



Convention on the Rights of the Child

Distr.: General
27 October 2021

Original: English
English, French and Spanish only

Committee on the Rights of the Child

List of issues prior to submission of the combined sixth and seventh periodic reports of Peru*

1. The State party is requested to submit in writing the information requested below (21,200 words maximum), if possible before 15 February 2023. The replies should take into consideration the Committee's recommendations contained in its concluding observations on the combined fourth and fifth periodic reports of the State party,¹ adopted on 29 January 2016. The Committee may take up all aspects of children's rights set out in the Convention and the Optional Protocols thereto during the dialogue with the State party.

I. New developments

2. The Committee requests the State party to provide:

(a) Information on the adoption or reform of laws, policies and programmes and any other measures taken, such as the creation or reform of institutions, that are significant for the implementation of the Convention and the Optional Protocols thereto;

(b) Information on the measures taken to ensure the protection of children's rights in the context of the coronavirus disease (COVID-19) pandemic and to mitigate the adverse effects of the pandemic, in view of the Committee's statement of 8 April 2020 on the effects of the COVID-19 pandemic on children;

(c) Any other information that the State party considers relevant in this regard and that is not covered in the replies to the questions below, including information on obstacles and challenges faced.

3. The Committee also requests the State party to provide information on how a child rights-based approach is integrated into the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals, including with regard to the participation of children and data collection, and how such measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

II. Rights under the Convention and the Optional Protocols thereto

A. General measures of implementation (arts. 4, 42 and 44 (6))

Legislation

4. Please describe specific steps taken to align the Code on Children and Adolescents with the provisions of the Convention. Please indicate whether a procedure has been put into

* Adopted by the pre-sessional working group on 1 October 2021.

¹ [CRC/C/PER/CO/4-5](#).



place to conduct child rights impact assessments for any proposed policy, legislative, regulatory, budget, international cooperation or other administrative decision that affects children's rights.

Comprehensive policy and coordination

5. Please describe measures for the implementation of the national multisectoral policy for children and adolescents, including strategies for the coordination of sector-wide policies for children at the national, regional and local levels, the role and competencies of the Directorate-General for Children and Adolescents in relation to the policy, the provision of adequate human, financial and technical resources and mechanisms for monitoring and evaluation. Please indicate related training and capacity-building efforts for government authorities at all levels.

Allocation of resources

6. Please provide detailed information on measures taken to:

(a) Incorporate a child rights-based approach into the State budgeting process and specify clear allocations for children in vulnerable situations, including children belonging to indigenous populations, Peruvian children of African descent, children with disabilities, asylum-seeking, refugee and migrant children, children living in rural or remote areas and children living in poverty;

(b) Establish a transparent and participatory budgeting process, in particular one involving the participation of children;

(c) Ensure that children, especially those in vulnerable situations, are not affected by austerity measures or regressive measures taken in response to the COVID-19 pandemic;

(d) Combat corruption, including with regard to the State party's institutional capacity to effectively detect, investigate and prosecute corruption.

Data collection

7. Please provide information on progress made in strengthening the data-collection system, in particular by ensuring that data cover all areas of the Convention and are disaggregated by age, sex, disability, geographical location, ethnic origin, national origin and socioeconomic background, in order to facilitate analysis on the situation of all children. Please also indicate how the data gathered are shared among relevant ministries and are used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention.

Dissemination, awareness-raising and training

8. Please provide information on measures taken to:

(a) Increase awareness among children, parents, extended family members, caregivers, members of the media and professionals working with and for children of the Convention and the Optional Protocols thereto, with an emphasis on the recognition of children as rights holders and their protection from all forms of violence;

(b) Disseminate information on the content of the national multisectoral policy for children and adolescents among children, families and public institutions.

Independent monitoring

9. Please provide information on the allocation of adequate financial, technical and human resources to allow the Office of the Deputy Ombudsperson for Children and Adolescents to carry out its mandate effectively, including in rural and remote areas and among indigenous communities.

Children's rights and the business sector

10. Please describe the measures taken to:

(a) Establish a clear regulatory framework for companies, in particular in the oil and mineral sectors, to ensure that their activities do not negatively affect human rights or endanger environmental or other standards, especially those relating to children's rights;

(b) Involve all affected groups, including indigenous children and adolescents, in relevant consultation processes and take their views into account.

