



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

Concluding observations on the fifth periodic report of Peru*

1. The Committee considered the fifth periodic report of Peru¹ at its sixth and eighth meetings,² held on 12 and 13 February 2025, and adopted the present concluding observations at its thirtieth meeting, held on 28 February 2025.

A. Introduction

2. The Committee welcomes the submission by Peru of its fifth periodic report and the additional information submitted in its replies to the list of issues.³ The Committee also expresses its appreciation for the dialogue held with the delegation of the State Party and thanks the delegation for its oral replies and the supplementary information provided. The Committee wishes to remind the State Party that, when various government sectors participate in the dialogue, the Committee and the State Party are able to have a fruitful exchange on all aspects of the International Covenant on Economic, Social and Cultural Rights and its implementation. The dialogue, together with the report and the other information received, allows the Committee to conduct the most thorough assessment possible.

B. Positive aspects

3. The Committee is pleased to note that the State has become a party to the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190). The Committee also welcomes the adoption of Act No. 31047, under which the minimum age for domestic work was raised to 18 years, and takes note of the numerous policies adopted, including the Strategic Plan for National Development up to 2050, the National Policy for Development and Social Inclusion up to 2030, the National Policy for Decent Employment, the National Multisectoral Policy on Disability for Development up to 2030, the National Multisectoral Policy for Older Persons up to 2030, the National Multisectoral Policy on Health up to 2030 and the National Multisectoral Policy on Human Rights up to 2040, and all the matters referred to below.

* Adopted by the Committee at its seventy-seventh session (10–28 February 2025).

¹ [E/C.12/PER/5](#).

² See [E/C.12/2025/SR.6](#) and [E/C.12/2025/SR.8](#).

³ [E/C.12/PER/RQ/5](#).



C. Principal subjects of concern and recommendations

States of emergency

4. The Committee is concerned about the frequency with which the State Party has declared states of emergency. Also of concern is the frequent deployment of the armed forces during states of emergency, particularly during protests by defenders of economic, social and cultural rights, which increases the risk of violations of Covenant rights.

5. **The Committee endorses the relevant recommendations of the Human Rights Committee⁴ and urges the State Party to:**

(a) **Ensure that declarations of states of emergency are used only in exceptional circumstances, in accordance with article 4 of the International Covenant on Civil and Political Rights and the recommendations of the Human Rights Committee;**

(b) **Ensure that any measures taken in the context of a state of emergency are strictly necessary, proportional, temporary and subject to judicial review and that all measures, in particular those that result in restrictions of the right to protest of defenders of economic, social and cultural rights, are consistent with the State Party's obligations under the Covenant;**

(c) **Limit the use of states of emergency and ensure strict respect for human rights;**

(d) **Increase its efforts, particularly through training and monitoring, to prevent human rights violations in military and police operations;**

(e) **Ensure that all reported violations of Covenant rights committed during states of emergency are promptly and effectively investigated, that those responsible are brought to justice and that victims receive full reparation.**

Domestic application of the Covenant

6. The Committee notes that, in the State Party, there is both shared and exclusive oversight of the constitutionality of laws and their compatibility with the provisions of international human rights law by which the State Party has agreed to be bound. However, the Committee regrets that little information was provided on judicial decisions invoking the Covenant and on the implementation of such decisions in accordance with the Covenant. The Committee is also concerned about reports that there are legal initiatives under way that are inconsistent with the Covenant.

7. **The Committee recommends that the State Party:**

(a) **Step up its efforts to disseminate the Covenant among judges, magistrates, lawyers, legislators and civil society and to raise their awareness of it through, for example, specific training programmes;**

(b) **Take the necessary measures to ensure the timely implementation of all judicial decisions on economic, social and cultural rights;**

(c) **Ensure that all laws adopted are consistent with the Covenant through the established oversight mechanisms, including by making sure that the system of shared and exclusive oversight of the constitutionality of national laws and their compatibility with international instruments functions properly;**

(d) **Strengthen collaboration with international bodies and human rights experts to improve the implementation and monitoring of the Covenant at the national level;**

(e) **Be guided by the Committee's general comment No. 9 (1998) on the domestic application of the Covenant.**

⁴ [CCPR/C/PER/CO/6](#), para. 13.

Human rights defenders

8. The Committee is concerned about the numerous reports that defenders of economic, social, cultural, environmental and land rights have been victims of attacks, intimidation, violence, delegitimization and killings. It is also concerned about the lack of adequate measures to protect them and the continuing impunity in such cases.

