



# Convention on the Rights of the Child

Distr.: General  
25 February 2025

Original: English

## Committee on the Rights of the Child

### Concluding observations on the combined sixth and seventh periodic reports of Peru\*\*

#### I. Introduction

1. The Committee considered the combined sixth and seventh periodic reports of Peru<sup>1</sup> at its 2858th and 2859th meetings,<sup>2</sup> held on 20 and 21 January 2025, and adopted the present concluding observations at its 2876th meeting, held on 31 January 2025. In the present document, the Committee uses the term “child” to refer to a person who is under 18 years of age.

2. The Committee welcomes the submission of the combined sixth and seventh periodic reports of the State party, under the simplified reporting procedure,<sup>3</sup> which allowed for a better understanding of the situation of children’s rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the high-level delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the various legislative, institutional and policy measures taken by the State party to implement the Convention, including the implementation of Act No. 31945 amending several provision of Legislative Decree No. 295 to prohibit the marriage of persons under 18 years of age, issued in 2023, the adoption of the 2030 National Multisectoral Policy for Children and Adolescents at the end of 2021 and the increase in budgetary resources to implement children’s rights.

#### III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party’s attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: birth registration and nationality (para. 18); abuse, neglect, sexual abuse and exploitation, and disappearances (paras. 23 and

\* Reissued for technical reasons on 26 February 2025.

\*\* Adopted by the Committee at its ninety-eighth session (13–31 January 2025).

<sup>1</sup> [CRC/C/PER/6-7](#).

<sup>2</sup> See [CRC/C/SR.2858](#) and [CRC/C/SR.2859](#).

<sup>3</sup> See [CRC/C/PER/QPR/6-7](#).



27); gender-based violence (para. 25); adolescent health (para. 35); and the administration of child justice (para. 45).

5. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, and the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

## **A. General measures of implementation (arts. 1, 4, 42 and 44 (6))**

### **Legislation**

6. While welcoming several regulatory advances in children's rights, the Committee is concerned about the insufficient implementation of legislation, the disconnect between the national legal framework and the actual realization of children's rights, and recent legislative initiatives and public policies that represent a regression in terms of international human rights standards. The Committee recommends that the State party:

(a) Revise recent legislative initiatives and public policies to bring them in line with international human rights standards;

(b) Take all measures necessary to promptly implement its legislation in compliance with the Convention, in particular by expediting the adoption of decrees, where necessary, to establish mechanisms for the implementation of such legislation;

(c) Ensure the adequacy of the human, technical and financial resources dedicated to the implementation of legislation providing for the rights of children and the development of a child-rights impact assessment procedure for national legislation and policies relevant to children.

### **Coordination**

7. The Committee urges the State party to strengthen the coordination mechanisms established under the National Multisectoral Policy for Children and Adolescents and to elevate the Directorate General for Children and Adolescents to vice-ministry status, ensuring that it has sufficient authority and independence to coordinate activities effectively across all sectors and levels of governance, and provide the Permanent Multisectoral Commission with the human, technical and financial resources necessary to enhance implementation, follow-up and monitoring.

### **Allocation of resources**

8. Welcoming the increase in public spending on children and the adoption of the National Integrity and Anti-Corruption Policy in 2017, and recalling its previous recommendations,<sup>4</sup> the Committee recommends that the State party:

(a) Set up a budgeting process that includes a child-rights perspective, specifies clear allocations to children and includes specific indicators and a tracking system to monitor and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated for the implementation of the Convention;

(b) Increase the budget for child protection, education and measures to prevent and address violence against children;

(c) Ensure budget allocation and spending that effectively address territorial and local needs across the different regions, introduce budgetary allocations for

<sup>4</sup> CRC/C/PER/CO/4-5, para. 14.

children in disadvantaged situations and ensure that children are not affected by austerity measures.

#### **Data collection**

9. Recalling its general comment No. 5 (2003) on general measures of implementation of the Convention and its previous recommendations,<sup>5</sup> and welcoming the efforts made in that regard, the Committee recommends that the State party:

(a) Improve its data collection system and ensure that data collected on children's rights cover all areas of the Convention and the Optional Protocols thereto, with data disaggregated by age, sex, disability, geographical location, Indigenous, ethnic or national origin and socioeconomic background, according to established ethical standards;

(b) Handle personal and sensitive data appropriately and ensure that statistical data and indicators are shared among the ministries and with civil society and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;

(c) Gather specific data on highly vulnerable groups and critical issues, including access to healthcare for girls, with particular attention to those affected by sexual violence, barriers to sexual and reproductive health services, including contraceptive methods and the voluntary termination of pregnancy, and access to justice and effective remedy. The data should include information on where and when violations occur, the prevalence of prosecutions, the outcomes of legal proceedings and any structural obstacles that hinder accountability and redress for survivors of sexual violence.

