



Human Rights Council
Working Group on the Universal Periodic Review
Forty-second session
23 January–3 February 2023

Summary of stakeholders' submissions on Peru*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.¹ It is a summary of 33 stakeholders' submissions² for the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The Peruvian Ombudsman's Office noted that the State did not work in a coordinated manner on policies to reduce overcrowding, with the executive branch enacting laws to reduce prison population rates, the legislative branch prohibiting sentence adjustment measures and the judicial branch generally ordering pretrial detention.³

3. The Office stated that insufficient resources were provided for the national mechanism for the prevention of torture and that the creation of a multidisciplinary team and the question of whether it would be active nationwide were pending.⁴

4. The Office reported that, although a specialized national system of justice for the protection of women from violence and the punishment of perpetrators was in place, it had failed to become the primary system for gender justice because duties had not been clearly defined and its members did not work in concert.⁵

5. The Office indicated that ensuring the application of protection measures for human rights defenders continued to pose a challenge because of problems with inter-institutional coordination and the lack of a budget for their application.⁶

6. The Office reported that the implementation of social programmes to reduce child and adolescent poverty had not benefited the target population.⁷

* The present document is being issued without formal editing.



7. The Office reported that the Food and Nutrition Security Act (No. 31315), in which food was considered a fundamental right, had been published in July 2021, but that regulations to implement it were still pending.⁸

8. The Office noted a lack of staff, medicine and other resources at primary health-care facilities in rural areas and in health-care services in Indigenous communities.⁹

9. The Office stated that girls and adolescents faced difficulties in obtaining access to therapeutic abortions.¹⁰

10. The Office viewed the adoption of Act No. 31498, which allowed for family interference in the content of comprehensive sexuality education programmes, as a threat to the Ministry of Education's guidelines on comprehensive sexuality education in basic education.¹¹

11. The Office stated that the Ministry of Education must take steps to strengthen intercultural bilingual education.¹²

12. The Office stated that Peru continued to follow an educational model that segregated children with severe or multiple disabilities.¹³

13. The Office reported that there was evidence of a lack of preventive action to safeguard the right to a life free of violence and that women's emergency centres were needed.¹⁴

14. The Office reported that the institutional framework for granting land titles to Indigenous communities should be strengthened and recommended that Peru ensure that prior consultation took place at the environmental impact assessment stage.¹⁵

15. The Office reported that there was no legal framework for the exercise and protection of the rights of same-sex couples.¹⁶

III. Information provided by stakeholders

A. Scope of international obligations¹⁷ and cooperation with human rights mechanisms

16. AI recommended that Peru ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.¹⁸ Several submissions recommended that Peru ratify the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).¹⁹

17. JS11 recommended that Peru prioritize the official visits of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association; and the Special Rapporteur on extrajudicial, summary, or arbitrary executions.²⁰

B. National human rights framework

1. Constitutional and legislative framework

18. ANP and JS9 reported an alarming practice involving the arbitrary declaration of states of emergency during which constitutional guarantees were suspended, as had occurred when Indigenous Peoples had refused to allow extractive activities to be carried out in their territories.²¹ JS19 stated that, despite the commitments made by the President of the Republic, states of emergency involving military deployment continued to be declared.²²

2. Institutional infrastructure and policy measures

19. JS14 referred to irregularities in the process of selecting the Ombudsman, the lack of participation of civil society organizations and the new selection process undertaken after a decision in *amparo* proceedings had forced Congress to restart the process.²³

20. DEMUS, FTM, JS18 and JS19 indicated that the components of the 2017–2021 National Human Rights Plan dealing with the transgender community, policies on sexual and gender diversity and the creation of a national hate crimes registry had not been implemented.²⁴ JS18 reported that the National Multisectoral Human Rights Policy was not yet in place.²⁵

C. Promotion and protection of human rights

1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

Equality and non-discrimination

21. IL-P and JS20 drew attention to practices discriminating against refugees and migrants residing in Peru, which had taken the form of bills aimed at blaming refugees and migrants for structural problems.²⁶ They also reported that the discrimination had affected migrant children and adolescents.²⁷

22. JS5 reported on the discrimination faced by children and adolescents because of their nationality, race, religion, disability or sexual orientation or where they had come from.²⁸

23. IL-P recommended that Peru adopt a nationwide public policy to combat discrimination.²⁹ JS13 recommended that Peru carry out national campaigns to counter discrimination, including against female sex workers.³⁰

Right to life, liberty and security of person, and freedom from torture

24. AI, JAI, JS9, JS11 and JS19 raised questions about Act No. 31012, adopted in March 2020, which shielded police activities by facilitating the use of force, eliminating the principle of proportionality and generating impunity.³¹ JS11 recommended that Peru repeal the Police Protection Law 31012.³²

25. Several submissions referred to the protests of November 2020, in the context of which the indiscriminate use of force by the police had resulted in the death of two young people and the injury of more than 70 people.³³ AI noted that no one had yet been held accountable.³⁴ ASCO14N reported on the problems faced by the ad hoc multisectoral committee that had been established to follow up on those events.³⁵ JS7 recommended that Peru investigate the attacks, threats and excessive use of force by the State during the protests and identify and punish those responsible.³⁶

