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Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the [✉ Knowledge and Information Management Unit](#).

13 March 2018

PER106062.E

Peru: Domestic violence, including femicide; legislation; state protection and support services available to victims (2014-February 2018)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Situation

According to sources, violence against women is a serious problem in Peru (Human Rights Watch 18 Jan. 2018; US 3 Mar. 2017, 17; UN Mar. 2017, 26). Based on a fact-finding mission conducted in September 2014, the Working Group of the UN Human Rights Council states that in Peru, "women and girls are subjected to violence in all spheres of life - at home, at school, in the workplace and in public spaces" (UN 26 June 2015, 18). According to the same source, "Peru has one of the highest rates of violence against women in the region" (UN 26 June 2015, 18). The Human Rights Council fact-finding mission noted the "continued existence of widespread traditional patriarchal attitudes and values (machismo), which perpetuate a culture of violence against women" (UN 26 June 2015, 19). The US Department of State's *Country Reports on Human Rights Practices for 2016* states that "[v]iolence against women and girls - including rape, spousal abuse, and sexual, physical, and psychological abuse - remained serious national problems" (US 3 Mar. 2017, 17).

Freedom House states that "[d]omestic violence is epidemic in Peru, with more than half of Peruvian women reporting instances of physical or emotional abuse" (Freedom House 2016). According to an article published by The Conversation [1] and written by Jelke Boesten, Reader (Professor) in Gender and Development at King's College London, whose research focuses on violence against women in Latin America, including a recent book publication on Peru (The Conversation n.d.a), "sexual, physical, emotional, and economic abuse of women in their own homes are all prevalent, but have been largely ignored by authorities

and society alike" (Boesten 10 Aug. 2016). According to a 2017 report by the National Observatory of Criminal Policy (Observatoria Nacional de Política Criminal - INDAGA) of the Ministry of Justice and Human Rights (Ministerio de Justicia y Derechos Humanos - MINJUS), reports of domestic violence against women have "increased considerably" in recent years: according to the National Police of Peru, there were 100,611 reports of domestic violence in 2011; 112,736 in 2012; 114,026 in 2013; 121,578 in 2014; 122,197 in 2015; and 146,261 in 2016 (Peru Aug. 2017, 16). According to US *Country Reports 2016*, as of September 2016, the Ministry of Women and Vulnerable Populations (Ministerio de la Mujer y Poblaciones Vulnerables - MIMP) "documented 38,567 cases of violence against women, an 18 percent increase from 2015" (US 3 Mar. 2017, 17).

According to Boesten, protests in 2016 followed two high profile cases in July 2016 in which men who attacked women received light sentences; in both cases, the aggressor was the victim's boyfriend (Boesten 10 Aug. 2016). As cited in a 2016 article in *The Guardian*, then Minister for Women Ana María Romero referred to the march as "'a cry against impunity'" (*The Guardian* 13 Aug. 2016). Following this round of protest, Peru Reports [2] indicated in August 2016 that "[a]ssaults and murders of women in Peru has spiked since 50,000 people marched in the 'Not One Less' protest against domestic abuse in Lima" (Peru Reports 21 Aug. 2016).

According to sources, violence against women in Peru occurs in all social strata and in both rural and urban areas (Flora Tristán 19 Feb. 2018; Boesten 10 Aug. 2016). According to an article published by Inter Press Service (IPS) [3], domestic violence is more prevalent in rural areas and among women with lower levels of education (IPS 4 Aug. 2017). In correspondence with the Research Directorate, a representative of the Flora Tristán Centre for the Peruvian Woman (Centro de la Mujer Peruana Flora Tristán), a feminist non-profit organization created in 1979 that aims to improve the situation of women in Peru (Flora Tristán 11 Aug. 2010), indicated that poverty, lack of information, and lack of access to education are factors of increased vulnerability to violence (Flora Tristán 19 Feb. 2018).

