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## **National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21\***

**Peru**

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\* The present document is being issued without formal editing.



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## I. Introduction

1. The State of Peru hereby presents its fourth national report to the Human Rights Council for the fourth cycle of the universal periodic review, in which it provides an account of the implementation of, and progress made in relation to, 177 recommendations made by 69 delegations from the States that participated in the third cycle.
2. The report was prepared using inputs from various State entities and, prior to its approval by the Ministry of Justice and Human Rights,<sup>1</sup> was disseminated to various civil society organizations, including members of the National Human Rights Council (comprising public, private and civil society entities), for their consideration.
3. In the period under review (2017–2022), Peru made substantial progress in strengthening the protection and promotion of human rights. Work is under way to develop a national multisectoral human rights policy to promote coordinated action to address inequality and discrimination in the area of human rights, among other objectives.
4. The actions described above and the progress reported below are in line with current national regulations and international and national human rights obligations.

## II. General framework

### A. Ratification of treaties

5. Peru has ratified the following treaties:<sup>2</sup>
  - (a) International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189);<sup>3, 4</sup>
  - (b) Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III);<sup>5, 6</sup>
  - (c) Amendments to the Rome Statute of the International Criminal Court on the crime of aggression.<sup>7, 8</sup>
6. To facilitate the implementation of its international obligations,<sup>9</sup> Peru adopted the Intersectoral Protocol for the Participation of Peru in International Human Rights Protection Systems.<sup>10</sup>
7. The Protocol establishes eight lines of action related to the drafting of reports and participation before the treaty bodies and the universal periodic review, preparation of and support for visits, responses to requests for information and the fulfilment of international human rights obligations. It also provides that an interoperability information management tool will be available for its implementation.

### B. Protection of human rights

#### 1. Cross-cutting legal framework

8. In 2022, the following policies were adopted to tackle discrimination:<sup>11</sup> (i) the National Policy for the Modernization of Public Management up to 2030;<sup>12</sup> and (ii) the Strategic Plan for National Development up to 2050.<sup>13</sup> Both policies stipulate that all persons should be able to reach their potential on an equal footing and without discrimination in order to enjoy a full life; to this end, they aim to reduce all forms of discrimination and social inequalities.
9. Also in 2022, regional meetings were held to discuss the public issue of the forthcoming national multisectoral human rights policy,<sup>14</sup> which will cover the period up to 2030, with the aim of coordinating the actions of various government agencies in order to reduce inequality in the exercise of human rights and structural discrimination.

10. The policy<sup>15</sup> is based on the third National Human Rights Plan (2018–2021),<sup>16</sup> which provides for strategic actions to guide the public administration towards the fulfilment of 373 goals, guaranteeing the rights of people from 13 groups requiring special protection: (i) older persons; (ii) the Afro-Peruvian population; (iii) persons with disabilities; (iv) women; (v) children and adolescents; (vi) persons deprived of their liberty; (vii) lesbian, gay, bisexual, transgender and intersex persons; (viii) indigenous peoples; (ix) persons living with HIV/AIDS and persons living with tuberculosis; (x) persons in situations of human mobility; (xi) victims of the violence that occurred between 1980 and 2000; (xii) domestic workers; and (xiii) human rights defenders.<sup>17</sup>

11. It is important to highlight the adoption<sup>18</sup> of the first National Action Plan on Business and Human Rights (2021–2025),<sup>19</sup> which aims to ensure the protection of, and respect for, human rights in business activities. The Plan is the fruit of a collaborative effort initiated in January 2019 and involving 132 State institutions, the business sector, indigenous peoples, trade unions and civil society organizations, with the support of international organizations and international cooperation agencies.<sup>20</sup>

## 2. Specific legal framework

### *Use of force*<sup>21</sup>

12. In 2020, the implementing regulations of Legislative Decree No. 1095 were adopted, setting out the rules for the use of force by the armed forces.<sup>22</sup> The purpose of these regulations is to establish guidelines for military operations and actions.<sup>23</sup> It is stated explicitly that legality, necessity and proportionality are guiding principles for the use of public force and that the regulations must be interpreted in accordance with human rights standards, including “the decisions of supranational courts and monitoring mechanisms of international human rights treaties”.

13. In February 2022, the Manual on Human Rights and International Humanitarian Law of the Peruvian Armed Forces,<sup>24</sup> the Joint Manual of Rules of Operational Conduct of the Armed Forces<sup>25</sup> and the Manual of Operational Law of the Peruvian Armed Forces<sup>26</sup> were adopted. These manuals summarize operational standards and guidelines that, in terms of human rights and international humanitarian law, have an impact on the planning, conduct and evaluation of military actions and operations carried out by the armed forces in the national territory.

14. The Directive on the Defence Sector Education System,<sup>27</sup> issued in 2018, guides educational activities in compliance with the constitutional framework, international treaties and human rights and international humanitarian law, and provides for the standardization of courses on these subjects.

15. Regarding the Peruvian National Police, the subject of human rights has been included in 8 of the 10 semesters of police training.<sup>28</sup>

16. Regarding the judicial review of the Peruvian National Police’s actions, the Supreme Court established as a binding legal doctrine (that must be invoked by judges in all judicial bodies) that the fulfilment of police duties must be interpreted in accordance with the international human rights framework, including the case law of the Inter-American Court of Human Rights.<sup>29</sup>

17. The Constitutional Court has established that extraordinary police services are compatible with the Constitution and that the Peruvian National Police is not displaying bias by providing them, since they are considered to be acts carried out in the line of duty. It has also ruled, *inter alia*, that police officers providing such services must comply with all standards related to the use of force.<sup>30</sup>

### *Torture and cruel or degrading treatment*<sup>31</sup>

18. Since its inception in 2017, the national mechanism for the prevention of torture and other cruel, inhuman or degrading treatment or punishment<sup>32</sup> has issued six annual reports<sup>33</sup>, as well as seven special reports<sup>34</sup> on the situation of children and adolescents, women and persons deprived of their liberty.

*Access to justice*<sup>35</sup>

19. The Public Policy on Justice System Reform<sup>36</sup> was approved in 2021 to facilitate access to justice for all persons, modernize judicial processes, improve legal practice and training and strengthen the human resources of judicial institutions, anti-corruption policies and disciplinary and ethical standards.

20. The Brasilia Regulations Regarding Access to Justice for Vulnerable People were adopted in 2020 and must be applied by all judges in the country.<sup>37</sup>

21. In addition, the Ministry of Justice and Human Rights<sup>38</sup> established teams of public defenders specializing in indigenous affairs in Amazonas, Ayacucho, Junín, Loreto, Puno, San Martín, Selva Central and Ucayali to provide public criminal defence services based on a specialized, intercultural approach to members of campesino and native communities belonging to indigenous or original peoples.<sup>39</sup>

22. The Ministry also issued a directive to regulate the provision of public defence services and access to justice based on an intercultural approach to indigenous or original peoples.<sup>40</sup>

*Health*<sup>41</sup>

23. In 2020, the national multisectoral health policy up to 2030, entitled “Perú, país saludable”<sup>42</sup> (“Peru, A Healthy Country”), was adopted. It aims to promote healthy habits, behaviours and lifestyles, improve living conditions and ensure timely access to comprehensive, high-quality health-care services.