#### **Access to justice and remedy**

10. The Committee recommends that the State party:

(a) Ensure that all children have access to: (i) confidential, child-friendly and independent complaint mechanisms in schools, foster care systems, alternative care settings and detention for reporting all forms of violence, abuse, discrimination and other violations of their rights; and (ii) legal support, representation and age-appropriate information on access to effective remedies, including compensation and rehabilitation;

(b) Raise awareness among children of their right to file a complaint under existing mechanisms;

(c) Ensure systematic and mandatory training for all relevant professionals working with children on child-friendly procedures and remedies, children's rights and the Convention.

#### **Independent monitoring**

11. Concerned about insufficient guarantees of institutional independence and autonomy, the Committee recommends that the State party ensure the independence of the Office of the Ombudsman and the Offices of the Municipal Ombudsman for Children and Adolescents, including with regard to their funding, mandates and immunities, in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

#### **Children's rights and the business sector**

12. Welcoming the National Action Plan on Business and Human Rights 2021–2025 and recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and the Guiding Principles on

<sup>5</sup> Ibid., para. 16.

Business and Human Rights, endorsed by the Human Rights Council in 2011, the Committee recommends that the State party:

- (a) Establish and implement legally binding regulations to ensure that the business sector carries out due diligence procedures on the rights of children and complies with international and national human rights, labour, environmental and other standards, particularly with regard to children's rights;
- (b) Involve all affected groups, including Indigenous children, in relevant consultation processes and take their views into account;
- (c) Ensure proper environmental impact assessments before granting licences to companies, including mining companies, and for hydroelectric and other industrial projects;
- (d) Ensure that businesses establish monitoring mechanisms for the investigation and redress of children's rights violations, with a view to improving accountability and transparency, including by applying sanctions where necessary.

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

### **Non-discrimination**

13. While welcoming the 2040 National Policy on Indigenous Languages, Oral Tradition and Interculturality, the Committee is concerned that the right to non-discrimination is not respected, particularly with regard to ethnic and national origin, language, race and gender, and recommends that the State party:

- (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 and refugee children, Indigenous children, children with disabilities, children in alternative care, children of incarcerated parents, children in rural areas and lesbian, gay, bisexual, transgender and intersex children, including by implementing or revising existing laws and policies effectively, adopting relevant strategies and carrying out broad public education campaigns;
- (b) Forcefully strive to eliminate patriarchal attitudes and gender stereotypes that contribute to discrimination against girls in all areas of life, including de facto discrimination against pregnant girls and adolescent mothers in education;
- (c) Repeal Act No. 32003, which ends the use of inclusive language in State documents and school texts;
- (d) Establish clear procedural pathways for children to seek justice in cases of discrimination;
- (e) Ensure the access of children in disadvantaged situations, including Indigenous children, children with disabilities, lesbian, gay, bisexual, transgender and intersex children and migrant and refugee children to health services, education and a decent standard of living;
- (f) Conduct media campaigns to change social norms and behaviours that contribute to discrimination, raise public awareness regarding the prohibition of discrimination and promote tolerance and respect for diversity;
- (g) Evaluate, with the participation of children and civil society organizations, the existing measures aimed at combating discrimination against children in disadvantaged situations to assess their impact and revise the measures accordingly.

**Best interests of the child**

14. Noting with concern that the principle of the best interests of the child is not applied systematically in all matters affecting children, the Committee recalls its previous recommendations<sup>6</sup> and recommends that the State party:

- (a) Ensure that the principle of the best interests of the child is consistently applied in all policies, programmes and legislative, administrative and judicial proceedings affecting children, including in relation to domestic violence, child justice and migration procedures;
- (b) Strengthen the capacity of all relevant professionals to assess and determine the best interests of the child and to give that principle due weight as a primary consideration;
- (c) Take measures to develop and implement a tool for generating child rights impact assessments throughout the State party.

**Right to life, survival and development**

15. The Committee is seriously concerned about the killings of children in the context of street protests and the potential deaths of missing children who have disappeared in other contexts and urges the State party:

- (a) To ensure the prompt investigation, with due process, and the punishment of those responsible for the deaths of children and ensure reparation for their families;
- (b) To ensure the non-repetition of such occurrences, including by aligning its legislation and operational procedures governing the use of force, firearms and less-lethal weapons by law enforcement officials with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement and provide systemic training;
- (c) To address the root causes for the disappearance of children in order to prevent it.

**Respect for the views of the child**

16. Noting the role of the Consultative Council for Children and Adolescents in fostering participation and recalling its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:

- (a) Take measures to ensure the effective implementation of legislation recognizing the right of the child to be heard in relevant legal proceedings;
- (b) Promote the access of children to adequate information so that they understand and exercise their rights and participate in the decisions affecting their lives;
- (c) Conduct programmes and awareness-raising activities to promote the meaningful and empowered participation of all children within the family, the community and schools, including in student council bodies, with particular attention to girls, children in vulnerable situations and human rights defenders.

