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Committee on Economic, Social and Cultural Rights

Forty-eighth session

Summary record of the 7th meeting

Held at the Palais Wilson, Geneva, on Thursday, 3 May 2012, at 10 a.m.

Chairperson: Mr. Pillay

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The meeting was called to order at 10 a.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (continued)

Combined second to fourth periodic reports of Peru (continued) (E/C.12/PER/2-4; E/C.12/PER/Q/2-4 and Add.1; HRI/CORE/PER/2010)

1. *At the invitation of the Chairperson, the delegation of Peru took places at the Committee table.*

Articles 6 to 9 of the Covenant (continued)

2. **Mr. Jiménez Mayor** (Peru) said that Peruvian legislation on prior consultation contained a provision enabling indigenous peoples and their representatives to appeal against administrative decisions emanating from the consultation. In recent years, the Government had put the country's positive economic performance to good use in pursuing its poverty reduction goals, including the Millennium Development Goals, and combating social exclusion and inequalities. As a result, in 2010, chronic malnutrition among children under 5 — a top priority for the Government — had decreased nationwide from 22.9 per cent in 2005 to 17.9 per cent and more sharply in rural areas (-8.9 per cent). It had also reduced under-5 mortality by two thirds, thus achieving Goal 4 of the Millennium Development Goals eight years early, given that by 2006, the rate had fallen by 60 per cent compared to the previous decade. The percentage of people with health insurance had increased from 50 per cent in 2008 to 65.2 per cent in 2011.

3. **Mr. Villena Petrosino** (Peru) said that, between 2006 and 2010, employment overall had registered an annual increase of 2.5 per cent and of 5.5 per cent in urban companies with more than 10 employees. The unemployment rate, which was measured quarterly in the National Household Survey, had stood at 4.1 per cent in 2010, about 1 point lower than in 2004; the rate among women had fallen from 5.9 per cent in 2004 to 4.7 per cent in 2009. In rural areas, unemployment was almost non-existent. Nonetheless, underemployment in terms of income continued to affect 70 per cent of rural workers, despite having fallen 11 points in recent years. Workers' incomes had increased at a real average annual rate of 3.2 per cent between 2006 and 2010, but had still lagged behind in rural areas. In order to protect workers' rights more fully, especially their human rights, a directorate of fundamental rights and occupational safety and health had been set up within the Ministry of Labour and Employment Promotion in 2010. In 2012–2016, the Government would implement an employment policy that should facilitate the creation of some 2 million jobs, thus reducing the number of people living in poverty. It would also launch a programme to create 500,000 temporary jobs for female heads of household, young people, and people with disabilities.

4. Information on salaries and income by sector (formal and informal), industry, occupation and sex were available from statistics, the National Household Survey and data from the electronic register of workers. They revealed that the average salary in sectors with a higher concentration of women was generally lower than the average salary in male-dominated sectors. The Government therefore planned to introduce a gender-neutral way of evaluating jobs in an effort to combat occupational segregation, which generally resulted in women having the lowest paid jobs.

5. Promoting employment and quality jobs was also a concern for the Government, which had held talks with the social partners on a national plan for decent work. The talks had also included consideration of a bill to reassess temporary employment conditions. In

order to combat precarious employment, the current Government had introduced legislation and regulations on occupational safety and health. The Labour Inspectorate had also significantly increased the number of inspections.

6. The National Plan to Combat Forced Labour had been adopted in 2006 with the support of the International Labour Organization (ILO) and was currently focusing on the Amazon region. Two measures were under consideration there: revising the National Plan to include objectives and indicators that could be easily incorporated into budgetary programmes, and drawing up a protocol for multisectoral action based on punishing crimes, restoring victims' rights and guaranteeing decent work. There were also plans to adopt a national strategy to combat child labour, aimed at boosting the average family income, lower tolerance of child labour, increase educational support to ensure that fewer children lagged behind in their primary and secondary schooling, and improve young people's occupational safety.