24. Pursuant to Emergency Decree No. 017-2019, measures were taken to achieve universal health coverage by enrolling all persons who do not have health insurance, regardless of their socioeconomic status.<sup>43</sup>

25. In 2021, a total of 64 therapeutic abortions were performed in seven regions of the country. Tumbes was the region with the most cases (61 per cent, or 39 cases), followed by Lima (25 per cent, or 16 cases).<sup>44</sup>

26. In 2021, the Comprehensive Sexuality Education Guidelines for Basic Education were updated, as a result of which three handbooks have been produced for regular basic education teachers with guidelines on how to implement comprehensive sexuality education, prevent gender-based violence and promote educational continuity for students who are pregnant and/or had children at an early age.<sup>45</sup>

27. The coronavirus disease (COVID-19) pandemic led to the declaration of a national health emergency<sup>46</sup> and the adoption of measures to prevent and contain the virus. At the same time, a state of national emergency was declared on account of the grave circumstances affecting the life of the nation.<sup>47</sup>

28. The COVID-19 Operations Command was created to facilitate access to health care for the population.<sup>48</sup> The National COVID-19 Vaccination Plan was adopted to prevent and reduce infections and the risk thereof.<sup>49</sup> Moreover, an exceptional rate of 0 per cent was established for customs duties on national subheadings related to medicines and medical supplies.<sup>50</sup>

*Labour*<sup>51</sup>

29. In 2021, the National Policy for Decent Employment<sup>52</sup> was adopted with the aims of enhancing the job skills of the working-age population, generating formal employment, promoting equality in the recruitment of the potential labour force and expanding access to social protection, rights and benefits.

30. The National Occupational Health and Safety Policy up to 2030<sup>53</sup> was adopted with the aims of guaranteeing the proper management of occupational health and safety and institutional capacity in that regard, building a culture of risk prevention in the workplace, increasing insurance against occupational hazards and improving workplace health and safety conditions.

31. In 2020, Supreme Decree No. 018-2020-TR was published with the aims of providing a regulatory framework for adolescents working for a third party or as employees and of preventing child labour and adolescent labour that poses a risk to physical, mental and emotional well-being.<sup>54</sup>

32. In addition, the Guidelines for the Monitoring and Control of Workers' Health and the Prevention of COVID-19 transmission were adopted to reduce the risk of COVID-19 transmission and monitor and control the health of workers at risk of exposure.<sup>55</sup>

#### *Education*<sup>56</sup>

33. The Rural Education Policy,<sup>57</sup> adopted in 2018, aims to address the specific needs, interests and productive and sociocultural dynamics of rural communities. It also provides for education that is relevant to the characteristics and sociocultural needs of children, adolescents, young persons, adults and older persons living in rural areas.

34. Three education models have been created within the framework of the Rural Education Policy: residential secondary education, alternating (work-linked) secondary education and training, and tutorial-system secondary education. The three models seek to provide quality, culturally relevant education.

35. The National Policy for Reading, Books and Libraries up to 2030<sup>58</sup> was adopted in 2022 with the aim of improving reading habits and ensuring the population's access to reading spaces and materials.

36. As of December 2021, two education models had been implemented in an effort to improve the coverage and quality of education and uphold the right to education for children aged between 3 and 5 years while taking into account their and their families' situation and needs.<sup>59</sup>

37. With regard to intercultural and inclusive education, Supreme Decree No. 007-2021-MINEDU was adopted in 2021. The purpose of the Decree is to amend and expand the implementing regulations<sup>60</sup> of the General Education Act (No. 28044) in order to promote inclusivity in all stages, forms, modalities, levels and cycles of education.<sup>61</sup>

38. As part of the "Aprendo en Casa" ("I Learn at Home") strategy, which was introduced in response to the COVID-19 pandemic, adapted resources were developed for students with special educational needs, whether linked to disability or not.<sup>62</sup>

39. An education model for older persons<sup>63</sup> was created in 2020, followed by an education model for persons deprived of their liberty in 2021.<sup>64</sup> The provisions for the implementation of both models were adopted in July 2021.<sup>65</sup>

40. In May 2022, the guidelines for the Alternative Basic Education Literacy Programme<sup>66</sup> were adopted to provide direction on pedagogical, institutional and administrative management processes, thereby contributing to the accessibility and continuity of education services for persons aged over 15 who are illiterate or who did not complete primary education.<sup>67</sup>

41. In April 2022, provisions for the implementation of an initiative to enhance education for students who are hard of hearing and deaf students in alternative basic education facilities were adopted.<sup>68</sup> These provisions included guidelines on how to promote the learning of hard-of-hearing and deaf students who use Peruvian sign language.

42. Additionally, Act No. 31498<sup>69</sup> was adopted to "improve the quality of educational materials and resources". However, the Ombudsman's Office has indicated that: (i) it will have a negative impact on children and adolescents' right to education, and (ii) it jeopardizes the application of a cross-cutting gender approach and the implementation of comprehensive sexuality education as a preventive policy against early pregnancy, sexual violence and discrimination.

#### *Public services*<sup>70</sup>

43. The National Sanitation Plan 2022–2026<sup>71</sup> was approved in 2021 to address the fact that, despite the efforts made under the previous Plan (2017–2021), significant gaps persist

in terms of the accessibility, quality and sustainability of sanitation services. According to the 2020 National Survey of Budgetary Programmes,<sup>72</sup> 2.9 million Peruvians (8.8 per cent) lacked access to drinking water and 7.5 million (23.2 per cent) lacked access to sewerage services or another form of sanitary human waste removal.<sup>73</sup>

44. The main objective of this Plan is to achieve universal, sustainable and quality access to sanitation services while closing gaps in water and sanitation services.<sup>74</sup>

45. During the pandemic, Emergency Decree No. 036-2020 was issued to protect the water supply to users in the following categories: (i) providers of services to vulnerable groups; (ii) households in receipt of targeted cross-subsidies whose consumption does not exceed 50 cubic metres per month; and (iii) households whose consumption does not exceed 50 cubic metres per month in sanitation services that are not in receipt of targeted cross-subsidies.<sup>75</sup>

46. A multisectoral plan to address frost and sudden cold weather for the period 2019–2021 was adopted through Supreme Decree No. 015-2019-PCM<sup>76</sup> and updated in 2020 through Supreme Decree No. 104-2020-PCM.<sup>77</sup> In 2022, a new plan was adopted for 2022–2024 to ensure the continuity of the actions implemented under the previous plan and to redouble efforts to close priority gaps in housing, schools, livestock shelters and pastures through sustainable interventions delivered directly to the groups most vulnerable to the impact of frost and cold snaps.<sup>78</sup>

#### *Environment*<sup>79</sup>

47. The National Environment Policy up to 2030<sup>80</sup> seeks to improve the conservation of species and genetic diversity, the environmental performance of chains of production and consumption of goods and services, and citizen’ behaviour towards the environment. It also aims to reduce deforestation and ecosystem degradation, air, water and soil pollution, and greenhouse gas emissions.