1.1 Femicide

Human Rights Watch reports that, according to official statistics, there were more than 700 femicides between 2009 and August 2015 (Human Rights Watch 12 Jan. 2017). According to the 2016 article in *The Guardian*, citing Ana María Romero, then Peru's Minister for Women, "[o]n average, 10 women are murdered every month in Peru, ... while ministry figures indicate a further 20 are victims of attempted femicide" (*The Guardian* 13 Aug. 2016). According to statistics from the MIMP, based on cases registered by Women's Emergency Centres (Centros Emergencia Mujer - CEM), in 2014, there were 96 femicides and 186 attempted femicides; in 2015, there were 95 femicides and 198 attempted femicides (Peru 2016). According to the same source, in 2016, there were 124 femicides and 258 attempted femicides; in 2017, there were 121 femicides and 247 attempted femicides (Peru 2018). According to US *Country Reports 2016*, as of September 2016, the MIMP documented 85 femicides - a 33 percent increase compared to 64 in 2015 - and 171 attempted femicides - a 38 percent increase compared to 124 in 2015 (US 3 Mar. 2017, 17).

According to the 2017 report by INDAGA, citing information from the Public Ministry (Ministerio Público), 92 percent of femicides in 100 cases recorded by the Femicide Registry of the Public Ministry in 2016 were "intimate" cases in which the victim had (or previously had) a romantic relationship with their killer; this category also includes cases of killings by family members, such as a father, stepfather, brother, or cousin (Peru Aug. 2017, 20). Within this 92 percent, 46 percent of femicides were committed by a spouse or partner, 16 percent by an ex-partner, 13 percent by a boyfriend, and 8 percent by an ex-boyfriend (Peru Aug. 2017, 21). According to an article published by IPS, in 2017, 79 percent of

femicides took place in urban areas, and in "almost 80 percent of the cases, the aggressors were men with an intimate relationship with the victims" (IPS 15 Jan. 2018).

2. Legislation

According to a 2016 report by INDAGA, femicide became an "autonomous offence" in the Penal Code (*Código Penal*) in December 2011 (Peru Aug. 2017, 9). According to Human Rights Watch, in September 2015, Peru adopted a new law "that provides for comprehensive measures to prevent and punish violence against women. The law builds on existing judicial measures to protect women at risk, and mandates the creation of shelters to provide temporary refuge from abuse" (Human Rights Watch 12 Jan. 2017). According to sources, Law 30364, the Law to Prevent, Sanction, and Eradicate Violence Against Women and Members of the Family Unit (*Ley para prevenir, sancionar y eradicar la violencia contra las mujeres y los integrantes del grupo familiar*) was approved in November 2015 and focuses on the protection of victims (RPP 25 Nov. 2017; Peru 26 July 2016). In July 2016, the government also released a Supreme Decree approving the 2016-2021 National Plan Against Gender-Based Violence that aims to provide further protections, in addition to the law (Peru 26 July 2016). According to sources, femicides have increased since the passing of Law 30364 (RPP 25 Nov. 2017; US 3 Mar. 2017, 17).

3. State Protection

According to Flora Tristán, Peru has laws against femicide, sexual violence, sexual harassment in the streets, and workplace harassment, as well as Law 30364; however,

[translation]

while these laws could be improved, the problem is regarding their correct implementation and the funding assigned to them, as well as weaknesses in the awareness and training of judicial officials and service providers, who do not always adequately address cases of gender-based violence in the country. (Flora Tristán 19 Feb. 2018)

According to *US Country Reports 2016*, the law criminalizes rape, including spousal rape, femicide, and domestic violence; however, "[e]nforcement of these laws" is "often ineffective" or "lax" (US 3 Mar. 2017, 17). As cited in the 2016 article in *The Guardian*, Romero, then Minister for Women, stated that "[o]ur problem is not a lack of legislation, it is how we apply the law" (*The Guardian* 13 Aug. 2016). According to Flora Tristán, there has been a failure in terms of means of protection, a lack of spaces to provide support to women, as well as impunity and insufficient funding to fight violence against women in both public and private spaces (Flora Tristán 19 Feb. 2018). According to the same source, there is a lack of knowledge regarding current regulations to address instances of violence, as well as where to access such services (Flora Tristán 19 Feb. 2018).