B. General principles (arts. 2–3, 6 and 12)

Non-discrimination

11. Please provide information on measures to ensure full protection against discrimination, including measures to:

(a) Eliminate all forms of de facto discrimination against all children in marginalized and vulnerable situations, in particular Peruvian children of African descent, Venezuelan migrant children, children belonging to minority and indigenous groups, including by effectively implementing or revising existing laws and policies, adopting strategies and carrying out broad public education campaigns;

(b) Eliminate patriarchal attitudes and gender stereotypes that discriminate against girls in all areas of life, including de facto discrimination against pregnant girls and adolescent mothers in education;

(c) Ensure that children, parents, professionals working with children, government authorities, school personnel and members of the media and the general public are sensitized to the negative impact of stereotypes and discriminatory attitudes on children's enjoyment of their rights.

Best interests of the child

12. Please inform the Committee of the measures taken to implement Law No. 30466 related to the best interests of the child and to promote the application of its regulations in the legislative, administrative and judicial spheres. Please describe monitoring and evaluation mechanisms in place to ensure the correct application of Law No. 30466.

Respect for the views of the child

13. Please provide information on the following:

(a) Specific measures to ensure that the opinions of children voiced in various forums are taken into consideration in all decision-making processes that concern them, including the design and implementation of public policies and programmes related to the rights of the child;

(b) Activities of the advisory councils of children and adolescents, their coordination nationwide and their financing.

C. Civil rights and freedoms (arts. 7–8 and 13–17)

Right to identity and birth registration

14. Please inform the Committee of measures taken to ensure birth registration and access to identity documents for all children born in the State party, with particular attention given to indigenous children, children living in rural or remote areas and migrant, refugee and asylum-seeking children, especially in the context of the COVID-19 pandemic. Please provide information on budget allocations towards strengthening the birth registration system.

Freedom of association and peaceful assembly

15. Please describe measures taken to protect children from police and military action taken in the context of measures of public security. Please also describe the mechanisms and

procedures in place to hold perpetrators of institutional violence in this context accountable and the effectiveness of such mechanisms.

Access to appropriate information

16. Please describe the measures taken to:

- (a) Address the negative portrayal of children in the media, in particular adolescents, indigenous children, Peruvian children of African descent and Venezuelan children;
- (b) Provide children with access to information in minority languages;
- (c) Ensure digital inclusion on an equal basis for all children and adolescents;
- (d) Protect children and adolescents from violence and harmful information and products in the digital environment.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Freedom of the child from all forms of violence

17. Please provide information on the following:

- (a) Measures to effectively implement Law No. 30403 prohibiting the use of corporal and other humiliating punishment against children and adolescents;
- (b) Awareness-raising campaigns on the harmful effects of all forms of violence, including corporal punishment, aimed at professional groups working for and/or with children and the public at large, and the implementation of programmes promoting positive, non-violent forms of child-rearing and discipline;
- (c) Measures to implement Law No. 30254 on the safe and responsible use of information and communications technologies among children and adolescents, including creating a multisectoral commission responsible for preventive actions;
- (d) Measures to address bullying in school;
- (e) Measures to ensure effective and confidential reporting of violence, including child-friendly avenues for children who are victims of violence;
- (f) Social, medical and judicial intervention in all types of violence against children, including psychological counselling, health services, social rehabilitation, redress and compensation;
- (g) Measures to ensure access for children who are victims and witnesses of crimes to child-friendly justice, including arrangements in place for taking a statement from a child.

Child sexual abuse and gender-based violence

18. Please indicate what measures are being taken to:

- (a) Conduct awareness-raising campaigns on child sexual abuse and exploitation among both members of the public and professionals working with and for children;
- (b) Implement the national gender equality policy;
- (c) Implement the Technical Guidelines for the Comprehensive Care of Women and Family Members affected by Sexual Violence, adopted in 2020;
- (d) Address the high levels of sexual violence and rape perpetrated against children, especially girls, including within the school system, with an emphasis on children in rural or remote areas and indigenous communities;
- (e) Address the fact that a large number of persons reported as missing are girls and adolescents;

- (f) Raise awareness of the severe negative consequences of child marriage, especially on girls;
- (g) Respond to the Committee's previous recommendation regarding the abuse of children by Catholic clergy.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))

