

**UPR Working Group checklist
PERU**

Reviewed on 6 May 2008

Main issues raised by NGOs in their submissions but not raised during the Working Group¹

Women's rights

Abortion

Sexual orientation²

Sexual orientation (violence, discrimination in education, health).

Internally displaced persons

Main issues/questions raised by States during the Working Group on which Peru did not provide a specific answer³

Women's rights

- Turkey asked whether Peru plans to expand the definition of violence against women in accordance with the recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW).
- The Philippines asked more on additional measures aimed at eliminating all forms of discrimination, violence against women and trafficking in human persons.
- Malaysia asked information on the extent of cases of women who reported undergoing involuntary sterilization and on the legal and policy measures taken to address the issue.
- Malaysia requested information on achievements and challenges in the implementation of the National Plan on Violence towards Women and measures to overcome those challenges.

Children's rights

- **Brazil** enquired about main steps taken in the promotion of the rights of the child.
- **Portugal** expressed concern that hundreds and thousands of children and adolescents reportedly remain in the labour market, marginalized from education and subject to exploitation and abuse. **Japan** referred to reports of high rates of child labour, as indicated by UNICEF, while also noting the efforts made to tackle the issue through its National Plan for the Eradication of Child Labour, and requested more information on planned measures to address the issue.
- **Japan** noted recommendations made to Peru by the Committee on the Rights of the Child and CEDAW to implement its national action plan and to take measures to combat trafficking, and requested elaboration on the current status of Peru's efforts regarding this issue.

¹ The analysis is based on issues contained in the official documents (the additional information is not taken into account) NGOs have submitted to the OHCHR and posted on the OHCHR website compared to ones contained in the Report of the Working Group document A/HRC/WG.6/2/L.3. Please note that, although great care was taken to cover everything, the list may not be exhaustive.

² Please note that, although there has been one recommendation made by Slovenia (see para 2 in recommendations) on this issue, the violations were not addressed during the interactive dialogue.

³ The analysis is based on the Report of the Working Group document A/HRC/WG.6/2/L.3. Some issues might have been raised by Peru in its national report or during its presentation, but Peru did not answer/comment specific questions on the issues listed during the interactive dialogue. Please note that, although great care was taken to cover everything, the list may not be exhaustive.

Visits by Special Procedures

Azerbaijan noted that while Peru has extended a standing invitation to special procedures mandate holders, the visits requested by the Special Rapporteur on right to food had not been agreed upon and asked if Peru was considering consenting to such visits in the near future.

Access to water

While **Japan** noted the positive evaluation made by the Special Rapporteur on the right to health of Peru's health policy, it also noted that the Special Rapporteur on adequate housing encouraged the development of strategies to improve access to water and sanitation by the poor⁴.

Private security companies

- The **Russian Federation** noted that in 2007 the Working Group on mercenaries had recommended to Peru to investigate the death of Peruvian nationals employed in private security companies abroad, and asked whether Peru had undertaken any steps in that regard.
- **Azerbaijan** asked when Peru intended to address the legal vacuum arising from the lack of national legislation aimed at regulating the activities of private security companies operating in the international market.

Enforced disappearances

- **France** noted that there were nearly 3,000 outstanding cases of forced disappearance dating from the period of the civil war. France enquired what measures Peru had envisaged to take to shed light on these cases.

Discrimination

Colombia enquired about the inclusion of civil society in devising a national plan to combat discrimination and inequality on *grounds of race, religion, sex or gender or sexual orientation*. **Note that, although this issue was raised during the interactive dialogue, the section in italic was not included in the final report of the working group.**

Witness protection

Belgium asked about Peru's plans for the establishment of a national witness protection programme.

Forced labor

Chile noted the National Plan of Action to Eradicate Forced Labour, suggesting that this issue continue to be given priority and requested information on additional measures being taken towards its elimination.

