organizations representing such peoples nationwide, the National Policy for Indigenous Peoples is being developed. It is a multisectoral instrument in which priority is given to a set of objectives and actions aimed at addressing the limited exercise of collective rights by the more than 5.9 million Peruvians who self-identify as belonging to an Indigenous people.²³

17. As part of the process of formulating the Policy, workshops were held in four macro-regions in 2022 in the cities of Cusco (Cusco), Satipo (Junín), Chiclayo (Lambayeque) and Tarapoto (San Martín). By this means, the draft was shared with representatives of 23 departments of the country, with the participation of 320 Indigenous leaders, of whom 53 per cent were women and 47 per cent were men. Thus far, the issues tree, objectives and guidelines for the Policy have been agreed upon. For 2024, a prior consultation process will be held in relation to the Policy.²⁴

¹⁷ Congress, Bill No. 06311/2023-PE. Accessed at <https://wb2server.congreso.gob.pe/spley-portal/#/expediente/2021/6311>.

¹⁸ Ministry of Culture, Directorate for Cultural Diversity and Elimination of Racial Discrimination, Report No. 000057-2022-DEDR-BTC/MC of 2 November 2022, paras. 3.74–3.76.

¹⁹ Ministry of Justice and Human Rights, Supreme Decree No. 002-2018-JUS of 1 February 2018.

²⁰ Ministry of Culture, Supreme Decree No. 005-2022-MC. Published on 3 June 2022.

²¹ Ministry of Justice and Human Rights, Directorate of Human Rights Policy and Management, Report No. 098-2023-JUS/DGDH-DPGDH of 11 August 2023, p. 2.

²² Ibid.

²³ Ministry of Culture, Directorate General of Intercultural Citizenship, Report No. 000009-2023-DGCI-JCM/MC of 16 August 2023, para. 2.130.

²⁴ Ministry of Culture, Directorate General for the Rights of Indigenous Peoples, official communication No. 000760-2023-DGPI/MC of 16 November 2023, annex.

18. In addition to the aforementioned policies, the Ethnic and Racial Discrimination Referral Service²⁵ was created in 2021 to complement and expand the “Racism Alert” Platform. It offers six types of services: (i) the “Racism Alert” Platform, (ii) service by telephone, (iii) email, (iv) instant messaging, (v) social networks and mass media, and (vi) the Ministry of Culture service desk.²⁶

19. In 2023, the “Peru without Racism” strategy was formulated to promote respect and appreciation of the country’s cultural diversity to help reduce practices of ethnic and racial discrimination among the citizenry. The main areas of action are: (a) training and awareness-raising, (b) institution-building, (c) inclusive public policies and (d) research and monitoring.²⁷

20. To prevent discrimination against speakers of Indigenous languages, the National Registry of Indigenous-Language Interpreters and Translators has been strengthened and currently has 696 registered interpreters and translators, thanks to the conduct of 18 editions of the training course organized by the Ministry of Culture.²⁸ In 2020, the Ministry of Culture created the Indigenous-Language Interpretation and Translation Service,²⁹ which provides services through the Indigenous-Language Interpretation and Translation Centre. To date, the Centre has provided services on 7,865 occasions, thereby ensuring respect for the linguistic rights of speakers of Indigenous languages in emergency situations, through three types of services: (i) in-person interpretation, (ii) remote interpretation and (iii) translation. These services are provided in five Indigenous languages and three linguistic varieties.³⁰

21. In order to guarantee linguistic rights in the services provided by public entities, in 2017 the Ministry of Culture was accredited as an authorized certifying entity by the National System of Evaluation, Accreditation and Certification of Educational Quality, having carried out 16 campaigns to certify proficiency in the Indigenous languages Quechua and its varieties (Chanka and Cusco-Collao) and Aymara.³¹

22. As a result of these campaigns, a total of 2,827 bilingual public servants have been certified in the Departments of Ayacucho (1,149), Cusco (834), Apurímac (465), Puno (306), Lima (13), Huancavelica (50), Arequipa (3), Junín (2), Moquegua (1), Madre de Dios (1) and Ica (3).³²

23. The year 2022 saw the creation of the National Registry of Bilingual Public Servants,³³ a source of systematized information on bilingual public servants with certified communication skills in Indigenous languages in intercultural contexts.

II. Follow-up information relating to paragraphs 15 and 21 (a) of the concluding observations, on the Afro-Peruvian population

24. Although the National Development Plan for the Afro-Peruvian Population³⁴ was implemented, not all indicators showed the expected progress owing to the limited availability of quantitative information on the Afro-Peruvian population and the persistence of barriers limiting the full enjoyment of human rights by Afro-Peruvians.³⁵

²⁵ Ministry of Culture, Supreme Decree No. 013-2021-MC. Published on 20 June 2021.

²⁶ Ministry of Culture, Report No. 090-2022-DEDR/MC of 2 November 2022, para. 3.67.

²⁷ Ministry of Culture, Directorate General of Intercultural Citizenship, Report No. 000009-2023-DGCI-JCM/MC of 16 August 2023, para. 2.138.

²⁸ Ministry of Culture, Directorate General for the Rights of Indigenous Peoples, official communication No. 000760-2023-DGPI/MC of 16 November 2023, annex.

²⁹ Executive branch, Supreme Decree No. 012-2020-MC. Published on 4 September 2020.

³⁰ Ministry of Culture, Directorate General for the Rights of Indigenous Peoples, official communication No. 000760-2023-DGPI/MC of 16 November 2023, annex.

³¹ *Ibid.*

³² *Ibid.*

³³ Executive branch, Supreme Decree No. 008-2022-MC. Published on 26 July 2022.

³⁴ Ministry of Culture, Supreme Decree No. 003-2016-MC. Published on 15 June 2016.

³⁵ Ministry of Culture, Supreme Decree No. 005-2022-MC. Published on 3 June 2022.

25. Therefore, in 2022, the National Policy for the Afro-Peruvian People up to 2030 was adopted, with the priority objectives of “reducing ethnic and racial discrimination and racism against the Afro-Peruvian people”, “improving social conditions for the development of the Afro-Peruvian people”, “improving economic conditions for the development of the Afro-Peruvian people”, “increasing the autonomy of Afro-Peruvian women in their diversity” and “improving the civic participation of the Afro-Peruvian people”. The National Policy sets out 43 multisectoral services for the implementation of the related actions.³⁶

26. Under the Policy, the number of people self-identifying as Afro-Peruvian who received care in mental health facilities of the Ministry of Health and regional governments was 3,356 in 2020; 4,175 in 2021; 5,125 in 2022; and 2,929 in the period from January to June 2023.³⁷ For the preparation of the Policy, the Working Group for the Afro-Peruvian Population³⁸ played an active role in gathering information for use in identifying the population’s aspirations for the year 2030.³⁹

27. The Working Group also provided input, gathered through public consultations, for documents such as the National Adaptation Plan and the National Environmental Policy, took part in the process of updating the National Climate Change Strategy up to 2050 and has been collaborating in the conduct of studies on the differential impact of climate change on the Afro-Peruvian people and on methodological guidelines for generating inter-institutional intercultural dialogue between regional and/or local governments and organizations of Afro-Peruvian people in the framework of comprehensive climate change management. To this end, in 2021, the organizations participating in the Working Group were formally incorporated into the National Commission on Climate Change.⁴⁰

28. The Ministry of Culture has also been carrying out processes by convening representative organizations listed in the Registry of Afro-Peruvian Organizations. For example, the Afro-Peruvian people, through their organizations, participated in the design and development of the National Policy for the Afro-Peruvian People up to 2030.⁴¹

III. Follow-up information relating to paragraphs 17, 19 and 21 of the concluding observations, on Indigenous Peoples

A. General measures taken by the State to protect the rights of Indigenous Peoples

29. Regarding the protection of Indigenous lands and territories, in 2022 and 2023 four multisectoral coordination forums were held in order to establish actions in a coordinated, relevant and interconnected manner, so as to expedite Indigenous community land titling processes that have been given priority in view of their high complexity due to the territorial problems identified in the area.⁴²

30. The Multisectoral Standing Committee responsible for proposing, following up and supervising the implementation of strategic measures and actions for the full development of Indigenous peoples in the country, established in 2021, held a meeting in July 2023 to form

³⁶ Ministry of Culture, Supreme Decree No. 005-2022-MC. Published on 3 June 2022.

³⁷ Ministry of Health, Report No. D000326-2023-DGIESP-DSAME-MINSA of 12 October 2023, p. 9.

³⁸ Ministry of Culture, Ministerial Decision No. 476-2016-MC. Published on 16 December 2016.

³⁹ Ministry of Culture, Directorate for Cultural Diversity and Elimination of Racial Discrimination, Report No. 000057-2022-DEDR-BTC/MC of 2 November 2022, p. 8.

⁴⁰ Ministry of the Environment, Supreme Decree No. 012-2021-MINAM. Published on 18 June 2021.

⁴¹ Ministry of Culture, Directorate for Cultural Diversity and Elimination of Racial Discrimination, Report No. 000057-2022-DEDR-BTC/MC of 2 November 2022, p. 9.

⁴² Ministry of Culture, Directorate for Cultural Diversity and Elimination of Racial Discrimination, Report No. 000130-2023-DIN-IAH/MC of 18 October 2023, p. 4.

a sub-working group to promote, manage and address the recognition, demarcation, titling, georeferencing and expansion of the territory of Indigenous communities.⁴³

31. In addition, support and coordination activities are being carried out by the Technical Committee for the Titling of Indigenous Lands in the Departments of San Martín and Pasco, an area that involves the physical and legal regularization of 56 Indigenous communities.⁴⁴

32. In 2022, capacity-building for eight Indigenous organizations in three macro-regions (Cusco, Satipo and Chiclayo) was provided on issues of physical and legal regularization of Indigenous lands as part of the development of the National Policy for Indigenous Peoples. Also in 2022, capacity-building on physical and legal regularization processes for Indigenous peoples was provided to the technical team of the San Martín branch of the Directorate of the Ministry of Culture and intercultural liaison workers in 14 regions of the country.⁴⁵

33. The Ministry of Culture reports that Peru currently has a total of 6,274 campesino communities (5,152 titled and 1,122 pending titling) and 2,293 recognized Indigenous communities (1,580 titled and 713 pending titling).⁴⁶

34. In relation to the situation of Indigenous Peoples in voluntary isolation or initial contact, in 2017 regulations were adopted for the Multisectoral Committee responsible for the recognition of Indigenous Peoples in isolation or initial contact and for the categorization of Indigenous reserves, established under Act No. 28736, the Act for the Protection of Indigenous Peoples in Isolation or Initial Contact. The Committee consists of State entities at the three levels of government and representatives of universities, and also includes the participation of the Asociación Interétnica de Desarrollo de la Selva Peruana (Inter-Ethnic Association for the Development of the Peruvian Rainforest) and the Confederación de Nacionalidades Amazónicas del Perú (Confederation of Amazonian Nationalities of Peru).⁴⁷

35. Between 2017 and November 2023, the Multisectoral Committee met 25 times. As a result of its work, 25 Indigenous Peoples in voluntary isolation or initial contact have been recognized by supreme decree, five Indigenous reserves have been categorized in the regions of Loreto, Ucayali and Huánuco and two protection plans have been adopted to date. In addition, six applications for the creation of reserves are currently being processed.⁴⁸

36. With the creation of Indigenous reserves, measures are implemented for the monitoring and surveillance of these territories in order to protect the peoples who live in and move through them. To date, 17 monitoring and surveillance posts and 10 coordination offices have been established in the towns and regional capitals closest to the reserves. To carry out this monitoring, there are 54 protection agents in the area, most of whom are from Indigenous Peoples in communities close to the Indigenous reserves.⁴⁹

37. Concerning prior consultation, as of October 2023, 55 consultation processes had been carried out, relating to 26 mining projects, 13 declarations of national cultural heritage, 8 protected natural areas, 4 electricity generation projects, 2 road infrastructure projects, 1 hydrocarbon project and 1 regulation (national measure). Members of 20 Indigenous Peoples in 350 locations across 14 departments were consulted during those processes.⁵⁰

38. Additionally, technical assistance was provided on 1,075 occasions between 2019 and October 2023, before and during prior consultation processes, to 6,488 public servants and 14,567 persons belonging to Indigenous Peoples.⁵¹

⁴³ Ministry of Culture, Directorate for Cultural Diversity and Elimination of Racial Discrimination, Report No. 000130-2023-DIN-IAH/MC of 18 October 2023, p. 5.

⁴⁴ *Ibid.*, p. 4.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*, p. 5.

⁴⁷ Ministry of Culture, Ministerial Decision No. 027-2017-MC, art. 5. Published on 17 January 2017.

⁴⁸ Ministry of Culture, Directorate General for the Rights of Indigenous Peoples, official communication No. 000760-2023-DGPI/MC of 16 November 2023, annex.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

39. Training on the prior consultation process was given to 7,452 people at 221 workshops. Of these, 2,667 were public servants; 3,110 were members of Indigenous Peoples; and 1,675 were participants from other institutions. The Ministry of Culture has held nine editions of the virtual course on this topic for public servants and citizens nationwide, delivering 2,522 certificates.⁵²

40. Moreover, 1,155 prior consultation agreements have been processed by the technical secretariat of the Multisectoral Standing Committee on the Application of the Right to Prior Consultation. These agreements reflect 45 prior consultation processes that resulted in reports and signed agreements. In terms of follow-up to these agreements, as of June 2023, 789 (68 per cent) have been finally reported and 366 (32 per cent) have not been reported by the initiating entities or institutions responsible for their implementation. Of the 789 reported, 693 (88 per cent) have been implemented, 28 (4 per cent) are subject to the fulfilment of a prior condition, 60 (7 per cent) are in the process of implementation and 8 (1 per cent) are still pending.⁵³

41. Regarding social and environmental impact assessments, since 2017 the National Environmental Certification Service for Sustainable Investments, for the purpose of standardizing criteria for regulatory interpretation in environmental assessment, has developed two performance indicators, five guides, five guidelines and one handbook to assist in the timely evaluation of environmental management instruments.⁵⁴ In addition, in November 2018, the online platform Single Window for Environmental Certification became operational. It enables the population to find information and to participate, and allows for the timely collection of public opinions on the environmental studies carried out on major projects in the country.⁵⁵

42. The National Environmental Certification Service for Sustainable Investments Agenda for Indigenous Peoples⁵⁶ has been implemented since 2020. Its aim is to promote intercultural and gender approaches in the citizen participation process for environmental certification by strengthening coordination between the Service and national organizations of Indigenous Peoples.⁵⁷

43. The Service's "Intercultural Classroom" social outreach tool was recognized in 2023 by the association Ciudadanos al Día as a good practice in public management. This methodological tool, which reflects the intercultural and gender equality approaches, is intended to promote the exercise of the right to citizen participation in the Service's environmental certification process.⁵⁸

44. Other actions carried out include: (i) creation of a multidisciplinary team specializing in interculturality, (ii) strengthening of specialized technical groups, (iii) enabling the Ministry of Culture to participate as a technical reviewer in cases in which the project being evaluated concerns an area where Indigenous Peoples are present, (iv) allowing the participation of the Indigenous population through mechanisms for citizen participation, and (v) consistent use of the handbook for citizen participation with an intercultural approach for environmental certification.⁵⁹

45. Between January 2017 and October 2023, the Service evaluated 20 environmental management instruments for investment projects concerning areas where Indigenous Peoples are present: 6 in the electricity subsector and 14 from the Directorate for Environmental

⁵² Ibid.