Children deprived of a family environment and adoption

19. Please provide information on measures taken to:

- (a) Strengthen support to parents and legal guardians, in particular those in situations of poverty, in order to promote a stable family environment and prevent separation of children from their families;
- (b) Bring relevant legislation in line with the Guidelines for the Alternative Care of Children and include adequate safeguards and clear criteria based on the best interests of the child for determining alternative care placement;
- (c) Expand access to special protection units in all provinces, with special attention given to children in rural and remote areas and indigenous populations;
- (d) Promote family-based care for children deprived of a family environment, with a view to reducing the institutionalization of children;
- (e) Ensure the periodic review of the placement of children in foster care and institutions and monitor the quality of care therein;
- (f) Develop a comprehensive, disaggregated data-collection system for children in alternative care;
- (g) Implement procedural safeguards in matters of adoption.

F. Children with disabilities (art. 23)

20. Please provide information on measures to:

- (a) Implement the multisectoral disability policy, in particular with regard to eliminating structural discrimination and achieving inclusive education;
- (b) Ensure access to inclusive education at all levels, including through the provision of human, financial and technical resources and the training of education professionals;
- (c) Provide appropriate education to children with disabilities who are not in school and are not literate;
- (d) Ensure that children with disabilities throughout the State party have effective and free access to health and rehabilitation services, including early detection and intervention programmes;
- (e) Ensure timely registration in the National Disability Registry for all children with disabilities and resolve the discrepancies between the results of the National Specialized Survey on Disability and census data;
- (f) Raise awareness among children, parents, members of the community and school and health services personnel on the rights of persons with disabilities and counter prejudice and misinformation.

G. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)**Health and health services**

21. Please inform the Committee about the following:

(a) Measures to ensure access to essential health services, including vaccination coverage, as well as programmes to combat infant, child and maternal mortality, malnutrition and infectious diseases, and to mitigate the impact of the COVID-19 pandemic on the vaccination programme;

(b) Progress made in achieving the objectives of the national plan to reduce anaemia and malnutrition, 2017–2021;

(c) Efforts to promote breastfeeding, including information on the Multisectoral Commission for the Promotion and Protection of Breastfeeding.

Adolescent and mental health

22. Please inform the Committee on measures taken to:

(a) Implement the multisectoral plan for the prevention of adolescent pregnancy, 2013–2021, in order to address the high adolescent pregnancy rate while protecting the rights of pregnant teenagers, adolescent mothers and their children;

(b) Implement the national Technical Health Standard for Comprehensive Adolescent Health Care, including by allocating adequate financial resources;

(c) Reform legislation, to decriminalize abortion and allow girls who are pregnant as a result of rape or incest to have access to the voluntary termination of pregnancy in full respect of their rights;

(d) Put in place national mental health and suicide prevention policies and programmes and identify, prevent and address suicide risk factors among children and adolescents;

(e) Implement HIV/AIDS prevention policies, protect children and adolescents living with HIV/AIDS, promote policies on HIV/AIDS prevention and provide access to antiretroviral therapy.

Impact of climate change on the rights of the child and environmental health

23. Please provide information on the implementation of the Framework Act on Climate Change of 2018, any impact assessment relating to children and the ways in which the views of children are being integrated into related policies and programmes.

Standard of living

24. Please provide information on measures to:

(a) Eliminate poverty, in particular extreme poverty, and expand access to drinking water and sanitation, with a particular focus on rural areas and indigenous communities;

(b) Address the inequalities caused by the COVID-19 pandemic;

(c) Hold targeted consultations with families, children and civil society organizations on the issue of child poverty, with a view to strengthening the strategies and measures for fulfilling children's rights in poverty reduction strategies.

H. Education, leisure and cultural activities (arts. 28–31)

25. Please provide information on measures to:

(a) Equitably allocate adequate financial resources for the development and improvement of the national education system among schools and regions;

(b) Improve the accessibility and quality of education for all children, especially in the context of the COVID-19 pandemic, with a particular focus on children in indigenous communities and communities of people of African descent and children living in remote or rural areas, including through the implementation of the policy on the provision of education for populations in rural areas and the bilingual intercultural education programme;

(c) Address the consequences of the rapid development of private education in the State party;

(d) Provide free compulsory education, without indirect or hidden costs;

(e) Address school dropout and increase secondary school completion rates, with a particular focus on children living in rural areas, indigenous children, Peruvian children of African descent, pregnant girls and teenage mothers;

(f) Effectively integrate comprehensive sexuality education into the national curriculum in both public and private schools.

I. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)

Asylum-seeking, refugee and migrant children

26. Please provide information on steps taken to establish a child-sensitive refugee status determination procedure, including specific safeguards for unaccompanied asylum-seeking children. Please also provide information on strategies adopted to ensure access to basic services for migrant, asylum-seeking and refugee children, including children separated from their parents.

Economic exploitation, including child labour

27. Please indicate what measures have been taken to:

(a) Adapt the legal minimum age of employment to the age of completion of compulsory education;

(b) Effectively implement the national strategy for the prevention and eradication of child labour, 2012–2021, including by ensuring adequate resources and institutional capacity;

(c) Effectively enforce existing legislation protecting children from economic exploitation and exposure to hazardous or abusive work and illicit activities, including domestic work, ensure that legislation is in full compliance with international child labour standards, strengthen monitoring and inspection mechanisms and investigate and sanction violations;

(d) Systematically collect and analyse disaggregated data on child labour in order to understand its dynamics, root causes and dangers.

Children in street situations

28. Please provide information on efforts to:

(a) Undertake a systematic assessment of the conditions of children in street situations, in order to obtain an accurate picture of the magnitude and root causes of the situation;

(b) Protect children in street situations from the dangers of gang warfare and drug trafficking;

(c) Adopt a comprehensive gender-responsive and child rights-based approach to dealing with children in street situations, focusing on ensuring adequate assistance for recovery and reintegration, nutrition, housing, health care and educational opportunities, and measures to ensure that children in street situations are consulted in the design of related programmes;

(d) Improve the role and activities of the Street Educators Service, including its geographical coverage and budget allocations;

(e) Raise awareness about the rights and needs of children in street situations and combat misconceptions and prejudices.

Administration of child justice

29. With reference to the recommendations contained in the Committee's concluding observations on the combined fourth and fifth periodic reports of the State party,² please provide an update to the Committee on measures taken to:

(a) Effectively implement the Code of Criminal Responsibility for Adolescents and ensure that the Code and all other relevant legislation are in full compliance with the principles and provisions of the Convention, in particular the safeguards enshrined in articles 37 and 40;

(b) Promote diversion and non-custodial measures, so that detention is used as a measure of last resort and for the shortest possible period of time, and in this regard, please provide information on the reintegration of adolescents in conflict with the law through the national programme for youth centres;

(c) Ensure that when the detention of children is unavoidable, it is reviewed on a regular basis and that detention conditions are compliant with international standards, including with regard to protection from violence, with adequate accommodation and access to food, education, health services and independent, child-sensitive monitoring and complaint mechanisms;

(d) Increase the number of specialized juvenile courts, provide them with adequate human, technical and financial resources and ensure that judges, prosecutors, public defenders and other actors linked to the child justice system receive appropriate specialized training.

J. Optional Protocol on the sale of children, child prostitution and child pornography

30. Please inform the Committee of measures taken to implement the recommendations of the Committee contained in its concluding observations on the report of the State party submitted under article 12 (1) of the Optional Protocol,³ including the adoption of a comprehensive strategy covering all areas under the Optional Protocol. Please describe the role of the national multisectoral policy to combat organized crime, 2019–2030, in relation to the Optional Protocol.

K. Optional Protocol on the involvement of children in armed conflict

31. Please inform the Committee of measures taken to implement the recommendations of the Committee contained in its concluding observations on the report of the State party submitted under article 8 (1) of the Optional Protocol.⁴

III. Statistical information and data

32. The statistical information and data provided by the State party should cover the period since the consideration of its previous reports on the implementation of the Convention and the Optional Protocols thereto. The data should be disaggregated by age, sex,

² Ibid., paras. 43–44.

³ [CRC/C/OPSC/PER/CO/1](#).

⁴ [CRC/C/OPAC/PER/CO/1](#).

ethnic origin, national origin, type of disability, geographical location and socioeconomic status.

33. The provision of tables presenting trends over the reporting period is recommended, and explanations of, or comments on, significant changes that have taken place over the reporting period should also be provided.

A. General measures of implementation (arts. 4, 42 and 44 (6))

34. Please provide information on the budget lines regarding children and the social sectors, indicating the amount allocated to each budget line and its proportion in terms of the total national budget.