9. **The Committee recommends that the State Party:**

(a) **Continue strengthening the Intersectoral Mechanism for the Protection of Human Rights Defenders, including through its regional committees and the register on situations of risk facing human rights defenders;**

(b) **Allocate the necessary financial, technical and human resources, particularly for the implementation of protection measures granted by the Intersectoral Mechanism for the Protection of Human Rights Defenders by the relevant bodies, such as the Peruvian National Police;**

(c) **Promptly, impartially and thoroughly investigate attacks against human rights defenders and ensure that those responsible are identified and tried and receive sentences commensurate with the gravity of their acts, with a view to ending impunity;**

(d) **Take all necessary legal and administrative measures to ensure that all persons, including speakers of Indigenous languages, enjoy the right to peacefully protest in defence of economic, social and cultural rights, and that, if they are subjected to abuse by the authorities, they have access to services leading to justice, reparation and accountability on the part of the State;**

(e) **Adopt a clear normative framework specifically for the protection of human rights defenders that meets international standards and ensure that civil society and human rights defenders themselves are involved in its development and implementation;**

(f) **Bear in mind the Committee's statement on human rights defenders and economic, social and cultural rights⁵ and the recommendations of the Human Rights Committee regarding human rights defenders.⁶**

Business and human rights

10. The Committee welcomes the adoption of the National Action Plan on Business and Human Rights 2021–2025. However, it is concerned that Act No. 31973 may reduce the role of the Ministry of the Environment in forest zoning, which could result in changes in land use and land appropriation and have a negative impact on the protection of forest land and on territories traditionally owned, occupied or used by Indigenous Peoples. In particular, the Committee is concerned about the continued forest loss in the region of Madre de Dios, where more than 30,000 hectares of rainforest were destroyed between 2021 and 2024, and about the large-scale pollution of the rivers of the Amazon basin caused by the dumping of more than 3,000 tons of mercury in the last two decades. The Committee is also concerned about reports of violent attacks against and killings of workers in the formal mining sector by criminal networks linked to illegal mining and about legislative amendments that could contribute to impunity in the fight against corruption in natural resource exploitation.

11. **The Committee recommends that the State Party:**

(a) **Establish a clear regulatory framework for companies operating within its jurisdiction to ensure that they exercise human rights due diligence so as to avoid or mitigate any negative impacts on economic, social and cultural rights, and be guided by the Committee's general comment No. 24 (2017) on State obligations under the Covenant in the context of business activities;**

(b) **Review and adjust the environmental regulatory framework and the licensing process to ensure that public, independent and systematic environmental and**

⁵ E/C.12/2016/2.

⁶ CCPR/C/PER/CO/6, paras. 38 and 39.

human rights impact assessments are carried out and that broad and participatory consultations are held with affected communities;

(c) Amend Act No. 31973 to guarantee the participation of the environmental authorities in decision-making on the rezoning of forest areas, the protection of forest areas and the rights of Indigenous Peoples to participation, consultation and free, prior and informed consent;

(d) Take urgent action against illegal mining and environmental pollution through stronger border controls, effective sanctions, the traceability of refined gold and a remediation plan coordinated with local communities and by, for example, implementing a mechanism that allows gold to be traced from extraction to marketing, ensuring that gold refineries operate under strict standards of transparency and due diligence and strengthening oversight of gold refining and export processes;

(e) Ensure the protection of workers in the formal mining sector and combat impunity by guaranteeing job security, conducting effective investigations into acts of violence and amending Acts No. 31751, No. 31990 and No. 32108 to strengthen the prosecution of environmental and corruption offences;

(f) Ensure that all investments, whether by international financial institutions or private entities, especially those linked to natural resource exploitation, strictly comply with the obligations set out in the Covenant;

(g) Establish a transparent and independent monitoring and oversight mechanism that allows for the continuous supervision of investment projects and business activities to assess their compatibility with the rights protected under the Covenant;

(h) Strengthen cooperation among government authorities, civil society organizations and local communities in the fight against illegal mining;

(i) Comply fully with the judgment of the Inter-American Court of Human Rights in the case of *Inhabitants of La Oroya v. Peru*, ensuring full reparation for the harm suffered by the communities affected by industrial pollution;

(j) Ratify the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement);

(k) Bear in mind that economic development cannot be pursued at the expense of human rights or the environment and that the State must ensure that business activities are effectively regulated, in accordance with its international obligations.