According to *US Country Reports 2016*,

[c]ivil society experts claimed that persons significantly underreported rape and domestic violence complaints, due to stigma, mistreatment, weak confidence in the authorities, and a fear of retribution, including further violence. Studies showed that only 27 percent of women age[d] 18 or more who suffered an attack reported it, and most reports did not result in proper sanctions. (US 3 Mar. 2017, 17)

According to the Peruvian MIMP, as cited by the Human Rights Council, "only 4 out of 10 cases [of gender-based violence] are actually reported" (UN 26 June 2015, 18). According to Peru's 2016 Demographic and Family Health Survey (Encuesta Demográfica y de Salud Familiar - ENDES) report, 27.2 percent of women in

violent situations sought institutional help (Peru May 2017, 427).

The information in the following paragraph was provided by a representative from Flora Tristán in correspondence with the Research Directorate:

Under Law 30364, the process for reporting domestic violence and other forms of violence against women has been accelerated and complaints can be made either by the victim herself or by someone else acting on her behalf, and can be brought to police stations or the Prosecutor General, among others, although obstacles exist in the implementation of these regulations. There are also problems regarding the training and awareness of the staff who receive the complaints. Authorities frequently do not want to accept the claim because it is not considered serious, due to lack of interest, or due to a lack of proof provided by the victim, even though under Law 30364 such proof would not be required. The victim has the right to receive a copy of the report, and the authorities are required to provide it. In order to receive a copy from abroad, the complainant would need to give power of attorney to someone residing in Peru (Flora Tristán 19 Feb. 2018).

According to the 2016 article in *The Guardian*, Peru's human rights ombudsman, Eduardo Vega, indicated that the state treated female survivors of physical or sexual violence with "absolute neglect" (*The Guardian* 13 Aug. 2016). *US Country Reports 2016* states that "the ombudsman found that 40 percent of police stations did not have adequate facilities to interview victims and the majority of police officers and prosecution office personnel did not have specialized training in the treatment of abused women" (US 3 Mar. 2017, 17). A 2017 article by Radio Programas del Perú (RPP), a Peruvian news source, states that, [translation] "[a]ccording to the Ministry of Women, 70 percent of reported abuses against women are brought to police stations. However, in many cases the police fail to send the report to the Family Court or show a lack of interest in processing the complaint" (RPP 25 Nov. 2017). According to the same source citing Beatriz Ramírez, a constitutional lawyer specializing in gender issues, [translation] "the majority of police staff did not even know that Law 30364 exists, despite their work regarding crime and investigating femicides" (RPP 25 Nov. 2017).

According to *US Country Reports 2016*, in August 2016, "the judiciary created a Gender Justice Commission composed of women judges responsible for promoting a gender justice perspective within the judiciary," as well as "24 jurisdictional bodies to address exclusively domestic violence cases" (US 3 Mar. 2017, 18). In 2017, the UNHCR noted that victims of violence, including domestic violence, face "obstacles" accessing justice (UN Mar. 2017, 26).

The June 2017 MIMP guide to Law 30364 indicates that MINJUS provides legal services to victims and to aggressors via the Free Legal Assistance Centres (Centros de Asistencia Legal Gratuita - ALEGRA) (Peru June 2017, 16). According to the same source, the Public Ministry offers the Assistance Program for Victims and Witnesses (Programa de Asistencia a Víctimas y Testigos) via the Units for the Assistance of Victims and Witnesses, which are operated by professionals in the areas of law, psychology, and social work to provide assistance facing the emotional consequences of violence against women (Peru June 2017, 17).