B. General principles (arts. 2–3, 6 and 12)

35. Please provide data, disaggregated as described in paragraph 32 above, on the following:

(a) Cases of discrimination affecting children, prosecutions brought before the courts under legislation governing non-discrimination and the sanctions imposed on perpetrators;

(b) Deaths of children caused by abuse, neglect, violence, substance abuse and suicide.

C. Civil rights and freedoms (arts. 7–8 and 13–17)

36. Please provide data, disaggregated as described in paragraph 32 above, on the current birth registration rate.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

37. Please provide data, disaggregated as described in paragraph 32 above, on the following:

(a) Children who have been victims of violence and neglect, including corporal punishment, physical abuse, domestic violence and sexual exploitation and abuse, the cases that have been reported to the authorities, investigated and prosecuted and the sanctions imposed on perpetrators, further disaggregated by type of offence;

(b) Child and forced marriages;

(c) The number of girls and adolescents reported missing;

(d) The number of children who have received protective measures and multidisciplinary remedies as victims and/or witnesses of violence and neglect, in particular physical and sexual abuse and exploitation.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))

38. Please provide data, disaggregated as described in paragraph 32 above, on the following:

(a) Children in residential care, the number of institutions and group homes and the length of stay;

(b) Children in family-based and community-based care.

F. Children with disabilities (art. 23)

39. Please provide data, disaggregated as described in paragraph 32 above, on children with disabilities who:

- (a) Are receiving or who have received economic and other types of support services;
- (b) Are or have been living with their families;
- (c) Are or have been living in family-based and community-based care;
- (d) Are or have been living in residential care, the number of group homes and the length of stay;
- (e) Are attending or have attended regular schools and separate schools;
- (f) Have reported violence and abuse, including sexual violence, the number of investigations and prosecutions carried out and the sentences imposed on perpetrators.

G. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

40. Please provide data, disaggregated as described in paragraph 32 above, on the following:

- (a) Mortality rates among infants and children under 5 years of age;
- (b) Immunization rates;
- (c) The number of adolescent mothers and the maternal mortality rates among children and adolescents;
- (d) Sexual and reproductive health services available to adolescents;
- (e) Paediatric and mental health services and professionals specializing in young children and adolescents, in particular in rural areas.

H. Education, leisure and cultural activities (arts. 28–31)

41. Please provide data, disaggregated as described in paragraph 32 above, on the following:

- (a) Children who are not attending or who have not attended primary and secondary school;
- (b) Children who have dropped out of school, including children with disabilities, girls and teenage mothers;
- (c) Cases of bullying, violence, suicide, sexual abuse and harassment in schools.

I. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)

42. Please provide data, disaggregated as described in paragraph 32 above, further disaggregated by accompanied or unaccompanied status, on the following:

- (a) Asylum-seeking, refugee and migrant children;
- (b) Asylum-seeking, refugee and migrant children who are or who have been in detention;
- (c) Asylum-seeking, refugee and migrant children who are or who have been attending school and their access to health care;
- (d) Children with an irregular migration status.

43. Please provide data, disaggregated as described in paragraph 32 above, on the following:

- (a) Children who are or who have been working in hazardous conditions;
- (b) Cases of child labour investigated and leading to prosecution and the sanctions imposed on employers found to have been involved in child labour;
- (c) Children who are or who have been in street situations.

44. Please provide data, disaggregated as described in paragraph 32 above, further disaggregated by type of crime, on the following:

- (a) Children who are or who have been in detention, including in pretrial detention, and the average length of stay;
- (b) Children who have been referred to diversion and non-custodial sentencing options;
- (c) Children who have been provided with access to rehabilitation and reintegration services.

J. Optional Protocol on the sale of children, child prostitution and child pornography

45. Please provide data, disaggregated as described in paragraph 32 above, on the following:

- (a) Cases of the sale of children, sexual exploitation of children in prostitution and child sexual abuse material that have been reported, investigated and prosecuted and for which the perpetrators have been sanctioned;
- (b) Children who have been victims of such crimes who have been provided with recovery assistance or compensation.

K. Optional Protocol on the involvement of children in armed conflict

46. Please provide data, disaggregated as described in paragraph 32 above, on the following:

- (a) Asylum-seeking and refugee children and children in situations of migration who have entered the State party from areas where children may have been recruited or used in hostilities;
 - (b) Children who may have been recruited or used in hostilities abroad who are benefiting or who have benefited from physical and psychological recovery and social reintegration measures.
-