7. There were two obstacles to enforcement of the minimum wage rules: the high number of undeclared workers and the Labour Inspectorate's lack of monitoring capacity. In order to remedy the situation, the Government had simplified the procedure for declaring workers by introducing electronic registration, and information exchange with the tax authorities. The number of labour inspectors had quadrupled over five years and the Inspectorate's mandate had been clearly defined. Under a new bill, currently under consideration, the Inspectorate would become independent and would receive more funding. Anyone who failed to pay the minimum wage was liable to heavy fines. Between 2006 and 2011, the minimum wage, which was inflation- and productivity-indexed, had risen 15 per cent in real terms.

8. Under existing legislation, agricultural workers were governed by a special regime. All workers in the sector, including seasonal workers, enjoyed the same right to freedom of association and bargaining rights. The Labour Inspectorate had been imposing stronger penalties for violations of freedom of association since 2007, when it had ordered only 105 inspections and imposed fines amounting to \$121,000. In 2010, some 289 inspections had been ordered and the fines had amounted to \$289,000. The Constitutional Court had ruled that the Agricultural Promotion Law was in conformity with the Constitution.

9. In 2010, 58 per cent of private sector employees had been covered by health insurance, as opposed to 33 per cent in 2006. In the same year, almost 43 per cent of all workers in the country had been members of a pension fund, up from 35 per cent in 2006. A multisectoral commission had been established to draw up regulations to enable self-employed workers to join the social security system. The Pension 65 initiative had been approved; in 2012, it should give almost 170,000 people living in extreme poverty access to economic benefits and health care through the Comprehensive Health Insurance scheme. Given that the national pension scheme was in serious financial difficulty, being a pay as you go scheme based on solidarity, the Government had decided to guarantee pension payments; in 2011, it had paid out some \$640 million.

10. **Mr. Burneo Labrín** (Peru) said that Peruvian legislation prohibited all forms of discrimination, including discrimination based on gender identity, but homosexual activity between consenting adults was not a criminal offence. However, under the Criminal Code, all acts of discrimination were punishable by imprisonment or community service. The prohibition of discrimination was regulated by numerous legislative instruments including the Consumer Code, labour law and the General Education Act. Of the 25 regional governments 9 had adopted provisions in that regard. Peruvian law did not recognize same-sex marriage.

11. **Ms. Suárez Salazar** (Peru) said that, apart from the regulations on prior consultation, a number of decrees and ministerial resolutions made it compulsory for

businesses to consult the public before they began mining, oil-drilling or power generation projects, and to carry out technical assessments and environmental impact studies that needed approval by the competent authority at the Ministry of the Environment, which used them in its decisions as to whether to issue the required authorizations. Businesses also had to make social and environmental commitments under the authority of the Ministry of the Environment. However, Peru now needed to ensure that the studies took more direct account of the projects' impact on public health and that businesses made social commitments.

12. **Ms. Huaita Alegre** (Peru) said that, according to a 2005 household survey, persons with disabilities who engaged in a professional activity accounted for 33 per cent of the total population with disabilities. A 2007 census showed that almost 11 per cent of Peruvian households included a person with a disability. However, the Government needed specialized surveys to be able to develop public policies to promote the employment of persons with disabilities and a law to that effect had been passed in 2012. The Government had also implemented a training and employment programme that had benefited more than 3,300 persons with disabilities and gave almost 250 of them access to employment in the private sector. The law on the public sector budget allowed local governments to allocate 0.5 per cent of their budgets to adapting premises for greater accessibility to public buildings. The Government had included a budgetary programme in the 2012 budget law in order to improve the situation of persons with disabilities; it aimed to promote their integration at school and in the education system, ensure them access to early childhood care, health and rehabilitation, and integration in the world of work. Under the General Act on Persons with Disabilities, all public entities were obliged to employ a 3 per cent quota of persons with disabilities. The Act provided for fines for non-compliance. The provision was not sufficiently enforced, but the State was striving to remedy the situation, and a number of recent initiatives had been taken to that end.