26. FTM and JS18 reported on police violence against transgender persons,³⁷ JS13 referred to police violence against female sex workers³⁸ and JS3 referred to police officers' treating children and adolescents in street situations as criminals.³⁹

27. JS10 and JS11 questioned the legality of the agreements concluded between the Peruvian National Police and private companies in the field of mining and extraction and in areas where environmental conflicts were ongoing.⁴⁰ JS10 recommended that Peru repeal the legal provisions allowing police officers to provide special services in the private sector.⁴¹ JS19 asserted that public safety was being militarized and that the recently adopted Act No. 31494, which had recognized Self-Defence and Rural Development Committees as part of the public safety apparatus, empowered private individuals to use force.⁴²

28. JS19 reported that the National Plan for the Search for Disappeared Persons through 2030 had been adopted in July 2021, but that the relatives of more than 12,600 disappeared persons were still awaiting a response.⁴³ JS13 reported on the numerous cases in which female sex workers had been arbitrarily detained by the police and members of the municipal security services.⁴⁴

29. In 2020, IACHR condemned the violence that had occurred in Peruvian prisons following protests calling for adequate medical care to prevent the spread of the coronavirus disease (COVID-19).⁴⁵ IACHR urged Peru to take the measures necessary to protect the lives, personal safety and health of the people in its custody.⁴⁶

Administration of justice, including impunity, and the rule of law

30. JS14 stated that the threats and intimidation to which judges and prosecutors were subjected had an impact on the justice system.⁴⁷ JS14 recommended that Peru guarantee respect for the principle of judicial and prosecutorial independence and ensure safe environments where investigations could be conducted and impartial judicial decisions could be handed down without internal or external pressure.⁴⁸ In 2019, IACHR had called for transparency in the process of selecting Constitutional Court judges.⁴⁹

31. DEMUS stated that one of the barriers to access to justice had been the lack of effective implementation of the specialized national system of justice for the protection of women and family members from violence and the punishment of perpetrators.⁵⁰ JS8 asserted that Indigenous Peoples' access to justice had been severely affected by the excessive time taken by justice officials to process cases.⁵¹ JS13 referred to female sex workers' lack of trust in the justice system.⁵² JS18 referred to the problems faced by transgender persons in gaining access to justice.⁵³

32. ANP highlighted some progress made with respect to the policy on reparation for journalists for the period 1980–2000 but reported that it was still not enough for the victims and their families.⁵⁴ JS6 noted that the justice system had failed to provide adequate reparations for victims of sexual violence.⁵⁵

33. AMPAEF and AI reported that the criminal proceedings relating to the cases of forced sterilization, and the implementation of the reparations programme, had finally begun in 2021, after a 25-year wait.⁵⁶ AMPAEF recommended that Peru grant comprehensive reparation to the victims in those cases.⁵⁷

34. JS10 reported that, between 2017 and 2022, the country had had five Presidents and that there continued to be an environment of political instability.⁵⁸ JS14 reported on the different institutional and democratic crises.⁵⁹

Fundamental freedoms and the right to participate in public and political life

35. ADF noted that the churches were discriminated for their closure during the COVID-19 pandemic.⁶⁰

36. ANP, JS7 and JS11 reported on executive branch discourse stigmatizing the media and on offences against honour committed through judicial proceedings initiated against the media and journalists.⁶¹ JS16 reported that community media outlets had accounted for 1 per cent of all media outlets.⁶² ANP and JS7 noted the lack of media pluralism, with a single corporate group controlling approximately 80 per cent of the print publishing market.⁶³ JS7 and JS11 reported that there had been no access to the official diary of the President of the Republic during the first months of the current administration.⁶⁴ JS11 recommended that Peru reform legislation on defamation; and take steps to lift restrictions on the freedom of expression; implement legislative measures to improve access to information mechanisms.⁶⁵ JS16 recommended that Peru adopt a legal framework to promote Indigenous Peoples' access to community media.⁶⁶

37. Several submissions reported on attacks on human rights defenders, journalists, justice officials and trade unionists, involving acts such as harassment, threats, cyberattacks, attacks on social media, stigmatizing speech and verbal and physical abuse.⁶⁷ Several submissions reported on Indigenous leaders and environmental defenders who had been killed in connection with illegal mining, land trafficking and drug trafficking.⁶⁸ JS11 recommended that Peru provide a safe and secure environment for human rights defenders and journalists, conduct impartial and effective investigations into all cases of attacks, harassment, and intimidation against them.⁶⁹

38. Several submissions indicated that the creation of the Inter-Institutional Mechanism for the Protection of Human Rights Defenders had been a positive step but noted that the Mechanism had been inadequately implemented.⁷⁰ They added that the Mechanism had faced several challenges, such as a lack of staff and budgetary resources, coordination problems, failure to meet deadlines, the absence of a gender- and culture-sensitive approach or one addressing collective protection, and the non-inclusion of justice officials.⁷¹ IL-P

recommended that Peru provide a sufficient budget for the implementation of the Mechanism.⁷²