According to Flora Tristán, it is possible to get forms of protection, including restraining orders, which can be granted by a judge and fall under the authority of the National Police to implement; however, there can be delays in police responses which limit the effectiveness of such measures and do not fully remove the risk posed to the victim (Flora Tristán 19 Feb. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3.1 Femicide

According to the 2017 edition of Amnesty International's annual report, in

2016, most cases of murder and attempted murder of women and girls "were not investigated or resulted in suspended prison sentences" (Amnesty International 22 Feb. 2017). In its March 2017 submission to the Universal Periodic Review, the UNHCR noted "low numbers of investigations and prosecutions" in cases of domestic and sexual violence, as well as femicide (UN Mar. 2017, 26). According to Human Rights Watch, while more than 382 women were victims of femicide or attempted femicide in 2016, Peruvian courts "convicted 54 people for 'femicide' between January 2015 and March 2016" (Human Rights Watch 18 Jan. 2018).

The 2016 article in *The Guardian* provides the following information:

According to a 2015 study by Peru's ombudsman's office, La Defensoría del Pueblo, in 81% of the studied cases no measures were taken to protect survivors of attempted femicide. As a result, 24% of those women who had sought help were murdered by the assailant they had reported to the authorities, the study concluded. (*The Guardian* 13 Aug. 2016)

The 2018 IPS article, also discussing a 2015 report by the ombudsman's office, reports that in February 2017, a case "occurred in the central highlands region of Ayacucho, where lawyer Evelyn Corahua was murdered after reporting an attempted femicide, and [having] requested protection measures" (IPS 15 Jan. 2018). According to the same source, "in 30 percent of femicides, the victims had brought complaints against their aggressors for domestic violence"; the article quotes a commissioner at the Office of the Deputy Ombudsman for Women's Rights of the Peruvian Ombudsman's Office as stating that "'[o]ne of the cases was of a woman who had filed complaints four times and did not receive protection'" (IPS 15 Jan. 2018).

4. Support Services

According to *US Country Reports 2016*, the MIMP

operated the Women's Emergency Program. The program consisted of 238 service centers with police, prosecutors, counselors, and public welfare agents to help victims of domestic abuse. The program also addressed the legal, psychological, social, and medical problems of victims. (US 3 Mar. 2017, 18)

However, the same source notes that "NGOs expressed concerns about the program's quality and quantity, particularly in rural areas" (US 3 Mar. 2017, 18).

According to a guide to Law 30364 released by the MIMP in June 2017, referring to a 2016 Directory, there are 245 Women's Emergency Centres (CEMs) (Peru June 2017, 14). According to the same source, these centres provide specialized and free public services that are available throughout the country to victims of different types of violence against women and family group members, including legal, social, and psychological services (Peru June 2017, 14). According to Flora Tristán, [translation] "although the number of these centres has increased over the years, they do not cover the entire country and still do not reach the most remote and rural areas in the country" (Flora Tristán 19 Feb. 2018). The same source also notes that monitoring of these services has indicated that there is a need for improving the quality of support provided by these centres, as well as [translation] "increasing their coverage, operating hours, and ensuring their intercultural approach, particularly in the Andean and Amazonian regions of the country" (Flora Tristán 19 Feb. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the June 2017 guide to Law 30364, the MIMP also had, as of May 2017, ten CEMs, operating 24 hours a day, 7 days a week, in police stations in Villa María del Triunfo (Lima), Chorrillos (Lima), Imperial (Cañete-Lima), Surco (Lima), Carmen Alto y Huanta (Ayacucho), Cerro Colorado (Arequipa), El Milagro (Trujillo-La Libertad), Leonardo Ortiz (Chiclayo-Lambayeque), and Ciudad Nueva (Tacna) (Peru June 2017, 14).