13. **Mr. Chávez Basagoitia** (Peru) said that the competent services of the National Identity and Civil Status Registry had been taking resolute action for several years and had ensured that 98 per cent of the population nationwide had been issued with identity documents. Most of the remaining 2 per cent were people who lived in remote rural areas. The process was continuing and should be completed in the near future.

14. There were two reasons for the reduction in the number of people using native languages as their mother tongue: the rural exodus begun in the mid-twentieth century, and intermarriage which required learning the majority language — Spanish — in order to integrate. Those already fluent in the native language sometimes refused to take bilingual courses because their goal was to learn Spanish, which afforded them more opportunities.

15. The State was nonetheless pursuing its efforts to preserve national languages. Act No. 29735 of 2011 was designed to clarify the scope of the language rights referred to in article 48 of the Constitution and provided for several initiatives including preparing a linguistic map and a national register of languages, training teachers, producing textbooks and dictionaries and developing a national policy on native languages. Peru had played a key international role in the protection of the languages of indigenous populations. It was one of the 20 countries of the 183 ILO member States that were signatories to the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and had been in the vanguard in drafting and adopting the United Nations Declaration on the Rights of Indigenous Peoples in 2007.

16. **Mr. Jiménez Mayor** (Peru), turning to the legislative and practical provisions in place to guarantee respect for the rights of indigenous people, cited the example of the community-based justice system in rural areas, which involved over 5,000 justices of the peace — compared with 1,600 judges in the professional judicial system — most of whom were members of the local community and dealt with disputes directly. As for

developments in civil registration, most national identity cards were currently issued at birth, which had not been the case 10 years before. Registration was important, ensuring as it did that those most in need of State social security had access to it. In the same vein, the 3,000 people on the Central Register of Victims of the violence of the 1980s and 1990s who had not yet been issued national identity cards were being accorded priority attention to ensure their access to the reparation programmes.

17. **Mr. Tirado Mejía** said that, speaking as an independent expert, he did not agree with the State party's policy on homosexuals and lesbians, particularly its failure to prohibit discrimination based on sexual identity and to recognize same-sex couples' property rights. He proposed that the State party should consider amending its legislation to recognize same-sex couples' property rights and other economic, social and cultural rights. He also highlighted the value of awareness-raising campaigns, particularly in South American societies where homophobic attitudes were still rife.

18. **Mr. Sadi** requested details of the specific results of the State party's commendable efforts to combat forced labour, and its approach to the problem in the Amazon region. He would also welcome more information on the situation of people who, according to the information submitted by the State party, had no health insurance coverage. He wished to know whether the existence of a written form of the language was a prerequisite for the recognition of native languages, and would be grateful for examples of cases in which public bodies had been penalized for non-compliance with the regulations on the employment of persons with disabilities.

19. **Ms. Barahona Riera** requested additional information on the situation of indigenous people in Peru, particularly since their social and political participation had not yet reached the levels in other countries of the region. The State party could do more to empower indigenous people by, *inter alia*, ensuring effective exercise of their rights, access to justice, enjoyment of their rights to sexual and reproductive health, access to bank loans so that they could truly participate in the country's economy, and the use of their own languages. She requested details, especially any available statistics, on the pension scheme for elderly people living in poverty and extreme poverty.

20. **Mr. Jiménez Mayor** (Peru), replying to Mr. Tirado Mejía's question, said that while Peru's current anti-discrimination law was indeed general in nature, it did not preclude future developments in that field, which would necessitate discussion at State level. All the same, Peru was actively combating discrimination. For example, the anti-discriminatory provisions of the recent Consumer Code had been invoked in the wake of events that had occurred in several towns. Replying to a question from Ms. Barahona Riera, he said that integrating indigenous communities and improving their prospects were major concerns for the authorities. At the political level, direct indigenous representation in Congress was a major development, but more progress was needed and might be achieved through a quota system. One obstacle was that the ratio of members of Congress to the population was very small, with 130 seats representing a population of 30 million. A constitutional reform would be necessary in order to improve parliamentary representation.

