



Communique Committee of Experts

Committee of Experts expresses concern about the situation of access to emergency oral contraception (AOE) and the respect and guarantee of the sexual and reproductive rights of women in Peru.

Washington, DC, September 29, 2021. The Committee of Experts of the Follow-up Mechanism of the Belém Do Pará Convention (CEVI-MESECVI) expresses its concern about the situation of access to emergency oral contraception (AOE) and respect and guaranteeing the sexual and reproductive rights of women in Peru.

The Committee of Experts (CEVI) of the Follow-up Mechanism of the Convention of Belém do Pará (MESECVI) received information according to which the free distribution of the AOE is recognized in the regulations of the Peruvian State in order to guarantee, women and girls that require, effective access to this emergency health service. However, said distribution would be affected by an action that is pending resolution by the Constitutional Court of that country, which must be carried out in accordance with the protection and guarantee of the human rights of women foreseen and recognized in the Constitution, the Convention of Belém do Pará and other international treaties for the protection of human rights.

According to the information received by the CEVI, the free delivery in public health centers would have faced difficulties in the context of COVID 19, especially affecting women with fewer economic resources, victims of sexual violence and, more seriously, girls and adolescents victims of sexual violence with little comprehensive sexual education within the framework of public education. These obstacles without legal, constitutional or conventional justification would be putting at risk the exercise of multiple human rights such as life, physical and psychological integrity of women who go to health centers, in addition to violating the right to non-discrimination. Meanwhile, such obstacles would only be affecting a part of the population disproportionately.

In this regard, article 3 of the Belém Do Para Convention recognizes that every woman has the right to a life free of violence, both in the public and private spheres and establishes, in its article 9, that the States Parties shall especially safe the right to It takes into account the situation of vulnerability to violence that women may suffer due to, among others, their race or their socio-economic condition. The Convention also indicates that gender-based violence against women occurs in health centers and when it is perpetrated or tolerated by State agents.

Since its First Hemispheric Report, the CEVI has indicated to the States Parties the importance of addressing as a priority the right of women to live free of violence and to be educated free of stereotypes for the exercise of sexual and reproductive rights and recognizes that the rights sexual and reproductive are human rights. Additionally, in its Declaration on Violence against Women, Girls and Adolescents and their Sexual and Reproductive Rights, the CEVI declared that sexual and reproductive rights are based on other fundamental rights,

such as the right to health, to be free from discrimination, the right to privacy, personal integrity and not to be subjected to torture, cruel and inhuman treatment, the right to make decisions about reproduction free of discrimination, coercion and violence and, therefore, to be free from sexual violence.

The Committee of Experts highlights that, in its Hemispheric Report on Sexual Violence and Child Pregnancy in the States Parties to the Convention of Belém do Pará, it recommended that the States adopt provisions that guarantee the free distribution of emergency oral contraception in public services health (...) ensure its full compliance by removing the obstacles that prevent it.

For all the above, the Committee:

It expresses its deep concern about the situation of access to ECC and the respect and guarantee of the sexual and reproductive rights of women in Peru.

Urges the Peruvian State to comply with the norms established in the international instruments for the protection of women's rights, the Convention of Belém do Pará and those contained in its internal legislation, as well as to adopt the necessary measures to guarantee the rights of women. to access contraceptive methods such as AOE.

It requests the Peruvian State for information on the measures adopted to effectively guarantee access and distribution of AOE in health facilities at the national level, in particular to victims of violence in the context of the COVID 19 pandemic.

The Committee of Experts is the technical body of the MESECVI, responsible for the analysis and evaluation of the implementation process of the Convention of Belém do Pará. It is made up of independent experts, appointed by each of the States Parties from among their nationals, who exercise their functions in a personal capacity.