**C. Civil and political rights (arts. 7, 8 and 13–17)****Birth registration and nationality**

17. While welcoming the efforts of the State party to address birth registration issues, including by having ensured the right to an identity and the granting of nationality to children born in the territory regardless of the legal status of their parents, the Committee remains

<sup>6</sup> CRC/C/PER/CO/4-5, para. 30.

seriously concerned about the difficulties in access to birth registration and identity documentation for children in rural areas and Indigenous children.

**18. The Committee urges the State party:**

(a) To ensure free birth registration and the issuance of birth certificates immediately after birth for all children born in its territory, regardless of the child's or parents' immigration status, official documentation or asylum-seeking status, paying particular attention to children born in the border areas of the Amazon Basin, Indigenous children, children in rural and remote areas and migrant and refugee children;

(b) To remove any requirement for parental documentation as a prerequisite for the issuance of birth certificates.

**Freedom of association and peaceful assembly**

**19. The Committee is concerned about the deaths of seven children that occurred during citizen protests in rural areas and the disproportionate, indiscriminate and lethal use of force by the State party, and urges the State party:**

(a) To strengthen children's right to freedom of association and peaceful assembly, including by implementing actions and programmes to that effect;

(b) To ensure that children are not threatened for exercising their right to freedom of association and peaceful assembly, including for their involvement in nationwide protests.

**Right to privacy**

**20. Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party:**

(a) Strengthen safeguarding regulations and policies in the digital environment to protect the privacy of children;

(b) Protect children from harmful content and materials and online risks and establish mechanisms to prosecute violations.

**Access to appropriate information**

**21. Recalling its general comment No. 25 (2021), the Committee recommends that the State party:**

(a) Address the negative portrayal of children in the media, in particular the portrayal of adolescents, Indigenous children, Peruvian children of African descent and Venezuelan children;

(b) Provide children with access to information in minority languages;

(c) Continue to improve digital inclusion for children in disadvantaged situations or living in rural and remote areas, including by means of accessible and affordable online services and connectivity, while ensuring that public services remain accessible to children who do not use or have access to digital technologies;

(d) Enhance the digital literacy and skills of children, teachers and families.

**D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a) and 39 of the Convention, and the Optional Protocol on the sale of children, child prostitution and child pornography)**

**Abuse, neglect, sexual abuse and exploitation**

**22. While welcoming the School Violence Prevention Model and Act No. 31440, which includes measures for education and the prevention of sexual violence against children, and Act No. 31621, which promotes temporary protection services for victims of family and**

sexual violence, the Committee recalls its previous recommendations<sup>7</sup> and continues to be extremely concerned about the slow evolution of social norms regarding violence against children and about the following:

- (a) The alarmingly high number of cases of all forms of violence against children, in particular sexual violence disproportionately affecting Indigenous children and children living in rural areas;
- (b) Longstanding reports of physical, psychological and sexual abuse and lack of accountability for violence against children committed by religious personnel of the Roman Catholic Church;
- (c) The high prevalence of familial and school-based sexual violence against children in Condorcanqui Province and the larger Amazonas region and the insufficient measures of prevention, investigation and judicial intervention;
- (d) The exponential increase of cases of violence in schools from 2019 to 2024 and the lack of implementation of administrative and penal proceedings, particularly against teachers, and the limited improvements in access to justice for children whose rights have been violated;
- (e) Insufficient attention to children's sexual violence complaints, reported through such administrative channels as special protection units and women's emergency centres, and complaints of sexual abuse originating within the centres;
- (f) The fact that only a small proportion of sexual violence cases that are brought to trial result in convictions;
- (g) The denial of and limited access to specialized and confidential sexual and reproductive health services, including limited access to emergency kits, by victims of sexual violence;
- (h) Violence against lesbian, gay, bisexual, transgender and intersex children;
- (i) Violence against children by drug-trafficking organizations.

**23. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State party:**

- (a) **Develop specific strategies to address the high levels of sexual violence against children, particularly girls, with an emphasis on children in rural and remote areas;**
- (b) **Continue and intensify the provision of programmes and support in Condorcanqui Province to address the alarming situation of sexual violence against Indigenous children, including prevention programmes, access to physical and psychological healthcare for victims and access to justice, employing interpreters and personnel who speak the Indigenous languages of the victims, where necessary;**
- (c) **Establish a child rights-centred approach aimed at preventing and eradicating violence against children and ensure that it extends to children who suffer violence within organizations, such as schools and religious settings;**
- (d) **Implement effective and timely disciplinary, administrative and judicial processes against teachers under investigation for committing acts of violence against children and promote the amendment of the Teacher Reform Act;**
- (e) **Institute a formal State-led independent inquiry into child sexual abuse in the Roman Catholic Church, with full power of investigation, with a view to identifying the failures of the State institutions, identifying the victims, including of past abuses, and establishing a mechanism to compensate them;**
- (f) **Develop a multisectoral policy to eliminate violence against children at the national level that addresses prevention, care, protection, sanctions and comprehensive recovery, providing the technical, human and financial resources necessary, and adopt**