#### *Poverty*<sup>81</sup>

48. The aim of the national programmes introduced by the Ministry of Development and Social Inclusion is to reduce existing gaps in terms of poverty, extreme poverty and vulnerability among the population. As of 2022, assistance has been provided to 7,164,494 recipients of social benefits, representing an investment of 3,421,000,000 soles.<sup>82</sup> With regard to each programme, as of 2022:<sup>83</sup>

- The Cuna Más National Programme has served 175,181 users, including 60,046 children through the day-care service and 115,135 families through the family support service, contributing to comprehensive early childhood development.
- Through the National Direct Assistance Programme for the Very Poor (JUNTOS), 643,320 households have received financial incentives to meet their joint responsibilities in health and education.
- Under the Social Development Cooperation Fund Programme (FONCODES), 725 projects have been launched to develop productive and entrepreneurial capacities.
- The “Pension 65” national assistance and solidarity programme has assisted 602,043 users aged over 65, who receive financial assistance to improve their welfare and quality of life.
- The Qali Warma National School Nutrition Programme has assisted 4,198,425 students at 64,099 public schools.
- The National Social Inclusion Platforms for Action Programme (PAIS) has provided assistance on 1,612,112 occasions, facilitating access to government services for communities in rural and remote rural areas.
- The “With You” National Programme has provided non-contributory pensions to 77,326 persons with severe disabilities to improve their quality of life.
- The Food Supplementation Programme has provided food assistance to 645,615 vulnerable users at 12,409 canteens.

49. The PAIS Programme is implemented through facilities known as tambos, or fixed platforms, and through itinerant social action platforms (mobile, river and land).

50. Coordination with bodies at the three levels of government and civil society has made it possible to provide assistance through the tambos on 2,499,727 occasions, facilitating access to services for poor and extremely poor groups in rural and remote rural areas, including citizen support services, capacity-building, financial incentives, organizational strengthening, the delivery of goods, registration in social programmes, health campaigns and the delivery of medicines and vaccines. As of December 2021, 475 tambos were providing operational services in 22 departments.<sup>84</sup>

51. The Ministry of Development and Social Inclusion led the temporary “Zero Hunger” project,<sup>85</sup> which sought to reduce the gaps in food security that had widened in the country as a result of the spread of COVID-19.<sup>86</sup>

52. In response to the impact of COVID-19 on the population, the State granted the following six financial benefits:

- A grant of 380 soles for vulnerable households experiencing poverty or extreme poverty.<sup>87</sup> A second grant of 380 soles was later given to households that had received the first grant.<sup>88</sup>
- A one-off grant of 760 soles for self-employed workers in households classified as not poor in the Household Targeting System (SISFOH).<sup>89</sup>
- A rural grant of 760 soles for households in rural areas experiencing poverty or extreme poverty.<sup>90</sup>
- Subsidies for companies that generate employment and a salary bonus of 35 per cent for all employees earning up to 1,500 soles.<sup>91</sup>
- The Universal Family Assistance Payment of 760 soles for households.<sup>92</sup>
- Bono 600, a grant of 600 soles for households in the regions and provinces under the most restrictive measures during the second wave of COVID-19.<sup>93</sup>

#### *Trafficking in persons*<sup>94</sup>

53. The National Policy on Trafficking in Persons and its Forms of Exploitation up to 2030<sup>95</sup> was adopted in 2021. The Policy is aimed at preventing and prosecuting trafficking in persons, and providing care and reintegration for victims through 42 services provided by 11 public bodies and 4 independent bodies.<sup>96</sup>

54. Act No. 31146<sup>97</sup> harmonized legislation on crimes involving trafficking in persons and exploitation, classifying such acts as crimes against human dignity. Criteria were also established to determine civil damages and the use of confiscated or seized property to pay them, and the trafficking of pregnant victims was made an aggravating circumstance.<sup>98</sup>

55. Between 2017 and 2018, as part of the implementation of the third National Plan against Trafficking in Persons 2017–2021, 60 police officers completed an institutional training course on investigating the crime of trafficking in persons under the new Code of Criminal Procedure.<sup>99</sup> In 2018, training on trafficking was given to 1,064 police officers in Tumbes, Piura, La Libertad, Lambayeque, Apurímac, Pasco, Ucayali and Junín.<sup>100</sup> Between 2019 and 2022, 4,653 police officers were trained, including officers from trafficking investigation units and the Directorate against Trafficking in Persons and Smuggling of Migrants.<sup>101</sup>

56. As of 2022, there are six residential care centres providing specialist care to children and adolescents affected by trafficking in persons in the regions of Cuzco, Lima, Loreto, Madre de Dios and Puno. These centres, managed by the National Comprehensive Family Welfare Programme, had provided assistance to 153 children and adolescents as of July 2022.

57. In 2019, a guide for the preparation of individual reintegration plans for persons affected by the crime of trafficking in persons<sup>102</sup> was adopted. The guide aids the implementation of actions and procedures by professionals at the institutions involved in the recovery of adults, children and adolescents affected by the crime, according to their



competencies, with the aim of providing effective and efficient care that ensures victims' protection and recovery.<sup>103</sup>

58. An operational guide to investigating the crime of trafficking in persons<sup>104</sup> and an intersectoral protocol for its prevention, the detention of perpetrators and care and reintegration for persons affected were adopted in 2020 and 2022, respectively.<sup>105</sup>

#### *Corruption*<sup>106</sup>

59. In 2018, the Public Integrity Secretariat<sup>107</sup> was established as a specialized line department of the Office of the President of the Council of Ministers with a mandate to lead the National Integrity and Anti-Corruption Policy. Increased human and budgetary resources were allocated on its establishment.<sup>108</sup>

60. In 2019, the Secretariat published guidelines on integrity in public bodies.<sup>109</sup> In the same year, prohibited financing of political organizations was incorporated as a crime into the Criminal Code.<sup>110</sup>

61. The Centralized Digital Platform for Citizen Complaints was created in 2020, and measures were adopted to protect persons who report acts of corruption.<sup>111</sup> In 2021, a mandatory sworn declaration of interests was introduced for State authorities, officials and public servants to detect and prevent conflicts of interest.<sup>112</sup>

#### *Disaster management*

62. The National Disaster Risk Management Policy up to 2050<sup>113</sup> was promulgated in 2021 with the aim of improving understanding of disaster risk among decision makers in the population and in State bodies; conditions for the occupation and use of land, taking into account the risk of disaster; coordination of disaster risk management; and the recovery of groups and livelihoods affected by emergencies and disasters. It is also intended to strengthen the incorporation of disaster risk management in public and private investment and to ensure that assistance is provided to the population in the event of emergencies and disasters.

#### *Security*

63. The National Multisectoral Policy to Combat Organized Crime,<sup>114</sup> adopted in 2019, identifies the impact of national and transnational criminal activity of criminal organizations as a public problem. The Policy seeks to strengthen the State's capacity to combat those organizations, its control of supply in illegal markets nationally and transnationally, the prevention of organized crime among the population and assistance for victims of organized crime.

64. The National Multisectoral Policy to Combat Terrorism 2019–2023 was also adopted. Its priority objectives are to promote a culture of peace in society, restore the rights of persons affected by terrorism and neutralize national and transnational terrorist activity.

65. The National Multisectoral Policy for Citizen Security up to 2030,<sup>115</sup> adopted in 2022, takes an approach to citizen security that is gender-sensitive and takes into account human rights, interculturality and intersectionality, among others.

### **III. Groups requiring special protection**

#### **A. Older persons**

66. In 2021, the Ministry for Women and Vulnerable Groups adopted the National Multisectoral Policy for Older Adults up to 2030<sup>116</sup> with the aim of reducing structural age discrimination against older adults within 10 years. This policy aims to guarantee the right to care and good treatment so that older adults may enjoy a life without discrimination. It also seeks to ensure that older adults receive contributory and non-contributory benefits and have access to quality education at all levels and in all forms, so that they remain in, and complete, education programmes.