Climate change mitigation

12. The Committee welcomes the development of the National Climate Change Strategy up to 2050. However, it is concerned about the high number of licenses granted for hydrocarbon exploitation, which could make it difficult for the State Party to achieve the objectives that it has set.

13. The Committee recommends that the State Party:

(a) Implement the National Climate Change Strategy up to 2050 and take all the necessary measures to achieve its nationally determined contribution under the Paris Agreement with respect to energy, transportation, land use, rezoning and forestry, in the light of the Committee's statement on climate change and the Covenant;⁷

(b) Ensure that new hydrocarbon licenses do not affect those objectives;

(c) Ensure that the negative effects of deforestation do not outweigh the benefit of mitigation measures.

⁷ E/C.12/2018/1.

Rights of Indigenous Peoples

14. The Committee takes note of the application of the Act on the Right of Indigenous Peoples to Prior Consultation (No. 29785) and welcomes the recognition, in Constitutional Court judgment No. 310/2023 of 6 June 2023 in case No. 03326-2017, of the availability of the remedy of *amparo* in connection therewith. However, the Committee is concerned about reports of obstacles to ensuring consultations and free, prior and informed consent, such as the attempts to unduly shorten the procedure and the holding of consultations without communities that had pointed out flaws in the process. In particular, the Committee is concerned that consultations are carried out after concessions have been approved, with companies entering Indigenous territories before consultations begin and being in a position to put pressure on the groups concerned, and that insufficient information is provided on the consequences of the proposed projects (art. 1 (2)).

15. The Committee endorses the recommendations made by the Human Rights Committee⁸ and urges the State Party to take the necessary measures to guarantee the right to consultation and free, prior and informed consent. The Committee also recommends that the State Party:

(a) **Ensure that prior consultations are carried out systematically and transparently for the purpose of obtaining the free, prior and informed consent of Indigenous Peoples before concessions are granted for natural resource exploitation and business activities on the lands and territories that they have traditionally owned, occupied or used;**

(b) **Ensure that Indigenous Peoples affected by extractive projects and business activities are consulted, receive compensation for any harm or loss suffered and obtain tangible benefits from those activities;**

(c) **Guarantee the effective protection of territorial and Indigenous reserves in which Indigenous Peoples in situations of isolation or initial contact live, refraining from approving concessions on such reserves, and adopt the necessary measures to prevent and mitigate any impact of illegal activities on the health of the population and the environment.**

Maximum available resources

16. The Committee is concerned that the tax system has almost no redistributive effect, that regressive taxes, including the general sales tax, account for more than half of all taxes, that the State Party is not making full use of the potential to secure revenues to protect citizens' rights and that tax exemptions and expenditure transfers, while largely benefiting the 10 per cent of the population with the lowest income, also benefit, albeit to a lesser degree, the 10 per cent with the highest income. The Committee is also concerned about information regarding measures with a regressive effect on the realization of the rights of persons with disabilities, as the Public Sector Budget Act for the fiscal year 2025 (No. 32185) will considerably reduce the spending provided for under Act No. 32139, effectively reducing the expenditure of regional governments (art. 2 (1)).

17. The Committee recommends that the State Party:

(a) **Ensure the effective mobilization of available resources by, for example, realigning the tax system in a progressive manner that is fair and equitable, broadening the tax base, improving collection and charging royalties to foreign investors with licenses to exploit natural resources, such as mineral resources, to ensure that there is an adequate foundation for realizing the rights set out in the Covenant;**

(b) **Address tax evasion and tax fraud;**

(c) **Ensure the effective mobilization of the available resources through a fair redistribution of the benefits of economic growth, ensuring that public spending is directed first and foremost towards basic obligations and the situations that are most dire and pose the greatest risk so as to maximize results, and withdrawing all regressive**

⁸ CCPR/C/PER/CO/6, paras. 42 and 43.

measures that are inconsistent with this approach, in line with the Committee's general comment No. 3 (1990);

(d) **Evaluate fiscal policy with the participation of social actors, analysing its distributive effects and the tax burden on disadvantaged sectors and groups;**

(e) **Regularly increase public investment in the protection of the economic, social and cultural rights of persons with disabilities, in strict compliance with Act No. 32139 in this regard.**

Corruption

18. The Committee takes note of the measures adopted, such as the introduction of integrity officers in government entities and the creation of the Centralized Digital Platform for Citizen Complaints. However, it is concerned about the continuing high levels of impunity in the State Party and regrets that it did not receive specific information on investigation results and penalties in cases of corruption, which has a particular impact on economic, social and cultural rights. The Committee is also concerned about reported attempts to unduly influence anti-corruption mechanisms, including in public prosecutors' offices, and regrets that the State Party did not provide additional information during the dialogue. The Committee is concerned about reports of political interference in the judicial system and in investigations into corruption in the State Party (art. 2 (1)).