According to the same source, the MIMP provides a service called "Línea 100," a free telephone service that provides information, guidance, counselling, and emotional support to victims of domestic or sexual violence (Peru June 2017, 15). Similarly, *US Country Reports 2016* notes that the MIMP "operated a toll-free hotline and implemented projects to sensitize government employees and the citizenry to domestic violence" (US 3 Mar. 2017, 18). According to the guide to Law 30364, the MIMP also provides an Urgent Attention Service (Servicio de Atención Urgente - SAU), a free service that provides immediate attention to victims of domestic and sexual violence who require urgent attention, through Línea 100 and/or that are communicated through other means; operating hours for this service for Lima and Callao are from 7:00 a.m. to 12:00 p.m. (Peru June 2017, 15). According to the same source, the MIMP also provides the "CHAT 100" Internet service through which professionals from the National Program Against Domestic and Sexual Violence (Programa Nacional Contra la Violencia Familiar y Sexual) provides information and support online and in real time from 8:00 a.m. to 10:00 p.m., Monday-Friday (Peru June 2017, 15).

According to *US Country Reports 2016*, the government also provided "technical assistance to regional governments to support temporary shelters in nine of 25 regions," although "NGOs and members of Congress stated there were not enough shelters for victims of domestic violence and trafficking in persons" (US 3 Mar. 2017, 18). The UNHCR also noted the "insufficient number of shelters available" to victims of domestic violence, sexual violence, and harassment (UN Mar. 2017, 26). Flora Tristán indicated that shelters are few (Flora Tristán 19 Feb. 2018).

According to Flora Tristán, there are few civil society organizations that provide advice to women facing violent situations (Flora Tristán 19 Feb. 2018). According to the same source, Flora Tristán has provided free advice since 1988 to women experiencing violence; assistance is provided in person at the organization's office, as well as by phone or email (Flora Tristán 19 Feb. 2018).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] The Conversation is "is an independent source of news and views from the academic and research community, delivered direct to the public" that aims to "promote better understanding of current affairs and complex issues" (The Conversation n.d.b). It started in Australia in 2011 and operates now in several countries, including Canada (The Conversation n.d.b).

[2] Peru Reports is "not affiliated with any political or social organization, nor any commercial enterprise" and is an "extension of Colombia Reports, Colombia's top English-language news source" whose "team is made up of professional journalists, photographers and expatriates from the Americas, Europe and Australia" (Peru Reports n.d.).

[3] IPS is a global news agency that aims to act as a "communication channel that privileges the voices and the concerns of the poorest" (IPS n.d.).

References

Amnesty International. 22 February 2017. "Peru." [*Amnesty International Report 2016/2017: The State of the World's Human Rights*](#). [Accessed 14 Feb. 2018]

Boesten, Jelke. 10 August 2016. "[Anger at Violence Against Women in Peru Spills Over into Protest](#)." The Conversation. [Accessed 16 Feb. 2018]

The Conversation. N.d.a. "[Jelke Boesten](#)." [Accessed 16 Feb. 2018]

[The Conversation. N.d.b. "Who We Are."](#) [Accessed 16 Feb. 2018]

Flora Tristán, Centro de la Mujer Peruana. 19 February 2018. Correspondence from a representative to the Research Directorate.

Flora Tristán, Centro de la Mujer Peruana. 11 August 2010. "[Quienes Somos](#)." [Accessed 23 Feb. 2018]

Freedom House. 2016. "Peru." [Freedom in the World 2016](#). [Accessed 16 Feb. 2018]

The Guardian. 13 August 2016. Dan Collins. "[Women in Peru Protest Against Rising Tide of Murder and Sexual Crime](#)." [Accessed 7 Feb. 2018]

Human Rights Watch. 18 January 2018. "Peru." [World Report 2018: Events of 2017](#). [Accessed 13 Feb. 2018]

Human Rights Watch. 12 January 2017. "Peru." [World Report 2017: Events of 2016](#). [Accessed 7 Feb. 2018]

Inter Press Service (IPS). 15 January 2018. Mariela Jara. "[Pardon of Former Peruvian President Fujimori Deals Blow to Fight Against Gender Violence](#)." [Accessed 14 Feb. 2018]