Right to privacy

39. JS7 asserted that the latest elections, held in 2021, had been marked by aggressive social media practices, particularly “doxing”, or the dissemination of confidential personal information. It also reported on the risks to data protection posed by Legislative Decree No. 1182, which authorized the police to locate or geolocate persons with mobile telephones without first obtaining a court order.⁷³

Right to marriage and family life

40. AI and JS18 reported that there was no legal recognition of same-sex marriage, or marriage equality, in Peru.⁷⁴ DEMUS indicated that article 234 of the Civil Code defined marriage as being between a man and a woman only.⁷⁵ MIP reported that Congress had refused to legislate on marriage equality and that the bills submitted had not moved forward.⁷⁶ DEMUS, JS18 and JS19 stated that the Constitutional Court had refused to legally recognize same-sex marriage.⁷⁷ DEMUS, MIP and JS18 indicated that the judicial branch had ordered that same-sex marriages performed abroad be registered, but that the National Registry Office had refused to do so.⁷⁸

41. DEMUS recommended that Peru amend article 234 of the Civil Code to expressly recognize that marriages may be entered into between persons of the same sex.⁷⁹ JS18 recommended that Peru adopt bill No. 525/2021-CR on marriage equality and that the National Registry Office apply article 2050 of the Civil Code, which recognized rights acquired abroad.⁸⁰

Prohibition of all forms of slavery, including trafficking in persons

42. ECLJ noted that Peru served as a source, destination and transit country for sex and labour trafficking of men, women and children and informed about the lack of reporting in remote areas.⁸¹ JS1 noted positively that in 2021, Law No. 31146 was enacted, amending the Penal Code, the Procedural Criminal Code and Law 28950 “Law against Trafficking in Persons and Illicit Trafficking of Migrants”, and that the National Policy against human trafficking valid until 2030 was approved.⁸² JS1 recommended that Peru increase the number of justice operators specialized in human trafficking.⁸³

43. ECLJ, IL-P, JS1 and JS20 reported that women and girls were target for sex trafficking in Madre de Dios, as a heart of illegal gold mining region.⁸⁴ ECLJ recommended that Peru allocate resources and training for authorities to be able to effectively investigate cases of human trafficking and sexual exploitation.⁸⁵ JS6 recommended that Peru design a single disaggregated registry on the number of trafficking victims; and disseminate platforms or channels for victims of human trafficking to file complaints.⁸⁶

Right to work and to just and favourable conditions of work

44. JS2 and JS19 referred to the low level of participation of persons with disabilities in the labour market.⁸⁷ JS2 recommended that Peru push for compliance with the 5 per cent and 3 per cent quotas for the employment of persons with disabilities in the public sector and private sector, respectively.⁸⁸ JS2 recommended that Peru ensure the implementation of the new Telecommuting Act and leverage online technology to provide persons with disabilities with access to the labour market.⁸⁹

45. JS3 referred to the labour exploitation to which children and adolescents in street situations were subjected.⁹⁰ JS13 asserted that the lack of labour regulations governing female sex workers drove them underground.⁹¹ JS13 recommended that Peru revise its current legislation with a view to regulating sex work using a human rights-based approach.⁹² JS18 reported that one of the obstacles faced by transgender persons in finding work was that their appearance and their identity document did not match.⁹³

Right to an adequate standard of living

46. JS2 asserted that the COVID-19 pandemic had led to a rise in monetary poverty.⁹⁴ JS3 reported that poverty was the main reason why children had found themselves in street situations.⁹⁵ JS2 reported that the rate of undernutrition among the Indigenous population had been high.⁹⁶ JS2 recommended that Peru expand budgetary programmes for maternal and newborn health and for a coordinated approach to nutrition in rural areas and Indigenous communities.⁹⁷

47. JAI noted that the Andean communities' rights to water and sanitation were at risk due to water sources drying up.⁹⁸ JS10 recommended that Peru strengthen the framework for safeguarding the right to water in the context of extractive business operations, such as mining.⁹⁹

48. JS18 asserted that transgender persons' right to housing had been adversely affected.¹⁰⁰

Right to health

49. ADF, JS2, JS6 and JS17 referred to the maternal mortality rate, which had declined in 2019 but had increased again because of the COVID-19 pandemic, with a higher risk in rural areas.¹⁰¹ ADF recommended that Peru improve health-care infrastructure, access to emergency obstetric care, and resources devoted to maternal health; and health-care access for women from poor and rural backgrounds.¹⁰²

50. JS3 indicated that young people in street situations who were in need of medical care had been turned away because they had no identity documents.¹⁰³ JS4 asserted that the national policy on child and adolescent sexual health needed to be strengthened.¹⁰⁴ JS15 reported that the segmentation and fragmentation of the health system had affected patients with rare or orphan diseases and cancer patients.¹⁰⁵ JS9 reported that the sectoral policy on intercultural health had not been implemented.¹⁰⁶ JS15 and JS18 reported that the health system had collapsed as a result of the COVID-19 pandemic, which had revealed the system's pre-existing faults.¹⁰⁷ JS2 recommended that Peru ensure the availability of medicines, vaccines, treatments, rehabilitation and everything else needed for the provision of comprehensive care in rural areas.¹⁰⁸