⁵³ Ibid.

⁵⁴ National Environmental Certification Service for Sustainable Investments, official communication No. 00512-2022-SENACE-PE/DGE of 27 October 2022, pp. 2 and 3.

⁵⁵ Ibid., p. 3.

⁵⁶ Ibid., p. 5.

⁵⁷ Ibid.

⁵⁸ National Environmental Certification Service for Sustainable Investments, email of 23 October 2023, annex.

⁵⁹ Adopted by Decision No. 00005-2018-SENACE/PE of the Office of the Executive President.

Assessment of Natural and Productive Resource Projects, including 10 in the mining subsector, 3 in hydrocarbons and 1 in electricity.⁶⁰

46. The measures taken to protect the rights of Indigenous Peoples also include the National Policy on Indigenous Languages, Oral Tradition and Interculturality up to 2040,⁶¹ which was adopted to improve the State's ability to interact in a multicultural and multilingual manner with persons who speak Indigenous languages, reduce discrimination based on the use of those languages, increase the intergenerational transmission of those languages and of oral traditions among the population and strengthen the oral and written proficiency of users of Indigenous languages. Currently, there is a dashboard for enabling the Ministry of Culture to follow up with public entities on the implementation of services.⁶²

47. Furthermore, in response to the pandemic, the authorities put in place: (i) a plan for interventions by the Ministry of Health to address the COVID-19 emergency in Indigenous communities and rural settlements in the Amazon;⁶³ (ii) a service providing interpretation and translation in Indigenous languages in emergency situations;⁶⁴ (iii) guidelines for the transport and delivery of goods and/or food to Indigenous Peoples during the COVID-19 health emergency by public entities, individuals and/or private legal entities;⁶⁵ and (iv) Legislative Decree No. 1489 on actions to protect Indigenous Peoples during the COVID-19 health emergency.⁶⁶

48. With respect to the right to share in the benefits to be derived from extractive activities, in 2015 the Block 192 Social Fund was established in compliance with article 15 (2) of the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), pursuant to the agreements reached in the prior consultation process held in respect of block 192. The Fund was made up of periodic contributions made by the contractor of the block, equivalent to 0.75 per cent of the value of production, and was used for the execution of social development and environmental monitoring projects that benefited the 25 communities within the block's area of influence.⁶⁷

49. The Block 192 Social Fund was managed by a board of directors composed of representatives of the 25 beneficiary communities belonging to the Achuar, Quechua and Kichwa peoples and a representative of the Ministry of Culture, disbursing a total of S/. 9,419,088.71 between 2019 and 2023 for the implementation of 75 projects, with technical assistance from the Ministry of Culture.⁶⁸

50. The Block 192 Social Fund is an important experience in Indigenous governance for the Peruvian Government and the communities, given their direct participation in decision-making, the identification of needs and the development and implementation of projects using proceeds from the Social Fund.⁶⁹

B. Prior consultation processes for the establishment of the Cordillera Azul National Park and implementation of the REDD-plus project

51. Further to the Committee's request in its letter of 8 December 2023, the Government provides the following information on the measures taken to respond to concerns regarding

⁶⁰ National Environmental Certification Service for Sustainable Investments, email of 23 October 2023, annex.

⁶¹ Ministry of Culture, Supreme Decree No. 012-2021-MC. Published on 16 July 2021.

⁶² Ministry of Culture, Directorate General for the Rights of Indigenous Peoples, official communication No. 000760-2023-DGPI/MC of 16 November 2023, annex.

⁶³ Executive branch, Emergency Decree No. 071-2020. Published on 23 June 2020.

⁶⁴ Ministry of Culture, Supreme Decree No. 012-2020-MC. Published on 4 September 2020.

⁶⁵ Ministry of Culture, Supreme Decree No. 008-2020-MC. Published on 4 June 2020.

⁶⁶ Executive branch, Legislative Decree No. 1489. Published on 10 May 2020.

⁶⁷ Ministry of Culture, Directorate General for the Rights of Indigenous Peoples, official communication No. 000760-2023-DGPI/MC of 16 November 2023, annex.

⁶⁸ Ibid.

⁶⁹ Ibid.

the establishment of the Cordillera Azul National Park and the implementation of the Reducing Emissions from Deforestation and Forest Degradation (REDD-plus) project.

52. The National Service for State-protected Natural Areas reports that there are 61 native communities in the buffer zone of the Cordillera Azul National Park. A categorization exercise was carried out in 2001 in compliance with the national laws in force at the time, with the cooperation of national and international research institutions and based on consultations with native communities and the population of the buffer zone, respecting their ancestral and territorial rights.⁷⁰ The National Park does not overlap with the territories of Indigenous Kichwa communities in any way, nor are there any rights that could be affected.⁷¹

53. According to the National Service for State-protected Natural Areas, the management of the National Park aims to promote the effective participation of Indigenous organizations, including the Kichwa Indigenous People, in processes related to quality of life plans, communal participatory zoning, rules for community coexistence, the strengthening of productive activities, the conservation of communal forests, participatory monitoring, the National Park master plan and, in recent years, the development of sustainable economic activities for the benefit of local communities.⁷²

54. Within the framework of the participatory management of the National Park, the main planning document of the protected natural area is its master plan, which was drafted and updated with the involvement of institutions, the public and native communities such as the Kichwa Indigenous People. The master plan was prepared on the basis of the legislation in force – the Act on Natural Protected Areas and its regulations – and guidelines for updating the master plan in a participatory manner. This process is free, transparent and informed.⁷³

55. Given the complexity and extent of the National Park, in-person meetings were held in different sectors between accredited members of the Management Committee – a forum for citizen participation – and other social actors representing public or private entities or native communities (including the Kichwa Indigenous People) with a direct link or relationship with the National Park. Eleven decentralized workshops were held, after which the National Park master plan was updated.⁷⁴

56. Kichwa native or Indigenous communities are currently participating in the following processes and strategies related to the management of the National Park: (i) mapping of communities' strengths and use of resources; (ii) rules for community coexistence; (iii) quality of life plans; (iv) community monitoring; (v) conservation agreements;⁷⁵ (vi) use of the Park's natural resources (hunting and fishing); (vii) recruitment of personnel to support monitoring activities at checkpoints and surveillance posts; (viii) preparation of the National Park master plan;⁷⁶ (ix) the work of Management Committee; (x) organizational, technical and productive capacity-building; (xi) non-formal environmental education; (xii) training workshops on successful experiences in sustainable economic activities; and (xiii) coordination with State agencies on development projects (for example, in relation to potable water and education).⁷⁷

57. The National Service for State-protected Natural Areas reports that, before and during the establishment of the National Park, there were no questions or complaints about the existence of Indigenous territories or the overlapping of the protected natural area with their

⁷⁰ National Service for State-protected Natural Areas, Technical Report No. 133-2023-SERNANP-JPNCAZ, 19 July 2023, p. 9.

⁷¹ Ibid.

⁷² Ibid., p. 9 and 10.

⁷³ Ibid., p. 10.

⁷⁴ Ibid.

⁷⁵ For the conservation agreement between the National Service for State-protected Natural Areas, the Centre for Conservation, Research and Management of Natural Areas and the Mushuck Llacta de Chipaota Kichwa Indigenous community, see <http://foldersgd2.sernanp.gob.pe/index.php/s/HEW53ZhxSd63HTI>.

⁷⁶ Kichwa and Kakataibo native communities and their respective federations participated in the validation of the master plan. See <http://foldersgd2.sernanp.gob.pe/index.php/s/ae7XyIWDhQnQ80j>.

⁷⁷ National Service for State-protected Natural Areas, Technical Report No. 133-2023-SERNANP-JPNCAZ, 19 July 2023, p. 10.

lands and the potential impact on Indigenous Peoples' rights. It is only recently that local and non-governmental organizations have objected to the management of the protected natural area and called into question the climate finance mechanism (carbon credits) used for its preservation. In 2021, they took legal action (remedy of *amparo*) against the State before the High Court of San Martín.⁷⁸

C. Protection measures for the Kakataibo Indigenous People in voluntary isolation

58. According to the National Service for State-protected Natural Areas, the Kakataibo Indigenous People in voluntary isolation is not found in the National Park, and there are no signs or traces of members of this people moving through the protected natural area.⁷⁹

59. Nevertheless, certain activities and processes have been carried out within the framework of the master plan, including satellite monitoring, surveillance and control, maintenance of a "strict protection zone" in the area of the National Park⁸⁰ that borders the Kakataibo Norte reserve, implementation of a strategy to strengthen local conservation capacities in neighbouring settlements, issuance of expert opinions on the compatibility of infrastructure proposals in the National Park buffer zone, and active participation in different consultation forums and technical committees related to deforestation and illegal logging.⁸¹

60. The National Service for State-protected Natural Areas and the Centre for Conservation, Research and Management of Natural Areas have been key actors in the process of recognizing the Kakataibo Indigenous People in voluntary isolation and its territory. Their contribution to the protection of Indigenous Peoples in voluntary isolation and initial contact has included the organization of field trips for multidisciplinary expert teams to conduct assessments, the funding of consultancies, the development of protocols for the protection of Indigenous Peoples in voluntary isolation and the preparation of educational materials such as booklets.⁸²

IV. Follow-up information relating to paragraph 23 of the concluding observations, on human rights defenders

61. Regarding measures for the prevention of violence against human rights defenders, the National Human Rights Plan 2018–2021 included a commitment and a goal to establish a mechanism for their protection by 2021.⁸³

62. Under the Plan, in April 2019, a protocol guaranteeing the protection of human rights defenders was adopted. The protocol established actions, procedures and coordination measures to create, at the national level, a suitable environment in which such persons could promote, protect and defend human rights.⁸⁴

63. A register of situations of risk facing human rights defenders was established in order to collect, analyse and manage information on dangerous situations and patterns of risk encountered by human rights defenders as a result of their work.⁸⁵ As of September 2023, the register showed that, of the 477 human rights defenders and/or family members who have

⁷⁸ Ibid., p. 4.

⁷⁹ Ibid., p. 5.

⁸⁰ Cordillera Azul National Park master plan, pp. 46 and 51. Available at <https://sis.sernanp.gob.pe/biblioteca/descargarPublicacionAdjunto.action?strIdInterno=13775305152610928085331572936966784073>.

⁸¹ National Service for State-protected Natural Areas, Technical Report No. 133-2023-SERNANP-JPNCAZ, 19 July 2023, p. 6.

⁸² Ibid.

⁸³ Ministry of Justice and Human Rights, Supreme Decree No. 002-2018-JUS of 1 February 2018.

⁸⁴ Ministry of Justice and Human Rights, Ministerial Decision No. 0156-2019-JUS of 27 April 2023.

⁸⁵ Ministry of Justice and Human Rights, Ministerial Decision No. 0255-2020-JUS of 2 October 2020.

faced situations of risk, 312 (65.41 per cent) self-identified as belonging to an Indigenous People.⁸⁶

64. On 22 April 2021, an intersectoral mechanism for the protection of human rights defenders was established, incorporating the aforementioned register, and the 2019 protocol was revoked. The mechanism includes principles, measures and procedures designed to prevent the emergence of the risks human rights defenders face as a result of their work, to protect human rights defenders who face such risks and to ensure that they have access to justice. The intersectoral mechanism may be activated in one of two ways: (i) by reporting possible situations of risk facing human rights defenders, allowing immediate action to be taken; and (ii) by requesting to activate the early warning procedure.⁸⁷

65. In terms of reporting, the Ministry of Justice and Human Rights monitors risk situations constantly (24 hours a day, 7 days a week) and promotes the appropriate protection and/or urgent protection measures in coordination with the competent entities. Between June 2019 and October 2023, 268 risk situations directly involving 491 defenders or their family members were registered.⁸⁸

66. The early warning procedure, on the other hand, allows the authorities to evaluate requests for protection or urgent protection measures in order to eliminate or mitigate risks faced by human rights defenders. From 23 April 2021 to 11 December 2023, there were 47 requests for activation of the early warning procedure. In 27 of these cases, a risk assessment report was drawn up, and in 23 cases it was determined that the request met the admission requirements and risk situations were identified.⁸⁹

67. In addition, 19 of the 47 requests resulted in the issuance of a decision by the Deputy Minister. In 14 of these decisions, the Deputy Minister declared that measures were admissible and ordered that the competent authorities be duly alerted so that they could organize the measures granted. In five decisions, the requests were declared inadmissible.⁹⁰

68. Within the framework of the intersectoral mechanism, regional committees for the protection of human rights defenders have been established as part of a territorial strategy to monitor cases, warn about risk situations and coordinate with regional authorities and Indigenous and civil society organizations to take immediate measures to mitigate and neutralize risks. As of December 2023, five regional committees have been established in Madre de Dios, Ucayali, San Martín, Loreto and Amazonas. Three more are due to be established, in Junín, Piura and Huánuco, in 2024.⁹¹

69. The Ministry of Justice and Human Rights allocated a budget of S/. 124,199.10 in 2021 and S/. 164,400.00 in 2022 for activities related to the mechanism. For 2023, the figure was S/. 225,290.28.⁹²

70. The mechanism is complemented by a sectoral protocol for the protection of environmental defenders, adopted by the Ministry of the Environment in 2021, which establishes guidelines for the coordination, implementation and evaluation of the use of prevention, recognition and protection measures by the environmental authorities.⁹³

71. Furthermore, the National Action Plan on Business and Human Rights 2021–2025⁹⁴ draws on the Guiding Principles on Business and Human Rights and other international standards to ensure the protection of and respect for human rights in all business activities in the country. It includes strategic measures related to human rights defenders.

⁸⁶ Ministry of Justice and Human Rights, Directorate of Human Rights Policy and Management, Report No. 138-2023-JUS/DGDH-DPGDH, 20 October 2023, p. 3.

⁸⁷ Ministry of Justice and Human Rights, Supreme Decree No. 004-2021-JUS of 22 April 2021.

⁸⁸ Ministry of Justice and Human Rights, Directorate of Human Rights Policy and Management, Report No. 173-2023-JUS/DGDH-DPGDH, 14 December 2023, p. 4.

⁸⁹ *Ibid.*, p. 3.

⁹⁰ *Ibid.*

⁹¹ *Ibid.*, p. 4.

⁹² *Ibid.*, p. 5.

⁹³ Ministry of the Environment, Ministerial Decision No. 134-2021-MINAM of 25 July 2021.

⁹⁴ Ministry of Justice and Human Rights, Supreme Decree No. 009-2021-JUS of 11 June 2021.

