



# Convention on the Elimination of All Forms of Discrimination against Women

Distr. GENERAL

CEDAW/C/13/Add.29 17 June 1991

ENGLISH

ORIGINAL: SPANISH

Committee on the Elimination of Discrimination against Women (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Second periodic reports of States parties

PERU\*

<sup>\*</sup> For the intitial report submitted by the Government of Peru, see CEDAW/C/5/Add.60.

#### INTRODUCTION

- 1. This report meets the requirements of article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.
- 2. Peru as a State party has submitted an earlier report but since we do not want to repeat ourselves we will only mention some of the constitutional provisions which accord with what has been requested.
- 3. Nevertheless, we will list the situations which the reality of the problems of Peruvian women make it necessary to understand, more particularly in face of other realities; the analysis made is purely referential since there has been very little time for statistics, surveys or indicators, apart from which, experts and provisions at Government level are necessary; this has not been possible since there is no guiding organization in the matter.
- 4. The goodwill shown in submitting this report follows on from the responsibility assumed by the Directorate for Women's Affairs of the Ministry for Foreign Relations as an indispensable input for promoting the incorporation of women into overall development, for attaining the objectives of the Decade for Women, the Programme of Action approved in Copenhagen and the Nairobi Forward-looking Strategies for the Advancement of Women.

REPORT ON THE APPLICATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

### Part I

The general frame of reference in which women are developing in Peru is not too distant from the general framework of the problems of women of the area. Similar characteristics as regards race, language and tradition identify them as a segment of our population with all those of the Andes and because Peru is a country which represents a unique topography in the world with three regions marked by topographical and ethnic characteristics and customs that are very different, such as the coastal strip (Costa), an arid and desert-like fringe facing the Pacific; the uplands (Sierra) which are crossed by a chain of mountains formed by three ranges with very high snow-covered peaks and low temperatures that impart a certain peculiarity to their inhabitants who have retained for centuries their own customs and primitive and isolated living conditions; then we have the jungle area (Selva) of East Peru where there are tribes with lifestyles very different from those of the other regions described both as regards clothing, food and economic development. This is the reason why the Peruvian economy varies according to the region; along the coast, for example, where there are several valleys which are irrigated by the rivers flowing down the slopes of the Andes towards the sea there is agriculture; and then there is fishing, since Peru is a seaboard country greatly favoured by an ichthyological richness which is an economic resource of great value for the greater part of the inhabitants of the coast; besides the fishing there is also development of the fishing industry; in the uplands mining is being developed and in the few valleys there is agriculture as well, an activity which has been greatly encouraged since the time of the Incas, with the terrace system of growing crops irrigated by rainwater; this produces excellent results that cannot even be improved by modernization. The jungle, in addition, has its own resources

such as wood, oil and gas deposits, but they have not yet been exploited on account of their distance and the lack of communications, meaning that the transport of industrialized material is very costly.

- 6. In this way the socio-economic background against which both Peruvian women and men are developing follows certain regularities which are characteristic of the countries of the third world, also known as countries in process of a development peculiar to the whole of Latin America; hence the position of women cannot be considered as a phenomenon divorced from the set of determining factors which, as a consequence of the economic, social, cultural and political structure, possess special features of their own in accordance with the reality that confronts them.
- 7. Peru occupies third place in South America in terms of territorial coverage, possessing 1,285,215.6 km<sup>2</sup>. The coastal area has 141,347 km<sup>2</sup>, the uplands an average of  $385,562 \text{ km}^2$  and the jungle region an area of  $758,277 \text{ km}^2$ .

# Politico-administrative aspect

- 8. Under article 79 of the Constitution, "Peru is a democratic and social republic, independent and sovereign, based on labour. Its Government is unitary, representative and decentralized".
- 9. Peru is divided into 25 Departments and the Constitutional Province of Callao, which is also the first port which together with the capital, Lima, forms the metropolitan area with the highest population index.
- 10. The coastal strip is the most populated region on account of migration from the uplands to the coastal towns in search of better opportunities for work; the uplands with less economic development account for 39.4 per cent of the total population of Peru, while the jungle area, despite its size, is the least populated; it has only 10.6 per cent of the population, since its topography is mainly luxurious forest and extensive rivers are the only means of communication, with the exception of connection by air, but it is rich in natural products, species of fruit and wood, together with petrol and gas.
- 11. The total population at the present time is more than 20,207,100 inhabitants, 50 per cent of whom are women (source: INE, prepared by CEDM/MINJUS/1988).
- 12. For the reasons described in broad outline there is a strong contrast between the town and the country; for reasons of a socio-cultural and economic nature the uplands are the region that is most backward; they are a cradle of prejudice in which women are most disadvantaged by the triple burden that they have to carry in terms of their work; they are expected to be mothers, labourers and artisans, and often breadwinners, too, through lack of a male. In the jungle the people, among them the women, suffer extensively from the consequences of the isolation due to lack of means of communication, and on the coastal strip the most populated centres, which are the capitals of the departments, have concentrated a large number of people coming from the uplands and the jungle, thereby producing a new economic phenomenon the informality; this stems from a lack of adequate structures and from the type of trade, mostly itinerant, which is practised by more than 50 per cent of the women and which is found in all the towns where the majority of the population