67. In response to the COVID-19 pandemic, a support network for at-risk older adults and persons with severe disabilities was established,<sup>117</sup> COVID-19 prevention, protection and care measures for older adults were strengthened,<sup>118</sup> and COVID-19 prevention and care measures were adopted in facilities for older adults.<sup>119</sup>

## **B. Lesbian, gay, bisexual, transgender and intersex persons<sup>120</sup>**

68. The National Gender Equality Policy, published in 2019, recognizes structural discrimination against all women, including lesbian, bisexual, transgender and intersex women, to be a public problem.<sup>121</sup>

69. In 2022, the Ministry for Women and Vulnerable Groups led a virtual course entitled “LGBTI Empowerment: for our rights” designed to strengthen capacities for defending and promoting the rights of that community.<sup>122</sup> Communications and information materials have also been published,<sup>123</sup> including a booklet containing egalitarian guidelines for promoting the rights of lesbian, gay, bisexual, transgender and intersex persons in the context of COVID-19 to mark the International Day Against Homophobia, Transphobia and Biphobia, another booklet on aspects to be taken into account when identifying and addressing conversion practices and their impact on the rights of lesbian, gay, bisexual, transgender and intersex persons, and a third containing guidelines to assist public servants in treating beneficiaries equally and avoiding gender stereotypes when providing services.

70. Additionally, guidelines were adopted on the assistance provided under the Aurora Programme to lesbian, gay, bisexual, transgender and intersex persons affected by violence within the framework of Act No. 30364 or by sexual violence.<sup>124</sup>

71. In 2021, a form for registering cases at women’s emergency centres and related instructions<sup>125</sup> were adopted; the form includes a section for collecting information on users’ sexual orientation, gender identity and sexual characteristics.<sup>126</sup>

72. Regarding the safety of lesbian, gay, bisexual, transgender and intersex persons, the National Multisectoral Policy for Citizen Security up to 2030 aims to identify how historical gender-based inequalities, affecting both women and lesbian, gay, bisexual, transgender and intersex persons, have opened up gaps that magnify this group’s risk of suffering violence.<sup>127</sup>

73. Under Act No. 30714,<sup>128</sup> which regulates the Disciplinary Code of the Peruvian National Police, discrimination against these persons by an officer in the exercise of his or her duties constitutes serious misconduct.<sup>129</sup> In 2018, the Peruvian National Police incorporated a complaints box for registering complaints of the crime of discrimination based on sexual orientation or gender identity into the police complaints system.<sup>130</sup> The Handbook on Human Rights in Policing<sup>131</sup> includes a chapter on vulnerable groups, including children and adolescents, older adults, persons with disabilities, persons living with HIV, sex workers, displaced women and lesbian, gay, bisexual, transgender and intersex persons.<sup>132</sup>

74. In 2021, variables relating to mother tongue and ethnic self-identification were incorporated into the police complaints system to render the service more inclusive.<sup>133</sup>

75. With regard to access to justice, guidelines were adopted for the services of the Directorate of Legal Aid and Victim Defence under the Directorate General of the Public Defence Service and Access to Justice of the Ministry of Justice and Human Rights. The guidelines address the provision of assistance to lesbian, gay, bisexual, transgender and intersex persons with the aim of establishing mandatory technical criteria for comprehensive assistance for that group.<sup>134</sup>

76. Regarding data collection, the Crime Observatory of the Public Prosecution Service collected, and conducted a systematic analysis of, data on the violent intentional killings of 84 lesbian, gay, bisexual, transgender and intersex persons or persons perceived as such, representing a non-probabilistic sample, across the country between 2012 and 2021.<sup>135</sup> It also published a report entitled “Criminological Characteristics of Intentional Homicides of Lesbian, Gay, Transgender and Bisexual Persons in Peru 2012–2021”.<sup>136</sup> Furthermore, the Public Prosecution Service has incorporated violence and discrimination against lesbian, gay, bisexual, transgender and intersex persons into its database.<sup>137</sup>

77. In terms of political participation, three “LGBTI EMPODERA” political training schools have been established to strengthen the capacities of lesbian, gay, bisexual, transgender and intersex candidates and leaders for effective citizen, political and social participation. Sixty lesbian, gay, bisexual, transgender and intersex leaders participated in 2020, 35 in 2021 and 41 in 2022.<sup>138</sup>

### C. Persons deprived of their liberty<sup>139</sup>

78. In 2020, the National Prison Policy up to 2030<sup>140</sup> was adopted, with the following objectives: (i) to reduce prison overcrowding significantly; (ii) to improve living conditions for persons deprived of their liberty; (iii) to create safe conditions for the coexistence of inmates; (iv) to enhance the skills of persons deprived of their liberty to facilitate their reintegration; (v) to strengthen knowledge management, interoperability and transparency in the prison system; and (vi) to improve capacities to ensure the reintegration of persons who have served their sentences.

79. With respect to efforts to combat discrimination, a directive on comprehensive care and treatment for accused and convicted women in prisons<sup>141</sup> was updated and another was adopted on the subject of comprehensive care and specialized treatment for persons deprived of their liberty and members of the prison population located outside of prisons who require special protection.<sup>142</sup>

80. With regard to the effective application of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the human rights handbook for prison staff<sup>143</sup> was drafted and published in 2018.

81. Between 2018 and 2021, the National Centre for Criminology and Prison Studies ran several workshops and courses on torture prevention and good practices in the use of force, with the participation of 452 prison officers. The curriculum of the prison security training course includes a module on human rights for prison staff.<sup>144</sup>

82. Moreover, in order to reduce overcrowding during the COVID-19 pandemic, Legislative Decrees No. 1459,<sup>145</sup> No. 1513<sup>146</sup> and No. 1514T<sup>147</sup> and Supreme Decree No. 004-2020-JUS<sup>148</sup> were adopted. As of June 2022, a total of 8,097 persons had left prison.<sup>149</sup>

83. Lastly, as a result of the pandemic, Supreme Decree No. 004-2020-JUS was adopted to establish special circumstances under which, on a temporary and exceptional basis, the Presidential Pardons Commission could conduct assessments and recommend granting ordinary and humanitarian pardons, as well as commuting sentences.<sup>150</sup>

### D. Persons with disabilities<sup>151</sup>

84. The National Multisectoral Policy on Disability for Development up to 2030<sup>152</sup> identifies structural discrimination against persons with disabilities as a public problem. It seeks to ensure that persons with disabilities enjoy: (i) political and social participation; (ii) employment or self-employment; (iii) access to comprehensive health services with broad coverage; (iv) access to, and participation in, education, ensuring that they learn throughout their education journeys and complete them in a timely manner; (v) positive social attitudes; (vi) accessible environments; and (vii) strengthened public management in the area of disability.<sup>153</sup>

85. Legislative Decree No. 1384,<sup>154</sup> by which the Civil Code was amended, recognizes and regulates the legal capacity of persons with disabilities on an equal footing with others. Subsequently, Supreme Decree No. 016-2019-MIMP was issued, by which the regulations on the granting of reasonable accommodations, the allocation of support and the implementation of safeguards for the exercise of legal capacity by persons with disabilities was adopted.<sup>155</sup>

86. Similarly, a protocol on granting reasonable accommodations to allow persons with disabilities to express their wishes in acts with legal effect<sup>156</sup> was adopted.<sup>157</sup>

87. In 2022, a protocol on priority services and services for persons with disabilities<sup>158</sup> was adopted to ensure that such persons are treated appropriately at the National Elections Office and during national elections. Under the National Multisectoral Policy on Disability for Development up to 2030, the National Elections Office and the National Council for Persons with Disabilities are strengthening the implementation of that protocol during the 2022 regional and municipal elections.