21. **Mr. Balbín Torres** (Peru) said that the results of the National Plan of Action for the Eradication of Forced Labour implemented in 2006 had been inadequate. The Government's awareness-raising, however, had been successful. The authorities were aware that forced labour was often linked to other crimes, particularly in the context of illegal logging, and were seeking specific solutions to the situation of workers subjected to those practices. In an effort to increase social security coverage, the authorities were focusing on regularizing employment, labour inspections and encouraging employers to declare workers, including via the electronic media. Also under consideration were several mechanisms to ensure that more of the self-employed who constituted one third of the active population were covered.

22. **Ms. Suárez Salazar** (Peru) providing information on the situation of people with no health insurance, said that by enforcing insurance law, which recognized the right of all persons living in Peru to be covered by health insurance, the Government had increased the level of coverage to 48 per cent in 2005. There was a gradual process under way to coordinate the different types of providers and increase access to health care, with the focus on the most vulnerable groups. The public system currently covered about 37 per cent of the population and 80 per cent of those living in poverty. The most difficult people to reach were those for whom insurance was an alien concept; for that large group (one third of the population), insurance had been made compulsory and incentives offered, with the Government covering some 25 per cent of insurance costs.

23. **Ms. Huaita Alegre** (Peru) cited two examples of penalties imposed for non-compliance with the regulations on the employment of persons with disabilities in the Metropolitan Municipality of Lima and the municipality of Pueblo Libre (Lima province). The fines had amounted to between 8 and 12 tax units (equivalent to US\$ 1,190).

Articles 10 to 12 of the Covenant

24. **Mr. Tirado Mejía** requested information on the State party's policies on the treatment of drug addicts. He also wished to know the State party's position on the possible decriminalization or legalization of drug use.

25. **Mr. Ribeiro Leão** asked whether the urban development programme mentioned in paragraph 160 of the periodic report was being implemented in all or only some municipalities, and whether citizens could participate in the programme. He also wished to know whether there was a national anti-poverty programme that took the right to adequate housing into account as a cross-cutting theme.

26. **Mr. Riedel** said that Mr. Paul Hunt, a former Committee member and former Special Rapporteur on the right to health, had informed the Committee that in many regions the population did not have access to safe drinking water or adequate sanitation facilities and that water sources were polluted by dredging carried out upstream by private gold-mining companies. While the Peruvian Government was not directly responsible for such pollution, it was required to safeguard the right to health and water and to protect its population. He therefore wished to know what measures were being taken to prevent such pollution and ensure that the victims were compensated. How were those affected, particularly indigenous communities, involved in decision-making on sewage plants and the use of water?

27. As to victims of political violence, having read out paragraph 245 of the periodic report, he welcomed the fact that mental health teams had treated 64 per cent of such victims, some 70,745 individuals, but would like the delegation to provide statistics on the number of people treated since 2008 and to inform the Committee of the results of the measures implemented in 2008.

28. Referring to reports from several NGOs, he would be interested to learn what measures were being taken to ensure that victims of political violence and torture received priority treatment by the health authorities, whether or not they were on the Central Register of Victims. How did the State party plan to bridge the gap between urban and rural areas in terms of access to health services, including specialist services? The delegation should take note that the Committee would appreciate annual disaggregated data on those points in the State party's next periodic report.

29. **Mr. Schrijver** asked the delegation to provide statistics on trafficking in women and children, child labour and street children. He wished to know whether Government action in those areas had proved effective and if not, how the Government planned to improve the situation.