<sup>7</sup> CRC/C/PER/CO/4-5, paras. 40, 42 and 44.

a national coordinating framework to address all forms of violence against children while effectively implementing public policies at the local level;

(g) **Implement the Action Plan to Eliminate Violence against Children and Adolescents 2021–2030, providing the human, technical and financial resources necessary, and develop a unified data system disaggregated by relevant indicators, including disability;**

(h) **Ensure the mandatory reporting of all forms of violence against children, identify accessible focal points to receive such reports and promote awareness among parents, professionals and children on the importance of reporting and of early intervention in cases of child abuse and violence;**

(i) **Ensure that all cases of abuse of children, including sexual abuse, are promptly investigated, applying a child-friendly and multisectoral approach with the aim of avoiding the revictimization of the child, that perpetrators are prosecuted and duly sanctioned and that reparations are provided to victims, as appropriate, and ensure that the high penalties established in the Penal Code for persons who commit offences against children are applied effectively;**

(j) **Ensure that all children who are victims of or have witnessed violence have prompt access to child-friendly, multisectoral and comprehensive interventions, services and support, including forensic interviews, psychological therapy and emergency kits, with the aim of preventing the secondary victimization of such children;**

(k) **Repeal Act No. 31498, which allows parents to intervene in the educational curriculum, and implement comprehensive sex education and sexual and reproductive rights programmes in schools;**

(l) **Urgently provide intensive support measures to adolescents who have become pregnant as a result of sexual abuse and violence;**

(m) **In view of the amendments to the protocol on assistance for individuals and families rescued from terrorist groups, expand its legal framework to cover recruitment or the use of children by non-terrorist criminal organizations, such as those involved in drug trafficking.**

#### **Gender-based violence**

24. While welcoming the State party's extensive normative framework for the prevention of and attention to gender-based violence, including sexual violence against girls, the Committee is highly concerned that:

(a) In recent years, there has been an increase in cases of gender-based violence, particularly violence against girls, including femicide;

(b) An increasing number of legislative initiatives proposing the elimination of the gender perspective in various areas are being presented before the Legislative Branch and are gaining momentum.

25. **The Committee urges the State party:**

(a) **To implement comprehensive policies that strengthen the judicial system, including by improving technical competencies to handle cases of sexual violence against girls, inclusive of femicide, and eradicating gender stereotypes that impede girls' access to justice;**

(b) **To ensure that a gender perspective is retained in law and policy to maintain an emphasis on the reality that girls are the most affected by gender-based violence, particularly sexual abuse.**

#### **Corporal punishment**

26. Recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, and welcoming Act No. 30403, the Committee is concerned that physical violence against



children as a form of discipline is a common aspect of parenting practices and recommends that the State party:

- (a) Ensure the effective implementation of Act No. 30403 and its regulations;
- (b) Promote positive, non-violent and participatory forms of child-rearing and discipline;
- (c) Conduct awareness-raising campaigns for parents and professionals working with and for children to promote attitudinal change within the family and the community with regard to corporal punishment.

#### **Disappearances**

27. While welcoming the efforts to collect and systematize information through the Missing Persons Portal, the Committee is seriously concerned about the dramatically high number of disappeared children and urges the State party:

- (a) To enhance the effectiveness of the identification of missing children, including searches for missing children at the regional and local levels;
- (b) To coordinate and unify missing children cases reported through different channels;
- (c) To take measures to address the risk of online interactions leading to the disappearance of children, including identifying online networks linked to criminal trafficking gangs and gaming platforms that may facilitate such disappearances;
- (d) To continue to implement awareness-raising initiatives to educate children, caregivers and relevant authorities on such risks, strengthen preventative measures and report on the results of its efforts to combat disappearances and locate missing children.

#### **Harmful practices**

28. While welcoming Act No. 31945, which prohibits child marriage, and recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee is concerned about the prevalence of child marriage and recommends that the State party:

- (a) Prevent child marriage and early de facto unions by effectively addressing their root causes;
- (b) Expeditiously implement Act No. 31945 and its regulations, including through dedicated human, technical and financial resources;
- (c) Address the situation of child marriage in vulnerable populations, including among Indigenous children;
- (d) Develop procedures to allow for the annulment upon request of child marriages that occurred before the law was passed;
- (e) Establish protection schemes for victims of child marriage who file a complaint;
- (f) Develop awareness-raising campaigns and programmes on the law prohibiting child marriage and on the harmful effects of child marriage on the physical and mental health of girls, targeting cultural practices and households, local authorities, Indigenous leaders and judges and prosecutors.