Recommendations made to Peru during the Working Group

Recommendations the State did not come to a conclusion on during the Working Group

(All of them)

1. To continue paying attention to promoting and protecting the human rights of vulnerable groups (Philippines), especially improving the situation of indigenous peoples (Algeria);
2. To consider applying the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity as a guide to assist in policy development (Slovenia);
3. To ratify the second Optional Protocol to ICCPR (Portugal) to abolish death the penalty (United Kingdom) and to maintain the de facto moratorium on executions that has been in force since the 1970s (Italy, Philippines).
4. (a) To promptly, impartially and thoroughly investigate all reports of acts of torture and ill-treatment, and torture and forced disappearance perpetrated by agents of the State, ensuring that the military criminal justice system does not carry out these investigations, and take further

⁴ Although the issue of poverty was tackled by Peru, these specific aspects were not touched upon.

efforts to ensure that those who report acts of torture or ill-treatment are protected from intimidation and reprisals and to implement the recommendations of the Committee against Torture made in this regard (Canada); (b) To cooperate more closely with the Committee against Torture especially by setting up a national complaint registration and investigation system and a national preventive mechanism (Mexico);

5. To continue to implement its policies, plans and services to protect the advancement of women and to protect them against violence (Chile) and expand the definition of violence against women in accordance with the recommendations of CEDAW (Turkey);
6. To undertake legislative reforms to criminalize trafficking in persons, in accordance with the definition contained in the Palermo Protocol (Mexico);
7. In accordance with the conclusions adopted by the Committee on the Rights of the Child in 2006, measures should be increased to stop child labour and to promote social reintegration of child and adolescent victims of exploitation (Italy);
8. To continue to cooperate with the activities of the Ombudsman (Republic of Korea);
9. To intensify efforts in fully implementing all the recommendations of the Truth and Reconciliation Commission (TRC), in particular with regard to victims' compensation and institutional reforms (France, Canada, Philippines, Germany, Republic of Korea), and to report back to the Human Rights Council. This should include the investigation of all cases of human rights violations committed during the twenty-year armed conflict and bringing to justice those responsible in trials meeting international standards and granting reparations to victims (Netherlands). The TRC implementation should also take into account the situation of vulnerable groups and institutional reforms (United Kingdom);
10. To provide the National Council for Reparations with financial and other resources (Belgium);
11. To further strengthen the capacities and independence of the judicial system and to effectively combat corruption within the judiciary (Germany);
12. To take measures to address the issue of prison overcrowding and poor prison conditions, including providing prisoners with access to medical staff and court-appointed counsel (Canada), especially in the Challapalca prison where detainees live under extreme climatic conditions (Uruguay);
13. To expedite prosecution of cases of violence and intimidation of the media, impose penalties for government officials convicted of these offences and publicly demonstrate support for freedom of expression by denouncing violence against and intimidation of the media in Peru (United States of America);
14. To ensure that human rights defenders, including victims of human rights violations, witnesses, prosecutors, forensic experts, journalists and trade union workers, can carry out their human rights work freely and without fear of intimidation (Australia, the Netherlands) and that Peru report back to the Human Rights Council about further concrete measures or actions taken in this regard (Netherlands). Peru should also consider developing a national policy of protection of human rights defenders, which could consist of a national system of protection of witnesses (Belgium) and human rights defenders (Brazil);
15. To counter the adverse effects of economic activities such as oil production and mining on the full enjoyment of some economic and social rights of communities living in adjacent territories (Turkey);
16. To consider signing and ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Mexico, France);
17. To report regularly to human rights treaty bodies and to respond to special procedures' communications and questions (Slovenia);
18. To address the issue of identity through issuing identification papers to those lacking them (Slovenia);
19. To ensure that a gender perspective is fully integrated in the next stages of the review, including in the outcome of the Universal Periodic Review and that the gender perspective be systematically and continuously integrated in this follow-up process (Slovenia);
20. To demonstrate its commitment to coordinating with civil society, including NGOs, academics, and research institutions, as it develops and implements domestic human rights policy (United States of America) and to involve them in the follow-up work to this review, as noted in the national report of Peru (United Kingdom).