30. **Mr. Atangana** asked whether it was easy for victims of domestic violence, including indigenous women, to file complaints in court. It would be useful to know whether such cases had come before the courts and if so, he would appreciate details of the relevant Peruvian case law. He would also like to know what steps the Government was taking to raise the minimum legal age of marriage, as recommended by the Committee on the Elimination of Discrimination against Women (CEDAW/C/PER/CO/6, para. 35) in 2007.

31. **Mr. Kedzia** asked what measures the Government was taking to address the concerns and recommendations of the Human Rights Committee in the case of *Karen Noelia Llantoy Huamán v. Peru* and those of the Committee on the Elimination of Discrimination against Women in the case of *L.C. v. Peru*. He wished to know whether the two cases, which concerned refusals of a therapeutic abortion, reflected a more widespread problem and, if so, whether the Government planned to take steps to remedy the problem.

32. **Ms. Barahona Riera** asked whether domestic violence and human trafficking were criminalized. She requested details of the sentences incurred by the perpetrators of those acts, measures to protect victims, any preventive measures that existed and relevant jurisprudence. It would be useful to learn whether there were any specific programmes and policies for older persons.

33. She would appreciate additional information on the basic sexual and reproductive health services currently available, and learning whether they were free of charge and included all methods of contraception. She would also like to know what educational programmes on sexual and reproductive health were available, especially programmes targeting young people, given the high teenage pregnancy rate. She also enquired about the measures being taken to ensure effective access to health services in legal abortion cases.

34. Noting that the criminal prohibition against sexual relations with minors meant that sexual relations between young people between the ages of 14 and 18 were also prohibited, which appeared to be contradictory, she would like to know what steps were being taken to reduce the maternal mortality rate, particularly among under-20s, since that age group accounted for 68.2 per cent of unwanted pregnancies. What was the reason for the evident failure of the family planning programmes?

35. **Mr. Martynov** noted that the most recent statistical data available to the Committee on the total spending on poverty reduction by the Ministry of the Economy and Finance dated back to 2003 and the data on social expenditure to 2006. It would be useful if the delegation could submit in writing updated statistics disaggregated by year and by proportion of GDP allocated to those areas.

36. **Mr. Dasgupta** (Country Rapporteur) drew the delegation's attention to the fact that the free trade agreement between the United States and Peru meant that generic medicines could not be automatically marketed as soon as the patented molecule entered the public domain because the marketing had to be approved by the patent owner. The terms of the agreement also included a period of five years between the expiry of the patent and the authorization for marketing the generic medicine, which had adversely affected public access to basic medicines at affordable prices. Domestic policy and legislation should ensure that everyone had access to affordable medicines. He would appreciate information on any research into the studies carried out on the issue of accessibility and on any plans to implement measures to improve it.

37. He had also been surprised to learn that the impact of mining activity on health was not automatically included in the environmental and social impact assessments. He wished to know whether impact assessments were made before extractive activities were authorized in sectors other than hydrocarbons, including the extraction of minerals.

The meeting was suspended at 11.50 a.m. and resumed at 12.05 p.m.

38. **Mr. Jiménez Mayor** (Peru) said that the Peruvian Government had recently adopted an intersectoral national plan on drug prevention that focused on prohibiting drug trafficking and preventing drug use. Trafficking in drugs and the inputs required for their production constituted offences. Unlike the sale of drugs, drug use was not prohibited.

39. Illegal extraction activities were punishable under the Criminal Code. The National Police patrolled areas where illegal activities were carried out and several persons had been prosecuted.