88. Regarding the promotion of political participation, the National Elections Board has conducted political training workshops on the theme of “Equality in Disability” in 2022.

## **E. Human rights defenders<sup>159</sup>**

89. In 2019, a protocol guaranteeing the protection of human rights defenders was adopted. The protocol establishes actions, procedures and coordination measures that create a suitable environment in which such persons can promote, protect and defend human rights.<sup>160</sup>

90. In 2020, a register on situations of risk facing human rights defenders<sup>161</sup> was created that aims to collect, analyse and manage information on situations of risk and patterns of attacks at the local, regional and national levels, which in turn may be used to develop preventive measures and ensure that such persons receive comprehensive protection.

91. In 2021, an intersectoral mechanism for the protection of human rights defenders<sup>162</sup> was established with the objective of providing prevention and protection measures and access to justice for human rights defenders who are placed at risk as a result of their activities; eight ministries and the National Commission for Development and Life without Drugs are involved in its implementation.<sup>163</sup>

92. The competence of the subsystem on human rights, interculturality and terrorism offences of the Public Prosecution Service was extended to allow it to take action in relation to all crimes committed against human rights defenders because of their work.<sup>164</sup> There is also a protocol for prosecutors’ actions linked to the prevention and investigation of crimes against human rights defenders.<sup>165</sup>

## **F. Women<sup>166</sup>**

93. The National Gender Equality Policy seeks to reduce violence against women, institutional barriers to gender equality in the public and private spheres and discriminatory sociocultural patterns. It also aims to guarantee women’s exercise of their sexual and reproductive health rights and their economic and social rights, and their access to, and participation in, decision-making spaces.

94. In terms of sexual and reproductive health, following the adoption of the National Gender Equality Policy, 78.1 per cent of women were using contraception in 2021, representing an improvement of 102.6 per cent.<sup>167</sup> Moreover, the teenage pregnancy rate was 8.9 per cent, an improvement of 144.7 per cent.<sup>168</sup>

95. By December 2021, modern contraceptives had been distributed on 951,551 occasions – 756,144 times (80 per cent) to women and 195,407 times (20.5 per cent) to men. The most commonly distributed method of contraception, representing 39 per cent of the total (370,880 occasions), was quarterly injections, which are used only by women. The second most common method was condoms; 196,638 were distributed (20 per cent of the total), 195,356 of which were given to men and 1,282 to women.<sup>169</sup>

96. With regard to political rights and participation in decision-making, Act No. 30996<sup>170</sup> was adopted in 2019, amending the Elections Organization Act and providing for progressive gender parity and alternation between men and women by establishing a gender quota of 40 per cent for 2021, 45 per cent for 2026 and 50 per cent for 2031. These provisions apply to lists of congressional candidates.<sup>171</sup> Act No. 30982<sup>172</sup> was also published, amending General

Act No. 24656 on Rural Communities to establish a minimum quota of 30 per cent for both women and men on community councils to promote and ensure women's participation in the development of their communities.<sup>173</sup>

97. In 2020, Act No. 31030<sup>174</sup> on Parity and Alternation was passed. The Act establishes that lists of candidates must feature women and men equally, in an alternating manner, and provides for parity among candidates for the presidency and vice-presidencies of the Republic and in the lists for Congress, the Andean Parliament and regional and municipal governments. The progressive nature of the quota was thus eliminated and women's participation guaranteed.<sup>175</sup>

98. Act No. 31155,<sup>176</sup> published in 2021, is aimed at preventing and punishing harassment against women in political life in order to guarantee the exercise of their political rights and their equal participation.

99. In 2022, "Gobernando Juntas" ("Governing Together"),<sup>177</sup> a strategy to support all women holding elected office in the areas of public administration and political empowerment, was approved in an effort to build management capacities with a focus on gender and the political empowerment of all elected women: congresswomen, regional governors, regional vice-governors, provincial and district mayors and regional, provincial and district councillors.<sup>178</sup>

100. The National Elections Board has created the Observe Equality Platform and undertaken various educational activities aimed at female political and social leaders and candidates as part of electoral processes; between 2018 and 2022, 1,463 women received training. Between 2020 and 2022, technical assistance was provided to 1,561 representatives of political organizations on effective candidate registration, compliance with electoral quotas and gender parity and alternation, as well as political harassment of female candidates.

101. In 2018, the Peruvian National Police provided training on how to handle cases of violence to 55 per cent of its staff at police stations specializing in family affairs (564 of 1,016) and 3,579 officers at ordinary police stations.<sup>179</sup>

102. In 2019, a protocol was adopted on joint action by women's emergency centres, police stations and police stations specializing in protection against domestic violence of the Peruvian National Police.<sup>180</sup> Under an inter-institutional protocol for responding to disappearances of vulnerable persons and other disappearances, adopted in 2020, transgender women are included among women victims of violence.<sup>181</sup>

103. A procedural guide to the action to be taken by the Peruvian National Police under Act No. 30364 on the Prevention, Punishment and Eradication of Violence against Women and Family Members and its regulations was also updated.<sup>182</sup>

104. As of December 2021, there were 46 police stations specializing in family affairs in 23 police regions. They provide specialized services to victims of violence against women and family members, which are supplemented by a central complaints office that receives and refers calls from women victims of violence made using the 1818 helpline and the 105 emergency helpline of the Peruvian National Police.<sup>183</sup>

105. Moreover, under the specialized national system of justice for the protection of women and family members from violence and the punishment of perpetrators, the Ministry of Justice and Human Rights has 133 public defenders specializing in victim defence who assist women and their family members, and 86 public defenders specialized in legal assistance in matters relating to acts of violence against them, for example alimony, tenure and filiation.<sup>184</sup>

106. With regard to discrimination, Act No. 30709<sup>185</sup> and its regulations<sup>186</sup> were published in order to prohibit wage discrimination between men and women, and the regulations of Act No. 27942 on the Prevention and Punishment of Sexual Harassment were adopted to develop general and specific rules for the prevention, investigation and punishment of sexual harassment.<sup>187</sup>

107. A range of action was taken to provide care and protection for victims of domestic violence during compulsory isolation during the COVID-19 pandemic, including specific

measures to strengthen the State's response to cases of violence against women and their family members during the crisis.<sup>188</sup>

## G. Children and adolescents<sup>189</sup>

108. The National Multisectoral Policy for Children and Adolescents up to 2030,<sup>190</sup> adopted in 2020, addresses the limited exercise by children and adolescents of their rights and is aimed at creating the conditions necessary for their survival, development, protection and participation in society. The Policy is designed to render children and adolescents' living conditions healthier and to strengthen the development of their autonomy and participation in the different decision-making spaces in their daily lives.