- is concentrated. The migration and overpopulation at the extremes of development have brought about another social phenomenon, namely the marginal urban populations, known as the young towns, which have a large accumulation of migrants, and among which it is mainly the women who assume the role of head of family.
- 13. The recession, inflation and devaluation of our currency at a time of crisis affects not only Peru, but all of the underdeveloped countries; but for the reasons described Peru is suffering especially from this crisis, which is aggravated by the problem of the payment of foreign debts an irrevocable obstacle if we are to emerge from underdevelopment.

### Regionalization

- 14. The centralism which is a characteristic of the structure of Peru is in process of moving towards regionalization. This project when completed and put into practice will mean the total transformation of the structure of the State. The political Constitution of Peru, which has been in force since 28 July 1980, states in article 259: "The regions shall be formed on the basis of contiguous areas integrated historically, economically, administratively and culturally and make up geo-economic units".
- 15. "Decentralization shall be carried out in accordance with the national plan for regionalization approved by law."
- 16. And in article 261 of the same chapter it states: "The regions shall have economic and administrative autonomy. They shall be competent within their territory in matters of health, public works, roadways, agriculture, mining, industry, trade, energy, social security and labour and, in accordance with articles 24 and 30, in the matter of primary, secondary and technical education and in such other ways as are laid down by law".
- 17. The law on the bases for regionalization Law No. 24650 guarantees this competence in article 7(J) by indicating: the legislative and administrative competences expressly delegated by the Executive and Legislative Powers shall be exercised, together with those indicated in article 261 of the Constitution.
- 18. It is important to point out that the legislative process of regionalization under way, by which the regions have been created, nevertheless requires the codification of a large number of legal provisions which are now in force and which later will have to be adjusted if they are to be applied at regional level. The important part about this regionalization law is the access which women will have to this level of decision-making; an example is the Piura region, which covers 11 provinces in the north, with a regional government enjoying administrative and economic autonomy, as indicated by the same Law, which states in article 4: "The assembly of the Grau region is made up of 33 members distributed in the following manner: (a) 10 provincial mayors; (b) 13 delegates from institutions representing economic, social and cultural activities, as indicated in the following article: article 5: the institutions to which paragraph (c) of the present law refers are: (a) peasant and native communities; (b) agrarian cooperatives and other entrepreneurial and associative rural forms, such as agrarian producers; (c) universities; (d) trade union organizations; (e) entrepreneurial and private producer organizations that are non-agrarian;

- (f) mothers' clubs and other women's organizations established by law;
  (g) young town organizations, neighbours' organizations and associations of
  heads of family. For the first time in the government of the region the
  structure of the regional assembly of the Grau region ensures access for women
  in a specific and well defined way, despite the fact that all the
  organizations which compose it may have women in them.
- 19. The regionalization law is being transformed into a channel for coordinating governmental activities in which women will participate actively and directly.