#### **Optional Protocol on the sale of children, child prostitution and child pornography**

29. While acknowledging the legislative progress made through Acts No. 302451 and No. 31146, the Committee regrets the lack of information on the implementation of its

concluding observations<sup>8</sup> on the State party's report submitted under article 12 (1) of the Optional Protocol on the sale of children, child prostitution and child pornography. Recalling its 2019 guidelines<sup>9</sup> on the implementation of the Optional Protocol and its concluding observations on the State party's report, the Committee urges the State party to implement the recommendations of the Committee contained in those concluding observations, including the following:

(a) Expand the scope of the Multisectoral Policy to Combat Organized Crime 2019–2030 to encompass all areas covered under the Optional Protocol, including the sale of children, child sexual abuse material and the exploitation of children for prostitution, allocate sufficient financial resources to ensure the policy's full implementation and establish robust monitoring mechanisms to periodically evaluate its effectiveness in achieving the objectives of the Optional Protocol;

(b) Clearly define and criminalize the sale of children as a separate offence distinct from trafficking in children, in compliance with the obligations under the Optional Protocol;

(c) Implement specialized training for law enforcement and judicial personnel on recognizing and prosecuting cases involving the sale of children.

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

##### **Children deprived of a family environment**

30. Concerned about the lack of cohesive family protection for children who have lost parental care, and drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:

(a) Phase out institutionalization and, to that end, urgently adopt a strategy and action plan, including the systemic transformation of the childcare, welfare and protection systems in line with the Convention, and ensure adequate human, technical and financial resources for its implementation;

(b) Ensure sufficient alternative family- and community-based care options for children who cannot stay with their families, including by allocating sufficient financial resources for foster care and adoption, for regularly reviewing placement measures and for facilitating the reunification of children with their families when possible;

(c) Put in place preventive mechanisms to avoid the separation of children from their families, ensure adequate safeguards and clear criteria, based on the needs and the best interests of the child, for determining whether a child should be placed in alternative care and ensure that decisions on child removal are always subject to judicial review;

(d) Develop support programmes to provide incentives for the reunification of families;

(e) Establish quality standards for all alternative care settings, ensure periodic reviews of the placement of children in foster care and institutions and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying the maltreatment of children;

(f) Implement a more rigorous and effective selection process for employees of foster homes and institutions, including checking the criminal, professional and ethical background of each candidate applying to work with children in those settings;

(g) Increase the number of family courts and strengthen the capacity of professionals working with and for children, in particular family judges, law

<sup>8</sup> CRC/C/OPSC/PER/CO/1 and CRC/C/OPSC/PER/CO/1/Corr.1.

<sup>9</sup> CRC/C/156.

enforcement personnel, social workers and service providers, including by enhancing their awareness of the rights and needs of children deprived of a family environment, and encouraging them to implement family-based alternative care responses.

## **F. Children with disabilities (art. 23)**

31. Welcoming Act No. 30797 (2018) and the State party's efforts on disability, and recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party:

- (a) To adopt a human rights-based approach to disability;
- (b) To set up a comprehensive strategy for the inclusion of children with disabilities;
- (c) To harmonize its national legislation with the human rights model of disability;
- (d) To ensure the collection of data on children with disabilities and develop an efficient system for diagnosing disability, which is necessary for putting in place appropriate policies and programmes for children with disabilities;
- (e) To take immediate measures to ensure that children with disabilities have access to healthcare, including early detection and intervention programmes;
- (f) To undertake awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of and prejudice against children with disabilities and promote societal attitudinal changes with regard to children with disabilities as rights holders;
- (g) To refrain from institutionalizing children with disabilities and provide alternative measures that integrate them into the community;
- (h) To address the specific needs of children with autism spectrum disorders and, in particular, ensure that they are integrated into all areas of life, including educational, recreational and cultural activities, set up mechanisms for early detection, provide adequate training to professionals and ensure that such children benefit effectively from early development programmes and are not subject to mistreatment.

## **G. Health (arts. 6, 24 and 33)**

### **Health and health services**

32. Welcoming the reduction in child mortality and chronic malnutrition, concerned about unequal access to basic health and health services and recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party:

- (a) Ensure the availability of and equitable access to free, high-quality primary and specialized healthcare services for children in all provinces, without discrimination, particularly those from socially and economically disadvantaged groups, including Indigenous children, Peruvian children of African descent, children in rural areas, lesbian, gay, bisexual, transgender and intersex children, children with disabilities and refugees and migrant children, regardless of age or documentation status;
- (b) Ensure that Indigenous children have access to culturally sensitive health services in their communities in their own languages;
- (c) Address the underlying causes of the relatively high rate of infant and child mortality;
- (d) Prevent and respond to malnutrition in all its forms and continue to treat iron-deficiency anaemia;

(e) **Guarantee the administration of monoclonal antibodies against respiratory syncytial virus and of vaccines formulated to avoid producing adverse effects in high-risk newborns (premature and with HIV);**

(f) **Improve the availability of medicines, insulin, syringes and devices for the control of blood glucose in children with type 1 diabetes.**

#### **Mental health**

33. **Concerned with the prevalence of depression and suicidal behaviour in recent years and the impact of drug use on the health of children, the Committee recommends that the State party:**

(a) **Prioritize the implementation of the mental health policy by providing human, technical and financial resources for effective access to services and comprehensive treatment;**

