



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

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**Committee on the Elimination of Discrimination
against Women**
Nineteenth session

Summary record of the 397th meeting

Held at Headquarters, New York, on Monday, 6 July 1998, at 10.30 a.m.

Chairperson: Ms. Estrada Castillo (Vice-Chairperson)

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In the absence of Ms. Khan, Ms. Estrada Castillo, Vice-Chairperson, took the Chair.

The meeting was called to order at 10.30 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Third and fourth periodic reports of Peru (CEDAW/C/PER/3-4; CEDAW/C/1998/II/CRP.1/Add.4)

1. *At the invitation of the Chairperson, Mr. Toro Cabrera and Ms. Conterno (Peru) took a place at the Committee table.*

2. **Mr. Toro Cabrera** (Peru), introducing the supplementary report of Peru on the implementation of the Convention for the Elimination of All Forms of Discrimination Against Women, said that Peru had taken meaningful steps towards the fulfilment of its obligations under the Convention through a number of legislative and institutional means aimed at promoting the equitable participation of women in national development.

3. He reviewed recent legislation establishing the functions of individuals involved in processing complaints of domestic violence; guaranteeing equality of treatment, including in admissions policies of Army officer training schools and in the determination of the maximum work day; and protecting women during and after pregnancy. Other areas, such as night work, mining jobs, and quotas for the inclusion of women on electoral lists had also been addressed.

4. A number of institutional mechanisms had been set up; they included a commission dealing with women, human development and sports, a specialized body on women's rights and, of course, the Ministry for the Advancement of Women and Human Development (PROMUDEH). Civil society was actively engaged in the organization of Child and Adolescent Posts of Defence Counsel in local communities, schools, parish churches and grass-roots non-governmental agencies.

5. Government action in the area of reproductive health was executed through the Programme for Reproductive Health and Family Planning for 1996-2000, which provided counselling services and access to modern contraceptives.

6. Peru's high maternal mortality rate — 265 per 1,000 live births — was a central public health issue. The aim of the Emergency Plan for the Reduction of Maternal Mortality was to reduce mortality to no more than 100 per 1,000 live births by the year 2000.

7. Gender equality was emphasized in school curricula from the earliest stages, focusing on value systems, mutual respect between men and women, appreciation of personal characteristics and qualities, identity and self-esteem.

8. The ministries dealing with labour and industry had developed various programmes in support of women's participation in the labour market and business sector, promoting a gender policy for equal opportunity in commercial endeavours. Furthermore, PROMUDEH was currently formulating a National Action Plan for Women and Development to offer women opportunities for personal and social development and the full enjoyment of their rights as Peruvian citizens. Several universities and NGOs had incorporated the gender approach into their activities thereby complementing the work carried out by the Government.

9. An increase in social expenditure had led to meaningful progress in bridging the gender gap. Currently, the school enrolment ratio was 50.3 per cent for boys and 49.7 per cent for girls. A National Literacy Programme had been implemented to reduce the overall rate of illiteracy to 4 per cent by the year 2000. At present, women made up 72 per cent of the total number of illiterate persons in Peru.

10. Turning to the questions contained in the report of the pre-session working group (CEDAW/C/1998/II/CRP.1/Add.4), he said, in connection with question 5, that the creation of PROMUDEH was an important step forward. The Ministry sought *inter alia* to ensure that women had greater access to education, employment and public life and to help combat poverty.

11. Nevertheless, progress varied from one region to another and from one ethnic group to another. Despite the increased availability of schooling, there had been little change in illiteracy rates. Some 44 per cent of Peruvian women lived in poverty. Education was seen as a way of raising women from their subordinate position and social exclusion.

12. Teenage pregnancy was a contributing factor to infant and maternal mortality. Approximately 25 per cent of adolescent girls in rural areas were mothers; the situation was even more critical in the indigenous communities of the Amazon where one third of the female population was pregnant by the age of 15 and 80 per cent of 15 to 19-year-olds were already mothers.

13. He drew attention to the various measures aimed at empowering women, including the steps taken to increase women's access to credit, coupled with the activities designed to increase awareness among women, policy makers and administrators of justice of domestic violence.

14. With respect to question 6, in 1997, the National Institute of Statistics and Informatics had conducted a survey of returnees in the geographical areas most affected, the results of which would provide a socio-demographic profile of returnee families; in 1998, the Institute had included a migration module in its national household survey. Both surveys would provide gender-disaggregated information on migration trends.

15. With respect to the question 7, the National Network for the Advancement of Women had formulated a proposed plan of action on women and development, which was being considered by State agencies, grass-roots and non-governmental organizations and financing agencies. Meanwhile, the various State entities had elaborated, within their regular programmes, activities related to the commitments made at Beijing, such as reproductive health activities; incorporation of material on gender equity into school curricula; prevention of early pregnancy, maternal mortality and sexually transmitted diseases; early detection of uterine cancer; and incorporation of women into productive activities. In addition, the promotion of gender equity and the protection of women and girls were incorporated into national legislation. Lastly, a report on progress in the implementation of the Platform for Action of the Fourth World Conference on Women had been prepared for a June 1998 seminar on the subject, held in Beijing.