### Part II

# The Convention and its application

- 20. Article 2 of the Convention accords with our Constitution as expressed in article 2 of title 1, chapter 1.2, on the person: every person shall have the right:
- 21. "To equality before the law without any discrimination on grounds of sex, race, religion, opinion or language."
- 22. "Men and women shall have equal opportunities and responsibilities. The law recognizes rights for women that are not inferior to those for men."
- 23. The incorporation of this constitutional provision is the consequence of pressure by groups of women who were able, in agreement with the Senate and at the request of a Senator, to get the Government to sign and approve, in the form of legislative resolution No. 23432, dated 4 June 1982, the Convention already signed by Peru at New York on 23 July 1981.
- 24. The authority for this provision is our Constitution which states in chapter V on treaties, article 101: "International treaties signed by Peru with other States form part of national law. In the event of dispute between the treaty and the law the former prevails." Hence the Convention has a binding force which protects and supports women against any discrimination.
- 25. As a consequence of this equality before the law, the Peruvian Civil Code of 1936 has been repealed and replaced by a new Civil Code promulgated in July 1984, in which there is amendment of the obsolete and marginal provisions contained in the former Code with respect to women, above all article 5 which made married women marginal and stated: "Men and women enjoy the same civil rights, except in the case of restrictions relating to married women".
- 26. The Civil Code of 1984 states in article 4: "Men and women have equal capacity for enjoying and exercising civil rights". Similarly, it has altered the situation regarding domicile and the right to bear one's own name or that of the husband; paternal authority is exercised jointly by the father and the mother during matrimony and both may legally represent the children. In the event of disagreement, the juvenile court judge rules on it as an incidental issue. In the event of separation, divorce or dissolution of the marriage, paternal authority is exercised by the spouse to whom the children are entrusted. The other spouse is suspended from the exercise of it (articles 419 and 42 of the Civil Code).

- 27. In conclusion the Civil Code states in the preliminary title: "The law does not protect against abuse of rights. The interested party may demand the adoption of measures to avoid or suppress the abuse and, as applicable, the relevant compensation."
- 28. In order of prevalence, the Convention, the Constitution, the law and other legal provisions applicable to protection of women's rights infringed by discriminatory activities are broadly backed up by Peruvian law.
- 29. And so we find that the legal provisions of later date than the adoption of the Convention embody the principle of non-discrimination.
  - Legislative Decree No. 346, the National Population Policy Law, in article IV.9, guarantees the rights of persons to equality before the law, without any discrimination.
  - The Civil Code of Procedure of 1912 is in process of being revised for purposes of amendment and harmonization with the new Civil Code.

# Woman and education

- 30. The educational system governed by the General Law on Education 23384, which has been in force since May 1982, covers male and female pupils at all levels, grades and modalities of instruction and has been extended to the point where its mean annual growth rate exceeds the average for Latin America and the Caribbean; according to UNESCO on the basis of data from the Directorate for Statistics and Information of the Ministry of Education, between 1985 and 1988 there was a mean annual growth rate of 4.8 in school enrolment, which is equivalent to a figure of 3.2 for Latin America and the Caribbean.
- 31. The total enrolment attained 7,679,626 pupils, of whom the female school population was 3,560,000.
- 32. Between 1981 and 1988 there was a considerable increase in the offer of services which showed an enrolment growth rate of 4.21 per cent per year, the population growth rate being estimated at 2.5 per cent per year; this signifies great efforts to provide optimum coverage of the educational demand, despite major financial difficulties.
- 33. Of this total number of enrolments, 75.5 per cent correspond to urban areas, whereas the rural areas have a figure of only 24.5 per cent, with the basic primary level of education predominating.
- 34. A significant fact is that both in the urban and rural areas there has been a considerable increase in female enrolment at all levels:

| <u>Level</u>                           | 1981 (%)               | 1988 (%)   |
|--|------------------------|--|
| Initial<br>Primary<br>Secondary        | 2.56<br>25.99<br>10.67 | 4.85<br>34<br>16<br>1.2<br>0.58<br>0.82<br>3.04<br>3.5 |
| Teacher training Technological Special | 0.08<br>0.29           |  |
| Vocational<br>University               | 0.06<br>1.29<br>1.09   |  |