51. DEMUS reported that Congress had shown no interest in decriminalizing abortion and that the protocol on therapeutic abortion had not been adequately implemented.¹⁰⁹ JS6 noted that Peru had interpreted its abortion law narrowly and that Peru had criminalized women who had received an abortion and abortion providers; and reported about barriers to access to sexual and reproductive health services.¹¹⁰ JS2 recommended that Peru take steps to implement the protocol on therapeutic abortion, ensuring that it applied to child and adolescent victims of forced pregnancy.¹¹¹ JS18 recommended that Peru take specific measures to ensure that health care was provided without discrimination on the basis of sexual orientation or gender identity.¹¹² JS6 recommended that Peru legalize abortion in cases of rape, incest, severe fetal impairment and decriminalize it in all other cases.¹¹³ Similar recommendation was proposed by DEMUS and AI.¹¹⁴

Right to education

52. JS2 indicated that, up until 2019, some progress had been made in expanding educational coverage nationwide, at all levels of education, to benefit, inter alia, poor children, Indigenous children and children living in rural areas, but that it had come to a halt with the onset of the COVID-19 pandemic.¹¹⁵ JS5 stated that the right to quality education had remained unfulfilled.¹¹⁶

53. MIP referred to the national basic education curriculum, which had incorporated a gender-sensitive approach and, as a result, had provoked large-scale protests from the conservative movement *Con Mis Hijos No Te Metas* (Don't Mess with My Children).¹¹⁷ Several submissions indicated that Act No. 31498 of 2022 on improving the quality of educational material and resources, which had been promoted by conservatives, had diminished the role of the Ministry of Education in overseeing and designing educational policy, causing the quality of education to suffer, and had allowed parents to exclude content

that they considered inappropriate, which could stop the roll-out of comprehensive sexuality education.¹¹⁸ JS5 reported that comprehensive sexuality education had not been rolled out.¹¹⁹ Several submissions recommended that Peru repeal Act No. 31498 on improving the quality of educational material and resources.¹²⁰

54. JS2 and JS9 reported that intercultural bilingual education had not been sufficiently implemented, such education was not available in secondary schools, the budget for it had been cut and there was a need for more teachers trained to dispense such education.¹²¹ JS9 reported on the problems encountered by Indigenous children and adolescents in connection with online learning during the COVID-19 pandemic.¹²²

55. JS3 was concerned about the difficulties that children and adolescents in street situations had in obtaining an education.¹²³ JS3 recommended that Peru promote other forms of education, including community, technical and vocational education, that took better account of the realities facing children and adolescents in street situations.¹²⁴ JS2 reported on the challenges that children with disabilities were experiencing in the education sphere.¹²⁵ JS2 recommended that Peru adopt and implement a framework plan for inclusive education.¹²⁶ FTM and JS18 were concerned about the situation of transgender persons in educational settings.¹²⁷

56. JS2 recommended that Peru incorporate the history and contributions of Afro-Peruvian culture into the educational curriculum.¹²⁸

Development, the environment, and business and human rights

57. IL-P, JS8 and JS20 indicated that deforestation and forest loss had continued in Amazonia, and that mining had been one of the main activities affecting the environment.¹²⁹ JS9 asserted that the legal framework in place had been insufficient to ensure that nature was protected.¹³⁰ IACHR and JS10 reported with concern on oil spills that had entailed a number of negative consequences, including species loss and adverse effects on workers and their families.¹³¹ IL-P recommended that Peru implement effective public policies to counter deforestation and environmental pollution and to eradicate illicit activities tied to deforestation, such as illegal logging and mining.¹³² JS10 recommended that Peru devise a national contingency plan for oil-related disasters.¹³³

58. JAI noted that Peru had recognized the existence and seriousness of the climate emergency and had taken several commendable steps to confront the climate challenge, such as, its public commitments to carbon-neutrality by 2050 or its National Adaptation Plan to strengthen the country's climate resiliency.¹³⁴ IL-P reported on the impact of climate change, including floods, droughts and forest fires.¹³⁵ JAI reported that the impact of climate change was threatening the biodiversity, with rising sea levels, extreme weather events, glacial melt, natural and environmental disasters.¹³⁶

59. JS10 referred to the procedure for adopting the 2021–2025 National Action Plan on Business and Human Rights.¹³⁷ ANP and JS9 indicated that it been insufficiently implemented and that the right of participation had been violated.¹³⁸ JS11 noted that the Plan had taken into account the international guidelines.¹³⁹ JS10 recommended that Peru ensure the adoption of a law on due diligence for businesses and that civil society be given a role in the implementation of the National Action Plan.¹⁴⁰

2. Rights of specific persons or groups

Women

60. JS18 noted that Act No. 30364 on the Prevention, Punishment and Eradication of Violence against Women made no mention of violence against lesbians.¹⁴¹ JS12 and JS17 expressed concern about an initiative in Congress to change the name of the Ministry for Women and Vulnerable Groups to the Ministry for the Family and Vulnerable Groups, a change that had been rejected by the Ministry itself and would affect the progress made.¹⁴² JS12 recommended that Peru guarantee the integrity of the Ministry of Women and Vulnerable Populations in its name and in its mandate.¹⁴³