(b) **Improve public investment in prevention and intervention programmes and reduce the prevalence of suicidal behaviour and depression among children;**

(c) **Prevent drug and alcohol usage by children and provide treatment for addiction.**

#### **Adolescent health**

34. **While welcoming the approval of the guidelines on comprehensive sex education in basic education (2021), the Committee is highly concerned about:**

(a) **The lack of information on and implementation of comprehensive sex education for all children;**

(b) **The lack of access to sexual and reproductive healthcare, the alarming rates of forced pregnancy in girls, including at a very young age, and the high rates of maternal mortality affecting girls;**

(c) **The limited access to abortion and therapeutic abortion.**

35. **Recalling its general comments No. 4 (2003) on adolescent health and development in the context of the Convention and No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee urges the State party:**

(a) **To adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescents, with special attention to preventing early pregnancy and sexually transmitted infections;**

(b) **To ensure that all children receive confidential and child-friendly sex education and have access to reproductive health information and services, including access to contraceptives;**

(c) **To strengthen public efforts and capacities aimed at ensuring the effective implementation of comprehensive sex education inside and outside of schools, including by training teachers on its implementation as a regular part of the teacher training curriculum;**

(d) **To decriminalize abortion in all cases involving child pregnancy and ensure that there are no setbacks in laws and public policies on sexual and reproductive education and access to abortion;**

(e) **To effectively prevent and reduce mortality rates among pregnant adolescent girls;**

(f) **To take immediate measures to ensure access to safe abortion and post-abortion care services for adolescent girls, particularly in cases where there is a risk to the life or health of the mother and those involving rape or incest;**

(g) **To amend the regulations on access to therapeutic abortion to make them specifically applicable to girls, to ensure that due weight is given to the particular risks**

of mortality and morbidity involved in adolescent pregnancy and to ensure speedy access to justice for the review of decisions made regarding therapeutic abortions;

(h) To ensure that adolescent girls are offered a range of options in early pregnancy in a non-judgmental manner by well-trained healthcare professionals and that decisions are made with their informed consent after they have been given the opportunity to be heard and their views have been given due consideration as a part of the decision-making process;

(i) To ensure the availability and accessibility of services and trained healthcare professionals to provide voluntary legal abortion and post-abortion care.

## **H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))**

36. While welcoming the National Policy for Development and Social Inclusion and the increase in access to clean drinking water and sanitation, the Committee is concerned about the high and increasing levels of poverty among children and recommends that the State party:

(a) Address the structural inequalities that are the root causes of extreme poverty and ensure that children living in poverty and their families receive adequate financial support and free, accessible services, without discrimination;

(b) Extend social protection programmes to the most vulnerable populations, including migrant and refugee children and those whose mother tongue is not Spanish;

(c) Continue to promote strategies to address food insecurity and continue efforts to increase access to clean drinking water and sanitation across the country, especially for Indigenous children and those living in remote areas.

## **I. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)**

37. While deeply concerned about lead poisoning and contamination, and recalling its general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change, the Committee urges the State party:

(a) To take measures to clean up lead-contaminated areas and to monitor air, soil and water quality in affected areas;

(b) To ratify the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), implement the Framework Act No. 30754 on Climate Change of 2018 and develop prevention plans and risk management and early warning systems to prevent and respond to natural disasters linked to climate change;

(c) To ensure that rights-based environmental education is incorporated into school curricula at all levels and teacher training programmes, promote children's awareness of and preparedness for climate change and natural disasters and involve children in decision- and policymaking, including in the elaboration of nationally determined contributions.

## **J. Education, leisure and cultural activities (arts. 28–31)**

### **Aims and coverage of education**

38. While welcoming the State party's recent efforts to guarantee migrant children's right to education but concerned about gaps affecting Indigenous children and children living in poverty, in rural areas or with disabilities, the Committee recommends that the State party:

- (a) Ensure that all children complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes and strengthen retention in secondary education, particularly in rural and Indigenous areas;
- (b) Take the measures necessary to improve the accessibility and the quality of education and provide quality training for teachers, with a particular emphasis on rural areas;
- (c) Ensure the provision of good infrastructure, water services, electricity and educational materials for all teachers and students;
- (d) Strengthen measures, including administrative oversight and reporting mechanisms, to prevent and address school violence, particularly sexual violence, and hold perpetrators to account;
- (e) Ensure comprehensive support services in rural schools, including health, safety and food provisions, particularly in secondary school residences;
- (f) Support pregnant teenagers and adolescent mothers to continue their education in mainstream schools, without discrimination;
- (g) Allocate sufficient financial resources for the development and expansion of early childhood education based on a comprehensive and holistic policy on early childhood care and development.