19. **The Committee recommends that the State Party:**

(a) **Address the root causes of corruption and its impact on economic, social, and cultural rights;**

(b) **Investigate, prosecute and convict persons engaged in corruption, such as in the Qali Warma case;**

(c) **Strengthen measures to combat corruption, including by bolstering the National Integrity and Anti-Corruption Policy and its legislative framework and establishing an international mechanism to combat corruption and impunity;**

(d) **Strengthen the capacity of internal and external anti-corruption agencies by shielding and protecting the allocations of adequate financial, human and technical resources to them from any undue interference, protecting judges and prosecutors from any undue pressure and increasing judicial independence so as to combat corruption effectively;**

(e) **Guarantee the independence and security of officials leading internal or external corruption investigations so that they may carry out their work without fear of reprisals, and ensure transparency in the investigation and punishment of acts of corruption.**

Non-discrimination

20. The Committee takes note of the progress made in terms of legislation and programmes. However, the Committee notes that the State Party does not have a comprehensive anti-discrimination law covering direct, indirect and structural discrimination. Similarly, the Committee takes note of the high rates of discrimination based on sexual orientation or gender identity or directed against women, Indigenous Peoples, Afro-Peruvians or persons with disabilities that are reported in employment, housing and access to education and healthcare. The Committee is also concerned about the low level of compliance with the quotas established for employees with disabilities in large companies and public institutions (art. 2).

21. **The Committee recalls its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights and recommends that the State Party:**

(a) **Enact comprehensive anti-discrimination legislation that provides full and effective protection against discrimination in all spheres and contains a comprehensive list of prohibited grounds for discrimination, including race, colour, sex,**

disability, sexual orientation, gender identity or any other status protected under the Covenant;

(b) **Enact legislation on civil unions so that same-sex couples enjoy the same rights as heterosexual couples, including in terms of parental rights and the legal recognition of their children;**

(c) **Conduct public education programmes on discriminatory norms and beliefs, with comprehensive activities to raise the awareness and understanding of the media and the general public, for the purpose of combating stigmatization based on sexual orientation and/or gender identity and the stigmatization of persons with disabilities, Indigenous Peoples, migrants and refugees;**

(d) **Ensure compliance with the quotas established for the employment of persons with disabilities and introduce effective penalties for companies that do not meet those quotas;**

(e) **Provide migrants with the necessary documentation for them to be able to enjoy their economic, social and cultural rights.**

Equal rights of men and women

22. The Committee notes with concern that women face a significant wage disparity and have higher rates of unemployment and informal employment and a lower level of representation in public decision-making bodies and in managerial positions in the private sector. The Committee is concerned about the high percentage of women over the age of 65 who have neither a pension nor income from work (arts. 3, 7 and 9).

23. **The Committee recommends that the State Party take measures to ensure equality between men and women in the labour market and in their enjoyment of the right to social security, including in terms of access to pensions. The Committee also recommends that specific attention be paid to the needs of women in the necessary policies on the regularization of informal employment.**

Informal sector

24. The Committee is concerned that, despite the State Party's efforts, there are a large number of people working in the informal sector, primarily women, young persons and persons with disabilities, who are adversely affected by such work as they do not enjoy the benefits of social security. The Committee is also concerned about the insufficient number of labour inspections in both the informal sector and the illegal mining sector (art. 6).

25. **The Committee recommends that the State Party:**

(a) **Extend social security benefits to workers in the informal sector and ensure that those benefits provide workers and their families with an adequate standard of living;**

(b) **With support and technical assistance from ILO, take the necessary measures to facilitate the transition of workers from the informal to the formal sector, paying special attention to women, young persons and persons with disabilities and taking into consideration the ILO Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).**

Forced labour

26. The Committee takes note of the efforts made to eliminate forced labour. However, it is concerned that the measures taken may be insufficient given the prevalence of forced labour, particularly in the light of the capacity of the inspection mechanisms (arts. 6 and 7).