- 35. With regard to vocational guidance there is neither exclusion nor priority for women. It claims equality of conditions for any university course without any restriction; and since the female school attendance rate in the primary and secondary classes has increased, the number of women requiring university education is greater.
- 36. Women students have access to the same study programmes and sit for the same examinations and tests; there is no distinction or preference with regard to men.
- 37. The educational system is mixed at all levels, but there are still a few colleges or educational centres which are only for men or for women, including a private women's university.
- 38. There is no form of training which is specifically geared to men or women; on the contrary, there is an ever more marked tendency towards integration.
- 39. The textbooks and teaching methods are the same and it is only this year that courses on family education for women and labour training for men have been introduced into the secondary school curriculum. This innovation is experimental in nature and the results will be evaluated for future use.
- 40. Scholarships and other grants for regular and post-graduate studies are awarded without distinction to men and women who apply for them, if they meet the necessary requirements, and the number of women who win these scholarships for studies in the country or abroad is on the increase.
- 41. Similarly, many women are achieving notable positions in the field of scientific and technological research, as well as in the arts and culture.
- 42. The eradication of illiteracy is a constitutional priority among the educational activities and it benefits mainly women, since the illiterate population is mainly female.
- 43. The figure of 58 per cent illiteracy in 1940 dropped gradually to 39 per cent in 1961, to 18 per cent in 1981 and to 13 per cent in 1987.
- 44. The Ministry of Education, through the Directorate for Adult Education, is implementing broad literacy programmes; these are of more concern in rural areas and in the southern uplands. In certain parts of the Andes instruction is bilingual; it starts with the native language and then gradually changes to Spanish.
- 45. Dropping out is a school problem which mainly affects women.
- 46. As far as school attendance by girls is concerned, we find a general lateness in the age when they start school and premature abandonment of studies, for the reasons already given.
- 47. Despite this fact, the educational level of Peruvian women rose from an average of 3.6 grades in 1971 to 5.2 grades in 1981 and to 7.8 grades in 1988.
- 48. There are no State programmes for women who abandon their studies prematurely. There are only a few official private programmes for helping pupils otherwise deprived of education to complete their primary and secondary schooling.

- 49. It is also important to point out that the number of women who after interrupting their studies on account of marriage return to the university and make good progress is increasing every day.
- 50. Peruvian women take an active part in sports and physical culture not only at school but also outside it. Through its specialized organizations the State lends the support necessary for taking part in national and international tournaments; women have won prizes in inter-American and world championships, first and foremost in volleyball, with world acclaim.
- 51. The introduction of family education into the secondary school curriculum as well as suitable sexual guidance for adolescent girls will help to ensure the health and well-being of the family.
- 52. There are information and counselling programmes on family planning entrusted to private organizations with funds from international organizations (popular education). Likewise, there is the National Population Council which is run by the State and "odd institutions" in the private sector which are carrying out this highly important task for the female population consistent with the parental responsibility enshrined in our Constitution and as provided for by article 10(h) of the Convention on Family Planning.
- 53. In concluding this part it should be pointed out that in Law 24310 of September 1985, treatment of women is recognized as legally binding in the first article: "The designation of any honour, academic grade, professional title, office, public function, job, employment or other vocational or labour activity, whatever its origin or level, shall be expressed, when it relates to women, in the feminine gender if such is grammatically possible".
- 54. And in the second article: "Women have a right to use the designations appropriate to them under the previous article, as well as to the relevant treatment even when their grades, titles, selection, appointment or contracting predate the entry into force of the present law. This law accords with article 2 of the Convention.

# Women in penal matters

55. The status of women in the Penal Code is the same as that of men and the fact of being a woman is not a reason for either attenuating or aggravating the penalty. The Penal Code dates from 1924 and the Code of Criminal Procedure from 1940; this is why there are many amendments which have still not been adapted to meet the demands made by groups of women with regard to certain offences such as prostitution, which as a social problem is on the increase, especially in view of the economic crisis affecting the country; for many women it is a way of life in face of the few opportunities for obtaining jobs, especially among the poorer classes and despite the fact that our Constitution recognizes, as the rights of the person, the right to freedom and hence suppresses any form of trafficking and therefore trafficking in women. Nevertheless, there are regulations governing "Mayor's office" licences, updated on 25 February 1983, by which the provincial municipalities are responsible for issuing licences through the General Directorate for Internal Revenue so as to collect municipal tax at any place of amusement, including brothels and houses of assignation; the system regulates the location, the ban on work by under-age girls, renewable health certificates and obligatory enrolment in the Register of the Division of Special Licences, thereby

legalizing prostitution; nevertheless the Penal Code describes it as an offence against accepted custom and penalizes those who induce or coerce others to engage in prostitution and the exploitation of women for their own benefit (procuring).