#### **Inclusive education**

39. Concerned that 58 per cent of children with disabilities are not enrolled in any educational system and by the shortage of teachers speaking Indigenous languages, the Committee recommends that the State party:

- (a) Ensure that all children with disabilities have access to inclusive education in mainstream schools and that schools are equipped with trained teachers, accessible infrastructure and teaching materials adapted to the needs of children with disabilities;
- (b) Train specialized teachers and professionals and assign them to integrated classes to provide the individual support and attention necessary for children with learning difficulties;
- (c) Actively promote and develop educational alternatives that are better adapted to the realities and interests of children in street situations;
- (d) Ensure the availability of teachers who speak Indigenous languages.

### **K. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention, and the Optional Protocol on the involvement of children in armed conflict)**

#### **Asylum-seeking, refugee and migrant children**

40. While welcoming the implementation of the Protocol for Special Protection Units for the Care of Refugee or Migrant Children and Adolescents Lacking Family Protection or at Risk of Losing Family Protection and the efforts of the State party to regularize migrant and refugee children, the Committee is concerned about bills approved by Congress targeting migrants, particularly those relating to housing rentals, passport applications, expulsion and deportation, and the lack of clear provisions for the care of unaccompanied children. Recalling joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration, the Committee recommends that the State party:

- (a) Facilitate access to the asylum system for children in need of international protection, in line with articles 6, 22 and 37 of the Convention and the Committee's general comment No. 6 (2005) on the treatment of unaccompanied and separated

children outside their country of origin, develop specific protocols and a road map for the care of unaccompanied migrant and refugee children and prioritize family unity and reunification;

(b) Uphold the principles of the best interests of the child in the refugee status determination process and the right to be heard;

(c) Repeal Superintendence resolution No. 0121-2024-MIGRACIONES (2024) and recognize the extended validity of expired or expiring Venezuelan passports to guarantee the access of children to the territory through humanitarian and family reunification exceptions and exert flexibility, with the best interests of children as a guiding principle, for those who do not have a valid passport and the corresponding visa;

(d) Repeal the accelerated expulsion procedure (Legislative Decree 1582 of November 2023), which does not have specific safeguards to protect the family unit;

(e) Implement and update the National Migration Policy 2017–2025;

(f) Expand the Protocol for Special Protection Units for the Care of Refugee or Migrant Children and Adolescents Lacking Family Protection or at Risk of Losing Family Protection to an international scope of action;

(g) Ensure the access of migrant and refugee children to health services, including the Comprehensive Health Insurance, without distinction as to age or migratory condition, including by eliminating the minimum residency requirement of five years, in order to avoid interruptions in health coverage for those vulnerable groups;

(h) Continue to integrate migrant and refugee children into the educational system regardless of their documentation status and ensure that children can graduate regardless of their migratory status;

(i) Establish robust mechanisms to identify and support children affected by armed conflict, particularly the early identification of asylum-seeking children from conflict zones and the provision of physical and psychological recovery services tailored to their needs.

#### **Economic exploitation, including child labour**

41. The Committee recommends that the State party:

(a) Issue, provide sufficient funding for and effectively implement the national multisectoral policy for the prevention and eradication of child labour to eliminate all forms of child labour by 2025;

(b) Implement the National Observatory on Forced Labour;

(c) Prohibit and eliminate hazardous labour practices, especially in agriculture, mining and the informal sectors in which child workers are exposed to environmental risk factors, promote safer alternatives and ensure the monitoring of children affected.

#### **Children in street situations**

42. Drawing attention to its general comment No. 21 (2017) on children in street situations and concerned about the high rates of drug and alcohol addiction among children, the Committee recommends that the State party:

(a) Assess the number of children living or working in the streets and update studies on the root causes of their situations;

(b) Develop a comprehensive and integrated policy for children in street situations to support them in exercising their rights and reintegrating into their families or being placed in alternative care, with full respect for the child's best interests and giving due weight to their autonomous views;

(c) **Build on the “Police in Action against Drugs” programme to develop and fund a dedicated initiative that specifically protects children in street situations from the dangers of gang violence and drug trafficking, ensuring targeted interventions for at-risk youth;**

(d) **Expand the current training initiatives of the Peruvian National Police to include specialized modules on protecting children in street situations from violence, harassment and misconceptions, ensuring that law enforcement personnel are fully equipped to handle such vulnerable groups.**

#### **Trafficking**

43. **Welcoming the Act to Combat Trafficking in Persons and the Smuggling of Migrants (2016) and the approval of the 2030 National Policy on Trafficking in Persons and Related Forms of Exploitation, the Committee recommends that the State party:**

(a) **Allocate sufficient resources for the implementation of the National Policy on Trafficking in Persons and Related Forms of Exploitation and approve the results-oriented budgetary programme;**

(b) **Ensure the effective provision of referral and support services to children who are victims of trafficking;**

(c) **Investigate all cases of trafficking in children, bring perpetrators to justice and protect witnesses and victims who cooperate in investigations;**

(d) **Conduct awareness-raising activities for parents and children on the dangers of trafficking in children.**