27. **The Committee recommends that the State Party continue and expand measures to combat all forms of forced labour, including its collaboration with ILO, and ensure adequate funding for all measures in this regard, including for inspection mechanisms. The Committee urges the State Party to ensure that the persons responsible are investigated, prosecuted and convicted and that care is provided for victims.**

Short-term contracts

28. While it recognizes the need to take specific measures to increase the flexibility of labour markets, the Committee recalls that these must not render work less stable or reduce the protection of the worker.⁹ The Committee is concerned about the low level of regulation of the use of temporary contracts, which may be renewed successively for a period of up to five years, and even for an unlimited period in certain non-traditional export sectors, in accordance with the Labour Productivity and Competitiveness Act (Decree No. 728) and Decree-Law No. 2234 (arts. 6 and 7).

29. The Committee recommends that the use of temporary contracts be regulated with a view to limiting such use to situations where temporary employment is required by the market and ensuring that they are not used consecutively for prolonged periods, a practice that could have a negative impact on other labour rights, in accordance with the Committee's general comments No. 18 (2005) and No. 23 (2016).

Minimum wage

30. The Committee notes with satisfaction that the minimum wage (minimum living wage) has increased steadily. However, it is concerned that the volume of unregistered employment and the limited capacity of labour inspection units to carry out inspections restrict the applicability of the minimum wage (art. 7).

31. The Committee recalls its general comment No. 23 (2016) and recommends that the State Party:

- (a) Take urgent measures to strengthen the capacity of the National Labour Inspectorate;**
- (b) Ensure effective monitoring of employers' payment of the minimum wage and provide for appropriate and dissuasive penalties in the event of non-compliance;**
- (c) Ensure that the minimum wage allows all workers and their families to enjoy an adequate standard of living and that it is regularly adjusted to the cost of living;**
- (d) Ratify the ILO Minimum Wage Fixing Convention, 1970 (No. 131).**

Trade union rights

32. The Committee is concerned that the 1997 Labour Productivity and Competitiveness Act allows for dismissal without cause and that the relevant provision has reportedly been used as a response to workers' trade union activity and right to strike. The Committee is also concerned that the right to strike is highly restricted for the many people who work in jobs providing what are considered to be essential services (art. 8).

33. The Committee recommends that the State Party:

- (a) Take legislative and other measures to ensure that the applicable regulations are consistent with article 8 of the Covenant and, in this regard, amend the 1997 Labour Productivity and Competitiveness Act;**
- (b) Take effective steps to ensure that workers are protected against any reprisals for union involvement by preventing, investigating and duly punishing all forms of anti-union discrimination and violence;**
- (c) Conduct a review of the sectors in which the right to strike is restricted with a view to eliminating excessive restrictions on non-essential sectors.**

Right to social security

34. The Committee is concerned that almost 70 per cent of the working-age population participates in no pension scheme and that a high percentage of persons with lower incomes are not covered by a contributory pension. The Committee is also concerned that there is no

⁹ General comment No. 18 (2005), para. 25.

unemployment insurance in the State Party and notes that severance based on time of service cannot be equated with an employment benefit (art. 9).

35. The Committee recommends that the State Party:

(a) **Take measures to move towards universal social security coverage, with pensions that provide coverage in case of sickness, old age, unemployment, occupational accidents, maternity and disability and for survivors and orphans;**

(b) **Continue working with ILO to set up a comprehensive unemployment protection scheme in line with articles 6 and 9 of the Covenant and the Committee's general comment No. 19 (2017);**

(c) **Ensure that emergency response programmes and interventions are suitable for protecting the entire population, with priority being given to the most vulnerable.**

Protection of the family and children

36. The Committee notes the State Party's efforts to improve access to justice for women victims of violence, in particular through Act No. 30364 and the creation of the Specialized National System of Justice for the Protection of Women and Family Members from Violence and the Punishment of Perpetrators. However, the Committee is concerned about the prevalence and scale of the abuse of and sexual violence against children both in the home and at school. It is also concerned about the structural barriers that prevent effective access to protection and assistance services, especially for Indigenous girls, in rural areas and during crises such as the coronavirus disease (COVID-19) pandemic (art. 10).