16. In response to question 8, he said that progress had been made in enacting legislation aimed at achieving gender equity, but that cultural patterns, stereotypes and prejudices were slow to change. Women were increasingly active in politics. In the social sphere, women were very active in grass-roots

organizations. In the economic sphere, women's participation in business and/or in the workforce was increasing.

17. In 1995, women's average earnings from employment had amounted to 68.1 per cent of men's average earnings. Only 23.1 per cent of the country's executives and managers were women. Despite the increase in women's political participation, only 2.8 per cent of the country's provincial and district mayors were women, according to 1995 figures.

18. With reference to question 9, both legal and programmatic mechanisms had been adopted to protect abandoned children, adolescents, mothers and elderly persons. The Penal Code currently in force prohibited attacks on the life, person or health of individuals and provided for differential treatment when the victim was a child or a woman, as in the case of violations of sexual freedom, abortion and infanticide. The Civil Code provided for equality of rights between men and women and established a legal definition of parental authority and of the reciprocal obligations between parents and children. The Code of Children and Adolescents protected minors and some of the rights of mothers. Under the General Law on Health, the State was responsible for protecting the health of elderly persons who had no one to assist them.

19. The State's programmatic actions, which were carried out through the National Institute for Family Well-Being (INABIF), sought to strengthen family integration and to promote the improvement of living conditions and integrated child development through systems of prevention, protection and training. Those efforts focused on community participation, poverty alleviation, development of self-managed activities, protection of street children and working children and enhancement of children's own potential to change their lives for the better. Professionals in the social sciences and in the health field received training on the rights of the child so that they could identify and respond to situations in which those rights were jeopardized. In addition, some 845 offices of Ombudsman for Children and Adolescents had been established at the local level. Each year, those offices conducted a campaign on a specific aspect of the rights of the child, such as the importance of education for girls. The offices in the Lima metropolitan area had dealt with nearly 30,000 cases, most of which had concerned children. INABIF also sought to enhance the role of older persons in the family and the community

through therapeutic activities in the areas of recreation, health education and nutrition. Those services benefited men and women equally.

20. In reply to question 10, he noted that a Specialized Office on Women's Rights had been established within the office of Ombudsman to incorporate the gender perspective into the latter's activities. The Specialized Office focused on issues relating to violence against women, and contributed significantly to the analysis and systematization of information on the specific cases reported. It also sought to strengthen legal instruments for improving women's quality of life and access to public and private services. In order to promote the elimination of regulations that discriminated against women, the Specialized Office had instituted legal proceedings in respect of violations of constitutional rights. In May 1997, the Constitutional Court had ruled in favour of some aspects of an action brought with respect to an article of the Civil Code providing that, in cases of alleged cruelty, grievous insult or dishonourable conduct involving spouses, the education, habits and conduct of both spouses should be taken into account.

21. The Specialized Office also issued opinions on bills submitted by various congressional committees. It had issued favourable opinions on bills concerning domestic violence; the amendment of the article of the Penal Code under which a rapist or a co-perpetrator of a rape could escape punishment by marrying the victim; sexual harassment; and the amendment of election laws to promote women's participation in the exercise of power. The Specialized Office also took action with respect to complaints submitted by individuals. Some of the complaints received had concerned the excessive formalities required by police stations, which tended to delay the process of reporting domestic violence. Complaints had also been received on the removal of pregnant teenagers from public schools.

22. **Ms. Conterno** (Peru) said, in relation to question 11, that women's de facto situation had changed in response to the demands made by women. PROMUDEH had assumed the functions of the Standing Commission on Women's and Children's Rights.

23. In formulating the national plan of action on women and development, PROMUDEH had developed relations of coordination with the Ministries of Labour,

Justice, Agriculture, Health, Education, the Interior and the Presidency. Moreover, it had signed reciprocal cooperation agreements with the Ministry of the Interior in connection with domestic violence; with the Ministry of Agriculture for the joint implementation of training and technical support initiatives in the areas of agriculture, sanitation and environmental protection, aimed at women's groups and returnee and indigenous populations; with the Ministry of Fisheries for the development of small-scale fishing with a view to improving the working conditions and quality of life of women involved in that activity; with the Ministry of the Presidency to ensure the extension and consolidation of literacy and community child care programmes; and with five major universities for the conduct of research and the elaboration of projects and programmes on family violence and the productive participation of women. Through the National Coordination Commission for Family Planning and Reproductive Health Policy, PROMUDEH coordinated its efforts with those of the health, education and social security sectors to improve the quality of reproductive health and family planning services. The Tripartite Monitoring Board for the Programme of Action of the International Conference on Population and Development, established in August 1997, consisted of PROMUDEH and of representatives of the Ministries of Health, Education, the Presidency and Foreign Affairs, as well as of the Congress, universities, non-governmental organizations and international cooperation agencies. Its purpose was to facilitate the exchange of information and to identify priorities and lacunae with a view to improving the implementation and follow-up of the Programme of Action.