72. In the same vein, the Ministry of the Interior adopted Directorate Decision No. 054-2021-IN-VOI-DGIN containing a protocol for taking measures to protect human rights defenders, which sets out procedures for the timely and effective processing of requests from human rights defenders.⁹⁵

73. In 2022, the Attorney General's Office, which is part of the Public Prosecution Service, adopted a protocol for the prevention and investigation of crimes against human rights defenders.⁹⁶ In 2023, it was decided that the National Criminal Prosecutor's Office and supra-provincial criminal prosecutors' offices specializing in human rights and interculturality will have national jurisdiction to hear all cases of crimes committed against human rights defenders in relation to their work.⁹⁷

74. In 2022, by Ministerial Decision No. 000134-2022-DM/MC, the Ministry of Culture issued Directive No. 001-2022-VMI/MC for the adoption of measures to prevent situations that endanger defenders of the collective rights of Indigenous or Afro-Peruvian people within the framework of Supreme Decree No. 004-2021-JUS and the competences of the Ministry of Culture.⁹⁸

75. For its part, in 2023, the Ministry for Women and Vulnerable Groups adopted Directive No. 003-2023-MIMP on prevention, assistance, protection and recognition for women human rights defenders.⁹⁹

76. With regard to awareness-raising on the fundamental role of human rights defenders, in 2022 and 2023, eight training sessions were organized for the decentralized directorates of culture of the Ministry of Culture and human rights defenders in the Departments of San Martín, Ucayali, Huánuco and Madre de Dios. The training covered the collective rights of Indigenous Peoples, interculturality and the multisectoral mechanism for human rights defenders under Directive No. 001-2022-VMI.¹⁰⁰ In addition, in keeping with commitments made in 2023 at the first session of the Ucayali regional committee for the protection of human rights defenders, the Ministry of Culture delivered a basic training course in the Shipibo-Conibo language from July to September 2023. As a result, some 70 public servants from the Peruvian National Police acquired and improved basic communication skills in the Shipibo-Conibo language, allowing them to work more closely and in a linguistically relevant manner with members of the Shipibo-Conibo-speaking community.¹⁰¹

77. Regarding the investigation and punishment of violence directed against human rights defenders, the register of situations of risk facing human rights defenders shows that 80 such situations were detected between 2019 and 31 July 2022.¹⁰² Between 2019 and 2022, assistance was provided to 256 human rights defenders (48 in 2019, 33 in 2020, 65 in 2021 and 110 in 2022).¹⁰³

78. In respect of prosecutions, there have been 19 cases involving 23 human rights defenders. Judgments have been handed down in two of these cases, concerning environmental defenders. In the first case, a person convicted in a final judgment was sentenced to 4 years' imprisonment, ordered to pay S/. 50,000.00 in civil damages and disqualified from holding a firearms licence. In the second case, following a plea bargain, an individual was convicted and sentenced to 9 years' imprisonment, ordered to pay S/. 30,000.00 in civil damages and disqualified from obtaining a firearms licence. Three cases

⁹⁵ Ministry of the Interior, Directorate Decision No. 054-2021-IN-VOI-DGIN of 22 June 2021.

⁹⁶ Public Prosecution Service, Decision No. 439-2022-MP-FN of 28 March 2022.

⁹⁷ Public Prosecution Service, Attorney General's Office Decision No. 142-2023-MP-FN of 18 January 2023.

⁹⁸ Ministry of Culture, Ministerial Decision No. 000134-2022-DM/MC of 11 May 2022.

⁹⁹ Ministry for Women and Vulnerable Groups, Ministerial Decision No. 223-2023-MIMP of 19 June 2023.

¹⁰⁰ Ministry of Culture, Directorate for Cultural Diversity and the Elimination of Racial Discrimination, Report No. 000130-2023-DIN-IAH/MC, 18 October 2023, p. 7.

¹⁰¹ Ministry of Culture, Directorate General for the Rights of Indigenous Peoples, official communication No. 000760-2023-DGPI/MC, annex, 16 November 2023.

¹⁰² Ministry of Justice and Human Rights, Report No. 129-2022-JUS/DGDH-DPGDH, 28 October 2022, p. 2.

¹⁰³ *Ibid.*, p. 3.

are currently at the intermediate stage, while the remaining 14, involving 18 human rights defenders, are at the preliminary investigation stage.¹⁰⁴

79. In the case of O.A.L., the second provincial criminal prosecutor's office of Yarinacocha, in the Ucayali prosecution district, carried out an investigation into the offence of aggravated homicide which, according to its latest status, is closed (on a preliminary basis).¹⁰⁵ This is because the investigation found, on the basis of an expert report, that the death of O.A.L. had been caused by a bullet fired by the Canadian citizen S.P.W., the sole perpetrator, who was subsequently murdered. Therefore, in accordance with article 78 (1) of the Criminal Code, the prosecutor's office concluded the investigation and declared the criminal proceedings terminated.¹⁰⁶

80. However, the coordination office for supra-provincial criminal prosecutor's offices, interculturality and terrorism offences requested that the prosecutor submit an up-to-date report containing details of the investigation, together with certified copies of the main procedural documents, so that it can study and evaluate the facts of the case and, if necessary, take over the investigation.¹⁰⁷

81. Regarding measures to prevent people from taking the law into their own hands, the Office of the Special Prosecutor for Crime Prevention of the Public Prosecution Service has a strategic crime prevention programme, which is an institutional policy designed to tackle crime by identifying risk factors or causes that lead to offending. The programme has different lines of action, under which measures are taken at the individual, family, school and community levels with a preventive and restorative approach.¹⁰⁸

V. Follow-up information relating to paragraph 25 of the concluding observations, on the use of force

82. Regulatory measures to prevent the excessive use of force include the approval in 2018 of a human rights handbook for police officers¹⁰⁹ and the adoption in 2022 of Directive No. 015-2022-CG-PNP-EM containing administrative and operational guidelines applicable to police operations for the control, maintenance and restoration of public order.¹¹⁰ Directive No. 008-2022-IN containing Ministry of the Interior guidelines for the prevention and management of social conflicts in the area of public order, which incorporates human rights and intercultural perspectives, was also adopted in 2022.¹¹¹

83. In July 2023, the Peruvian National Police adopted Directive No. 13-2023-CG PNP/EMG for the proper use of non-lethal or less lethal means in police operations for the control, maintenance and restoration of public order,¹¹² which incorporates human rights, gender and intercultural perspectives, and Directive No. 014-2023-CG PNP/EMG containing guidelines for strengthening the capacity of police personnel in the use of force with a view to continuous improvement with a human rights approach.¹¹³

84. With regard to police training, in 2018, the National Police Training School approved a new curriculum for the Officer Training School, in which human rights subjects are taught

¹⁰⁴ Public Prosecution Service, Report No. 000308-2023-MP-FN-CFSN-FPS-DHI, 26 October 2023, p. 14.

¹⁰⁵ Public Prosecution Service, Report No. 000153-2022-MP-FN-CFSN-FPS-DHIT, 16 November 2022, p. 5.

¹⁰⁶ Judicial branch, official communication No. 105-2022-DDHH-PJ of 21 November 2022, p. 1.

¹⁰⁷ Public Prosecution Service, Report No. 000153-2022-MP-FN-CFSN-FPS-DHIT, 16 November 2022, p. 5.

¹⁰⁸ Ibid.

¹⁰⁹ Ministry of the Interior, Ministerial Decision No. 952-2018-IN of 13 August 2018.

¹¹⁰ Peruvian National Police, General Command Decision No. 418-2022-CG PNP/EMG of 13 October 2022, point 6.6.

¹¹¹ Ministry of the Interior, Directorate General of Public Order, official communication No. D000013-2023-IN-VOI-DGOP of 6 October 2023, p. 2.

¹¹² Peruvian National Police, General Command Decision No. 272-2023-CG-PNP/EMG of 19 July 2023.

¹¹³ Peruvian National Police, General Command Decision No. 280-2023-CG PNP/EMG of 28 July 2023.

in eight of the ten semesters that make up the officer training programme of the Peruvian National Police.¹¹⁴ In addition, guidelines on the training, capacity-building, specialization and skills development of the Peruvian National Police were adopted in 2019.¹¹⁵

85. The Ministry of the Interior and the Peruvian National Police conducted workshops on the use of public force and human rights; training was thus provided to 4,758 personnel in 2018 and to 2,798 personnel between January and November 2019.¹¹⁶

86. During 2022, with the cooperation of the International Committee of the Red Cross, three train-the-trainer courses on human rights and the role of the police and one on the maintenance and restoration of public order were held and 109 police personnel were certified as trainers. In addition, training on operations for the maintenance and restoration of public order was provided for 79 officers of the Peruvian National Police who are responsible for the specialized units in charge of these operations.¹¹⁷

87. Moreover, in June 2022, the National Police Training School launched a refresher course on human rights and the role of the police, which was initially aimed at personnel serving in police stations in the Lima region. This training was provided to more than 15,000 police officers in the region by November 2022.¹¹⁸ Between 2017 and 2022, the National Police Training School delivered 126 courses on crowd control, providing training for 5,077 law enforcement officers.¹¹⁹

88. In 2023, in the framework of a cooperation agreement between the Ministry of the Interior and the International Committee of the Red Cross, a train-the-trainer course on human rights and the role of the police was provided for 25 police officers and an “after-action evaluation” workshop for 40 senior officers and chiefs of police regions and units. Furthermore, with the participation of officers certified by the International Committee of the Red Cross as trainers in human rights and the role of the police, the Peruvian National Police developed a refresher course to strengthen capacity in police interventions and operations, with the aim of retraining and updating the skills of 11,000 police officers and non-commissioned officers from the Lima police region.¹²⁰ During the same period, a workshop seminar on the use of force and human rights in the context of social conflict was held for 60 general officers of the Peruvian National Police.¹²¹

89. Also in 2023, the Peruvian National Police appointed a permanent coordinator on issues related to human rights and the use of force in order to oversee the development, review, evaluation and delivery of training of trainers in human rights and the role of the police and the maintenance of public order.¹²²

90. In addition, the Ministry of Culture has made efforts to include the issues of interculturality, protection of the rights of Indigenous Peoples and Afro-Peruvian people, and ethnic and racial discrimination and racism in the training of the Peruvian National Police.¹²³ Accordingly, in 2023, the Ministry held in-person workshops with the theme of

¹¹⁴ Peruvian National Police, Higher Academic and Disciplinary Council Decision No. 671-2018-ENFPP-PNP/DIVACA.

¹¹⁵ Ministry of the Interior, Ministerial Decision No. 116-2019-IN of 18 January 2019.

¹¹⁶ Information provided by the alternate representative of the Ministry of the Interior to the National Human Rights Council, 5 December 2019.

¹¹⁷ Ministry of the Interior, Report No. 000964-2022/IN/VSP/DGSD/DDF, 21 November 2022, p. 6.

¹¹⁸ *Ibid.*, p. 6 and 7.

¹¹⁹ National Police Training School, email with attached Excel table containing a summary of the courses, 26 October 2022.

¹²⁰ Ministry of the Interior, Ministerial Decision No. 1611-2022-IN of 15 November 2022.

¹²¹ Ministry of the Interior, “Mininter desarrolla seminario taller sobre mantenimiento del orden público en conflictos sociales”. Available at <https://www.gob.pe/institucion/mininter/noticias/823782-mininter-desarrolla-seminario-taller-sobre-mantenimiento-del-orden-publico-en-conflictos-sociales>.

¹²² Ministry of the Interior, Memorandum No. 00819-2023/IN/VSP and Report No. 00455-2023/IN/VSP/DGSD, 21 July 2023.

¹²³ Ministry of Culture, Directorate General of Intercultural Citizenship, Report No. 000009-2023-DGCI-JCM/MC, 16 August 2023, para. 2.131.

“Interculturality: Strengthening What Is Ours”, in which training was provided to 446 members of the Peruvian National Police.¹²⁴

91. In respect of the armed forces, in 2018, General Directive No. 002-MINDEF-SG-VPD/DIGEDOC was adopted, whereby the educational system of the defence sector was approved and educational guidelines for the armed forces, academic institutions and public agencies attached to the Ministry of Defence were established. The Directive provides that the constitutional framework, treaties, human rights and international humanitarian law are to be respected (para. 5.4.4).¹²⁵

92. In February 2022, the Manual on Human Rights and International Humanitarian Law of the Peruvian Armed Forces,¹²⁶ the Joint Manual of Rules of Operational Conduct of the Armed Forces¹²⁷ and the Manual of Operational Law of the Peruvian Armed Forces¹²⁸ were adopted. These manuals set out operational standards and guidelines that, in terms of human rights and international humanitarian law, have an impact on the planning, conduct and evaluation of military actions and operations carried out by the armed forces in the national territory. The armed forces adopted rules of engagement¹²⁹ in 2022 and rules on the use of force¹³⁰ in 2023.

93. As of October 2022, the Armed Forces Centre for International Humanitarian Law and Human Rights has trained 5,583 persons, including members of the armed forces and the police and civilian professionals from different sectors of the State and Peruvian society, on the subject of torture and cruel and inhuman treatment.¹³¹ In 2023, 1,094 members of the armed forces received training under five academic programmes, namely: (i) two basic programmes in international humanitarian law and international human rights law for officers and civilian professionals; (ii) one advanced programme on international humanitarian law and international human rights law for officers and civilian professionals; (iii) one advanced programme on international humanitarian law and international human rights law for technicians and non-commissioned officers; and (iv) one programme for operational legal advisers.¹³²

94. Regarding the investigation of allegations of excessive use of force, in 2022, the Public Prosecution Service adopted a directive on the exercise of the prosecutorial function in the event of arbitrary or illegitimate use of force by officers responsible for guaranteeing, maintaining and restoring law and order.¹³³ Moreover, to build the capacity of prosecutors and administrative and forensic personnel, the School of the Public Prosecution Service, in coordination with the Office of the United Nations High Commissioner for Human Rights, has organized and delivered a series of lectures on standards in the use of public force as part of the training provided to members of the human rights and interculturality subsystem.¹³⁴

¹²⁴ Ministry of Culture, Directorate General for the Rights of Indigenous Peoples, official communication No. 000760-2023-DGPI/MC, annex, 16 November 2023.

¹²⁵ Ministry of Defence, Ministerial Decision No. 0165-2018-DE-SG of 7 February 2018.

¹²⁶ Ministry of Defence, Ministerial Decision No. 0066-2022-DE of 3 February 2022.

¹²⁷ Ministry of Defence, Ministerial Decision No. 0065-2022-DE of 3 February 2022.

¹²⁸ Ministry of Defence, Ministerial Decision No. 0067-2022-DE of 3 February 2022.

¹²⁹ Ministry of Defence, Ministerial Decision No. 038-2022-DE of 16 June 2022.

¹³⁰ Ministry of Defence, Ministerial Decision No. 013-2023-DE of 21 February 2023.

¹³¹ Ministry of Defence, official communication No. 04810-2022-MINDEF/SG, annex 1, 2 November 2022.

¹³² Ministry of Defence, official communication No. 3674-2023-MINDEF/SG of 26 July 2023 and official communication No. 371-2023-MINDEF/VPD-DIGEDOC-CDIH-DDHH-FFAA of 20 July 2023.

¹³³ Public Prosecution Service, Attorney General’s Office Decision No. 534-2022-MP-FN of 29 March 2022.

¹³⁴ Public Prosecution Service, Report No. 000314-2023-MP-FN-CFSN-FPS-DHI, 26 October 2023, p. 4.