37. The Committee recommends that the State Party implement effective measures to:

(a) **Prevent situations of sexual violence against children and adolescents, applying an intercultural, human rights-based and gender-sensitive approach;**

(b) **Ensure that the children and adolescents concerned have access to justice and reparation;**

(c) **Steadily make more financial and human resources available in order to enhance measures for combating sexual violence;**

(d) **Ensure that the State is present in the territories of Indigenous Peoples so that it can respond to cases of sexual violence, with cases involving children and adolescents being addressed as a priority, especially in isolated regions such as Condorcanqui Province.**

Poverty

38. The Committee welcomes the creation of the National Direct Assistance Programme for the Very Poor (JUNTOS). However, it is concerned that a large segment of the population continues to live in poverty and that the figures on extreme poverty are increasing. It is particularly concerned about the high incidence of poverty and extreme poverty in rural areas and in mountain and forest regions, where there is the greatest concentration of Indigenous Peoples. It is also concerned that more than 80 per cent of the population in these regions does not have access to the integrated package of basic services (art. 11).

39. The Committee recommends that the State party:

(a) **Fund on a priority basis efforts to address the existing inadequacies in access to services and infrastructure in strategic areas such as health, education, water and sanitation and social protection;**

(b) **Revive the agenda to overcome poverty by enhancing the effectiveness of programmes designed to combat poverty and increasing assistance to the poorest and most vulnerable households;**

(c) **Monitor progress in this regard by, for example, generating annual statistical data on the incidence and depth of poverty that are disaggregated by sex, age,**

disability, migration status and ethnic origin and individuals' status as Indigenous persons, Afro-Peruvians or other persons of African descent and their residence in an urban or rural area, as applicable, using the indicators of the multidimensional poverty index as a basis and ensuring that they are incorporated into the measurements.

Climate change adaptation

40. The Committee is concerned about the accelerated deforestation, the overexploitation of natural resources and the impact of climate change on the most vulnerable communities (art. 11).

41. **The Committee recommends that the State Party:**

(a) **Take effective steps to curb deforestation and land-grabbing both by extractive industries and agro-industries and in connection with illegal mining and mercury smuggling, paying special attention to the regions of the Amazon affected by pollution;**

(b) **Establish remediation mechanisms for communities affected by the pollution caused by mining and petroleum-related activities, whether legal or illegal, ensuring ecological restoration and compensation for the victims;**

(c) **Ensure the effective implementation of the Plan for Providing Comprehensive Intercultural Healthcare and Monitoring Exposure to Heavy Metals and Hydrocarbons in the Pastaza, Corrientes, Tigre, Marañón and Chambira River Basins 2022–2026 and increase its funding with a view to meeting the specific needs of Indigenous Peoples;**

(d) **Review and update the National Climate Change Adaptation Plan to include specific measures for the protection of communities at risk and ensure their participation in decision-making.**

Right to adequate food

42. The Committee welcomes the adoption of the Food and Nutrition Security Act and the National Food and Nutrition Security Policy. However, it is concerned that more than 50 per cent of the population is food insecure, particularly in rural and remote areas. It is also concerned about the high prevalence of anaemia in children under 3 years of age and stunting in children under 5 years of age. Against this backdrop, the serious health-related failures under the Qali Warma child feeding programme are particularly worrying (art. 11).

43. **The Committee recommends that the State Party:**

(a) **Implement a national strategy and a national policy framework to reduce the incidence of hunger and malnutrition, especially in the context of food insecurity;**

(b) **Take steps to protect the rights of smallholder farmers, particularly in terms of food and nutrition, their livelihood, participation in decision-making processes and access to and use of land and water;**

(c) **Ensure that smallholder farmers have access to productive resources (land, water and seeds) and guarantee the security of land tenure;**

(d) **Ensure the implementation of the Food and Nutrition Security Act, promote the enrichment of staple foods as part of a comprehensive strategy to address anaemia and other micronutrient deficiencies and ensure the equitable distribution of nutritional supplements such as iron and folic acid, with priority being given to pregnant women and children under 5 years of age;**

(e) **Ensure that, as part of the reform under way of the Qali Warma programme, mechanisms are included for the monitoring and oversight of purchasing, handling and distribution processes and of the quality of the food distributed, and that transparency is provided for in the management of the programme, so that information may be obtained on food quality or any other matter of public interest and suppliers may be traced.**

Right to adequate housing

44. The Committee is concerned about the large deficit, in terms of both quantity and quality, in adequate and affordable housing. It is also concerned about the significant housing shortages faced by low-income populations (art. 11).