61. MIP indicated that the 2016–2021 National Plan against Gender-Based Violence had been a step forward in the fight against discrimination and violence.¹⁴⁴ DEMUS reported that there had been problems in funding and implementing the national prevention strategy known as *Mujeres Libres de Violencia* (Women Free from Violence).¹⁴⁵ JS19 and JS12 indicated that the National Gender Equality Policy encompassed the fight against violence against women.¹⁴⁶ DEMUS recommended that Peru allocate a dedicated budget for the implementation of the Policy.¹⁴⁷

62. JS2 recognized that legislative advances had been made towards preventing violence against women; however, problems had arisen in the implementation phase owing to the stereotypes held by justice officials and the normalization of violence against women.¹⁴⁸ JS6 and AI noted that there was a systematic violence against women, and noted that despite that, the Emergency Centres for Women had remained closed between March and June 2020.¹⁴⁹ JS12 noted that the violence against women had increased dramatically during COVID-19 pandemic.¹⁵⁰

Children

63. JS2 and JS4 indicated that there was a legal framework in place to protect children and adolescents from violence, but that it had not been fully implemented.¹⁵¹ JS4 indicated that more treatment needed to be provided for child and adolescent victims of domestic and sexual violence.¹⁵² JS4 recommended that Peru create a special justice system for children and adolescents, appoint a deputy minister for children and adolescents and ensure the preparation of comprehensive care protocols or pathways and the availability of mental health services.¹⁵³

64. JS4 recommended that Peru increase inter-institutional and intersectoral coordination, through directives and protocols that avoided duplication of effort, to ensure that children and adolescents who had been removed from their family environment were properly cared for.¹⁵⁴ JS17 recommended that Peru end consideration of bill Nos. PL 1096/2021-CR and 1120/2021-CR on joint custody, which undermined the principle of the best interests of the child.¹⁵⁵

65. JS3 reported on obstacles affecting the rights of children and adolescents in street situations.¹⁵⁶ JS3 recommended that Peru map the critical issues facing children and adolescents in street situations and develop a national strategy.¹⁵⁷

66. JS6 referred to the violence and discrimination against LGBTI children and adolescents at schools.¹⁵⁸ JS6 recommended that Peru create and implement a policy to prevent, address or sanction cases of violence in schools against children and adolescents because of their real or perceived non-normative sexual orientation and gender identity.¹⁵⁹

67. IL-P was concerned about the situation of children and adolescents who had come to the country in the context of migration because of the difficulties that they faced in obtaining access to the education and health-care systems and the insufficient efforts made by the Government to safeguard their rights.¹⁶⁰

Older persons

68. In 2020, IACHR identified as a step forward the adoption by Peru of a policy to help older persons.¹⁶¹ In 2021, IACHR welcomed the accession by Peru to the Inter-American Convention on Protecting the Human Rights of Older Persons.¹⁶²

Persons with disabilities

69. JS15 stated that 45 per cent of patients identified as having a rare or orphan disease had some type of disability, and that only 17.9 per cent of them had a government-issued disability card.¹⁶³

Indigenous peoples and minorities

70. JS9 raised questions about the Prior Consultation Act because it ensured neither free, prior and informed consent – as, for example, in the consultations relating to the Las Bambas mining company – nor prior consultations in the legislative branch.¹⁶⁴ In 2022, IACHR

expressed concern about a Constitutional Court decision that had held that the right to prior consultation was not a fundamental right.¹⁶⁵

71. JS8 and JS9 reported on the legal uncertainty with respect to Indigenous territories and the lack of titles to them.¹⁶⁶ JS8 recommended that Peru develop a public policy for the comprehensive protection of Indigenous territories.¹⁶⁷ JS8 reported that the State had continued to grant rights to Indigenous territories to third parties and that tools to protect Indigenous territories had not been introduced.¹⁶⁸ JS8 recommended that Peru develop, hold consultations on and implement official guidelines for the resolution of conflicts in the granting of land titles to Indigenous communities and for the restitution of territories that had been taken away from such communities.¹⁶⁹

72. JS8 stated that forestry concessions in the Loreto region were threatening Indigenous Peoples in a situation of isolation or initial contact.¹⁷⁰

73. In 2020, IACHR welcomed the progress made with respect to the bill designating a national day for Afro-Peruvian women.¹⁷¹

Lesbian, gay, bisexual, transgender and intersex persons

74. FTM and AI stated that the components of the 2017–2021 National Human Rights Plan dealing with sexual orientation and gender identity had not been implemented and that lesbian, gay, bisexual, transgender and intersex persons continued to suffer discrimination.¹⁷²

75. FTM, AI and JS17 indicated that the lack of an identity document that reflected gender identity had adversely affected transgender persons by putting them in a vulnerable situation in terms of their ability to exercise their rights in areas such as health, education and work.¹⁷³ FTM and MIP indicated that the judicial procedures for changing registry data had created a number of obstacles, including in relation to the proof to be submitted, the length of the process and the costs involved.¹⁷⁴ MIP recommended that Peru push for the adoption of legislation that would allow the name and sex appearing in civil registry records to be changed through a free administrative procedure.¹⁷⁵

