

United Nations High Commissioner for Refugees

Peru

We would like to bring your attention to the following Treaty Body Concluding Observations and Special Procedure reports relating to issues of interest and concern to UNHCR with regards to Peru.

Treaty Body Concluding Observations and Recommendations

CEDAW/C/PER/CO/6

2/2/2007

32. The Committee notes with concern the large number of women, particularly indigenous and rural women, who do not have any documentation registering their births and consequently cannot claim nationality and social benefits in the State party.

33. The Committee encourages the State party to expedite and facilitate the process of registration of women without documentation and issue birth certificates and identity documents. The Committee urges the State party to establish concrete goals and timetables for these women to be able to document their nationality, particularly in the rural areas, and provide information on the progress achieved in its next report.

33. The Committee appreciates the considerable efforts demonstrated by the State party towards achieving birth registration for all children. However, the Committee is concerned that there are still about 15 per cent of Peruvian children who are not properly inscribed in the Civil Registry System, mostly children in rural and remote areas of the country.

34. The Committee reiterates its previous recommendation and urges the State party to make a priority of the immediate registration of the births of all children and to promote and facilitate the registration of those children who were not previously registered at birth, in light of article 7 of the Convention. In particular, the State party should modernize and ensure the proper operation and maintenance of the Registrar's Office, including by providing it with the necessary financial resources, qualified and well-trained staff and making the system more accessible throughout the country.

CAT/C/PER/CO/4

25 July 2006

9. The Committee takes note of the adoption of the Refugee Protection Act in December 2002, incorporating the right to non-refoulement as provided for in the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees, which reinforces the fulfilment of obligations under article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

11. The Committee also welcomes the State party's ratification of the Rome Statute of the International Criminal Court on 10 November 2001, the Inter-American Convention on Forced Disappearance of Persons on 8 February 2002 and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families on 14 September 2005.

Special Procedure Reports

SR on Adequate Housing E/CN.4/2004/48/Add.1 2 November 2004

6. Over the years, large numbers of people have been displaced owing to political violence. The decade of conflict has created a large number of internally displaced people moving from rural areas to urban peripheries, exacerbating the already strained infrastructure and services.

18. It is estimated that the political violence which prevailed in Peru between 1980 and 1993 produced around 600,000 internal displaced persons from the conflict areas. One third of these people have settled in the vicinity of Lima, often in areas without access to services and without security of tenure. For example, residents of the Project Kuelap in El Agustino District of Lima, where the Special Rapporteur visited, have been living for 17 years after displacement in rented shacks without security of tenure, access to services or financial credit to upgrade their houses.

24. As in other Covenant rights, the right to water imposes certain obligations on the State parties. The Committee states:
“Whereas the right to water applies to everyone, States parties should give special attention to those individuals and groups who have traditionally faced difficulties in exercising this right, including women, children, minority groups, indigenous peoples, refugees, asylum-seekers, internally displaced persons, migrant workers, prisoners and detainees. In particular, States parties should take steps to ensure that: ... Rural and deprived urban areas have access to properly maintained water facilities. Access to traditional water sources in rural areas should be protected from unlawful encroachment and pollution. Deprived urban areas, including informal human settlements, and homeless persons, should have access to properly maintained water facilities. No household should be denied the right to water on the grounds of their housing or land status.”

- End of excerpts -

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