109. Ninety-three per cent of municipalities in Peru have a child and adolescent protection service, and the Children and Adolescents' Ombudsman has 1,759 offices. In departments with Indigenous populations, such as Amazonas, Junín, Pasco and Ucayali, more than 90 per cent of municipalities have these services, as do all the municipalities in Madre de Dios and Loreto.

110. Additionally, the "Ponte en #ModoNiñez" ("Activate #childhoodmode") strategy<sup>191</sup> was designed to contribute to the comprehensive development of children and adolescents aged from 0 to 17 years at the local level.

111. In July 2022, a methodological guide for play facilitators in the Juguemos ("Let's Play") service was approved to promote children's capacities for self-protection, affectionate and friendly relationships with their peers and self-care and care for others by strengthening personal resources and promoting citizenship, which is undertaken at the level of local government.<sup>192</sup>

112. Regarding the recruitment of minors, the armed forces have issued directives regulating compliance with Act No. 29248, and the minimum age for recruitment is 18 years old.<sup>193</sup>

113. In 2021, 2,519 emergency sexual health kits were distributed across the country. The largest number of kits was distributed in the Arequipa Regional Health Directorate, representing 14 per cent of the total (354), followed by the Central Lima Directorate of Integrated Health Networks, for 7 per cent of the total (177) and Ayacucho, for 6 per cent of the total (155). Of the total, 3,200 were distributed to adolescents aged 15, 1,078 to adolescents aged 14, 296 to adolescents aged 13, 46 to children aged 12, and 8 to children aged 11 or younger.<sup>194</sup>

114. Talks on sex health education have been given at residential care centres. As of July 2022, 2,294 talks had been given in the 53 residential care centres, including 1,571 in the 36 ordinary centres, 386 in the 6 emergency centres and 337 in the 11 specialized centres.<sup>195</sup> There are also four residential care centres for children and adolescents with disabilities, where 158 talks had been given as of July 2022.

115. Ministry of Health family planning services are also provided at the residential care centres that specialize in care for pregnant girls and adolescents and adolescent mothers. As of July 2022, such services had been provided on 134 occasions.<sup>196</sup>

116. The Street Educators Service has conducted workshops on sexuality and reproductive health for adolescents working on the streets. As of July 2022, the Service had assisted children and adolescents on 8,694 occasions in 138 intervention areas across the country.<sup>197</sup>

117. In June 2021, guidelines on comprehensive sexuality education in basic education<sup>198</sup> were adopted with the aim of guiding the relevant and timely provision of such education in public and private basic education institutions and programmes.

118. With respect to child labour, the "child labour-free" seal, awarded by the Ministry of Labour and Employment Promotion, was created,<sup>199</sup> and the child labour risk identification model,<sup>200</sup> a statistical tool that estimates the likelihood of child labour occurring, was adopted.<sup>201</sup>

119. The National Labour Inspection Authority has executed 4,371 child labour inspection orders relating to compliance with social and labour regulations and occupational safety and health standards. Of those orders, 3,597 resulted in an inspection report and 774 in an infraction notice.<sup>202</sup>

120. Act No. 31110 on the labour system in the agriculture sector and incentives for the agriculture, irrigation, agricultural exports and agro-industrial sectors prohibits child labour and the recruitment of minors.<sup>203</sup>

121. In 2022, a new list of jobs and activities that are dangerous or harmful to adolescents' physical or moral health<sup>204</sup> was published, constituting a mechanism to protect children and adolescents from activities that are harmful to their development.<sup>205</sup>

122. Furthermore, workshops and talks on the effects and consequences of drug and alcohol use have been held in the 53 residential care centres. The specialized residential centres include a dedicated centre for children and adolescents with a history of using psychoactive substances.<sup>206</sup> As of July 2022, 50 children and adolescents had been assisted. Workshops and talks on the effects and consequences of drug and alcohol use have been held in the 53 residential care centres. As of July 2022, 2,294 talks had been given in the 53 residential care centres, of which 1,571 were given in the 36 ordinary centres, 386 in the 6 emergency centres and 337 in the 11 specialized centres.<sup>207</sup>

123. The 24 comprehensive family development centres of the National Comprehensive Family Welfare Programme undertake preventive activities to reduce drug and alcohol consumption among children and adolescents. As of July 2022, 7,194 children and adolescents had participated in such activities.<sup>208</sup>

124. To combat discrimination based on cultural differences against children and adolescents from vulnerable communities, the protocol of the Street Educators Service, in use since 2021, promotes an intercultural approach. As of July 2022, the Service had assisted children and adolescents on 8,694 occasions in 138 intervention areas across the country.<sup>209</sup>

125. The Comprehensive Care Service for Persons with Disabilities aims to ensure family protection for children and adolescents with disabilities by coordinating with local support networks to include them in the education and health systems. As of July 2022, 261 families had received assistance, including 275 children and adolescents with disabilities.<sup>210</sup>

126. The "Acercándonos" ("Bringing Us Together") family strengthening strategy has been established to strengthen parenting skills in vulnerable families. As of July 2022, parenting skills had been strengthened in 1,679 families, encompassing 3,233 children and adolescents. Moreover, provisions were adopted on the granting of financial assistance to children and adolescents whose parent or parents have died during the COVID-19 pandemic.<sup>211</sup>

127. Under Act No. 31365, the Ministry for Women and Vulnerable Groups, through the National Comprehensive Family Welfare Programme, is authorized during fiscal year 2022 to provide monthly financial assistance amounting to 200 soles to children and adolescents whose parent or parents have died during the health emergency caused by COVID-19. This financial assistance is paid on a bimonthly basis. As of July 2022, 17,278 orphaned children and adolescents had received assistance.<sup>212</sup>

128. Similarly, care will be provided from 2022 under Act No. 31405 on promoting the protection and comprehensive development of orphaned children and adolescents and its regulations, adopted by Supreme Decree No. 007-2022-MIMP.

129. In 2018, Legislative Decree No. 1297<sup>213</sup> and its regulations<sup>214</sup> were approved to provide protection for children and adolescents without parental care or at risk of losing it with the aim of adopting specific protection measures to provide comprehensive protection for them, guarantee the full exercise of their rights and make their right to live, grow and develop within their family a priority. Furthermore, a risk assessment matrix<sup>215</sup> was approved to determine whether a child or adolescent is at risk or lacks the protection of their family. In 2020, through Emergency Decree No. 001-2020, amendments were made to the articles of Legislative Decree No. 1297 concerning comprehensive protection for children and

adolescents with disabilities, emergency procedures and care for children and adolescents who commit criminal offences.

130. There are currently 25 special protection units nationwide that participate in proceedings addressing the lack of family protection for children and adolescents without parental care or at risk of losing it. Their role includes initiating and directing those proceedings and imposing interim protection measures. So far in 2022, 8,048 children and adolescents have been provisionally declared at risk or lacking family protection and placed under protection measures.

131. In 2018 and 2021, directives were adopted on placing children in emergency foster care, with extended family, with third parties and in permanent placements<sup>216</sup> and on professional fostering and financial subsidies for fostering,<sup>217</sup> with a view to protecting children's and adolescents' rights.

## H. Indigenous Peoples<sup>218</sup>

132. In 2021, the National Policy on Indigenous Languages, Oral Tradition and Interculturality up to 2040<sup>219</sup> was adopted to improve the State's ability to interact in a multicultural and multilingual manner with persons who speak Indigenous or original languages, reduce discrimination based on the use of those languages and increase the intergenerational transmission of those languages and of oral traditions among the population.