45. **The Committee recommends that the State Party:**

(a) **Take steps to address the housing shortage and give special consideration to the needs of disadvantaged and marginalized persons and groups, including by improving existing housing and ensuring security of tenure, especially in rural areas.**

(b) **Take urgent measures to prevent forced evictions and ensure that all persons concerned have access to consultation procedures, compensation and dignified resettlement in the event of displacement;**

(c) **Establish independent monitoring mechanisms to assess the impact of infrastructure and development projects on vulnerable communities and prevent violations of the right to housing.**

Right to water and sanitation

46. The Committee is concerned about the unequal access to water and, particularly, sanitation between rural and urban areas and the interruptions in water supply. It is also concerned about the water pollution caused primarily by large-scale open-pit mining, petroleum exploitation and illegal mining, as a result of which 31.15 per cent of the population faces a daily risk of exposure to contamination by heavy metals, metalloids and other toxins (art. 11).

47. **The Committee recommends that the State Party:**

(a) **Ensure the provision of safe and affordable drinking water and sanitation;**

(b) **Adopt a human rights-based approach to water management with the participation of the public;**

(c) **Promote independent laboratories with the capacity to analyse and monitor water pollution;**

(d) **In cases of scarcity, reserve the highest quality natural sources for human supply;**

(e) **Implement the recommendations of the Special Rapporteur on the human rights to safe drinking water and sanitation and work more closely with the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes.**

Right to enjoyment of the highest standard of physical and mental health

48. The Committee is concerned that public investment in health amounts to only 4 per cent of gross domestic product. It is also concerned about the reduced level of healthcare coverage under the Comprehensive Health Insurance System, on which most of the population depends, as well as the insufficient access to and the inadequate quality of healthcare services. The Committee remains concerned about the gravity of the high rates of HIV infection among the Indigenous population of the Amazon (art. 12).

49. **The Committee recommends that the State Party:**

(a) **Increase public investment in health and take budgetary measures to ensure that there are sufficient numbers of health professionals, to improve medical infrastructure and equipment, especially in rural areas, and to strengthen the health system with a view to ensuring that rates of routine vaccination coverage for girls and boys recover and increase;**

(b) **Ensure the effective implementation of the 2009 Universal Health Insurance Framework Act (No. 29344) and take steps to increase access to and the**

quality of healthcare services, especially in rural and remote areas, including by eliminating economic, cultural and social barriers to such access;

(c) **Continue to decentralize antiretroviral therapy at the primary care level;**

(d) **Take steps to reduce inequalities in access to health services, giving priority to the most vulnerable groups, such as children, adolescents, pregnant women, Indigenous and rural communities and persons with disabilities, including by expanding culturally and linguistically relevant services.**

Right to sexual and reproductive health

50. The Committee welcomes the inclusion of comprehensive sexuality education in the national basic education curriculum. However, it is concerned about the legal and de facto barriers to access to abortion and sexual and reproductive health services, as well as the high maternal mortality rate in rural areas. It is also concerned about the high rate of adolescent pregnancy and the high rates of maternal mortality, particularly in rural areas and among Indigenous women. It urges the State Party to ensure universal access to high-quality maternal health services, including by training health personnel in remote areas and making emergency obstetric services available. It also recommends that the State Party develop awareness-raising programmes on sexual and reproductive rights that apply an intercultural approach (art. 12).

51. **The Committee recommends that the State Party:**

(a) **Review the prohibition of abortion to make it compatible with the integrity, autonomy and health of women, be guided by the Committee's general comment No. 22 (2016) on the right to sexual and reproductive health and the World Health Organization abortion care guideline and, in the meantime, ensure the effective implementation of the protocol on therapeutic abortion and provide adequate access to contraceptive methods and family planning services, paying special attention to adolescent girls and women in rural areas;**

(b) **Ensure that high-quality sexual and reproductive health information and services, including contraceptive methods and emergency contraception, are made available through the public health system to all women and adolescents, especially in rural or remote areas, to prevent early pregnancy and sexually transmitted infections;**

(c) **Implement measures to ensure psychological and social support for child victims of forced pregnancy and take steps to prevent such situations;**

(d) **Ensure the effective implementation of comprehensive sexuality education focused on responsible behaviour and the prevention of adolescent pregnancies and, as recommended by the Committee on the Rights of the Child, repeal Act No. 31498/2022, on improving the quality of educational materials in Peru, owing to its negative impact on the right to sexuality education.¹⁰**

Right to education

52. The Committee welcomes the high primary education completion rates. However, it is concerned about the low quality of education in rural areas and the major deficiencies in school infrastructure. It is also concerned that the percentage of primary school students at a satisfactory learning level (Sustainable Development Goals indicator) is declining, in particular owing to the impact of the school closures during and after the health crisis caused by the COVID-19 pandemic, which widened the educational divide between urban and rural populations, and for people living in poverty (arts. 13 and 14).