- 56. Abortion is suppressed by law; there is a project under way for its legalization in view of the new currents of opinion in favour of voluntary interruption of pregnancy. The law only recognizes therapeutic abortion, which means that a large percentage of women have secret abortions, with fatal consequences, since it is generally practised by charlatans.
- 57. The situation with regard to women in prison is also alarming: the prisons come under the Ministry of Justice; the position of the women in them is depressing since we have a penal establishment for women in Chorrillos, which was constructed for 250 inmates, but at the present time contains more than 600; a feature of this prison is the fact that it has a kindergarten for the children of the inmates; if they arrive in a pregnant state, the women have their children there and they remain with them; if the woman prisoner has no one to leave her under-age children with she has to take them along to prison where they "serve" the sentence together with their mother.
- 58. There are penal establishments for women in Callao, Puno, Chiclayo and Arequipa and in some of the men's prisons in the country there are special wings adapted for women.
- 59. Of the total prison population in Peru there are approximately 17,000 men, while the women do not even number 700; over the last five years the incidence of crime has changed and the offences of drug trafficking, abortion, robbery, larceny and armed assault have increased; women are finding their way into terrorism as well in an alarming proportion. As a result, reprieve is recognized by the Constitution in article 211.23 and the President of the Republic has the power to pardon convicted persons who demonstrate by their good conduct in prison that they are fit for reintegration into society. This does not apply to drug traffickers or terrorists; of the 142 persons pardoned on 26 July this year only eight were women, seven from the Chorrillos Prison and one from Puno. Drug trafficking has become more frequent in our country and is found at all social levels. The problem of "urban micro-marketing" occurs mainly in the capital and has created social problems which degrade men, women and children physically and mentally and, furthermore, a large number of unemployed persons have found in this illegal activity a source of relatively easy income.
- 60. Statistical data on the prison population indicate a higher incidence of drug trafficking among men, but the frequency of this offence among the female prison population is also high.
- 61. As regards abortion, the reasons for it are most often economic considerations, as well as psychological states, social factors and improper medical care.

#### Women and work

62. Regardless of the fact that the Constitution and laws recognize equal pay and the right to promotion under equal conditions, in actual practice during the stage of crisis, inflation and recession that we are going through, women are always ignored and left behind.

- 63. With regard to the vocational situation, although women make up a population of 10,220,200, the number of economically active women is only 1,892,200; with regard to the levels of underemployment and unemployment among women, the figure is 81 per cent, as compared with men.
- 64. As a palliative measure for female unemployment, which mostly affects women in the urban-marginal areas where the bulk of them are "heads of family", the Government has been implementing programmes such as the Direct Support Programme (PAD), the Basic Infrastructure Programme for Food (PIBA), and the Support Programme for Temporary Income (PAIT).
- 65. PAD was created by gathering together the experience of women's organizations which have grown up since 1978: public kitchens, mothers' clubs and production shops. PAIT has attained broad projection. In nine programmes (urban PAIT), women represented 76 per cent, and carried out such tasks as collecting solid waste, basic sanitation, the restoration of reforestation tracks, painting of facades, and the fitting out and development of health stations; although these forms of temporary employment, without recognition of labour rights and with renumeration in cash or in kind, certainly have not guaranteed any permanency; the majority of the women were family mothers 84 per cent and their ages ranged from 24 to 45 years; these types of work require fairer legislation.
- 66. At the proposal of a Deputy, Law No. 24705 was promulgated in 1987; it recognizes housewives as independent workers, thereby making them eligible for health services, pensions and social security.

# Women in public office

- 67. Since 1955, when women received the vote, their entry into politics has not been in proportion to the 50 per cent they represent; political parties do not give them the place that would be fitting for many women belonging to them. They are always given, from the male point of view, responsibilities that are typically female: fund-raising, secretarial work and any place on the lists of candidates that does not entail competition with the chances of a win by the men. In the <u>Legislative</u> representation of women is at the present time minimal: 10 Deputies and three Senators. In the <u>Executive</u> two women have been named as ministers for the first time in history, one in health and the other in education; the second one has retained her portfolio and her work has received the praise and recognition of the nation.
- 68. In the diplomatic service there are presently two women ambassadors, one of them accredited abroad and the other with a high rank in the Government; women have been incorporated into the diplomatic service with great effect. Very few women are mayors, Lima has had only one, and there are a large number of women "Regidors" throughout the Republic. For the first time a woman has been appointed Prefect in Huancavelica.
- 69. There is a woman Coordinator-General ("Centralera General") of the Republic and the National Auditing System, who supervises the implementation of the public sector budget, transactions involving the public debt and the management and use of public property and resources (article 146 of the Constitution), and who, furthermore, presides over the ILACIF (Latin-American Institute of Auditing Sciences), an international autonomous and apolitical body made up of all the auditing organizations of Latin America.

