

**ORAL STATEMENT AT UPR ADOPTION OF PERU**  
**By the Center for Reproductive Rights**

I speak on behalf of the Center for Reproductive Rights about women's reproductive health and rights in Peru.

We commend Peru for accepting recommendations 116.96 and 116.97 which state: i) "Adopt the WHO Strategic Approach to strengthen sexual and reproductive health policies and programmes," and II) "Adopt and implement a national protocol to guarantee equal access to therapeutic abortion for women and girls as part of sexual and reproductive health services."

These two recommendations are crucial for the fulfillment of reproductive rights in Peru and at same time are in line with the measures of non-repetition set forth in two cases decided by the Human Rights Committee, *K.L. v. Peru* in 2005, and *L.C. v. Peru* in 2011, issued by the CEDAW Committee, with which Peru has a longtime debt in implementing.

The lack of implementation of those cases is evidence of Peru's shortfall in the effective adoption of measures to guarantee women access to health care services without discrimination.

Equal access to legal abortion services in Peru is hindered by the absence of guidelines for the provision of legal abortion services. In both cases, these women were denied access to legal therapeutic abortions. This resulted in their suffering the long-lasting effects of being forced to continue with pregnancies to the detriment of their own health and adolescent lives. The Human Rights Committee in *K.L.* and the CEDAW Committee in *L.C.* found Peru at fault for failing to provide women with abortion services to which they were entitled, and called on Peru to implement measures of non-repetition which included the establishment of national regulations on therapeutic abortion. However, the Peruvian state has missed several opportunities to do so

Peru's commitment to adopt these recommendations should be praised and supported. It gives Peru another opportunity to adopt positive measures to protect and fulfill the right of women to access health care services without discrimination. It will also signify the compliance of Peru with some of the measures of non-repetition recommended in the *K.L.* and *L.C.* cases and with such compliance it will be honoring its obligation to protect its women from cruel and inhumane treatment, as well as the protection of women's access to health services without discrimination.

Nevertheless, there remains concern regarding the recommendation on the adoption of national protocol to therapeutic abortion as Peru's Gender Equality Plan 2012-2017 specifies that Peru plans to establish a national protocol on therapeutic abortion by the year 2017, beyond the next UPR period of examination. Another area of concern is that Peru did not accept or reject the recommendation to "Review its restrictive interpretation of therapeutic abortion and decriminalization of abortion in cases of rape, as recommended by CEDAW" but just reiterated the status of abortion according to the Penal Code. The comments provided by the government do not sufficiently address the recommendation.

We hope that Peru's commitment through this UPR process is translated in the implementation of the recommendations that will effectively advance sexual and reproductive rights and save the lives and protect the health of many Peruvians who are in dire need of these protections.