VI. Follow-up information relating to paragraphs 27 and 35 of the concluding observations, on women

A. Multiple forms of discrimination against women (para. 35)

95. To combat multiple and intersectional discrimination against Afro-Peruvian and Indigenous women, in 2017, the Working Group on the Promotion of the Rights of Indigenous Women was set up to facilitate coordination between the Ministry for Women and Vulnerable Groups and Indigenous women through their representative organizations and Indigenous institutions.¹³⁵

96. The Specialized National System of Justice for the Protection of Women and Family Members from Violence¹³⁶ was established in 2018 to provide comprehensive care to women and family members subjected to violence.¹³⁷

97. A basic protocol for joint action on comprehensive care and the protection of women and family members from violence was approved in 2019,¹³⁸ including guidelines for the care of Indigenous and Afro-Peruvian peoples (point 8.6).¹³⁹

98. In August 2019, the Ministry for Women and Vulnerable Groups and the Ministry of Culture adopted technical guidelines on the intercultural approach to preventing sexual violence against Indigenous children, adolescents and women and providing assistance and protection to victims.¹⁴⁰

99. The National Policy for the Afro-Peruvian People up to 2030¹⁴¹ was adopted in 2022; its fourth priority objective is to improve the autonomy of Afro-Peruvian women.

100. Sectoral policy guidelines on mental health were adopted in 2018, incorporating a human-rights-based, gender-sensitive intercultural approach. Strategy 3.6 of the guidelines concerns comprehensive mental healthcare for vulnerable and ethnically excluded communities.¹⁴² In 2022, 4,449 health professionals were trained in the identification of the after-effects of gender-based violence and the care of victims and, in 2023, capacity-building activities were organized for 507 healthcare professionals.¹⁴³ Between 2019 and October 2023, 3,827,586 mental health services were provided to women.¹⁴⁴

101. Regarding sexual and reproductive health, the second and fourth priority objectives of the National Gender Equality Policy of 2019 are to protect women's sexual and reproductive health rights and to protect their economic and social rights, respectively.¹⁴⁵

102. Regarding access to employment, Act No. 30709 on the Prohibition of Pay Discrimination between Men and Women¹⁴⁶ and its implementing regulations¹⁴⁷ were

¹³⁵ Ministry for Women and Vulnerable Groups, Ministerial Decision No. 288-2017-MIMP. Published on 11 October 2017.

¹³⁶ Executive branch, Legislative Decree No. 1368. Published on 29 July 2018.

¹³⁷ Ministry for Women and Vulnerable Groups, Technical Report No. D000008-2022-MIMP-DPVLV-AVL of 24 October 2022, p. 7.

¹³⁸ Ministry for Women and Vulnerable Groups, Supreme Decree No. 012-2019-MIMP of 10 May 2019, art 1.

¹³⁹ Ibid., protocol, point 8.6.

¹⁴⁰ Ministry for Women and Vulnerable Groups, Supreme Decree No. 009-2019-MC. Published on 9 August 2019.

¹⁴¹ Ministry of Culture, Supreme Decree No. 005-2022-MC. Published on 3 June 2022.

¹⁴² Ministry of Health, Ministerial Decision No. 935-2018/MINSA of 12 October 2018.

¹⁴³ Ministry of Health, official communication No. D003029-2023-DGIESP-MINSA containing Report No. D000326-2023-DGIESP-DSAMEN-MINSA, 13 October 2023, p. 8.

¹⁴⁴ Ibid., p. 9.

¹⁴⁵ Ministry for Women and Vulnerable Groups, Supreme Decree No. 008-2019-MIMP of 4 April 2019, National Gender Equality Policy.

¹⁴⁶ Ministry of Labour and Employment Promotion, Act No. 30709. Published on 27 December 2017.

¹⁴⁷ Ministry of Labour and Employment Promotion, Supreme Decree No. 002-2018-TR. Published on 8 March 2018.

adopted in 2017 and 2018, respectively. The National Policy for Decent Employment¹⁴⁸ and the Act on the Promotion of the Labour Market Integration of Women Victims of Any Form of Violence through Public Programmes were adopted in 2021.¹⁴⁹

103. A register of programmes for the preferential inclusion of women victims of any form of violence and technical guidelines on the implementation of the register and compliance with Act No. 31153 and its implementing regulations were adopted in 2022.¹⁵⁰

104. The “Wiñay Warmi” strategy¹⁵¹ is intended to contribute to closing gender gaps in access to decent employment and employability for all women, especially the most vulnerable.

105. Measures to prevent and punish sexual harassment in the workplace include the establishment of the “Work Free From Harassment” Guidance and Support Service for the Prevention of Sexual Harassment in the Workplace¹⁵² and its guidelines,¹⁵³ the publication of a practical guide on preventing and punishing sexual harassment in the workplace in the private and public sectors,¹⁵⁴ the development of a virtual platform for the registration of cases of sexual harassment at work,¹⁵⁵ the issuance of a questionnaire to help workers determine whether they have been exposed to sexual harassment at work, the establishment of the “1819” helpline,¹⁵⁶ and the publication of a guide on preventing and punishing the sexual harassment of domestic workers in the workplace.¹⁵⁷

106. Regarding participation in decision-making processes, Act No. 30982, which strengthens the role of women in rural communities and mandates a minimum quota of 30 per cent participation for both women and men in the formation of communal leadership boards,¹⁵⁸ and the National Gender Equality Policy, whose third priority objective is to ensure that women have access to and can participate in decision-making spaces,¹⁵⁹ were both adopted in 2019. Act No. 31030, amending electoral legislation to ensure gender parity and alternation in candidate lists, was adopted in 2020.¹⁶⁰ Act No. 31155 on the prevention and punishment of harassment against women in politics¹⁶¹ was adopted in 2021; this law applies, inter alia, to the elected representatives of campesino, communal, Indigenous and Afrodescendent communities from the moment they apply for office. Guidelines for the promotion of the meaningful participation of women in dialogue for the resolution of social conflicts were also adopted that year.¹⁶² In 2023, the National Electoral Authority set up a commission to study and propose measures to prevent, punish and eradicate harassment in

¹⁴⁸ Ministry of Labour and Employment Promotion, Supreme Decree No. 013-2021-TR of 13 June 2021, National Policy for Decent Employment.

¹⁴⁹ Congress, Act No. 31153 of 6 April 2021, art 1.

¹⁵⁰ Ministry of Labour and Employment Promotion, Ministerial Decision No. 051-2022-TR. Published on 8 March 2022.

¹⁵¹ Ministry of Labour and Employment Promotion, Supreme Decree No. 007-2022-TR. Published on 6 May 2022.

¹⁵² Ministry of Labour and Employment Promotion, Supreme Decree No. 014-2019-TR. Published on 4 September 2019.

¹⁵³ Ministry of Labour and Employment Promotion, Supreme Decree No. 222-2019-TR. Published on 21 September 2019.

¹⁵⁴ Ministry of Labour and Employment Promotion, Supreme Decree No. 223-2019-TR. Published on 21 September 2019.

¹⁵⁵ Ministry of Labour and Employment Promotion, Referral Sheet No. 000018-2024-MTPE/2/15.1 of 10 January 2024, p. 2. Available at <https://www.gob.pe/institucion/mtpe/campa%C3%B1as/539-plataforma-deregistro-de-casos-de-hostigamiento-sexual-laboral>.

¹⁵⁶ Ministry of Labour and Employment Promotion, Referral Sheet No. 000018-2024-MTPE/2/15.1 of 10 January 2024, p. 2. Available at <https://trabajasinacoso.trabajo.gob.pe/tesths/inicio>.

¹⁵⁷ Ministry of Labour and Employment Promotion, Directorate General Decision No. 0002-2022-MTPE/2/15. Published on 4 November 2022.

¹⁵⁸ Congress, Act No. 30982. Published on 18 July 2019.

¹⁵⁹ Ministry for Women and Vulnerable Groups, Supreme Decree No. 008-2019-MIMP. Published on 4 April 2019.

¹⁶⁰ Congress, Act No. 31030. Published on 23 July 2020.

¹⁶¹ Congress, Act No. 31155 of 7 April 2021, arts. 1 and 2.

¹⁶² Office of the President of the Council of Ministers, Decision of the Secretariat of Social Management and Dialogue No. 009-2021-PCM/SGSD. Dated 7 August 2021.

politics¹⁶³ and adopted the “Governing Together” multisectoral strategy aimed at building the public administration capacities of women in elected positions in regional and local governments, according to a gender-sensitive intercultural approach and in recognition of the cultural diversity of the population.¹⁶⁴

107. Regarding access to justice and protection, the National Programme for the Prevention and Eradication of Violence against Women and Family Members, also known as the Aurora Programme, was established in 2019 to put in place and promote specialized services for the prevention of violence against women and domestic violence and the guidance, care and protection of victims and persons affected by sexual violence, such as the “100” helpline and chat service, urgent and rural care services and temporary shelters. Aggressors are rehabilitated at the Institutional Care Centre. Women’s emergency centres also offer care and protection.¹⁶⁵

108. Women’s emergency centres registered 133,697 cases of violence against women and domestic violence in 2018, 181,885 cases in 2019, 114,495 cases in 2020, 163,797 cases in 2021, 154,202 cases in 2022 and 111,281 cases from January to August 2023, with 85.6 per cent involving women specifically. Disaggregated by ethnic self-identification, these figures can be broken down as follows: 87.29 per cent mestizo, 9.77 per cent Quechua, 1.26 per cent Aymara, 1.16 per cent white, 0.25 per cent Indigenous Amazonian, 0.24 per cent African descent, 0.001 per cent other Indigenous ethnicity and 0.03 per cent other ethnicity.¹⁶⁶

109. Regarding prevention, the Aurora Programme includes the initiatives “Men for Equality”, “Empowered and Autonomous Women”, “Women Helping Women”, “Education Strategy” and “Communication Strategy”. Awareness-raising campaigns reached 2,084,931 people in 2018, 2,506,926 people in 2019, 1,145,193 people in 2020, 1,141,895 people in 2021, 1,498,901 people in 2022 and 1,020,082 people from January to August 2023.¹⁶⁷

110. A protocol for coordination between women’s emergency centres and the Public Defence Service was adopted in 2020 under the Specialized National System of Justice for the Protection of Women and Family Members from Violence.¹⁶⁸

111. A procedural guide on the implementation by the Peruvian National Police of Act No. 30364 on the prevention, punishment and eradication of violence against women and domestic violence and its implementing regulations was adopted in 2020.¹⁶⁹ A directive establishing guidelines on the care of children and adolescents at police headquarters was adopted in 2022.¹⁷⁰

112. The Multisectoral Rural Strategy,¹⁷¹ adopted in 2023, pools the efforts and resources of various sectors and institutions responsible for addressing violence against women, domestic violence and sexual violence in rural areas. The Support Service for Victims of Violence against Women and Domestic Violence and Sexual Violence in Rural Areas, or Rural Care Service, was established within this framework.¹⁷² The Rural Care Service is

¹⁶³ National Electoral Authority, Decision No. 000046-2023-P/JNE. Published on 10 May 2023.

¹⁶⁴ Ministry for Women and Vulnerable Groups, Directorate for the Promotion and Protection of the Rights of Women, Report No. D000173-2023-MIMP.DPPDM of 23 October 2023, para. 2.35.

¹⁶⁵ Ministry for Women and Vulnerable Groups, Aurora Programme. Report No. D000109-2023-MIMP-AURORA-SPP-LLF, annex, 6 October 2023, p. 1.

¹⁶⁶ Ibid.

¹⁶⁷ Ministry for Women and Vulnerable Groups, Aurora Programme. Report No. D000109-2023-MIMP-AURORA-SPP-LLF, annex, 6 October 2023, pp. 1 and 2.

¹⁶⁸ Ministry of Justice and Human Rights, Supreme Decree No. 008-2020-JUS. Dated 5 July 2020.

¹⁶⁹ Peruvian National Police, General Command Decision No. 170-2020-CG PNP/EMG. Dated 17 June 2020.

¹⁷⁰ Peruvian National Police, General Command Decision No. 539-2022-CG PNP/EMG. Dated 17 December 2022.

¹⁷¹ Ministry for Women and Vulnerable Groups, Supreme Decree No. 007-2021-MIMP. Dated 4 May 2023.

¹⁷² Ministry for Women and Vulnerable Groups, Ministerial Decision No. 197-2023-MIMP. Dated 9 May 2023.

active in 84 rural districts and 285 communities in 23 regions; it offers two types of care: on-site care in rural areas and mobile assistance at mobile social welfare platforms in Puno and Loreto.¹⁷³

113. As of August 2023, the Ministry of Justice and Human Rights had 108 public defenders specializing in the defence of victims of violence against women and domestic violence and 77 public defenders specializing in legal assistance in matters relating to acts of violence against women and domestic violence, for example, alimony, child custody and filiation.¹⁷⁴

B. Forced sterilization (para. 27)

114. From 2016 to August 2023, the Aurora Programme, through the women's emergency centres, handled 6,103 cases of forced sterilization, providing 70,596 specialized services to the persons affected.¹⁷⁵

115. To reinforce the assistance provided, teams of professionals working with the Registry of Victims of Forced Sterilization and specializing in psychological and social care, with profiles in line with the characteristics and needs of the population, were introduced in 46 women's emergency centres in 22 regions, including 11 priority regions, in 2016 and 2017, with the aim of tailoring the services and improving their availability in rural areas.¹⁷⁶

116. Since 2018, specialized care from psychological and social care professionals for persons affected by forced sterilization on the Registry of Victims of Forced Sterilization has been offered by women's emergency centres nationwide. In September 2023, there were 431 women's emergency centres in the country, of which 240 were regular centres and 191 were 24-hour centres (including 5 centres open 24 hours a day, 7 days a week, 185 centres located in police stations and 1 centre located in a healthcare centre).¹⁷⁷

117. In coordination with the district-level offices of the Public Defence Service and as part of six mobile campaigns organized by the Ministry of Justice and Human Rights, community-based interventions were carried out in the most remote rural areas, prioritized according to the Registry of Victims of Forced Sterilization, where local women's emergency centres carried out awareness-raising activities and informative talks and provided psychological and social care to registered persons. An additional 2,870 possible victims of forced sterilization were identified and are awaiting registration.¹⁷⁸

118. In 2019, forced sterilization was recognized as a form of violence under article 8 of the regulations of Act No. 30364.¹⁷⁹ In 2020, a multisectoral working group was formed to analyse and propose mechanisms to assist persons affected by forced sterilizations that occurred between 1995 and 2001.¹⁸⁰

119. From August 2020 to July 2021, the working group prepared a flow chart on mental healthcare for persons affected by forced sterilizations and approved the final report of the

¹⁷³ Ministry for Women and Vulnerable Groups, Aurora Programme. Report No. D000109-2023-MIMP-AURORA-SPP-LLF, annex, 6 October 2023, p. 2.

¹⁷⁴ Ministry of Justice and Human Rights, Directorate General for Public Defence and Access to Justice, User Report No. 5053-2023-JUS-DGDPAJ/DALDV of 7 November 2023, p. 4.

¹⁷⁵ Ministry for Women and Vulnerable Groups, Aurora Programme. Report No. D000109-2023-MIMP-AURORA-SPP-LLF, annex, 6 October 2023, p. 3.

¹⁷⁶ Ministry for Women and Vulnerable Groups, Technical Report No. D000008-2022-MIMP-DPVLV-AVL of 24 October 2022, p. 4.

¹⁷⁷ Ministry for Women and Vulnerable Groups, Aurora Programme. Report No. D000109-2023-MIMP-AURORA-SPP-LLF, annex, 6 October 2023, p. 3.

¹⁷⁸ Ministry for Women and Vulnerable Groups, Technical Report No. D000008-2022-MIMP-DPVLV-AVL of 24 October 2022, p. 5.

¹⁷⁹ Ministry for Women and Vulnerable Groups, Supreme Decree No. 004-2019-MIMP. Published on 7 March 2019.