40. As to the violence connected with political terrorism that had ravaged Peru in the 1980s and 1990s, the violence persisting in some areas was to be attributed to drug traffickers. In 2012, some 140 million nuevos soles would be allocated to the collective and individual compensation of the victims. The Government attached great importance to that issue because the victims of drug trafficking often lived in poverty. In April 2012, the President of the Republic had taken part in a tribute held in Lucanamarca to the victims of terrorism, especially the 69 victims of the Shining Path (Sendero Luminoso) in 1983. The Central Register of Victims identified over 120,000 people, almost one third of them direct victims and two thirds family members. The compensation programme comprised several components, including one on health. Particular emphasis had been placed on ensuring that the victims of the political violence had access to social programmes, as was already the case with the Pension 65 initiative, which was available to people aged over 65 living in extreme poverty and receiving no other benefits.

41. In December 2011, Peru had passed a law on femicide, in line with the most advanced legislation in that field in Latin America. The first person to be convicted under that law had been sentenced to 25 years' imprisonment, that being the minimum sentence, femicide being considered to be homicide with aggravating circumstances. By the same token, the same penalty was imposed for trafficking in women or children.

42. The Urban Development Programme operated in the country's main cities. The plans and the budgets ought to be drawn up using a participatory approach at the local level.

43. **Mr. Chávez Basagoitia** (Peru) said that his country was extremely active in the fight against drug trafficking, both nationally and internationally. Domestically, the Peruvian Government addressed the problem from all angles, including by battling coca growing and processing, the marketing and consumption of the finished product, and drug money-laundering.

44. In order to curb supply, the Government was aiming to eradicate coca-leaf farming, including by ensuring that it did not move from one region to another. Given that he did not believe in legalizing drugs, the only way to fight that scourge was to give producers the means to grow other equally lucrative crops, as had been achieved in the region of San Martín.

45. In order to reduce demand, the Government had launched awareness-raising campaigns and had set up a treatment and rehabilitation scheme for drug addicts. It had also adopted a policy of decriminalizing drug use, under which people in possession of small quantities of drugs which were clearly for their own consumption were not called to account, unlike dealers.

46. The Peruvian Government was aware that the eradication of drug trafficking required consultation at the global level and had therefore convened an international conference on the issue, to be held in Lima on 25 and 26 June 2012, and was intended to strengthen information-sharing on the issue and offer farmers new opportunities in order to ensure they did not go back to producing coca leaves. At the Government's initiative, and as a direct response to the Cartagena Summit (Colombia) held in April 2012, the heads of

State of the member countries of the Organization of American States (OAS) would meet again after the Lima conference to coordinate action in that area throughout the Americas.

47. **Mr. Jiménez Mayor** (Peru) said that Peru had recently adopted a strict law on laundering the proceeds of drug trafficking and organized crime. In the case of the women and children who had been kidnapped in the Lima region, almost \$100 million had been seized, proof of the extent of the activities of those involved in organized crime.

48. **Ms. Huaita Alegre** (Peru) said that the legal age of marriage was 18. The age limit could be reduced to 16 by a court order when a child aged between 16 and 18 expressed the desire to marry and obtained his or her parents' consent. However, the law was due to be amended in the near future to enable minors who had married under those circumstances and who wished to reverse that decision to nullify the marriage once they reached adulthood.

49. Peru had adopted many laws and regulations against human trafficking. In addition, the Government had set up a multisectoral standing working group on the issue, as well as a dedicated unit within the department for the family and citizens' participation and safety. The multisectoral working group had argued in favour of incorporating the fight against human trafficking into the 2006–2008 programme for the promotion and protection of human rights. Several ministries, including the Ministry of Labour and Employment Promotion and the Ministry of Foreign Trade and Tourism, had introduced regulations to combat the phenomenon within their respective areas of competence, such as to ensure that trafficking did not take place under the guise of tourism. The national transport authority regulations also required minors using land transport to carry identity documents.

50. The Government had adopted a National Plan of Action against trafficking in persons for 2011–2016 that included measures and indicators and focused on prevention, punishment of offences, and caring for victims (assistance and protection). Between 2004 and 2011, some 1,831 individuals — 92.8 per cent of them women — had been victims of trafficking.

