



COALITION
**#LESBIANAS
CEDAW**



**81^a
CEDAW
SESSION**



**PERU WILL BE EXAMINED ON
FEBRUARY 15 AND 16, 2022**

Lesbian women in Peru endure various forms of violence throughout their lives and **have no public policies, programs, services nor budgets** to effectively guarantee the enjoyment and exercise of their right to equality and non-discrimination.

Their human rights agenda has been postponed in Peru, in a context of weakening democracy and the lack of full guarantee of the secular State. **Many lesbians live in hiding for fear** of the rejection and stigma that prevails in a heteropatriarchal, racist and classist society.



**PROTECT
THE HUMAN
RIGHTS
OF
LESBIANS**

CEDAW RECOMMENDATIONS TO THE PERUVIAN STATE

OF THE ALTERNATIVE REPORT PREPARED BY #LESBIANASCEDAW COALITION

1

STRENGTHEN AND IMPLEMENT THE COMPREHENSIVE SEXUAL EDUCATION POLICY

The Presidency of the Council of Ministers, the Ministry of Education and the Ministry of Women and Vulnerable Populations must defend, strengthen and implement the **Comprehensive Sexual Education** policy that recognizes lesbian childhood and adolescence as subjects of rights to prevent and address all forms of violence such as:

- **"CORRECTIVE" SEXUAL VIOLENCE**
- **TORTURE, LESBOPHOBIC BULLYING**
- **SEXUAL HARASSMENT IN THE WORKPLACE**



Guaranteeing a school coexistence free of lesbophobia throughout the national territory and with an intercultural and intersectional approach. **The Congress of the Republic must shelve Bill 904/2021-CR**, which limits the right to comprehensive sex education and related projects.

2

STRENGTHEN THE ROLE OF THE MINISTRY OF WOMEN AND VULNERABLE POPULATIONS (MIMP) AND MINISTRY OF JUSTICE AND HUMAN RIGHTS (MINJUSDH) AS PRINCIPALS OF THE GENDER EQUALITY POLICY AND THE HUMAN RIGHTS POLICY

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LESBIANS



It's essential to adopt protocols guaranteeing lesbian's access to public services and provide them with sufficient budget and financial resources **for the formulation and implementation of policies and programs aimed at gender equality for lesbians.** Child punishment and physical and psychological violence in the family, corrective sexual rape, lesbian bullying and harassment based on sexual orientation and gender identity are all forms of gender-based violence that need to be addressed by policies, programs and services that are part of the Gender Equality Policy.



3

GUARANTEE THE RIGHT TO FAMILY, MARRIAGE AND IDENTITY

Amend article 234 of the Civil Code through the adoption of legislative initiative 525/2021-CR draft law on marriage equality.

National Registry of Identification and Civil Status (RENIEC) must also apply article 2050 of the Civil Code, which provides for the recognition of rights acquired abroad. Both measures guarantee the rights of lesbians to **family, maternity, the free development of personality and identity, equality and non-discrimination**, thus complying with OC 24-17 of the Inter-American Court.

RENIEC must stop discriminating against lesbians and their children as it has with Daki, a 7-year-old boy and his lesbian mothers Darling and Jenny, complying with the delivery of his ID with the recognition of his two mothers. It must also register lesbian marriages abroad, as in the case of Monica and Irina.



RENIEC refuses to give an ID to a child because he has 2 mothers

4

THE EXECUTIVE COUNCIL OF THE JUDICIARY IS REQUIRED TO ADOPT THE "DIRECTIVE ON JUDICIAL CARE IN THE FACE OF DISCRIMINATION AND VIOLENCE BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY."

The Ministry of Justice and Human Rights must guarantee access to justice for lesbians by **ensuring free and specialized legal sponsorship in cases of discrimination, violence or criminalization against lesbians**. The State Attorney General's Office should refrain from appealing the judgments of judicial proceedings that are decided in accordance with the fundamental and human rights of LGBTQ+ persons.



5

GUARANTEE ACCESS TO SEXUAL AND REPRODUCTIVE HEALTH AND MENTAL HEALTH

Develop concrete measures to ensure non-discriminatory care with respect to sexual orientation and gender identity in all comprehensive health services, monitoring access to and compliance with sexual and reproductive health regulations, and mental health for lesbians.



6

INCORPORATE, DISAGGREGATE AND ANALYZE THE LESBIAN CATEGORY IN NATIONAL SURVEYS AND REGISTRIES

The National Police of Peru must comply with registering hate crimes against lesbians and BTIQ+ people.

In addition, the National Institute of Statistics and Informatics (INEI) must include **disaggregated data and statistical analyzes on the situation of lesbian women in its national surveys.**

The lesbian category cannot be subsumed under the homosexuality category, lesbian data must be disaggregated by age, rural and urban geographic location, and ethnicity.

The INEI, the MIMP and the MINJUSDH must report the repercussion and results of the **measures adopted in favor of lesbians** in order to know the situation of lesbian women in all spheres covered by the Convention.



QUESTIONS



1 2014, the CEDAW Committee recommended that the Peruvian State adopt measures to produce data that facilitates knowing the situation of minority women's rights, as well as guaranteeing them access to justice.

What measures has the Peruvian State adopted and with what results to guarantee the human rights of lesbians in Peru?

2 What measures has the Peruvian State adopted to guarantee the right to comprehensive sex education and school coexistence free of discrimination and violence against lesbians?

3 What measures will the Peruvian State adopt so that RENIEC and the Peruvian State Attorney's Office do not continue to discriminate against lesbians and fail to comply with OC24/2017 of the Inter-American Court of Human Rights?

4 INEI and the National Council against Discrimination have carried out surveys to help understand the reality of LGBTIQ+ people in Peru, the MIMP, as well, has prepared a diagnosis on the rights of lesbians. However, in the surveys there is no information on lesbians and the diagnosis has not been published. **What urgent measures will the Peruvian State take to incorporate the lesbian category in the surveys in general of the INEI and the National Council against Discrimination, as well as in the data produced by the MIMP, for example statistics of the Aurora program and the approval of a first diagnosis?**



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**WE LESBIANS NEED THE CEDAW
COMMITTEE TO PROVIDE SPECIFIC
RECOMMENDATIONS ON OUR RIGHTS**