¹⁸⁰ Ministry of Justice and Human Rights, Ministerial Decision No. 0216-2020-JUS. Published on 16 September 2020.

Ministry of Justice on State care for persons affected by forced sterilizations that took place between 1995 and 2001.¹⁸¹

120. Subsequently, the temporary multisectoral Working Group to Promote Gender Equality and Access to Justice¹⁸² was established to facilitate coordination between the Ministry for Women and Vulnerable Groups and civil society organizations and to propose, develop and put in place measures and strategies for the preparation of a technical policy promoting gender equality in society and access to justice for all women and addressing existing forms of structural gender discrimination, including gender-based violence in the form of forced sterilization, femicide and the disappearance of women.¹⁸³

121. There are three prosecutorial investigations under way involving more than 2,000 victims.¹⁸⁴ With regard to the case of M.M.M.C. and others, in accordance with the Decision of 20 April 2023, 85 statements have been taken, including 75 from the aggrieved parties and 10 from witnesses called on behalf of the parties. A request has been made to include a further 2,264 victims in the investigation.

122. On 20 November 2023, the criminal court concluded the criminal investigation phase; however, on 30 November 2023, the Permanent Constitutional and Social Law Division of the Supreme Court of Justice ordered the return of the case files, annulling the initiating order.¹⁸⁵

123. In March 2024, the Public Defence Service was representing 4,117 persons who consider themselves affected by forced sterilizations¹⁸⁶ and, in November 2023, there were 145 public defenders specifically assigned to provide priority attention to victims of forced sterilizations. From January 2016 to October 2023, 8,128 registration procedures were initiated in the Registry of Victims of Forced Sterilization, of which 7,162 persons were registered, 251 were rejected and 715 are still being processed.¹⁸⁷

124. The Public Defence Service, in collaboration with the Platforms of Action for Social Inclusion Programme of the Ministry of Development and Social Inclusion, has been carrying out mobile and remote campaigns, including 6 in 2019, 4 in 2020, 83 in 2021 and 24 in 2022. A total of 4,399 persons have been reached through these campaigns.¹⁸⁸

125. Since 2016, 24 virtual and 3 face-to-face discussions have been organized with 476 representatives and members of associations of victims of forced sterilization.¹⁸⁹

126. Mobile public defence services have been deployed to remote areas of the country and areas where vulnerable populations are located, setting up temporary assistance stations to help with formalities related to the Registry of Victims of Forced Sterilization. Eight such services were deployed in 2017, five in 2018, a further eight in 2019, six in 2021 and three in 2022. In 2021 and 2022, assistance was provided to 879 individuals, including 139 on the Registry, and 545 individuals, including 180 on the Registry, respectively.¹⁹⁰

¹⁸¹ Ministry for Women and Vulnerable Groups, Technical Report No. D000008-2022-MIMP-DPVLV-AVL of 24 October 2022, p. 5.

¹⁸² Ministry for Women and Vulnerable Groups, Ministerial Decision No. 191-2021-MIMP. Published on 18 July 2021.

¹⁸³ Ministry for Women and Vulnerable Groups, Technical Report No. D000008-2022-MIMP-DPVLV-AVL of 24 October 2022, p. 6.

¹⁸⁴ Public Prosecution Service, Attorney General's Office. Report No. 000153-2022-MP-FN-CFSN-FPS-DHIT of 16 November 2022, p. 12.

¹⁸⁵ Public Prosecution Service, Attorney General's Office, Report No. 000009-2024-MP-FN-CFSN-FPS-DHI of 10 January 2024, p. 4.

¹⁸⁶ Ministry of Justice and Human Rights, Directorate General for Public Defence and Access to Justice, Memorandum No. 1954-2024-JUS/DGDPAJ. Dated 28 February 2024.

¹⁸⁷ Ministry of Justice and Human Rights, Directorate General for Public Defence and Access to Justice, User Report No. 5053-2023-JUS-DGDPAJ/DALDV of 7 November 2023, pp. 4 and 5.

¹⁸⁸ Ministry of Justice and Human Rights, Directorate General for Public Defence and Access to Justice, User Report No. 123-2023-JUS-DGDPAJ/DALDV of 13 January 2023, pp. 8–10.

¹⁸⁹ *Ibid.*, pp. 10–13.

¹⁹⁰ *Ibid.*, pp. 13–18.

VII. Follow-up information relating to paragraph 29 (a)–(e) of the concluding observations, on working conditions

127. Legislative Decree No. 1323 was enacted in 2017, incorporating the crime of forced labour into the Criminal Code.¹⁹¹

128. In the same year, an inter-institutional cooperation agreement was signed between the Ministry of Labour and Employment Promotion, the National Institute of Statistics and Information Management and the International Labour Organization (ILO) to take joint measures aimed at the prevention and eradication of forced labour in Peru.¹⁹² Under this agreement, in 2019, a survey on the prevalence of forced labour in one region of the country was conducted, generating, for the first time in Peru, quantitative statistical information that could be used to improve action strategies and government policies. As of October 2022, this information was being reviewed and analysed.¹⁹³

129. The third National Plan to Combat Forced Labour 2019–2022 was adopted in 2019, its central objective being the reduction of forced labour in the country.¹⁹⁴

130. In 2021, the National Commission against Forced Labour provided technical assistance in the ratification of the Protocol of 2014 to the ILO Forced Labour Convention, 1930 (No. 29), culminating in its ratification through Supreme Decree No. 015-2021-RE.¹⁹⁵

131. That same year, a protocol for action by prosecutors in the prevention, investigation and punishment of forced labour was adopted by the Public Prosecution Service, with technical assistance from ILO¹⁹⁶ and the National Forced Labour Observatory.¹⁹⁷

132. A second version of the protocol for action on forced labour¹⁹⁸ was also adopted, aimed at the collection and use of data, awareness-raising and guidance on the prevention of forced labour, capacity-building for labour inspectors and the coordination of inspection activities.¹⁹⁹

133. In 2019, article 168 of the Criminal Code, which defines the offence of forced labour, was amended to incorporate the penalty of a fine.²⁰⁰ The criminal offence of forced labour is thus currently punishable by three penalties applied jointly: imprisonment, disqualification and a fine. Following the rearrangement and renumbering of the articles defining the offences of exploitation and trafficking in persons in 2021, the offence of forced labour is currently regulated by article 129-O of the Criminal Code.²⁰¹

134. In 2023, a new directive was adopted to regulate labour inspection in the area of forced labour and child labour, updating normative aspects and technical criteria in that regard. The directive also regulates certain aspects related to the work of the specialized group of forced labour and child labour inspectors of the National Labour Inspection Authority according to an intersectoral and intergovernmental approach.²⁰²

¹⁹¹ Executive branch, Legislative Decree No. 1323 of 6 January 2017, art. 2.

¹⁹² Ministry of Labour and Employment Promotion, Referral Sheet No. 0392-2022-MTPE/2/15.1, annex, p. 2. Dated 19 October 2022.

¹⁹³ Ibid.

¹⁹⁴ Ministry of Labour and Employment Promotion, Supreme Decree No. 015-2019-TR. Published on 18 September 2019.

¹⁹⁵ Ministry of Foreign Affairs, Supreme Decree No. 015-2021-RE. Published on 21 April 2021.

¹⁹⁶ Public Prosecution Service, Attorney General's Office, Decision of the Attorney General's Office No. 684-2021-MP-FN of 12 May 2021.

¹⁹⁷ Congress, Act No. 31330. Dated 6 August 2021.

¹⁹⁸ National Labour Inspection Authority, Decision No. 147-2020-SUNAFIL of 15 June 2020.

¹⁹⁹ Ministry of Labour and Employment Promotion, Referral Sheet No. 0392-2022-MTPE/2/15.1, annex, pp. 2–4. Dated 19 October 2022.

²⁰⁰ Congress, Act No. 30924. Published on 29 March 2019.

²⁰¹ Congress, Act No. 31146. Published on 31 March 2021.

²⁰² Ministry of Labour and Employment Promotion, Directorate General for Fundamental Rights and Health and Safety at Work, official communication No. 000134-2023-MTPE/2/15 containing Referral Sheet No. 000517-2023-MTPE/2/15.1, annex. Dated 11 October 2023.

135. On 20 December 2023, the Ministry of Labour and Employment Promotion adopted an intersectoral protocol against forced labour.²⁰³

136. With a view to the effective sanctioning of all cases of forced labour, the Public Defence Service provided representation in 126 cases of forced labour from 2017 to September 2023.²⁰⁴

137. Regarding domestic workers, in 2018, Peru became a party to the ILO Domestic Workers Convention, 2011 (No. 189).²⁰⁵ This convention was used as a basis for the Domestic Workers Act enacted in 2020²⁰⁶ and its regulations,²⁰⁷ which are aimed at preventing and eliminating all forms of discrimination in the employment conditions of domestic workers, upholding domestic workers' fundamental rights and recognizing their significant contribution to the social and economic development of the country. A working group to promote the fulfilment of the rights of domestic workers was also established.²⁰⁸

138. In the same year, the Household Work Register was established to ensure that the employers of domestic workers are aware, in advance, of the information they are required to provide in order to comply with the obligations set out in Act No. 31047 and its regulations.²⁰⁹

139. The Ministry of Labour and Employment Promotion, in coordination with the National Customs and Tax Authority, has launched a web platform for the registration of domestic work,²¹⁰ to unify the process for the registration of domestic work contracts administered by the Ministry of Labour and Employment Promotion and the process for the registration of domestic workers administered by the National Customs and Tax Authority. This platform provides the employers of domestic workers with a process that facilitates the registration of employment contracts between both parties, which must be drafted in accordance with Act No. 31047,²¹¹ for which purpose the Ministry of Labour and Employment Promotion has made available three reference models and a model payment slip.²¹²

140. In 2021, guidelines were adopted on care and prevention under the Aurora Programme for workers and domestic workers affected by violence as defined in Act No. 30364 or sexual violence;²¹³ in 2022, 1,147 cases involving female domestic workers were handled by women's emergency centres; in only one of these cases was the aggressor the victim's employer.²¹⁴

²⁰³ Ministry of Labour and Employment Promotion, Supreme Decree No. 012-2023-TR. Published on 20 December 2023.

²⁰⁴ Ministry of Justice and Human Rights, Directorate General for Public Defence and Access to Justice, User Report No. 5053-2023-JUS-DGDP AJ/DALDV of 7 November 2023, p. 6.

²⁰⁵ Ministry of Labour and Employment Promotion, Referral Sheet No. 0392-2022-MTPE/2/15.1, annex, pp. 5-7.

²⁰⁶ Congress, Act No. 31047. Published on 1 October 2020.

²⁰⁷ Ministry of Labour and Employment Promotion, Supreme Decree No. 009-2021-TR. Published on 17 April 2021.

²⁰⁸ Ministry of Labour and Employment Promotion, Supreme Decree No. 208-2021-TR. Published on 27 October 2021.

²⁰⁹ Ministry of Labour and Employment Promotion, Supreme Decree No. 243-2021-TR. Published on 7 December 2021.

²¹⁰ Available at <https://apps.trabajo.gob.pe/rcth/app/#/>.

²¹¹ Congress, Act No. 31047 of 1 October 2020, art. 5.

²¹² Ministry of Labour and Employment Promotion, Directorate General Decision No. 0001-2021-MTPE/2/15. Published on 14 September 2021.

²¹³ Aurora Programme, Executive Decree No. 336-2021-MIMP-AURORA-DE of 31 December 2021.

²¹⁴ Ministry for Women and Vulnerable Groups, Directorate for the Promotion and Protection of the Rights of Women, Report No. D000173-2023-MIMP-DPPDM of 23 October 2023, para. 2.12.

VIII. Follow-up information relating to paragraph 31 of the concluding observations, on political participation

141. In 2017, in order to provide Indigenous organizations with communication tools and strategies for enabling Indigenous Peoples to participate actively through their organizations, the National Electoral Authority organized training workshops for spokespersons of the Working Group for Strengthening Indigenous Political Participation (Unión Nacional de Comunidades Aymaras (National Union of Aymara Communities) and Asociación Interétnica de Desarrollo de la Selva Peruana) and coordinated the participation of all members of the Working Group in another media training workshop offered by the United Nations system.²¹⁵

142. Also in 2017, activities were carried out with the Afro-Peruvian human rights organizations Asociación Negra de Defensa y Promoción de los Derechos Humanos and Red Peruana de Jóvenes Afrodescendientes (Ashanti Perú). One such activity was the Training School for Young Leaders of African Descent – Project Equity, whose purpose was to develop the capacities of young leaders of political parties in the identification of effective strategies to eradicate discriminatory practices of any kind within their organizations. Scholarships were awarded to 30 participants who met the requirement of being leaders from Afrodescendent communities and localities in metropolitan Lima and Callao.²¹⁶

143. In the framework of the 2018 regional and municipal elections, outreach campaigns such as “Voices that Transform” were conducted, with the aim of calling on the general public and, in particular, political organizations to comply with electoral quotas, including the Indigenous quota, and to carry out an electoral process without discrimination and in conditions of equality.²¹⁷

144. In addition, a meeting of candidates who were Afro-Peruvian or Indigenous, had disabilities or were lesbian, gay, bisexual, transgender or intersex was held with the participation of seven political parties. At the conclusion of the event, they signed a commitment to more inclusive municipal public policies.²¹⁸

145. The National Electoral Authority decided that the Indigenous quota would apply in 20 regions,²¹⁹ encompassing 69 provinces for the regional elections and 131 provinces for the municipal elections. This represents an increase compared to the 2014 regional and municipal elections, when the quota applied in 18 regions encompassing 42 provinces for the regional elections and 92 provinces for the municipal elections.²²⁰

146. Through the Programme for Political Equality, reports were prepared at the provincial and regional levels during the 2018 regional and municipal elections, in which, for the regional councils, out of 914 candidates, 34 people who self-identify as Indigenous were elected, and for the provincial councils, out of 2,616 candidates, 188 people who self-identify as Indigenous were elected.²²¹

147. In 2019, as part of the implementation of the National Plan for Civic Education and Training 2016–2019, two types of workshops were held: a technical assistance workshop that strengthened Indigenous women’s organizations by providing them with theoretical and practical tools, and a training workshop on active citizenship. The women’s organizations that participated were, in Andahuaylas-Apurímac, the Asociación de Mujeres Emprendedoras and the Federación de Mujeres de la Provincia de Andahuaylas; in Huamanga-Ayacucho, the Federación Regional de Mujeres Indígenas de Ayacucho and the Federación de Mujeres Indígenas de Huamanga; in Puno, the Asociación de Mujeres de la Provincia de Ayaviri-Melgar and the Federación Nacional de Mujeres Campesinas Artesanas,

²¹⁵ National Electoral Authority, Report No. 0008-2022-SRY/DNEF of 24 October 2022, para. 2.4.

²¹⁶ *Ibid.*, para. 2.6.

²¹⁷ *Ibid.*, para. 2.7.

²¹⁸ *Ibid.*, paras. 2.7 and 2.10.

²¹⁹ National Electoral Authority, Decisions No. 082 and No. 083-2018-JNE.

²²⁰ National Electoral Authority, Report No. 0008-2022-SRY/DNEF of 24 October 2022, para. 2.8.

²²¹ *Ibid.*, para. 2.9.