51. In order to prevent the sexual exploitation of children, the Ministry of Foreign Trade and Tourism had organized nationwide workshops and training seminars for tourism workers and police officers. The Ministry for Women and Vulnerable Population Groups had drawn up an intersectoral road map to provide comprehensive care and protection for child victims of sexual abuse, and was planning to hold workshops and panel discussions throughout the country. Within the context of prevention, the Human Trafficking Investigative Division had undertaken numerous initiatives in the capital in 2011, whereby some 193 women who claimed to be victims of sexual exploitation had received assistance.

52. Street children were exposed to many risks, particularly drugs, sexual and commercial exploitation, violence, ill-treatment and dropping out of school. The programme designed for them focused on developing knowledge and skills, integrating them into community social support networks and strengthening the family unit, and had already assisted over 50,000 street children. Those who were in a situation of physical, moral or material neglect were referred to specialist facilities and residential care centres, while others were placed in educational centres run by the Ministry of the Interior where they could work under certain conditions at tasks appropriate to their age. Three canteens had been set up and catered for about 50 children a day, and a scholarship system gave children access to higher technical education.

53. Within the framework of the National Family Welfare Programme, 36 centres for the comprehensive development of the family, 38 homes and about 40 other care facilities had been opened.

54. Child labour figures were alarming, with 19.2 per cent of children aged between 6 and 13 working. The Ministry of Labour and Employment Promotion had therefore developed a national strategy for the prevention and elimination of the worst forms of child labour, which was one of the priorities of the National Plan of Action for Children.

55. The Peruvian delegation undertook to submit additional information to the Committee in writing concerning violence against women. She pointed out, nonetheless, that the Criminal Code punished several acts such as harassment and sexual and domestic violence.

Articles 13 to 15 of the Covenant

56. **Mr. Kerdoun** welcomed the fall in the illiteracy rate among indigenous and Afro-Peruvian children; he wished to know what strategy the State party planned to adopt to eliminate illiteracy totally in those two groups, and would like details of the overall illiteracy rate in Peru, disaggregated by age group and gender. Noting that in 2007, allocations to the education sector had amounted to 3 per cent of GDP and 18.6 per cent of the State budget, he requested comparative data on the corresponding percentages for the agricultural and defence sectors in the same year. He also wished to know how the State party planned to eliminate the disparities between rural and urban areas, and between the quality of education available at State and private educational establishments. Did the State party plan to take measures to ensure that training was improved for teachers responsible for providing bilingual and intercultural education to indigenous children?

57. It was also clear that school attendance was poor at primary and secondary levels, and that the dropout and truancy rates were high, especially among girls. It would be useful to know what steps the Peruvian Government planned for improving the retention rate and the level of education students achieved by the age of 15. According to the Organization for Economic Cooperation and Development Programme for International Student Assessment, almost half of them had difficulty with reading, and were therefore unable to pursue their studies beyond secondary level.

58. **Mr. Abashidze** requested additional information on the efforts the State party was making to promote the rights of ethnic groups that did not self-identify as indigenous peoples.

59. **Mr. Marchán Romero**, noting that none of the State party's documents provided details on the ethnic composition of the population, recalled that no society was homogenous and that it was therefore necessary to provide demographic data disaggregated by ethnic group in order to identify possible cases of discrimination. Citing the Peruvian Constitutional Court decision in the case of the *Asociación Interétnica de Desarrollo de la Selva Peruana v. the Ministry of Energy and Mines and the Perupetro, Barrett Resources (Peru) Corporation and Repsol companies*, he pointed out that in that decision, the Court had declared inadmissible a request for suspension of those companies' oil-related activities on the ground that the State party had not been aware of the existence of the indigenous group concerned, the Waorani, some of whose rights were being violated by those activities. In that regard, he recalled that it was the State party's duty to identify all the ethnic groups on its territory, and emphasized that such an argument could not be used to declare a request inadmissible.

The meeting rose at 1 p.m.