133. Thirty-five prior consultation processes have taken place, relating to 18 mining projects, 5 declarations of national cultural heritage, 6 protected natural areas, 2 electricity generation projects, 2 road infrastructure projects, 1 hydrocarbon project and 1 regulation (national measure). More than 11,063 members of 12 Indigenous Peoples in 306 locations across 10 departments were consulted during those processes.<sup>220</sup>

134. Additionally, technical assistance was provided on 781 occasions between 2019 and June 2021, before and during prior consultation processes, to 4,784 public officials and 11,183 members of Indigenous Peoples.<sup>221</sup>

135. Training on the right to prior consultation and the process involved has been given to 4,198 persons during 122 workshops. They included 1,467 public officials, 1,832 members of Indigenous Peoples and 552 participants from other institutions. The training workshops were held in person in Amazonas, Ancash, Ayacucho, Apurímac, Cajamarca, Cuzco, Huancavelica, Ica, Lima, Loreto, Madre de Dios, Moquegua, Puno, San Martín and Ucayali, as well as remotely since the declaration of the national state of emergency owing to the COVID-19 pandemic.<sup>222</sup>

136. The Ministry of Culture has conducted virtual courses on this subject for public officials across the country,<sup>223</sup> issuing 1,704 certificates.<sup>224</sup>

137. Moreover, 837 prior consultation agreements have been processed by the technical secretariat of the Multisectoral Standing Committee on the Application of the Right to Consultation. Those agreements reflect 37 prior consultation processes that resulted in reports and signed agreements. Through the technical secretariat's follow-up to the consultation agreements, 478 have been fulfilled, meaning that 57 per cent of agreements reached during prior consultation processes have been implemented.<sup>225</sup>

138. The following were adopted in response to the COVID-19 pandemic: (i) a plan for interventions by the Ministry of Health to address the COVID-19 emergency in Indigenous communities and rural settlements in the Amazon;<sup>226</sup> (ii) a service providing interpreting and translation for Indigenous languages in emergency situations;<sup>227</sup> (iii) guidelines for transporting and delivering goods and/or food to Indigenous Peoples during the COVID-19 health emergency for public entities, natural persons and/or private legal entities;<sup>228</sup> and (iv) Legislative Decree No. 1489 establishing actions to protect Indigenous Peoples during the COVID-19 health emergency.<sup>229</sup>



## I. Persons in situations of human mobility<sup>230</sup>

139. With regard to education, 569,137 migrant children and adolescents who entered the country between 2018 and 2021 were enrolled in school.<sup>231</sup>

140. Two processes are used to validate regular basic education completed abroad: the recognition of studies and placement tests.<sup>232</sup> These processes are based on Supreme Decree No. 10-2019-MINEDU<sup>233</sup> and Deputy Ministerial Decision No. 094-2020-MINEDU on the evaluation of students' basic education skills.<sup>234</sup>

141. In terms of health, in 2020 the new "SIS Para Todos" ("Health Insurance for All") insurance plan was incorporated into the Comprehensive Health Insurance System, allowing 25,869 foreigners with foreigner's identity cards to register.<sup>235</sup>

142. The Comprehensive Health Insurance System has seen an increase in insured foreigners, from 24,170 in 2018 to 144,627 foreigners from 36 countries in January 2022. Furthermore, between 2018 and 2021, there was an increase in the number of occasions on which care was provided to registered foreigners, reaching 52,229 in 2021. A greater number of foreign women than foreign men registered between 2016 and 2020, increasing from 1,619 in 2016 to 44,285 in 2020. The age group with the highest number of registrations is children aged between 0 and 5 years, with a total of 78,587 registrations.<sup>236</sup>

143. Through the Aurora Programme, 6,706 cases of violence against migrant women and family members were dealt with between 2018 and 2021. In 85 per cent of those cases, the victims were women from the Bolivarian Republic of Venezuela, and in most of the remaining 15 per cent they were from other countries in South America.<sup>237</sup>

144. Regarding labour market integration, the national programme "Tu Empresa" ("Your Company") of the Ministry of Production provides consultancy services to citizens who wish to undertake entrepreneurial activities in the country or who already do so. Those services have benefited 125 returned migrants and 2,366 foreigners, and formalization activities have benefited 35 returned migrants and 1,023 foreigners in Peru.<sup>238</sup>

145. So far in 2022, 1,035 foreign children and adolescents (including 886 Venezuelan nationals) have been assisted at special protection units across the country in response to different types of rights violations under current regulations.

146. Additionally, intersectoral guidelines on the prevention and prosecution of migrant-smuggling offences and the protection and care of victims of migrant smuggling and other migration-related offences were adopted.<sup>239</sup>

## J. Persons of African descent<sup>240</sup>

147. In June 2022, the National Policy for the Afro-Peruvian People up to 2030 was approved. The Plan is aimed at reducing ethnic-racial discrimination and racism, improving social and economic conditions and promoting citizen participation,<sup>241</sup> as well as increasing the autonomy of Afro-Peruvian women, in all their diversity.

148. Act No. 31049 was adopted, by which 25 July of each year was declared as the National Day of Afro-Peruvian Women.

## K. Victims of the period of violence<sup>242</sup>

149. As of July 2022, the Central Register of Victims of the Violence listed 5,372 rape victims from the 1980–2000 period of violence; of those, 4,911 obtained economic reparations, 4,152 received physical and mental health-care services, 422 obtained educational reparations, and 441 obtained reparations through housing reparation mechanisms. A further 1,674 victims of sexual violence during the period 1980–2000 have been registered; of those, 1,260 received physical and mental health-care services, 88 obtained educational reparations, 283 obtained economic reparations and 136 obtained housing reparations.<sup>243</sup>

150. There has been significant progress in ensuring continuity in the implementation of the Comprehensive Reparations Plan with regard to economic reparations (99.1 per cent) and collective reparations (73.07 per cent). In addition, the application of educational and housing reparation measures is expected to improve through the expansion and enhancement of multi-year plans and the development of telemonitoring mechanisms and recommendations for differentiated physical and mental health care.<sup>244</sup>

151. Currently, a national plan for remembrance, peace and reconciliation is being developed based on mechanisms bringing together representatives of victims of the period of violence, civil society, the State and academia. In August 2022, construction began on the La Hoyada Remembrance Sanctuary in the department of Ayacucho, an emblematic space for the recognition and commemoration of victims of enforced disappearance.<sup>245</sup>

152. Between the promulgation of Act No. 30470 and 31 July 2022, the Peruvian State provided information on the whereabouts of 630 disappeared persons. Between 2018 and July 2022, psychosocial support was provided to 3,773 relatives of disappeared persons through 12,743 support sessions; in addition, material and logistical support was provided to 2,050 relatives of disappeared persons.<sup>246</sup>

153. The Genetic Databank, which was created in 2018, is an archive of genetic information on the relatives of disappeared persons and on the skeletal remains recovered during the search process, coded in such a way that preserves data confidentiality and facilitates traceability.<sup>247</sup> To date, it contains approximately 1,200 genetic profiles, which are being used to identify disappeared persons.<sup>248</sup>

154. The information technology platform for the National Register of Disappeared Persons and Burial Sites was developed to facilitate the search for persons who were disappeared during the period of violence. As of July 2021, a total of 21,918 disappeared persons and 5,043 burial sites had been registered.<sup>249</sup>