#### **Administration of child justice**

44. **While welcoming the repeal of Legislative Decree No. 1204 and the enactment of the Code of Criminal Responsibility for Adolescents, which represent significant steps towards establishing a specialized juvenile justice system, the Committee is seriously concerned that:**

(a) **All children who are or have been involved with the juvenile criminal justice system are excluded from protection services, regardless of whether or not they have been convicted;**

(b) **A legislative initiative might be approved to amend the Penal Code and the Code of Criminal Responsibility for Adolescents to include 16- and 17-year-olds within the adult criminal system;**

(c) **There is no dedicated agency to oversee centres for the enforcement of penalties for adolescent criminal responsibility, including closed centres;**

(d) **Detention continues to be overused and there is limited use of alternative, non-custodial measures.**

45. **Recalling its general comment No. 24 (2019) on children’s rights in the child justice system, the Committee urges the State party to bring its child justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party:**

(a) **To eliminate barriers that prevent children who have a criminal record from having access to protective services benefits;**

(b) **To abstain from reducing the age of criminal responsibility and guarantee the implementation of the National System for the Social Reinsertion of Adolescents in Conflict with Criminal Law by 2030 and provide it with human, financial and technical resources;**

(c) **To strengthen and assign resources to the specialized justice system for children, including for specialized courts and interdisciplinary committees, and for the training of judges, prosecutors and defence attorneys handling cases involving children;**



(d) To ensure the provision of free and specialized legal aid to children alleged as, accused of or recognized as having infringed criminal law at an early stage of the procedure and throughout the legal proceedings;

(e) To actively promote non-judicial measures, such as diversion and mediation, for children alleged as, accused of or recognized as having infringed criminal law and, wherever possible, the use of non-custodial sentences for children, such as probation or community service, and ensure that health and psychosocial services are provided to such children;

(f) To ensure that detention is used as a measure of last resort and for the shortest appropriate period of time and is reviewed on a regular basis with a view to its withdrawal;

(g) To ensure, for the few situations where deprivation of liberty is justified as a measure of last resort, that children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to access to education and health services.

**Children in armed conflict, including the implementation of the Optional Protocol on the involvement of children in armed conflict**

46. The Committee regrets the lack of information on the implementation of its concluding observations<sup>10</sup> on the State party's report submitted under article 8 (1) of the Optional Protocol on the involvement of children in armed conflict. While welcoming the adoption of the Act on Voluntary Military Service (No. 29248), the Committee urges the State party:

(a) To amend its legislation to explicitly prohibit and criminalize the recruitment and use of children under the age of 18 years by any entity, including armed forces, non-State armed groups, private security contractors and organized criminal groups, in line with international standards;

(b) To extend extraterritorial jurisdiction to prosecute the recruitment and use of children in hostilities;

(c) To define the recruitment of children under the age of 15 years as a war crime and impose appropriate penalties;

(d) To strictly apply age verification procedures for military recruitment to ensure that children are not recruited;

(e) To ensure that the protocol on assistance to rescued children is fully operationalized, adequately funded and effectively implemented, with particular attention to the needs of child victims;

(f) To establish robust mechanisms to identify and support children affected by armed conflict, particularly the early identification of asylum-seeking children from conflict zones and the provision of physical and psychological recovery services tailored to their needs;

(g) To strengthen its efforts to provide specialized, multidisciplinary and gender-sensitive rehabilitation and reintegration services for child victims of recruitment and use, including psychological support, legal aid and educational assistance, to enable their full social reintegration.

## **L. Ratification of international human rights instruments**

47. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments:

<sup>10</sup> [CRC/C/OPAC/PER/CO/1](#).

(a) Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

(b) Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

#### **M. Cooperation with regional bodies**

48. The Committee recommends that the State party cooperate with the Organization of American States (OAS) on the implementation of the Convention and other human rights instruments, both in the State party and in other OAS member States.

### **IV. Implementation and reporting**

#### **A. Follow-up and dissemination**

49. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined sixth and seventh periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

#### **B. National mechanism for reporting and follow-up**

50. The Committee recommends that the State party strengthen the National Human Rights Council (*Consejo Nacional de Derechos Humanos*) and ensure that it has the mandate and adequate human, technical and financial resources to coordinate and engage with, and prepare reports to, international and regional human rights mechanisms and to coordinate and track national follow-up to, and the implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms effectively. The Committee emphasizes that the Human Rights Council should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the Office of the Ombudsperson (*Defensoría del Pueblo*) and civil society.

#### **C. Next report**

51. The Committee will establish and communicate the due date of the combined eighth and ninth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The reports should be in compliance with the Committee's harmonized treaty-specific reporting guidelines<sup>11</sup> and should not exceed 21,200 words.<sup>12</sup> In the event that reports exceeding the established word limit are submitted, the State party will be asked to shorten the reports. If the State party is not in a position to review and resubmit the reports, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

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<sup>11</sup> [CRC/C/58/Rev.3](#).

<sup>12</sup> General Assembly resolution 68/268, para. 16.