24. Women accounted for 84 per cent of the 463 staff members of PROMUDEH and occupied 79 per cent of its managerial posts. A total of 27,198 persons received stipends from the Ministry, taking into account the support personnel working in the child care and literacy programmes. The Ministry's budget for 1998 amounted to 14,855,014 soles, or about \$5,035,597, of which 14,556,014 soles came from the Treasury and 329,000 soles from the Ministry's own sources of income. The total represented about 0.05 per cent of the overall government budget for 1998.

25. Since PROMUDEH had been established only recently, it had focused primarily on setting up an organic structure appropriate to its mission, which was to inform women and to promote their advancement in

the community, with emphasis on women living in extreme poverty, through outreach workers and grass-roots organizations. Although it had, as yet, conducted few research projects on specific topics, it was developing a number of studies on topics such as young women, native women, peasant women and family violence, in coordination with various institutions. PROMUDEH had worked with non-governmental organizations on issues of domestic violence and specialized courses had been provided to police personnel.

26. PROMUDEH had also assumed the functions of the National Population Council. It had formulated a national population plan for the period 1997-2001, in collaboration with State institutions and non-governmental organizations. One important component of the previous population programme had been the Programme on Youth, which was currently being implemented by the Human Development Office of PROMUDEH. That Office had proposed an information, education and communication strategy on sexual and reproductive health, aimed at young people in rural and marginalized urban areas. Other proposals included the establishment of an advocacy and training network on those topics and initiatives to train young people in indigenous communities to act as health promoters.

27. Among the main achievements of the National Programme for the Advancement of Women, 1991-1995, had been the promulgation, in 1997, of the Basic Law on Elections, which required that women must account for at least 25 per cent of all candidates for Congress and Act No. 26772 of April 1997, which banned discriminatory requirements in employment and education.

28. With reference to question 12, she said that PROMUDEH was responsible for following up policies and programmes relating to women. Among its subsidiary organs was the Office for the Advancement of Women, which focused on action to promote gender equality and family relations based on equality; mechanisms for preventing and dealing with violence against women; and policies to encourage a productive role for women in society, through programmes for individual and community development. It also carried out follow-up measures to the Local Action Plan for Women and Development.

29. The National Network for the Advancement of Women was a private body which defended and promoted women's rights, especially with regard to education, reproductive health, the prevention of violence and political participation. It was run by a national committee, and was part of an international advocacy movement represented in a number of other countries.

30. Replying to question 13, she explained that the Government had successfully implemented a national strategy for poverty alleviation. Living standards had risen and government spending on social programmes had risen from US\$ 63 per capita in 1993 to US\$ 158 in 1996. Although the proportion of the population living in poverty had fallen from 54 per cent to 45 per cent between 1991 and 1995, extreme poverty remained a serious problem, and the Government's aim was to reduce it by 50 per cent by the year 2000. The special Strategy to Combat Extreme Poverty allocated at least 40 per cent of the national budget to the social sector, and sought to empower women by encouraging their participation in the country's development; special attention was given to children under five and to pregnant and breastfeeding mothers, and there were specific programmes providing nutritional support and reproductive health and family planning advice, targeted especially at adolescents and large families.

31. **Mr. Toro Cabrera** said, in reply to question 14, that government action to encourage displaced persons to return home was carried out through the Programme to Support the Repopulation and Development of Emergency Zones (PAR), which was responsible for establishing the basic conditions for sustainable development and for helping to consolidate peace in the emergency zones. Once peace had been established, people generally chose to return to their homes. From 1995 to 1997 some 100,000 people, of whom 67 per cent were women, had returned. The programme placed emphasis on projects for rebuilding the productive and social infrastructure of communities, special support being provided for women heads of households. PAR also worked to build up the population in areas bordering on the jungle. Studies had been made of the living conditions and quality of life of indigenous women, especially those displaced by terrorism and violence, and the findings would be used to implement a long-term investment project. A special subprogramme on support to displaced Ashaninka families returning home provided for the dissemination

of information on human rights and for the integration of the themes of women, gender and development. PAR was also engaged in a population registration exercise in the emergency zones, issuing identity documents to 171,058 men and 182,070 women. Households headed by women were given cooking utensils, blankets, food, medicines, tools and seeds to enable them to settle back into their home areas. The construction and rehabilitation of basic services, such as housing, drinking water supplies, educational facilities and health clinics, was carried out in coordination with the local authorities and with the participation of women and families. To foster income generation, training was provided and support given to the establishment of microbusinesses in non-traditional activities such as food processing, textiles, and salt and plaster production.