76. DEMUS and FTM indicated that Congress had still not passed a law on gender identity.¹⁷⁶ MIP and JS19 reported that no action had been taken in response to Advisory Opinion No. OC-24/17 of the Inter-American Court of Human Rights on gender identity.¹⁷⁷ DEMUS recommended that Peru ensure the right of transgender persons to their gender identity by adopting a law on gender identity.¹⁷⁸ AI, JS17 and JS18 made similar recommendations.¹⁷⁹

77. JS6 recommended that Peru include in the legal system the sanctioning of conversion therapies, the offering, and performance of all psychotherapeutic and medical practices aimed at changing persons' sexual orientation and gender identity.¹⁸⁰

Migrants, refugees and asylum-seekers

78. AI, IL-P, JS2, JS4 and JS20 reported that, between early 2018 and mid-2022, Peru had taken in 1.3 million citizens of a third South American country.¹⁸¹ AI and IL-P reported that Peru had created a temporary residence permit for them in 2020; however, less than half of them were in possession of that permit.¹⁸² AI reported that there had been public calls for the expulsion of foreign nationals in some regions.¹⁸³ IL-P and JS20 were concerned about cases of collective expulsion.¹⁸⁴ IL-P and JS20 recommended that Peru strengthen its institutional capacity to implement a comprehensive migration policy, establish criteria for the identification and entry of persons in need of international protection and develop procedures with reasonable requirements and costs for the regularization of migration status.¹⁸⁵

79. JS19 stated that Peru should ensure that the system for granting international protection was in line with international instruments on asylum and refugees.¹⁸⁶ AI recommended that Peru establish policies, codified in domestic law, that ensure refugee and migrant rights were protected, including from unequal treatment under the law.¹⁸⁷

80. JS2, JS4 and JS20 indicated that there was a very low rate of school attendance among migrant children and adolescents who had come to Peru from that third country.¹⁸⁸ JS4

identified the challenges facing migrant children and young people who had no parental care, such as difficulties in regularizing their migration status and the lack of a single registration system for the identification of unaccompanied children and adolescents.¹⁸⁹ JS4 recommended that Peru ensure that the migration status of all children and adolescents, and that of their parents and legal guardians, was regularized so that they could gain access to health-care services, education and decent work.¹⁹⁰

Internally displaced persons

81. JAI noted that Peru's framework climate change legislation required planning for forced migration and temporary displacement.¹⁹¹

Notes

¹ See [A/HRC/37/8](#), [A/HRC/37/8/Add.1](#), [A/HRC/37/2](#).

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org (one asterisk denotes a national human rights institution with A status).

Civil society

Individual submissions:

ADF	ADF International (Switzerland);
AI	Amnesty International (United Kingdom of Great Britain and Northern Ireland);
AMPAEF	Asociación de Mujeres Peruanas Afectadas por las Esterilizaciones Forzadas (Perú);
ANP	Asociación Nacional de Periodistas del Perú (Perú);
ASCO14N	Asociación de Víctimas y Familiares del 14 de Noviembre (Perú);
DEMUSE	studio para la Defensa de los Derechos de las Mujeres (Perú);
ECLJ	European Centre for Law and Justice (France);
FTM	Fraternidad Trans Masculina Perú (Perú);
IL-P	Iglesia Luterana del Perú (Perú);
JAI	Just Atonement Inc. (United States of America);
MIP	Más Igualdad (Perú);

Joint submissions:

JS1	Joint submission 1 submitted by: Unión de Iglesias Cristianas Evangélicas del Perú UNICEP y World Evangelical Alliance WEA (Perú);
JS2	Joint submission 2 submitted by: Acción por los Niños; Aldeas Infantiles SOS; Campaña Peruana por el derecho a la Educación; Centro de Estudios y Publicaciones; CESIP; Centro de Desarrollo Étnico – CEDET; Centro de la Mujer Peruana Flora Tristán; Comisión de Damas Invidentes del Perú – CODIP; Centro de Culturas Indígenas del Perú – Chirapaq; Escuela para el Desarrollo; Instituto Promoviendo Desarrollo Social – IPRODES; Mesa de Discapacidad y Derechos de la CNDDHH; Foro Educativo; Qosqo Maki; Save the Children; Voces Ciudadanas; Warmi Huarmi; World Vision Perú y el Observatorio de los Derechos Sexuales y Reproductivos de las Personas con Discapacidad, ODISEX PERU (Perú);
JS3	Joint submission 3 submitted by: Asociación Qosco Maki; Fondation Apprentis d'Auteil International; Apprentis d'Auteil (France);

National human rights institution:

DdPP	Defensoría del Pueblo (Perú);
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Regional intergovernmental organization(s):

IACHR	Inter American Commission on Human Rights (United States);
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Attachments:

³ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p.7.

⁴ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 7.