Indígenas, Nativas y Asalariadas del Perú; and, in Anta-Cusco, the Federación de Mujeres Campesinas de Anta.²²²

148. In the framework of the special congressional elections of 2020, the first Political Training School for Indigenous leaders was held online in partnership with the United Nations Development Programme (UNDP) and the International Institute for Democracy and Electoral Assistance (International IDEA). The training was aimed at leaders of the Indigenous organizations belonging to the Working Group for Strengthening Indigenous Political Participation. The attendees consisted of 36 people from six organizations (Confederación Campesina del Perú, Confederación Nacional Agraria, Confederación de Nacionalidades Amazónicas del Perú, Federación Nacional de Mujeres Campesinas, Artesanales, Indígenas, Nativas y Asalariadas del Perú, Organización Nacional de Mujeres Indígenas Andinas y Amazónicas del Perú and Unión Nacional de Comunidades Aymaras).²²³

149. In the context of the general elections of 2021, the “Agendas for a country with equality” were drawn up. The document containing the agendas, which identify the organizations’ demands, was presented at a virtual public event.²²⁴

150. For the second round, the event “Democratic dialogues: agendas for a country with equality” was held for the Afro-Peruvian people on 14 May 2021 and for Indigenous Peoples on 17 May 2021. The event involved discussions on the current situation of each vulnerable group’s political participation, the presentation of the agendas (with emphasis on legislative demands) by social organizations and the delivery of remarks by 13 invited members of Congress from seven political organizations.²²⁵

151. Under the Programme for Political Equality, educational materials (audiovisual and documentary) and outreach materials were prepared on the political and electoral participation of vulnerable groups, including Indigenous Peoples and the Afro-Peruvian people. In particular, five micro-programmes on “Elections with equality” were produced in Indigenous languages.

152. For the 2022 regional and municipal elections, the Indigenous quota was extended to 22 regions, specifically 79 provinces for the regional elections and 157 provinces for the municipal elections.²²⁶ In this context, the National Electoral Authority conducted an analysis of regional government plans to verify that they included Indigenous Peoples, with the participation of the Asociación Interétnica de Desarrollo de la Selva Peruana and the Unión Nacional de Comunidades Aymaras in their preparation.²²⁷

153. Also under the Programme for Political Equality, educational and outreach materials were prepared on the Indigenous quota and Indigenous political participation. The materials consisted of a booklet on the Indigenous quota and a booklet on vulnerable populations.²²⁸

154. In September 2022, the National Directorate of Civic Education and Training presented the publication *Perfil Electoral No. 7* on Indigenous political participation in the 2022 regional and municipal elections, which provides information on the location and demographic representation of the Indigenous population, the history and application of the Indigenous quota, a brief historical overview of this sector’s participation in previous electoral processes, the profile of Indigenous candidates in the 2022 regional and municipal elections and an analysis of the effectiveness of the Indigenous quota in the current electoral process.²²⁹

²²² Ibid., para. 2.12.

²²³ Ibid., para. 2.15.

²²⁴ National Electoral Authority, Report No. 0008-2022-SRY/DNEF of 24 October 2022, para. 2.16. See <https://bit.ly/3gHtZy5>.

²²⁵ Ibid., paras. 2.16 and 2.17.

²²⁶ National Electoral Authority, Decisions No. 912 and No. 913-2021-JNE.

²²⁷ National Electoral Authority, official communication No. 000012-2023-DNEF/JNE of 10 October 2023, annex. Information on the analysis of government plans is available at <https://dnef.jne.gob.pe/perfil-electoral.html>.

²²⁸ National Electoral Authority, Report No. 0008-2022-SRY/DNEF of 24 October 2022, para. 2.23.

²²⁹ Ibid.

155. Also in 2022, the National Plan for Civic Education and Training 2021–2024²³⁰ was adopted. It includes plans for educational interventions with Indigenous women in the regions of Junín and Loreto, as well as Indigenous and Afro-Peruvian women in Piura. In-person workshops (June and November 2022) and virtual courses (November and December 2022) have been held for women belonging to Indigenous organizations in Tambogrande.²³¹

156. In addition, the decentralized in-person and virtual phases of the Indigenous political training programme “The Peoples Decide – Ayllu Markachirinakana Amtawinakapa” was carried out for candidates who self-identified as Indigenous in the 2022 regional and municipal elections.²³² In the in-person phase, there were a total of 68 attendees (36 candidates and 32 leaders belonging to the Working Group for Strengthening Indigenous Political Participation) at simultaneous in-person sessions held at the three offices in Lima, Tarapoto and Puno; and in the virtual phase, there were a total of 27 Indigenous participants (20 candidates and 7 representatives of the Working Group). In other words, the two phases included a total of 95 participants.²³³

157. Three specialized texts have been published: *La identidad necesaria. Participación y representación política del pueblo afroperuano* (The Necessary Identity. Political Participation and Representation of the Afro-Peruvian People) by Marco Antonio Ramírez, *Breve historia de la esclavitud en el Perú* (Brief History of Slavery in Peru) by Carlos Aguirre and *Kaja Atiamu: desatando la visión* (Kaja Atiamu: Unleashing the Vision) (2022) by Luis Tuesta and Cynthia Cárdenas, the first text written and narrated by Indigenous leaders, both in co-publication with the National University of San Marcos.²³⁴

158. In accordance with the National Policy for the Afro-Peruvian People up to 2030, in 2023 the National Electoral Authority produced a handbook on promoting the political participation of the Afro-Peruvian people in electoral processes on an equal footing and without discrimination. The handbook was developed in an inclusive manner with representative Afro-Peruvian organizations of the Working Group for the Afro-Peruvian Population and the Registry of Afro-Peruvian Organizations maintained by the Ministry of Culture, as well as social and political actors.²³⁵

159. The Ministry of Culture leads the Multisectoral Standing Committee responsible for proposing and supervising the implementation of strategic measures and actions for the sustainable and full development of the Indigenous Peoples belonging to the Asociación Regional de Pueblos Indígenas de la Selva Central (Regional Association of Indigenous Peoples of the Central Rainforest) and the Organización Regional de Nacionalidades Amazónicas de Selva Central (Regional Organization of Amazonian Nationalities of the Central Rainforest) within the territory of Peru. The Multisectoral Standing Committee has branches in the Departments of Junín, Pasco, Huánuco, Cusco and Ayacucho,²³⁶ created in 2023. It is chaired by the Office of the President of the Council of Ministers and its technical secretariat is provided by the Ministry of Culture. To date, it has worked in five main areas: (i) access to services; (ii) economic development; (iii) human development and social inclusion; (iv) security and access to justice; and (v) legal security of land and the environment.

²³⁰ National Electoral Authority, Decision No. 005-2022-P/JNE.

²³¹ National Electoral Authority, Report No. 0008-2022-SRY/DNEF of 24 October 2022, para. 2.24.

²³² *Ibid.*, para. 2.26.

²³³ National Electoral Authority, Report No. 0008-2022-SRY/DNEF of 24 October 2022, para. 2.27.

²³⁴ National Electoral Authority, official communication No. 000012-2023-DNEF/JNE of 10 October 2023, annex. Information on the analysis of government plans is available at <https://dnef.jne.gob.pe/perfil-electoral.html>.

²³⁵ *Ibid.*

²³⁶ Executive branch, Supreme Decree No. 0040-2023-PCM. Published on 23 March 2023.

IX. Follow-up information relating to paragraph 33 of the concluding observations, on education

160. To update the information on Indigenous students, the Ministry of Education decided in 2019 to update the national registry of educational institutions that provide intercultural bilingual education services, the 2021 school census and Nexus 2022, through which the following data were recorded in 2022: 1,282,509 students in intercultural bilingual education, 100,498 teachers and 26,541 intercultural bilingual education institutions.²³⁷

161. According to the national registry of teachers with Indigenous language proficiency, there are 118,320 teachers who are proficient in such languages. It should be noted that the number has increased by 34.2 per cent since 2016. Therefore, as of 2022, there was an unmet need for 25,966 intercultural bilingual education teachers in the Amazonian and Andean language areas.²³⁸

162. The National Intercultural Bilingual Education Plan up to 2021²³⁹ has facilitated the development of sectoral and institutional plans, programmes, projects and other activities related to the implementation of intercultural bilingual education as guiding instruments for the education sector. Examples of the progress made include the fact that 19.5 per cent of Indigenous children receive intercultural bilingual education at the preschool level and 21.6 per cent at the primary level; of this group, 99.7 per cent have completed the school year at the primary level and 95.5 per cent at the secondary level.²⁴⁰

163. In line with the adoption of the national basic curriculum design for initial teacher training under the Programme of Studies in Intercultural Bilingual Education at the Preschool Level and Intercultural Bilingual Education at the Primary Level, the Ministry of Education has awarded qualifications to 118 women belonging to Amazonian Indigenous Peoples of Amazonas and Loreto (Awajún, Wampis, Shawi and Kichwa) and implemented the Kumitsari training programme that links digital technologies with the teaching of eight Indigenous languages in 29 educational institutions. In addition, degree programmes in intercultural bilingual education are offered at 35 public tertiary-level teacher training institutes and 13 universities.²⁴¹

164. For the implementation of intercultural bilingual education, in 2018 the Intercultural Bilingual Education Service Model²⁴² was created. This gave rise to three types of education services: (i) intercultural bilingual education for cultural and linguistic strengthening, (ii) intercultural bilingual education for cultural and linguistic revitalization and (iii) intercultural bilingual education in urban areas. These service types enable teachers to identify the relevant conceptual elements and the tools, strategies and pedagogical resources needed to impart quality education incorporating the knowledge of Indigenous Peoples.²⁴³

165. Over the reporting period, the Ministry of Education provided pedagogical support to 7,718 intercultural bilingual education institutions, trained 4,722 pedagogical support teachers in intercultural bilingual education and trained 236 regional pedagogical specialists, with 32,837 teachers receiving pedagogical support. In addition, it delivered webinar series on strengthening pedagogical competencies (2021), training for 16,015 teachers and, from 2018 to 2021, seven virtual courses that were successfully completed by 8,760 teachers, as

²³⁷ Ministry of Education, official communication No. 855-2022-MINEDU/VMGP-DIGEIBIRA enclosing Report No. 684-2022-MINEDU/VMGP-DIGEIBIRA of 19 December 2022, p. 5.

²³⁸ *Ibid.*, pp. 8 and 9.

²³⁹ Ministry of Education, Ministerial Decision No. 629-2016-MINEDU of 14 December 2016.

²⁴⁰ Ministry of Education, Report No. 00684-2022-MINEDU/VMGP-DIGEIBIRA of 19 December 2022.

²⁴¹ Ministry of Education, official communication No. 855-2022-MINEDU/VMGP-DIGEIBIRA enclosing Report No. 684-2022-MINEDU/VMGP-DIGEIBIRA of 19 December 2022, p. 9. Cf. Deputy Ministerial Decision No. 252-2019-MINEDU of 4 August 2022.

²⁴² Ministry of Education, Ministerial Decision No. 519-2018-MINEDU. Published on 22 September 2018.

²⁴³ Ministry of Education, official communication No. 855-2022-MINEDU/VMGP-DIGEIBIRA enclosing Report No. 684-2022-MINEDU/VMGP-DIGEIBIRA of 19 December 2022, p. 10.

well as the Information and Communication Technologies (ICT) Support Programme, in which 27,563 intercultural bilingual education teachers participated.²⁴⁴

166. In total, there are 65,563 bilingual teachers with teaching degrees and 12,093 bilingual teachers with training in intercultural bilingual education, leaving an in-service teacher training gap of 53,470 at the three levels of education.²⁴⁵

167. In addition, the following actions have been taken by the Ministry of Education: (i) work with the Wiese Foundation to prepare digital materials on safe and respectful schools, with emphasis on the Afro-Peruvian people and the eradication of racism; (ii) technical assistance for the Chincha local education management unit and approval of the Chincha Afro-Peruvian local pedagogical proposal by Regional Ordinance No. 017-2022-GORE-ICA; (iii) development of the “Palenque” application, a game introducing the history of the Afro-Peruvian people; (iv) production of illustrations on Afro-Peruvian history and identity for preschools nationwide, to be physically distributed as part of the 2024 package of supplies; (v) elimination of the Household Targeting System requirement from the scholarship application process for Afro-Peruvian students; (vi) award of 100 scholarships to recipients in the “Amazonian Indigenous community” or “Afro-Peruvian people” category; and (vii) production of six audiovisual resources for teaching the history of the Afro-Peruvian people.²⁴⁶

168. To ensure the provision of educational services to students who are hospitalized, from 2020 to 2023, 80 student patients with an Indigenous mother tongue (Quechua, Shipibo, Awajún or Wampis), of whom 28 still used it as an active language, received services in the Hospital Education Service.²⁴⁷

X. Follow-up information relating to paragraph 37 of the concluding observations, on the situation of migrants

169. At the regulatory level, since 2017 the National Migration Authority has been approving the granting of temporary residence permits.²⁴⁸ The aim was to grant such permits to Venezuelan migrants only if they had entered Peruvian territory in a regular manner or if, being in a regular situation, they wished to opt for the temporary residence permit.²⁴⁹

170. Also in 2017, “special residence” immigration status was created, which the National Migration Authority grants to those foreigners who, having entered the country, require regularization of their immigration status.²⁵⁰

171. However, considering the situation of migrants who entered the country in an irregular manner, procedures were adopted in 2020 to regularize the status of foreigners who are in an irregular situation in the national territory.²⁵¹

172. Accordingly, for the immigration regularization procedure and the issuance of a temporary permit, the National Migration Authority issues a temporary residence card, which is currently valid for two calendar years. Its issuance attests to the holder’s regular immigration status in the country, enabling him or her to carry out activities within the framework of Peruvian law.²⁵² Prior to the expiration of the document, the beneficiary must

²⁴⁴ Ibid.

²⁴⁵ Ministry of Education, official communication No. 00888-2023-MINEDU/VMGP-DIGEIBIRA of 4 December 2023, annex.

²⁴⁶ Ibid.

²⁴⁷ Ministry of Education, Directorate General of Special Education Services, Report No. 272-2023-MINEDU/VMGP-DIGESE-SEHO of 10 October 2023, p. 3.

²⁴⁸ Ministry of the Interior, Supreme Decree No. 002-2017-IN of 3 January 2017; Supreme Decree No. 023-2017-IN of 29 July 2017; Supreme Decree No. 001-2018-IN of 23 January 2018; Supreme Decree No. 007-2018-IN of 18 August 2018.

²⁴⁹ National Migration Authority, official communication No. 0814-2022-GG-MIGRACIONES enclosing Report No. 2017-2022-DPM-MIGRACIONES of 14 November 2022, para. 2.4.

²⁵⁰ Ministry of the Interior, Supreme Decree No. 007-2017-IN. Published on 27 March 2017.

²⁵¹ Ministry of the Interior, Supreme Decree No. 010-2020-IN. Published on 22 October 2020.

