



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

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

Summary record of the 583rd meeting

Held at Headquarters, New York, on Thursday, 15 August 2002, at 3 p.m.

Chairperson: Ms. Regazzoli (Vice-Chairperson)

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In the absence of the Chairperson, Ms. Regazzoli, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.05 p.m.

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

Fifth periodic report of Peru (continued)
(CEDAW/C/PER/5;
CEDAW/PSWG/2002/EXC/CRP.1/Add.9 and
CEDAW/PSWG/2002/EXC/CRP.2/Add.8)

1. *At the invitation of the Chairperson, Ms. Espinoza (Peru) took a place at the Committee table.*

2. **Ms. Espinoza** (Peru) said that the article of the Constitution governing employment provided for equal opportunity and treatment regarding access to employment. Peru had ratified International Labour Organization Convention No. 100 on Equal Pay for Work of Equal Value. Dismissal for reasons of pregnancy was prohibited, regardless of the stage of the pregnancy, and covered a period of 180 days after delivery. Maternity rights were covered by a special provision, and State employees were no longer subject to more stringent limitations than employees in the private sector.

3. Some aspects of discrimination undoubtedly escaped even the vast array of laws, but a complaints mechanism existed for that purpose. However, it was available only to the handful of women on permanent or fixed-term contracts, since most of the economically active female population worked in the informal commercial sector. The draft equal opportunity bill which her Ministry wished to submit to Congress was a framework bill against all forms of discrimination and for equal opportunity regardless of gender, race or economic situation. The areas covered included birth control, access to and treatment in employment, and treatment during the criminal process. If approved, that bill could considerably improve national norms and framework laws and promote more stringent monitoring of compliance with their provisions.

4. Her delegation would leave with the Committee a copy of the comprehensive plan approved two months previously for protection of older adults. It covered various dimensions of healthy ageing: medical care, social security, nutrition, and use of leisure time, using

gender-sensitive language and paying due attention to the situation of men and women. One general measure had been the provision of information disaggregated by gender and type of area and the promotion of healthy lifestyles in the urban, rural and forest-dwelling population, steering them towards environment-friendly lives.

5. That general measure would serve as the basis for a more detailed plan of operations. One mandate of the Ministry for Women and Social Development was attention to older persons in terms of human development management, to which a separate department was devoted. The Ministry also paid special attention to the situation of disabled persons, mainstreaming gender into each of the areas covered by the respective units specifically concerned with the situation of women.

6. The requirement that medical personnel report anyone seeking an abortion to the police obviously dissuaded many girls from approaching trained physicians or nurses and often placed them in a perilous situation. Her Ministry was fervently seeking the amendment of that aberrant provision. Unfortunately, however, the Congress was composed of members of different political persuasions with disparate social and religious beliefs and it was difficult for abortion to be legalized. In any event, she was pleased to report that the maternal mortality rate had radically decreased.

7. The age at which persons could legally contract marriage was still 18 years, the age of majority for the full exercise of civil and political rights. However, in exceptional circumstances, and only following a judicial process, a judge could grant permission to marry at the age of 16. The alarmingly high urban population had been the result of the rural exodus, itself caused by poverty and, more recently, by political violence. The authorities were then required to address the newcomers' health, education and social security needs.

8. The health sector was unquestionably the State sector with the most extensive presence in Peru. Even the remotest areas had a school and a health post; while their staff might not be the most highly qualified, no person was ever required to go without treatment or basic education. Under the National Programme for Food Aid (PRONAA), food rations were distributed even in the most remote parts of the country. Women in

urban areas were much more highly organized in their participation in food distribution and health promotion.

9. She was unaware of any acts of discrimination against the Arabic-speaking population, but would seek more details from the Committee member who had raised the issue, so that it could be investigated and any necessary action taken. In conclusion, the authorities were working towards ratification of the amendment to article 20, paragraph 1, of the Convention.

10. **Ms. González** cautioned against equating equity with de facto and de jure equality, as the State party appeared to have done in its written response to question 9. Only once genuine equality had been achieved should equity assume such importance.

11. **Ms. Espinoza** (Peru) said that the State party's frequent references to equity did not mean that the authorities had lost sight of the overriding goal of genuine equality.

12. **The Chairperson** thanked the Government of Peru for the presentation of its report.

The meeting rose at 3.25 p.m.