32. In response to questions 15 and 16, he said that although the labour regulations for the protection of women were not in themselves affirmative measures such as helped to bring about de facto equality between men and women, they did enable women to fulfil their maternal role without forfeiting their rights. In November 1996 Peru had adopted an Act to Modernize Social Security and Health, restoring the right to maternity benefits for a period of 90 days and extending them to women working in the independent and informal sectors. Regulations had still to be adopted to govern time off for breastfeeding during working hours and the provision of creche facilities. Under Act No. 26644 the 90-day period of maternity leave was divided into two periods of 45 days before and after the birth. The pre-natal leave could be deferred and taken in conjunction with the post-natal period, subject to the employer's being informed two months in advance of the expected date of confinement and the provision of a medical certificate. Maternity leave could be counted as days worked for severance indemnity purposes.

33. Since the adoption of Act No. 26513 of July 1995 the length of the work week was the same for both men and women. In December 1996, Peru had denounced ILO Conventions Nos. 4 and 45, which restricted night work and underground work in mines by women. Women were no longer barred from training academies for the armed forces. Act No. 26772 of April 1997 made it an offence to discriminate on grounds of gender in recruitment and training.

34. Responding to question 17, he said that one of the main achievements of the present educational policy was that women now had greater access to services and participated more in public life. Illiteracy rates had fallen from 18.1 per cent in 1981 to 10.5 per cent in 1996, while illiteracy among women had dropped from 26.1 per cent to 18.3 per cent over the same period. Among urban women the illiteracy rate had dropped from 12.5 per cent in 1981 to 8.1 per cent in 1996, while among rural women it had dropped from 55.8 per cent, to 37.5 per cent over the same period. However, among indigenous women, it remained above 45 per cent. Primary school enrolment had increased from 87.3 per cent in 1993 to 94.9 per cent in 1996, but the increase was slightly higher among boys than among girls. The Ministry of Education endeavoured to promote an atmosphere of respect and communication between the sexes, to encourage the realization of women's full potential and to prevent risk situations by identifying cases of abuse and violence within the family. Its work for the advancement of women included literacy programmes, such as the Programme of Intercultural Bilingual Alphabetization in two departments, which had reached 5,000 rural women. The Ministry had launched a programme on Basic Education for Everybody, which included a project for the socio-economic development of illiterate rural and indigenous women in 10 of the country's departments, emphasizing respect for the cultural and linguistic characteristics of the target populations.

35. In view of the fact that 72 per cent of the illiterate population were women or girls, PROMUDEH had now assumed direct responsibility for the national literacy programme, which in 1997 had reached 500,000 participants, 90 per cent of them women. The goal for the year 2000 was to reduce female illiteracy to 6 per cent. In the coming years, 29,000 literacy teachers would be trained in sexual and reproductive health.

36. In reply to question 18, he said that the Government's efforts in that area were focused on education, by bringing into the curriculum materials which were intended to alter sociocultural patterns and prejudices concerning sex roles. Those educational activities took place in both urban and rural settings. There was still a division of roles between men and women, women being expected to assume the chief responsibility for children and the household. The Government was endeavouring to change attitudes

through the family and sex education programme, the national primary and secondary education programme, the measures to ensure equal access for women to male occupations and sports, and by encouraging co-education.

37. With regard to question 19, he said that in 1997 PROMUDEH had trained 300 police officers in domestic violence, in line with agreements entered into with various non-governmental organizations. Members of the police force, the judiciary and the Public Prosecutor's office had been trained in women's rights, especially in connection with violence in the family and family planning.

38. **Ms. Conterno** (Peru) said, in response to question 20, that violence in the family had in the past been treated as a private matter, which explained the lack of statistics on the subject. Women's and human rights organizations had campaigned to bring it into the public arena, and in 1993 the Domestic Violence Act (Act No. 26260) had been adopted, defining violence against women as any form of physical, psychological or sexual violence taking place in the family or domestic unit or in any other interpersonal relationship. Family members of the victim, including minor children, were also protected by the law. Women aged between 26 and 35 appeared to be the most frequent victims of domestic violence, and most complaints came from women whose partners had a secondary education. In Lima, there had been 4,383 such complaints in 1996. There were now women's police offices in eight cities, and special domestic violence units in the police forces of five other cities. The Government, recognizing that domestic violence was also a public health problem, had included a provision in the General Health Act of July 1997 establishing a right to mental health treatment. It was also State policy to provide free treatment in medical facilities for victims of violence reported by the police, the Public Prosecutor or the courts.

The meeting rose at 1.05 p.m.