- 70. In the Judiciary and in the Ministerio Público there is great interest in bringing in women; for this purpose there is an open competition supervized by the Judges' Councils, both the district type and the National Council, recognized in Chapter X of the Constitution as autonomous organizations which put forward proposals to the Executive for the appointment of justices of the peace, judges of first instance, both civil and criminal, and various higher posts in the Judiciary.
- 71. A significant number of women are assistant police officers and court reporters.
- 72. The percentage of women appointed is still low compared with those proposed for the Councils; for example no woman has been a Chief Attorney or Member of the Supreme Court. Nevertheless, for the first time in the history of justice the Executive, at the proposal of the National Council of Judges, appointed a woman in 1987; the appointment was to be ratified by the Senate but the obstacles placed in the way by Senators are preventing this happening.
- 73. It is very important to point out that at the level of the Supreme Court there has been created the Academy of Judges, the Director of which is a woman who was elected at a plenary meeting from a short-list consisting of herself and two men.
- 74. Women do not have access to the armed forces; however, since 1975, the International Women's Year, they have been admitted to the Higher Military Studies Centre (CAEM), which is a research centre for the complex problems of national defence with full awareness of our reality, and the results which have been obtained represent a true body of national doctrine. Between 1975 and 1988, 26 women have graduated in various fields from the research centre.
- 75. The national police as an auxiliary force has policewomen and for the first time is opening an administrative office for women for the sole purpose of looking after women who are assaulted and/or assailed; this project was submitted by the same Deputy who introduced the Law by which a policewoman has access to the rank of officer.

#### Machinery and offices available to women

- 76. At Government level there is no coordinating body for the activities that should have been carried out since 1979 in order to implement the Convention; since the Peruvian National Commission for Women's Affairs (dissolved by a decree law in 1978) was set up, it has been mainly the private organizations that have been active and which do good work in a fairly significant number.
- 77. Some ministries have created offices for this purpose, the most important one being that of the Ministry for Foreign Affairs, namely the Directorate for Women's Affairs, and in the Ministry of Justice it is the Special Commission for Women's Rights; in the Ministry of Education it is the Commission on Women, Families and Population; equally, the Senate of the Republic is setting up a Commission on Women, Children, Youth and the Elderly. The municipality of Lima is founding the House of Women.
- 78. The project submitted by a woman Senator for the establishment of the House for Ill-treated Women was not approved by the Commission of Justice. The bulk of the bills submitted by women Senators have not received backing by the Senate.

- 79. Access by policewomen to the rank of officer has not worked out; the Administrative Office for Women has a male director.
- 80. A woman judge of the Higher Court was removed from office for having entered the Higher Military Studies Centre. The sanction was discussed on the basis of a <u>habeas corpus</u> writ, and she was reinstated several years later. Justice was done.

# Jurisdictional competence for implementation of the Convention

- 81. The Law governing <u>habeas corpus</u>, Law No. 23506, and the law amending it, Law No. 25011 of 7 February 1989, is the safest legal channel for arguing any case of discrimination before the judiciary, since the action of guarantee is aimed at reverting to the state prior to infringement of or threat to a constitutional right.
- 82. Recognition of equality before the law is a constitutional right without any distinction for reason of sex, race, religion, opinion or language.
- 83. <u>Habeas corpus</u> is the channel for implementing the Convention, given that the constitutional guarantees are in line with the Convention and that the Treaty has preference over any other law, including the Constitution (article 101).
- 84. Article 4 of the Law on <u>habeas corpus</u> states: "If action by reason of the infringement of a constitutional right is exercised by the issuance of a due act the decision shall order the unconditional and immediate execution of the said act".
- 85. The instances are not exhausted in the Supreme Court; the Court of Constitutional Guarantees is competent to decide resolutions rejecting habeas corpus, when the judicial channel is exhausted; it also covers the same law on international jurisdiction, article 39, for the purposes of the provisions of article 305 of the Constitution; the international jurisdictional bodies to which one may have recourse if it is considered that the laws that the Constitution recognizes have been infringed are the Commission on Human Rights of the United Nations, the Inter-American Committee on Human Rights of the Organization of American States and others which are to be established in the future and which may be approved by treaties binding for Peru and which possess the category referred to in article 105 of the Constitution.
- 86. The status of women as marginal or discriminated against will last as long as women do not get themselves organized in accordance with the principles of the United Nations and the Organization of American States, with the support of the Government, not only as ministerial offices, but at the higher level of decision-making; plans for development should envisage the incorporation of women as planners, managers and directors of activities aimed at achieving the goals of the Convention, which coincide with those of our own Constitution.