²⁵² Ministry of the Interior, Supreme Decree No. 010-2020-IN, art. 5.2. Published on 22 October 2020.

choose from among the types of immigration status established in immigration regulations, depending on his or her personal situation or the activity he or she carries out in the national territory.²⁵³

173. In addition, in 2021, the authorities began granting humanitarian immigration status to Venezuelan asylum-seekers and to those who, having submitted an application, were found not to qualify as refugees. The aim is for Venezuelan asylum-seekers who do not qualify as refugees to be granted humanitarian immigration status. By March 2023, 100,000 people had been referred to the National Migration Authority for this purpose.²⁵⁴

174. Considering that, as of January 2023, only 7,424 out of a total of 326,801 foreigners who had obtained the temporary residence card carried out a subsequent procedure to obtain immigration status,²⁵⁵ and in order to prevent them from reverting to an irregular situation, the period of validity of the card was extended by Supreme Decree No. 003-2023-IN. The Decree also establishes regulations on special residence status, temporary residence permits and the procedure for regularizing immigration status.²⁵⁶

175. In February 2023, Act No. 31685 was adopted to amend the Legislative Decree on migration, prohibiting the expulsion and departure from Peruvian territory of migrant women with children in vulnerable situations who are victims of domestic and sexual violence or victims of trafficking in persons or smuggling of migrants, provided that they are not responsible for that situation.²⁵⁷

176. Likewise, Act No. 31732 granted a six-month amnesty from fines to foreigners who, for the most part, did not carry out the residency extension process or have overstayed their authorized period of residence. This amnesty also applies to those who have proceedings in process or fines payable in instalments.²⁵⁸ For the implementation of this law, the Digital Agent of the National Migration Authority has been enabled so that online applications for the amnesty can be submitted. Applications are processed automatically and immediately.²⁵⁹ In the first 17 hours of the website's operation, 4,804 amnesty applications were received, of which 97.23 per cent (4,671) were from Venezuelan nationals.²⁶⁰

177. In April 2023, the Intersectoral Working Group for Migration Management created a sub-working group on regularization of immigration status to promote the regularization process. Likewise, the National Strategy for the Socioeconomic Integration of the Migrant and Refugee Population and the Host Population in Peru was designed to promote the participation of various sectors in their process of integrating into Peruvian society.²⁶¹

178. In terms of public policies, the Peruvian Government has established the National Migration Policy 2017–2025, whose general objective is to guarantee respect for and protection of the rights of migrants, promoting equality, equity, inclusion, integration and the protection of national security through the efficient and comprehensive management of the

²⁵³ Ibid., art. 5.3.

²⁵⁴ Ministry of Foreign Affairs, official communication No. RE (DDH) No. 2-19-B/273 of 9 March 2023, p. 2.

²⁵⁵ Ministry of the Interior, Supreme Decree No. 003-2023-IN, preambular clause. Published on 27 April 2023.

²⁵⁶ Ibid.

²⁵⁷ Congress, Act No. 31685. Published on 15 February 2023.

²⁵⁸ Congress, Act No. 31732. Published on 27 April 2023.

²⁵⁹ Ministry of the Interior, *Informe del Sector Interior en materia migratoria: Acciones que se vienen implementando en la frontera territorial Perú-Chile* (Report on migration issues: actions being taken on the border between Peru and Chile). Date: 3 May 2023. Plate 34. Retrieved from <https://wb2server.congreso.gob.pe/smociones-portal-service/documentacion-anexa/MTA5Ng==/pdf>.

²⁶⁰ Ministry of the Interior, *Informe del Sector Interior en materia migratoria: Acciones que se vienen implementando en la frontera territorial Perú-Chile* (Report on migration issues: actions being taken on the border between Peru and Chile). Date: 3 May 2023. Plate 36. Retrieved from <https://wb2server.congreso.gob.pe/smociones-portal-service/documentacion-anexa/MTA5Ng==/pdf>.

²⁶¹ Ministry of Foreign Affairs, official communication RE (DDH) No. 2-19-B/897 of 25 October 2023, annex, p. 1.

migration process linking the State and society, in accordance with the needs, interests and expectations of migrants and their families.²⁶²

179. A number of directives and protocols have been implemented, such as: (i) a directive on the care of victims of trafficking in persons and smuggling of migrants, which contains provisions on regulations, supervision and monitoring of processes and evaluation of protection applications from foreigners in vulnerable situations related to trafficking in persons and smuggling of migrants;²⁶³ (ii) a protocol on the care and referral of migrants in vulnerable situations, which establishes guidelines and actions to unify approaches to the care of migrants in vulnerable situations, facilitating the regularization of their immigration status and enabling their referral to the competent institutions for their protection;²⁶⁴ and (iii) a directive on the accreditation of foreign nationals in vulnerable situations, which establishes guidelines for the accreditation of persons in vulnerable situations in order to provide them with prompt attention in immigration procedures and services, while guaranteeing legal certainty.²⁶⁵

180. At the operational level, from 2017 to March 2023, the Government implemented various regularization processes for migrants. Three campaigns have been carried out for the granting of the temporary residence permit, which reached more than 400,000 people, and the regularization process through the temporary residence card.²⁶⁶

181. Since the last quarter of 2022, the National Migration Authority, with support from the International Organization for Migration (IOM), has been carrying out a registration and information updating campaign for all migrants in need of regularization.²⁶⁷

182. Regarding the refugee status qualification procedure, a system of alerts has been incorporated into the computer system of the Special Commission for Refugees to ensure that cases involving especially vulnerable persons are given priority from the initial stage of registration of personal data, without any discrimination whatsoever. In 2022, 60 per cent of the cases detected were recognized under the aforementioned expanded definition.²⁶⁸

183. In terms of migrants' integration into education, between 2018 and 2021 a total of 569,137 migrant children and adolescents who entered the country during that period were enrolled in the education system.²⁶⁹ In 2023, 47 foreign migrant students were enrolled in the 25 schools for high-performing students nationwide.²⁷⁰ Between 2020 and 2023, 75 foreign student patients, most of whom were from Venezuela, received services in the Hospital Education Service.²⁷¹

184. In terms of health, in 2020 the new "Comprehensive Health Insurance for All" insurance plan was incorporated into the health insurance system. This enabled 25,869 holders of foreigner's identity cards to register.²⁷²

185. Regarding labour market integration, the national programme Tu Empresa (Your Company) of the Ministry of Production provides consultancy services to citizens who wish

²⁶² Ministry of Foreign Affairs, Supreme Decree No. 015-2017-RE. Published on 27 April 2017.

²⁶³ National Migration Authority, Decision No. 000106-2021-MIGRACIONES. Published on 12 May 2021.

²⁶⁴ National Migration Authority, Decision No. 080-2021/MIGRACIONES. Published on 9 April 2021.

²⁶⁵ National Migration Authority, Decision No. 20-2023-MIGRACIONES. Published on 5 January 2023.

²⁶⁶ Ministry of Foreign Affairs, official communication RE (DDH) No. 2-19-B/273 of 9 March 2023, p. 1.

²⁶⁷ Ministry of Foreign Affairs, official communication RE (DDH) No. 2-19-B/273 of 9 March 2023, p. 1.

²⁶⁸ Ministry of Foreign Affairs, official communication RE (DDH) No. 2-19-B/897 of 25 October 2023, annex, p. 2.

²⁶⁹ Ministry of Foreign Affairs, official communication RE (DDH) No. 2-19-B/413 of 17 August 2022, p. 2.

²⁷⁰ Ministry of Education, Directorate General of Special Education Services, Report No. 90-2023-MINEDU/VMGP-DIGESE/DEBEDSAR/GCG/HAG of 4 December 2023, p. 3.

²⁷¹ Ministry of Education, Directorate General of Special Education Services, Report No. 272-2023-MINEDU/VMGP-DIGESE-SEHO of 10 October 2023, p. 7.

²⁷² Ministry of Foreign Affairs, official communication RE (DDH) No. 2-19-B/413 of 17 August 2022, p. 5.

to undertake entrepreneurial activities in the country or have already done so. These services have benefited 125 returned migrants and 2,366 foreigners; formalization activities have benefited 35 returned migrants and 1,023 foreigners in Peru.²⁷³

186. In 2019, the Ministry of Labour and Employment Promotion offered the targeted intervention “Project 1+1”, lasting three months, to facilitate access to formal self-employment (business ideas) and the strengthening of new businesses opened less than one year earlier by Peruvians and Venezuelans in the district of San Martín de Porres and other districts of Lima Norte. People were able to apply individually or in pairs of one Peruvian national and one Venezuelan national. They put forward a basic business idea in a proposal accompanied by an explanatory cover letter. An inter-institutional evaluation committee consisting of representatives of the Ministry of Labour and Employment Promotion, UNDP, ILO, IOM, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Peru office of the Hebrew Immigrant Aid Society (HIAS Peru) selected the most innovative initiatives to benefit a total of 70 people, with training and seed capital of S/. 3,000.00.²⁷⁴

187. The first edition of the “Emprende Segur@” (Secure Businesses) programme was aimed at restoring the livelihoods of Peruvian and Venezuelan independent workers hit by the COVID-19 crisis, facilitating their transition to formalization and decent work; the aim of the second edition was to promote the recovery of livelihoods, labour market integration and decent work for Peruvian men and women in situations of vulnerability, as well as Venezuelan migrants, refugees and asylum-seekers.²⁷⁵

188. The first edition of the programme benefited 750 Peruvian and Venezuelan entrepreneurs in four districts of Lima Norte by strengthening their entrepreneurial skills, providing technical assistance to their businesses and facilitating access to financial resources. The second edition involved the training of 618 entrepreneurs in business management methodologies. Of this total, 75.1 per cent were women and 550 received seed capital.²⁷⁶

189. In addition, work is currently being done with ILO to prepare two guides for the migrant and refugee population and for consultants at employment centres to provide more information and knowledge to refugees and migrants nationwide on State services to facilitate their incorporation into the labour market by expanding their opportunities to seek and access employment.²⁷⁷

190. In terms of awareness-raising, the National Migration Authority has carried out activities for the integration of foreigners in Peru. In 2020, it carried out 18 activities; in 2021, 305 activities; in 2022, 280 activities; and up to September 2023, 79 activities. Of these, 356 consisted of technical assistance, 281 were information sessions and 45 were talks, fairs, campaigns and webinars.²⁷⁸ In addition, the Intersectoral Working Group for Migration Management has a sub-working group on communications which, at an initial stage, designed a handbook on plain language, with guidelines for harmonizing the communication actions deployed by members of the Working Group to combat xenophobia and discrimination. During the second stage, which began in September 2023, it is expected that these guidelines will be implemented.²⁷⁹

191. The National Migration Authority, in turn, promotes the implementation of the project “Promotion of the migration perspective in the local governments of metropolitan Lima and Callao”, which is intended to incorporate the migration perspective into municipal management to facilitate processes for integrating migrants, especially Venezuelan nationals,

²⁷³ Ibid., p. 9.

²⁷⁴ Ministry of Labour and Employment Promotion, official communication No. 000511-2023-MTPE/2 of 17 November 2023, annex.

²⁷⁵ Ministry of Labour and Employment Promotion, official communication No. 000511-2023-MTPE/2 of 17 November 2023, annex.

²⁷⁶ Ibid.

²⁷⁷ Ibid.

²⁷⁸ National Migration Authority, official communication No. 001174-2023-GG-MIGRACIONES of 13 October 2023.

²⁷⁹ Ministry of Foreign Affairs, official communication RE (DDH) No. 2-19-B/897 of 25 October 2023, annex, pp. 1 and 2.

into host communities, with a time horizon of two years. The project is meant to benefit approximately 390 municipal officials and civil servants.²⁸⁰

192. In terms of statistics, the National Migration Authority indicates that, as of October 2023, 1,622,777 foreigners reside in Peru (862,588 men and 760,189 women), 71 per cent of whom are Venezuelan.²⁸¹ According to the National Institute of Statistics and Information Management, as of 2022, 64.7 per cent of migrants have immigration authorization, 27 per cent are enrolled in a health insurance plan and 97.9 per cent of the economically active population is employed. However, 29.6 per cent of migrants have experienced discrimination since arriving.²⁸²

XI. Follow-up information relating to paragraphs 39 (a)–(c) of the concluding observations, on access to justice

193. At the regulatory level, in 2020 the authorities approved compliance with the Brasilia Regulations Regarding Access to Justice for Vulnerable People, directing that they should be applied by all judges in the Republic.²⁸³

194. The Public Policy on Justice System Reform was adopted in 2021 to facilitate access to justice for all persons, modernize judicial processes, improve legal practice and training and strengthen the human resources of judicial institutions, anti-corruption policies and disciplinary and ethical standards.²⁸⁴

195. The Public Prosecution Service has implemented outreach workshops with five objectives: (i) provision of legal tools on fundamental rights and their limits in the Peruvian legal system; (ii) recognition and appreciation of the pluricultural reality in Peru and the exercise of customary rights; (iii) due process; (iv) coordination with community justice, the campesino patrols and campesino communities; and (v) the procedures in the new Code of Criminal Procedure for ordinary offences. In 2023, 92 workshops were held in the prosecutorial districts of Selva Central, Tacna, Ucayali, Tumbes, Amazonas, Ancash, Apurímac, Ayacucho, Cajamarca, Cañete, Cusco, Huancavelica, Huaura, Ica, La Libertad, Lima Centro, Lima Este, Lima Norte, Lima Sur, Loreto, Moquegua, Piura, Puno, San Martín and Santa.²⁸⁵

196. In 2021, an inter-institutional cooperation agreement was concluded between the Ministry of Culture and the Public Prosecution Service.²⁸⁶ Its purpose is to accredit Public Prosecution Service officials as bilingual translators and interpreters in Indigenous languages.²⁸⁷ In this regard, the Public Prosecution Service has a registry of 125 bilingual public servants certified in Indigenous languages by the Ministry of Culture, including prosecutors and administrative personnel of the various prosecutors' offices nationwide.²⁸⁸

197. In addition, the School of the Public Prosecution Service conducted training activities on access to justice for Indigenous Peoples, legal pluralism and the law of Indigenous Peoples, aimed at prosecutors and administrative personnel. In 2017, three activities were carried out;

²⁸⁰ National Migration Authority, official communication No. 001174-2023-GG-MIGRACIONES of 13 October 2023.

²⁸¹ Ibid.

²⁸² National Institute of Statistics and Information Management, official communication No. 000636-2023-INEI/JEF of 11 October 2023, annex.

²⁸³ Judicial branch, Administrative Decision No. 198-2020-CE-PJ. Published on 1 August 2020.

²⁸⁴ Ministry of Justice and Human Rights, Supreme Decree No. 012-2021-JUS. Published on 15 July 2021.

²⁸⁵ Public Prosecution Service, Attorney General's Office, Report No. 000009-2024-MP-FN-CFSN-FPS-DHI of 10 January 2024, p. 3.

²⁸⁶ Decision of the Attorney General's Office No. 1041-2021-MP-FN.

²⁸⁷ Public Prosecution Service, Attorney General's Office, Report No. 0153-2022-MP-FN-CFSN-FPS-DHIT of 16 November 2022, p. 8.