Inter Press Service (IPS). 4 August 2017. Andrea Vale. "'I'll Tell You a Story' - Violence Against Women in Peru." [Accessed 7 Feb. 2018]

[Inter Press Service \(IPS\). N.d. "About Us."](#) [Accessed 8 Mar. 2018]

Peru. 2018. Ministerio de la Mujer y Poblaciones Vulnerables (MIMP). [Programa Nacional Contra la Violencia Familiar y Sexual. Resumen estadístico de casos de feminicidio y tentativa de feminicidio atendidos por los centros emergencia mujer. Período: Enero-Diciembre 2017](#). [Accessed 13 Feb. 2018]

Peru. August 2017. Ministerio de Justicia y Derechos Humanos, Consejo Nacional de Política Criminal (CONAPOC), Observatorio Nacional de Política Criminal - INDAGA. [Femenicidios en el Perú](#). Boletín V. [Accessed 7 Feb. 2018]

Peru. June 2017. Ministerio de la Mujer y Poblaciones Vulnerables (MIMP). [Conoce la ley No 30364: Ley para prevenir, sancionar y erradicar la violencia contra las mujeres y los integrantes del grupo familiar y su Reglamento D.S. No 009-2016-MIMP](#). [Accessed 19 Feb. 2018]

Peru. May 2017. Instituto Nacional de Estadística e Informática (INEI). [Encuesta Demográfica y de Salud Familiar 2016: Nacional y Regional](#). [Accessed 5 Mar. 2018]

Peru. 26 July 2016. Ministerio de la Mujer y Poblaciones Vulnerables (MIMP). [Decreto Supremo que aprueba el "Plan Nacional Contra la Violencia de Género 2016-2021" : Decreto Supremo No 008-2016-MIMP](#). [Accessed 7 Feb. 2018]

Peru. 2016. Ministerio de la Mujer y Poblaciones Vulnerables (MIMP). [Programa Nacional Contra la Violencia Familiar y Sexual. Resumen estadístico de violencia feminicida. Período: Enero-Diciembre 2015](#). [Accessed 13 Feb. 2018]

Peru Reports. 21 August 2016. Jack Dylan Cole. "[Domestic Violence Spikes After Historic Women's Protest in Peru](#)." [Accessed 7 Feb. 2018]

Peru Reports. N.d. "[About Peru Reports](#)." [Accessed 7 Feb. 2018]

Radio Programas del Perú (RPP). 25 November 2017. Melissa Barrenechea. "[La ley no es suficiente para detener la violencia contra las mujeres en el Perú](#)." [Accessed 7 Feb. 2018]

United Nations (UN). March 2017. UN High Commissioner for Refugees (UNHCR). [Submission by the United Nations High Commissioner for Refugees for the Office](#)

[of the High Commissioner for Human Rights' Compilation Report. Universal Periodic Review: 3rd Cycle, 28th Session.](#) [Accessed 16 Feb. 2018]

United Nations (UN). 26 June 2015. Human Rights Council. [Report of the Working Group on the Issue of Discrimination Against Women in Law and in Practice. Addendum: Mission to Peru.](#) (A/HRC/29/40/Add.2) [Accessed 16 Feb. 2018]

United States (US). 3 March 2017. Department of State. "Peru." [Country Reports on Human Rights Practices for 2016.](#) [Accessed 7 Feb. 2018]

Additional Sources Consulted

Oral sources: Equal Futures Partnership; The Latin American Caribbean Committee for the Defense of Women's Rights; Peru – Ministerio de la Mujer y Desarrollo Social; UN – UN Women.

Internet sites, including: Al Jazeera; BBC; ecoi.net; *El Comercio*; Factiva; France 24; The Huffington Post; *The Independent*; International Crisis Group; National Public Radio; Peru – Ministerio de Desarrollo y Inclusión Social; Raidió Teilifís Éireann; Thomson Reuters Foundation; UN – Committee on the Elimination of Discrimination Against Women, Committee on the Elimination of Racial Discrimination, Refworld, UN Women.

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