53. **The Committee recommends that the State Party take urgent steps to improve the quality of education and the physical infrastructure of schools in rural areas. In addition, the State Party should take measures to finance and more broadly implement strategies promoting learning recovery and new forms of accelerated education for**

¹⁰ [CRC/C/PER/CO/6-7](#), para. 23 (k).

children and adolescents who have never been in school, have dropped out, are at risk of dropping out or are having difficulty re-entering the school system.

Cultural rights

54. The Committee welcomes the considerable progress that was made in the recognition and protection of Indigenous languages with the adoption, in July 2021, of the National Policy on Indigenous Languages, Oral Tradition and Interculturality up to 2040 and, in June 2022, of the National Policy for the Afro-Peruvian People up to 2030. However, the Committee is concerned about the sustainability of these programmes over time and the sufficiency of their scope. The Committee also notes with concern that there are recurring reports of crimes committed by government employees and serious abuses of authority against Quechua speakers and Indigenous persons (art. 15).

55. The Committee recommends that the State Party:

(a) **Take the necessary measures, in consultation with Indigenous Peoples and Afro-Peruvians, to preserve all Indigenous cultural practices and languages;**

(b) **Guarantee access to justice in Indigenous languages for persons whose mother tongue is not Spanish so as to allow defendants to make all necessary decisions in full knowledge, and ensure that they provide unambiguous consent when making key decisions, such as the decision to plead guilty;**

(c) **Ensure that there are sufficient financial, technical and human resources for the implementation of these policies and all other measures necessary for the conservation of Indigenous and Afro-Peruvian cultural practices and languages;**

(d) **Evaluate, in consultation with Indigenous Peoples and Afro-Peruvians, the progress made to date under the National Policy on Indigenous Languages, Oral Tradition and Interculturality up to 2040 and the National Policy for the Afro-Peruvian People up to 2030.**

D. Other recommendations

56. **The Committee encourages the State Party to accede to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.**

57. **The Committee recommends that the State Party consider acceding to the core human rights instrument to which it is not yet a party, namely the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.**

58. **The Committee recommends that the State party take fully into account its obligations under the Covenant and ensure the full enjoyment of the rights enshrined therein in the implementation of the 2030 Agenda for Sustainable Development at the national level, with international assistance and cooperation when needed. Achievement of the Sustainable Development Goals would be significantly facilitated by the State Party establishing independent mechanisms to monitor progress and treating beneficiaries of public programmes as rights holders who can claim entitlements. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure that no one is left behind. In this regard, the Committee draws the State Party's attention to its statement on the pledge to leave no one behind.**

59. **The Committee urges the State Party to develop and apply human rights indicators in the preparation of its reports¹¹ so that a database may be maintained to reflect its progress in meeting its relevant international obligations under a comprehensive rights-based approach, with disaggregated data on the various**

¹¹ As it did, for example, for the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador). See <https://www.oas.org/en/sare/social-inclusion/protocol-ssv/>.

vulnerable segments of the population. To that end, the Committee recommends that the State Party take into account the conceptual and methodological framework on human rights indicators developed by the Office of the United Nations High Commissioner for Human Rights.¹²

60. The Committee requests that the State Party disseminate the present concluding observations widely at all levels of society, including at the national, regional and local levels, in particular among parliamentarians, public officials and judicial authorities, and that it inform the Committee in its next periodic report about the steps taken to implement them. The Committee emphasizes the crucial role that Congress plays in implementing the present concluding observations and encourages the State Party to ensure its involvement in future reporting and follow-up procedures. The Committee encourages the State Party to engage with the Ombudsman's Office, non-governmental organizations and other members of civil society in the follow-up to the present concluding observations and in the process of consultation at the national level prior to the submission of its next periodic report.

61. In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State Party is requested to provide, within 24 months of the adoption of the present concluding observations (31 March 2027), information on the implementation of the recommendations contained in paragraphs 9 (b) (human rights defenders), 41 (a) (climate change adaptation) and 43 (a) (right to adequate food).

62. The Committee requests the State Party to submit its sixth periodic report in accordance with article 16 of the Covenant by 31 March 2030, unless otherwise notified as a result of a change in the review cycle. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. In addition, it invites the State Party to update its common core document, as necessary, in accordance with the harmonized guidelines on reporting under the international human rights treaties.¹³

¹² See [HRI/MC/2008/3](#).

¹³ [HRI/GEN/2/Rev.6](#), chap. I.