²⁸⁸ Public Prosecution Service, Attorney General's Office, Report No. 00314-2023-MP-FN-CFSN-FPS-DHI of 26 October 2023, p. 6.

in 2018 and 2019 there were two per year; in 2021 three activities were carried out;²⁸⁹ and in 2023 four courses were delivered. Signage in Indigenous languages has been implemented in Public Prosecution Service facilities in the prosecutorial districts of Tumbes, Ucayali, Amazonas, Arequipa, Cajamarca, Cañete, Ica, Junín, La Libertad, Lambayeque, Lima Noroeste, Lima Sur, Loreto, Pasco, Madre de Dios and San Martín.²⁹⁰

198. Job postings for the recruitment of administrative staff of the human rights and interculturality subsystem of the Public Prosecution Service have included, as an additional requirement, participation in a course, workshop and/or seminar in the Quechua language, and additional points have been awarded to those who attach the certificate or proof of participation. The goal is to have a greater number of professionals who are fluent in that language so as to bring their services closer to the population.²⁹¹

199. The internal Public Prosecution Service document “Protocol for prosecutorial action in cases involving members of campesino and Indigenous communities, campesino and community patrols or other Indigenous Peoples” is currently in the process of being approved in order to provide guidelines for prosecutorial action in cases involving campesino and Indigenous communities.²⁹²

200. Moreover, since 2017, the judicial branch has implemented a mobile justice service, which has had positive results, given that, from 2018 to 2022, more than 4,573 mobile justice activities were carried out, 5,354 applications were received and 2,205 judgments were issued. All these actions have benefited 140,553 people.²⁹³

201. In May 2022, the National Office to Support the Justice of the Peace System reported that interpreters and/or translators of Indigenous languages were used in 21 superior courts of justice in 732 judicial proceedings between 2020 and 2021.²⁹⁴

202. The Public Defence Service of the Ministry of Justice and Human Rights represented 91 victims of the offence of discrimination in the period from 2017 to September 2023.²⁹⁵

203. In addition, in 2020, the Public Defence Service set up teams of public defenders in Indigenous affairs for legal assistance, victim defence and criminal defence in the district offices of Amazonas, Apurímac, Ayacucho, Cusco, Junín, Loreto, Puno, San Martín, Selva Central and Ucayali, to ensure the provision of public defence services with an intercultural approach.²⁹⁶

204. In 2021, a directive was issued to regulate the provision of public defence services and access to justice to Indigenous Peoples using an intercultural approach.²⁹⁷

205. In May 2022, the variable “user’s cultural affiliation with a specific ethnic or social group” was added to the Public Defence Service’s DATMART case tracking system,²⁹⁸ which is currently being rolled out to public defenders and administrative staff to gather input and suggestions for possible improvements.²⁹⁹

²⁸⁹ Public Prosecution Service, Attorney General’s Office, Report No. 0153-2022-MP-FN-CFSN-FPS-DHIT p. 8. Date: 16 November 2022. P. 11.

²⁹⁰ Public Prosecution Service, Attorney General’s Office, Report No. 000009-2024-MP-FN-CFSN-FPS-DHI of 10 January 2024, p. 3.

²⁹¹ Public Prosecution Service, Attorney General’s Office, Report No. 000314-2023-MP-FN-CFSN-FPS-DHI of 26 October 2023, p. 2.

²⁹² Public Prosecution Service, Attorney General’s Office, Report No. 000009-2024-MP-FN-CFSN-FPS-DHI of 10 January 2024, p. 3.

²⁹³ Judicial branch, email of 7 March 2023, annex: report on mobile justice to ensure access to justice for persons in situations of vulnerability, pp. 2, 13 and 14.

²⁹⁴ Judicial branch, official communication No. 105-2022-DDHH-PJ of 21 November 2022, p. 4.

²⁹⁵ Ministry of Justice and Human Rights, Directorate General for Public Defence and Access to Justice, User Report No. 5053-2023-JUS-DGDPAJ/DALDV of 7 November 2023, p. 7.

²⁹⁶ Ministry of Justice and Human Rights, Directorial Decision No. 199-2020-JUS/DGDPAJ of 2 December 2020 and Directorial Decision No. 106-2022-JUS/DGDPAJ of 20 June 2022.

²⁹⁷ Ministry of Justice and Human Rights, Ministerial Decision No. 0108-2021-JUS of 11 June 2021.

²⁹⁸ Ministry of Justice and Human Rights, Memorandum No. 310-2023-JUS-DGDHPAJ, annexed User Report No. 123-2023-JUS-DGDPAJ/DALDV of 13 January 2023, p. 20.

²⁹⁹ Ibid.

206. Since this variable was added, 460 legal assistance services, 147 victim defence services and 1,955 criminal defence services provided to Afro-Peruvians have been recorded. As of September 2023, 160 legal assistance services, 204 victim defence services and 916 criminal defence services provided to persons belonging to Indigenous Peoples have been recorded.³⁰⁰

207. In the period 2020–2022, a total of 68 public defenders were trained in legal assistance, victim defence and criminal defence on issues related to the elimination of all forms of racial discrimination.³⁰¹ In 2022, the Public Defenders Training School taught a course on the interculturality approach, in which 396 public defenders participated.³⁰²

208. As of January 2023, the Public Defence Service had 124 public defenders for legal assistance and victim defence and 31 for criminal defence with knowledge of the Quechua language family, and 7 public defenders for legal assistance and victim defence with knowledge of the Aymara language family.³⁰³

209. Since 2020, the Judicial Training School has carried out two lecture-style academic activities on the subject of racial discrimination,³⁰⁴ training 46 prosecutorial assistants, 51 judicial assistants, 126 prosecutors and 48 judges.³⁰⁵ In addition, the principle of non-discrimination on grounds of race was addressed in a cross-cutting manner in a 2023 course on the case law of the Inter-American Court of Human Rights and its application of international standards.³⁰⁶

210. Since 2017, the Pre-Promotion Training Programme³⁰⁷ has included courses and workshops with content related to international human rights standards.

211. Similarly, in the Training Programme for Aspiring Judges, aimed at lawyers wishing to become judges at all levels, the curriculum includes subjects involving general but not specialized training, taking into account the principle of the universality of human rights, without distinction as to race, ancestry, gender, sex, age, disability or any other condition that differentiates human beings from each other.³⁰⁸

XII. Follow-up information relating to paragraph 41 of the concluding observations, on racial stereotypes

212. To promote the exercise of intercultural citizenship, free of discrimination and racism, the following measures have been taken: (i) implementation of the Video Library of Cultures, consisting of audiovisual resources for dealing with the concept of intercultural citizenship, (ii) conduct of two nationwide publicity campaigns called “More heart, less racism” and “#UnPaísSinRacismo” (A country without racism), (iii) development of the first national survey on perceptions and attitudes regarding cultural diversity and ethnic and racial discrimination, (iv) systematization of the Competition on Intercultural Good Practices in Public Administration (2014–2016) and (v) preparation of materials and presentation of the fifth Competition on Intercultural Good Practices in 2018.³⁰⁹

³⁰⁰ Ministry of Justice and Human Rights, Directorate General for Public Defence and Access to Justice, User Report No. 5053-2023-JUS-DGDPAJ/DALDV of 7 November 2023, p. 7.

³⁰¹ Ministry of Justice and Human Rights, Memorandum No. 310-2023-JUS-DGDHPAJ, annexed User Report No. 123-2023-JUS-DGDPAJ/DALDV of 13 January 2023, pp. 34 and 35.

³⁰² *Ibid.*, p. 33.

³⁰³ Ministry of Justice and Human Rights, Memorandum No. 310-2023-JUS-DGDHPAJ, annexed User Report No. 123-2023-JUS-DGDPAJ/DALDV of 13 January 2023, pp. 19 and 20.

³⁰⁴ Judicial Training School, official communication No. 097-2023-AMAG/DA of 19 October 2023, p. 1.

³⁰⁵ Judicial Training School, official communication No. 388-2022-JUS/DGDH of 28 October 2022, p. 1.

³⁰⁶ Judicial Training School, official communication No. 097-2023-AMAG/DA of 19 October 2023, p. 1.

³⁰⁷ Judicial Training School, official communication No. 388-2022-JUS/DGDH of 28 October 2022, p. 1.

³⁰⁸ *Ibid.*, p. 2.

³⁰⁹ Ministry of Culture, Technical Report No. 000057-2022-DEDR-BTC/MC of 2 November 2022, p. 24.

213. In addition, nationwide communication campaigns were conducted and a strategy of coordination and technical assistance was deployed with public and private entities for the implementation of communication activities on preventing and dealing with discrimination and for the design and implementation of curricula to build the capacities of public servants and representatives of professional football institutions.³¹⁰

214. In 2021, the virtual campaign “Let’s Think About It” was carried out, reaching a total of 161,724 people and generating 15,272 interactions. The campaign “I Love My Roots” was also carried out, generating 60,971 interactions.³¹¹

215. Also in 2021, a handbook for communicators on discrimination-free journalism was published online and the promotional video “Cultural diversity brings us together” was produced; it has been accessed by 1.2 million people.³¹²

216. In 2022, the National Meeting of Universities for Interculturality was held with the theme “LaDiversidadNosUne” (Diversity Brings Us Together), and 150 young university students from Lima, Callao and Ayacucho were chosen to be part of the Young Intercultural Advocates Programme, through which they will build their knowledge and apply it through information and awareness-raising actions under the Intercultural Peru initiative. The Programme included 11 days of training and talks for young people, representing 54 hours of academic credit.³¹³

217. More than 6,362 people have been informed and made aware of the importance of appreciating cultural diversity and of preventing and reporting acts of ethnic and racial discrimination.³¹⁴

218. Nine information and awareness-raising activities have been carried out in public spaces, in a decentralized manner, for the general public on the importance of cultural diversity and of preventing and reporting acts of ethnic and racial discrimination (at the Intercultural Peru fair and at events held in stadiums and supermarkets).³¹⁵

219. The “Peru without Racism” strategy was formulated in 2023 as a comprehensive approach to the problem of racism and the promotion of equality.³¹⁶

220. As part of the “Peru without Racism” strategy, in August 2023 the Cultural Festival for the International Day of Indigenous Peoples was held in the Loreto region, with 2,000 participants recognizing and appreciating the traditional and ancestral knowledge of the country’s Indigenous Peoples and their collective rights. In addition, 201 students at the regular basic education and university levels were informed about the collective rights of Indigenous Peoples, ethnic and racial discrimination, the Kukama-Kukamiria language and other topics at three workshops, five presentations, three activities involving interactive games, one forum and one book presentation.³¹⁷

221. The Ministry of Culture, through the in-person workshops “Interculturality: Strengthening our heritage” has enriched the knowledge of 339 public servants in four sectors (Ministry of Culture, Ministry of Energy and Mines, Ministry of Development and Social Inclusion and Ministry of Health-Comprehensive Health Insurance System) on interculturality, protection of the rights of Indigenous Peoples and the Afro-Peruvian people, and ethnic and racial discrimination and racism, with 39 public defenders and 25 members of the Directorate of Human Rights Policies and Management of the Directorate General of Human Rights and the executive secretariat of the High-level Multisectoral Commission.³¹⁸

³¹⁰ Ibid.

³¹¹ Ibid.

³¹² Ibid.

³¹³ Ibid., p. 25.

³¹⁴ Ibid.

³¹⁵ Ibid.

³¹⁶ Ministry of Culture, Directorate General of Intercultural Citizenship, Report No. 000009-2023-DGCI-JCM/MC of 16 August 2023, para. 2.138.

³¹⁷ Ministry of Culture, Directorate General for the Rights of Indigenous Peoples, official communication No. 000760-2023-DGPI/MC of 16 November 2023, annex.

³¹⁸ Ibid.

XIII. Follow-up information relating to paragraphs 42, 43, 44 and 45 of the concluding observations, on ratification of treaties and regulatory adjustments

222. In 1999, Peru approved³¹⁹ the amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination;³²⁰ on 26 November 2018, it ratified the ILO Domestic Workers Convention, 2011 (No. 189).³²¹

223. In addition, the Ministry of Foreign Affairs has decided to restart the internal process of completing the country's accession to the Inter-American Convention against All Forms of Discrimination and Intolerance and the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance, starting with the ratification of the latter. To this end, the Ministry of Foreign Affairs has sought the technical and legal opinions of 14 government sectors and has compiled eight reports.³²²

224. The Durban Declaration of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance was used as a reference for the formulation of the National Policy for the Afro-Peruvian People up to 2030.³²³

225. It should also be noted that the National Culture Policy up to 2030,³²⁴ while not directly related to the Durban Declaration and Programme of Action, is aimed at recognizing and strengthening citizens' status as holders of cultural rights, based on their multi-ethnic and multicultural diversity. It establishes specific measures for groups in need of special protection or in situations of vulnerability, such as Indigenous Peoples and the Afro-Peruvian people.³²⁵

226. In addition, it has been declared that, in order to strengthen development and social inclusion during the International Decade for People of African Descent (2015–2024), the fundamental rights of the Afro-Peruvian population must be fully respected as a matter of national priority.³²⁶

XIV. Follow-up information relating to paragraphs 46 and 47 of the concluding observations, on dissemination of reports and consultation with civil society organizations

227. The National Human Rights Plan 2018–2021 established, under its strategic goal No. 4, a strategic objective No. 2 entitled “Implement treaties and international standards on human rights, international humanitarian law and international criminal law” and a strategic action involving the adoption of a national mechanism for the preparation and presentation of reports and for follow-up with international human rights protection systems.

228. To facilitate the implementation of its international obligations, and in accordance with strategic goal No. 4 of the National Human Rights Plan 2018–2021,³²⁷ Peru adopted the Intersectoral Protocol for the Participation of Peru in International Human Rights Protection

³¹⁹ The Ministry of Foreign Affairs has pointed out that Peru has not expressed its consent to be bound by the amendment at the international level by depositing an instrument of acceptance. Accordingly, preliminary arrangements are currently being made to proceed with the deposit of this instrument. Ministry of Foreign Affairs, official communication RE (DDH) No. 2-19-B/897 of 25 October 2023, annex, p. 4.

³²⁰ Congress, Legislative Decision No. 27078. Published on 29 March 1999; Supreme Decree No. 016-99-RE.

³²¹ Ministry of Foreign Affairs, official communication RE (DDH) No. 2-19-B/897 of 25 October 2023, annex, p. 1.

³²² *Ibid.*, p. 3.

³²³ Ministry of Culture, Supreme Decree No. 005-2022-MC. Published on 3 June 2022.

³²⁴ Ministry of Culture, Supreme Decree No. 009-2020-MC. Published on 21 July 2020.

³²⁵ Ministry of Culture, Report No. 000057-2022-DEDR-BTC/MC of 2 November 2022, p. 13.

³²⁶ Ministry of Culture, Supreme Decree No. 004-2015-MC. Published on 25 November 2015.

³²⁷ Ministry of Justice and Human Rights, Supreme Decree No. 002-2018-JUS. Published on 1 February 2018.

Systems.³²⁸ The Protocol establishes that input from civil society organizations must be sought during the preparation of periodic reports to the treaty bodies. This requirement was met in the case of the present report.³²⁹

XV. Conclusions

229. Over the reporting period, the Peruvian Government made every effort to advance in the protection of human rights, the elimination of racial discrimination and the implementation of its obligations, especially those derived from the International Convention on the Elimination of All Forms of Racial Discrimination.

230. Although various adverse circumstances have posed a challenge for Peru in the continuation of these efforts, its institutions have adopted the measures and policies described in the present report to safeguard the operation of democratic institutions and the exercise of the population's human rights.

231. Peru reiterates its commitment to strengthening democracy, upholding human rights and working towards the achievement of the Sustainable Development Goals.

³²⁸ Ministry of Justice and Human Rights, Supreme Decree No. 010-2020-JUS. Published on 21 August 2020.

³²⁹ Ministry of Justice and Human Rights. <https://www.gob.pe/institucion/minjus/informes-publicaciones/4940044-informes-periodicos-24-y-25-combinados-del-estado-ante-el-comite-para-la-eliminacion-de-la-discriminacion-racial-version-preliminar>.