155. The National Plan on the Search for Disappeared Persons up to 2030<sup>250</sup> was approved in 2021 to address the State's low response rate to relatives searching for persons who were disappeared during the period of violence 1980–2000.<sup>251</sup>

156. In 2021, a new directive was issued to regulate the process of searching for disappeared persons with a humanitarian focus.<sup>252</sup>

157. As of 31 July 2022, psychosocial support had been provided to 3,734 relatives of disappeared persons through a total of 12,786 support sessions, and material and logistical support had been provided to 1,653 relatives of disappeared persons.<sup>253</sup>

## **L. Domestic workers<sup>254</sup>**

158. The Domestic Workers Act (No. 31047), which was enacted in 2020, is aimed at preventing and eliminating all forms of discrimination in the employment conditions of domestic workers, upholding domestic workers' fundamental rights and recognizing their significant contribution to the social and economic development of the country.<sup>255</sup> In addition, it specifies that the minimum age for domestic work is 18 years old. In April 2021, implementing regulations were issued.<sup>256</sup>

159. In 2021, templates for employment contracts and payslips to be used by employers of domestic workers were approved.<sup>257</sup> There are templates for live-in, live-out and part-time household employment contracts.

160. A total of 792 inspection orders have been issued in relation to domestic workers, of which 583 have resulted in an inspection report and 209 in an infraction report.<sup>258</sup>

## **M. Persons living with HIV or tuberculosis**

161. In 2018, persons with HIV saw coverage of their antiretroviral therapy increase to 80 per cent and the incidence of tuberculosis dropped to 50.6 per 100,000 people.<sup>259</sup> In 2019, 100 per cent of adolescents diagnosed with HIV received the necessary medical treatment.<sup>260</sup>

In 2020, the percentage of patients with tuberculosis who had been screened for HIV increased from 79.6 per cent to 91.3 per cent nationally.<sup>261</sup>

## IV. Conclusions

162. Peru has made efforts to better protect human rights and fulfil its obligations. It is clear, however, that there are areas in which many further efforts are needed to advance on the road to development while ensuring that human rights are respected and that no one is left behind.

163. During part of the period under review, the world was confronted with the COVID-19 pandemic, which had an impact on various aspects of people's lives and the development of societies. The State was forced to adopt measures urgently not only to prevent and treat COVID-19, but also to deal with its collateral effects on the economy, employment, education and health services, among others. It is currently in a recovery process that, as mentioned in the preceding paragraph, is being carried out with full respect for its people's human rights and without discrimination.

164. As is well known, the promotion of more just, peaceful and inclusive societies requires strong and effective institutions, as well as mechanisms for accountability and access to justice for all citizens, in order to uphold the rights of the population, while devoting particular attention to groups requiring special protection.

165. Peru reiterates its commitment to strengthening democracy, upholding human rights and working towards the achievement of the Sustainable Development Goals.

### Notes

- <sup>1</sup> La elaboración del informe ha seguido el proceso establecido en el "Protocolo Intersectorial para la Participación del Estado peruano ante los Sistemas de Protección Internacional de Derechos Humanos", aprobado mediante D.S. N° 010-2020-JUS. Publicado: 21.08.2020.
- <sup>2</sup> Recomendaciones 111.1, 111.2, 111.3, 111.4, 111.5, 111.6, 111.7, 111.8, 111.9, 111.10, 111.11, 111.12.
- <sup>3</sup> CONGRESO. R.L. 30811. Publicada: 07.07.2018.
- <sup>4</sup> MRE. D.S. 030-2018-RE. Publicado: 17.07.2018.
- <sup>5</sup> CONGRESO. R.L. 30786. Publicado: 07.06.2018.
- <sup>6</sup> MRE. D.S. 026-2018-RE. Publicado: 04.07.2018.
- <sup>7</sup> CONGRESO. R.L. 31425. Publicada: 24.02.2022.
- <sup>8</sup> MRE. D.S. 033-2022-RE. Publicado: 04.06.2022.
- <sup>9</sup> Recomendaciones 111.20, 111.21, 111.22, 111.23.
- <sup>10</sup> MINJUSDH. D.S. 010-2020-JUS. Publicado: 21.08.2020.
- <sup>11</sup> Recomendaciones 111.19, 111.24, 111.25, 111.26, 111.28, 111.32, 111.33, 111.39, 111.40, 111.106, 111.174.
- <sup>12</sup> PCM. D.S. 103-2022-PCM. Publicado: 21.08.2022.
- <sup>13</sup> PCM. D.S. 095-2022-PC. Publicado: 28.07.2022.
- <sup>14</sup> MINJUSDH. Elaboración de la Política Nacional Multisectorial de DDHH. Disponible: <https://www.gob.pe/institucion/minjus/noticias/646115-minjusdh-lidera-avances-en-el-proceso-de-diseno-y-formulacion-de-la-politica-nacional-multisectorial-de-derechos-humanos>.
- <sup>15</sup> Recomendaciones 111.14, 111.15, 111.16, 111.17, 111.31, 111.45.
- <sup>16</sup> MINJUSDH. D.S. 002-2018-JUS. Publicado: 01.02.2018.
- <sup>17</sup> MINJUSDH. DPGDH. Informe 104-2022-JUS/DPGDH-DGDH. Fecha: 19.08.2022, párr. 8.
- <sup>18</sup> Recomendaciones 111.41, 111.42.
- <sup>19</sup> MINJUSDH. D.S. 009-2021-JUS. Publicado: 11.06.2021
- <sup>20</sup> MINJUSDH. PNA, p. 9. Disponible: <https://cdn.www.gob.pe/uploads/document/file/2399831/Plan%20Nacional%20de%20Acci%C3%B3n%20sobre%20Empresas%20y%20Derechos%20Humanos%202021-2025.pdf>.
- <sup>21</sup> Recomendaciones 111.47, 111.49, 111.50, 111.51.
- <sup>22</sup> MINDEF. D.S. 003-2020-DEF. Publicado: 15.03.2020.
- <sup>23</sup> MINDEF. Oficio 04018-2022-MINDEF-SG. Fecha: 24.08.2022. Anexo, p. 1.
- <sup>24</sup> MINDEF. R.M. 0066-2022-DE. Publicado: 03.02.2022.
- <sup>25</sup> MINDEF. R.M. 0065-2022-DE. Publicado: 03.02.2022.
- <sup>26</sup> MINDEF. R.M. 0067-2022-DE. Publicado: 03.02.2022.

- <sup>27</sup> MINDEF. R.M. 0165-2018/DE/SD. Publicada: 07.02.2018.
- <sup>28</sup> PNP. Resolución del Consejo Superior Académico y Disciplinario 0671-2018-ENFFPP-PNP/DIVACA. Fecha: 01.08.2018.
- <sup>29</sup> PJ. Acuerdo Plenario 05-2019/CJ-116. Publicado: 16.11.2019, apartados 52 al 54.
- <sup>30</sup> TC. STC Exp. 00009-2019-PI/TC. Fecha: 23.06.2020, párr. 200.
- <sup>31</sup> Recomendaciones 111.53, 111.54, 111.55.
- <sup>32</sup> Ley núm. 30394. Primera Disposición Complementaria Final.
- <sup>33</sup> MNPT.
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