- ⁵ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 5.
⁶ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 2.
⁷ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 3.
⁸ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 6.
⁹ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 4.
¹⁰ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 4.
¹¹ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, pp. 4–5.
¹² DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 6.
¹³ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 8.
¹⁴ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 5.
¹⁵ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 6.
¹⁶ DdPP, contribución al Examen Periódico Universal, Perú, cuarto ciclo, p. 2.
¹⁷ *The following abbreviations are used in UPR documents:*

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

- ¹⁸ AI, p. 4.
¹⁹ AI, p. 4; DEMUS, p. 8; IL-P, p. 6; JS11, p. 16; JS16, p. 1; JS20, p. 6.
²⁰ JS11, p. 18.
²¹ ANP, p. 3; JS9, p. 3.
²² JS19, p. 6.
²³ JS14, pp. 5–6.
²⁴ DEMUS, p. 6; FTM, p. 6; JS18, p. 3; JS19, p. 8. See also: JS14, p. 11.
²⁵ JS18, p. 3.
²⁶ IL-P, p. 3; JS20 pp. 2–3.
²⁷ IL-P, p. 3; JS20 pp. 2–3.
²⁸ JS5, pp. 9–11.
²⁹ IL-P, p. 4. See also: JS20 p. 4.
³⁰ JS13, p. 11.
³¹ AI, p. 2; JAI, p. 5; JS9, p. 3; JS11, p. 12; JS19, p. 4.
³² JS11, p. 17. See also: JAI, p. 8.
³³ AI, p. 3; ANP, p. 1; ASCO14N, pp. 1–8; JAI, p. 5; IACHR, pp. 9–10; JS7, pp. 5–6; JS11, p. 14.
³⁴ AI, p. 3.
³⁵ ASCO14N, pp. 3–8.
³⁶ JS7, p. 10. See also: JAI, p. 8.
³⁷ FTM, p. 5; JS18, pp. 3–4.
³⁸ JS13, p. 11.
³⁹ JS3, p. 7. See also: JS5, p. 2.
⁴⁰ JS10, pp. 6–7; JS11, p. 14.

- 41 JS10, p. 15.
42 JS19, p. 4. See also: JS8, p. 13–14; JS9, p. 5.
43 JS19, p. 5.
44 JS13, p. 2.
45 IACHR, p. 7.
46 IACHR, p. 8.
47 JS14, pp. 1 and pp. 6–8.
48 JS14, p. 11.
49 IACHR, p. 5.
50 DEMUS, pp. 2–3.
51 JS8, pp. 11–12.
52 JS13, pp. 3, 8.
53 JS18, pp. 11–12.
54 ANP, p. 2.
55 JS6, p. 7.
56 AMPAEF, pp. 4–6; AI, pp. 1–2.
57 AMPAEF, p. 6. See also: DEMUS, p. 5; JS19, p. 5.
58 JS10, pp. 1–2.
59 JS14, p. 6.
60 ADF, pp. 1–3.
61 ANP, p. 3; JS7, p. 7; JS11, pp. 1, 9.
62 JS16, p. 2.
63 ANP, p. 5; JS7, p. 9.
64 JS7, p. 6; JS11, p. 11.
65 JS11, p. 17.
66 JS16, p. 3.
67 AI, p. 3; JAI, p. 2; ANP, p. 1; JS7, pp. 4–8; JS11, pp. 1–4; JS14, pp. 1–3.
68 AI, p. 3; JAI, p. 2; IL-P, p. 5; JS8, p. 3; JS10, pp. 2–3; JS11, p. 6; JS19, p. 2; JS20, p. 5.
69 JS11, p. 16. See also: JS7, p. 10; JS14, p. 2.
70 AI, p. 2; ANP, pp. 1–2; DEMUS, p. 6; IL-P, p. 5; JAI, p. 8; IACHR, p. 12; JS8, pp. 9–10; JS9, p. 6; JS11, p. 5; JS14, p. 9; JS19, p. 7; JS20, p. 6.
71 JS7, p. 4; JS9, p. 6; JS11, p. 5; JS14, p. 1–3, 9; JS19, p. 7; JS20, p. 6.
72 IL-P, p. 6. See also: AI, p. 5; JAI, p. 8; JS14, p. 11.
73 JS7, p. 8.
74 AI, p. 1; JS18, p. 5.
75 DEMUS, p. 4.
76 MIP, p. 2.
77 DEMUS, p. 4; JS18, p. 2 ; JS19, p. 8.
78 DEMUS, p. 5; MIP, p. 2; JS18, p. 7.
79 DEMUS, p. 7. See also: AI, p. 5; MIP, p. 3.
80 JS18, p. 11.
81 ECLJ, p. 3. See also: JS6, p. 10.
82 JS1, p. 1.
83 JS1, p. 1.
84 ECLJ, 3; IL-P, p. 6; JS1, p. 1; JS20, p. 6.
85 ECLJ, p. 6.
86 JS6, p. 12.
87 JS2, p. 2; JS19, p. 3.
88 JS2 p. 10. See also: JS19, p. 4.
89 JS19 p. 4. See also: JS2, p. 10.
90 JS3, p. 9. See also: JS5, p. 8.
91 JS13, p. 4.
92 JS13, p. 11.
93 JS18, p. 10.
94 JS2, p. 9.
95 JS3, p. 3. See also: JS5, p. 8.
96 JS2, p. 9.
97 JS2, p. 9.
98 JAI, p. 5.
99 JS10, p. 15.
100 JS18, p. 10.
101 ADF, p. 4; JS2, p. 7; JS6, p. 6; JS17, p. 5.
102 ADF, p. 5.

- 103 JS3, p. 6.
104 JS4, p. 3.
105 JS15, p. 1–2.
106 JS9, pp. 7–8.
107 JS15, p. 1; JS18, p. 8. See also: JS5, pp. 13–15.
108 JS2, p. 7.
109 DEMUS, pp. 11–12. See also: AI, p. 1; JS17, p. 3; ECLJ, p. 3.
110 JS6, pp. 1–5.
111 JS2, p. 8.
112 JS18, p. 12.
113 JS6, p. 10.
114 DEMUS, p. 12; AI, p. 5.
115 JS2, p. 12.
116 JS5, p. 5.
117 MIP, p. 4. See also: JS18, p. 12.
118 DEMUS, p. 10; MIP, p. 4; JS2, p. 12; JS4, p. 5; JS12, p. 6; JS17, pp. 1–3.
119 JS5, p. 4.
120 DEMUS, p. 11; MIP, p. 4; JS2, p. 12; JS4, p. 6; JS12, p. 11; JS17, pp. 7.
121 JS2, p. 13; JS9, pp. 6–7.
122 JS9, p. 7.
123 JS3, p. 9.
124 JS3, p. 3.
125 JS2, p. 15.
126 JS2, p. 15.
127 FTM, p. 7; JS18, p. 12.
128 JS2, p. 14.
129 IL-P, p. 5; JS8, p. 9; JS20, p. 5. See also: JAI, p. 3; JS5, pp. 14–15.
130 JS9, p. 5.
131 ACHR, p. 4; JS10, pp. 9–10.
132 IL-P, p. 6. See also: JS20, p. 7.
133 JS10, p. 15.
134 JAI, pp. 1 and 7.
135 IL-P, p. 5. See also: JAI, pp. 1–3.
136 JAI, pp. 2–6.
137 JS10, pp. 4–6.
138 ANP, p. 1; JS9, p. 3.
139 JS11, p. 5.
140 JS10, p. 14.
141 JS18, p. 4.
142 JS12, p. 9; JS17, p. 3.
143 JS12, p. 11.
144 MIP, p. 1. See also: JS12, p. 3.
145 DEMUS, p. 9.
146 JS19, p. 8; JS12, p. 4. See also: JS18, p. 3.
147 DEMUS, p. 10.
148 JS2, p. 4. See also: JS12, p. 10.
149 JS6, pp. 6–7; AI, p. 2. See also: JS13, p. 4; JS17, pp. 7–8.
150 JS12, p. 8.
151 JS2, p. 1; JS4, p. 1.
152 JS4, p. 3.
153 JS4, p. 3. See also: JS2, p. 3.
154 JS4, p. 10.
155 JS17, p. 5.
156 JS3, pp. 1–3.
157 JS3, p. 12.
158 JS6, p. 9.
159 JS6, p. 12.
160 IL-P, p. 2.
161 IACHR, p. 20.
162 IACHR, p. 11.
163 JS15, p. 3.
164 JS9, pp. 1–2.
165 IACHR, p. 17.

- ¹⁶⁶ JS8, p. 4; JS9, pp. 3–4. See also: JAI, p. 8.
¹⁶⁷ JS8, p. 15.
¹⁶⁸ JS8, pp. 5–6.
¹⁶⁹ JS8, p. 16.
¹⁷⁰ JS8, p. 7.
¹⁷¹ IACHR, p. 8.
¹⁷² FTM, p. 6; AI, p. 1. See also: JS6, p. 7; JS18, p. 2.
¹⁷³ FTM, p. 2; AI, p. 3; JS 17, p.9.
¹⁷⁴ FTM, p. 3; MIP, p. 3.
¹⁷⁵ MIP, p. 3. See also: AI, p. 5.
¹⁷⁶ DEMUS, p. 4; FTM, pp. 3–6.
¹⁷⁷ MIP, p. 6; JS19, p. 8.
¹⁷⁸ DEMUS, p. 7.
¹⁷⁹ AI, p. 5; JS17, p. 6; JS18, p. 11.
¹⁸⁰ JS6, p. 11.
¹⁸¹ AI, p. 4; IL-P, p. 2; JS2, p. 16; JS4, p. 7; JS20, p. 1.
¹⁸² AI, p. 4 and IL-P, p. 2.
¹⁸³ AI, p. 4.
¹⁸⁴ IL-P, p. 3 and JS20, p. 3.
¹⁸⁵ IL-P, p. 4 and JS20, p. 4.
¹⁸⁶ JS19, p. 6.
¹⁸⁷ AI, p. 6.
¹⁸⁸ JS2, p. 16; JS4, pp. 7–8; JS20, p. 2.
¹⁸⁹ JS4, pp. 7–8.
¹⁹⁰ JS4, p. 8.
¹⁹¹ JAI, p. 6.
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