

Peru

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
85.0	68.3	58.8

Women, Business and the Law 2024 (WBL 2024) identifies barriers for women's economic empowerment in three areas: women's legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Peru, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Lima). The scores for Peru are shown in the table below.

Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	75.0	100.0	75.0	100.0	75.0	100.0	75.0	50.0	100.0	100.0
Supportive frameworks score	100.0	100.0	66.7	100.0	100.0	33.3	0.0	100.0	33.3	50.0
Expert opinions score	0.0	100.0	25.0	25.0	100.0	62.5	25.0	75.0	100.0	75.0

In summary, the **WBL 2.0 legal frameworks score** for Peru (85.0 out of 100.0) is higher than the global average (64.2) and higher than the Latin America & Caribbean regional average (69.1). When it comes to constraints on freedom of movement, laws affecting women's pay, laws affecting women's work after having children, laws affecting women's property and inheritance and laws affecting the size of a woman's pension, Peru obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Peru is on the indicator measuring constraints on women starting and running a business. To improve on the Entrepreneurship indicator, Peru may wish to consider legally prescribing a gender quota on corporate boards and introducing in the law gender-sensitive procurement provisions for public procurement processes.

The **WBL 2.0 supportive frameworks score** for Peru (68.3 out of 100.0) is higher than the global average (39.5) and higher than the Latin America & Caribbean regional average (38.6). When it comes to supportive frameworks affecting women's safety, supportive frameworks affecting freedom of movement, supportive frameworks affecting women's pay, supportive frameworks related to marriage and supportive frameworks related to women starting and running a business,

Peru obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Peru is on the indicator measuring supportive frameworks affecting childcare. To improve on the Childcare indicator, Peru may wish to consider establishing a publicly available registry or database of childcare providers, establishing a clearly outlined application procedure to request financial support from the government for childcare services by parents, establishing a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers and publishing reports on quality of childcare services at least within every 3 years.

The **WBL 2.0 expert opinions score** for Peru (58.8 out of 100.0) is lower than the global average (65.7) and lower than the Latin America & Caribbean regional average (61.8). When it comes to expert opinions on freedom of movement, expert opinions on marriage and expert opinions on women's property and inheritance, Peru obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Peru is on the indicator measuring expert opinions on women's safety.

WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
Safety		
Does the law address child marriage?	No	No applicable provisions could be located
Does the law address sexual harassment?	Yes	Código Penal, Arts. 92, 151-A, 176-B y 176-C; Ley Núm. 27942, Arts. 1-5, 8, 12 y 20; Ley Núm. 30364, Art. 5(b); Ley No. 30314; RM N° 428-2018-MINEDU Aprueba la Norma Técnica denominada Disposiciones para la prevención, atención y sanción del hostigamiento sexual en Centros de Educación
Does the law address domestic violence?	Yes	Ley Núm. 30364, Art. 8(a)-(d) y Título II, Cap. II; Código Penal, Arts. 107, 121-B, 122-B y 170(3); Decreto Supremo No. 009-2016, Art. 37
Does the law address femicide?	Yes	Código Penal, Art. 108(B)
Mobility		
Can a woman choose where to live in the same way as a man?	Yes	Código Civil, Art. 290
Can a woman travel internationally in the same way as a man?	Yes	Decreto Legislativo Núm. 1350 de migraciones, Art. 19
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Constitución Política del Peru, Art. 52(1); Ley de Nacionalidad, Art. 2(1,3)y 4(2)
Workplace		
Can a woman get a job in the same way as a man?	Yes	Código Civil, Art. 293
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law prohibit discrimination in employment based on gender?	Yes	Ley Núm. 26772, Arts. 1 y 2
Does the law allow employees to request flexible work?	Yes	Ley Núm. 31572, Art. 9.3; Reglamento de la Ley Núm. 31572 Ley de Teletrabajo
Pay		
Does the law mandate equal remuneration for work of equal value?	Yes	Ley Núm. 28983/2007, Art. 6; Ley Núm. 30709/2017, Arts. 1-5
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage		
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Código Civil, Arts. 287 y 288
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Código Civil, Art. 290

Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Código Civil, Arts. 348-357
Does a woman have the same rights to remarry as a man?	No	Código Civil, Art. 243(3)
Parenthood		
Is paid leave of at least 14 weeks available to mothers?	Yes	Ley Núm. 26644/1996, Art. 1; Ley Núm. 30367/2015, Art. 2; Ley Núm. 30792/2018, 2da Disposición Complementaria Final
Are leave benefits for mothers paid solely by the government?	Yes	Ley Núm. 26790/1990, Art. 12
Is paid leave available to fathers?	Yes	Ley Núm. 29409/2018, Art. 2; Ley Núm. 30807, Art. Único
Is dismissal of pregnant workers prohibited?	Yes	Ley Núm. 30367/2015, Art. 1; Ley Núm. 30709/2017, Art. 6
Childcare		
Does the law establish the provision of center-based childcare services?	Yes	Reglamento de la Ley General de Educación, Arts. 52 y 58; Ley General de Educación, Art. 36; Decreto Supremo No. 005-2021-MINEDU, Art. 2
Does the law establish any form of support for families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support for nonstate childcare providers?	Yes	Ley General de Educación, Art. 88
Does the law establish quality standards for the provision of center-based childcare services?	Yes	Normas sobre Organización y Funcionamiento de las Cunas de Educación Inicial, Arts. 6.3.5 y 6.6.2; Resolución de Dirección Ejecutiva 56/2022, Art. 5.1.2; Ley General de Educación, Arts. 58 y 60; Decreto Supremo No. 005-2021-MINEDU, Art. 39; Reglamento de las Instituciones Privadas de Educación Básica, Art. 43.1; Ley 26549 de 1995 de los Centros Educativos Privados, Art. 14
Entrepreneurship		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in access to credit based on gender?	Yes	Código de protección y defensa del consumidor, Arts. IV(2)(4), 1.1(d) y 38.1
Does the law prescribe a gender quota for corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
Assets		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	Yes	Código Civil, Arts. 292, 303, 313, 315 y 954 (1)
Do sons and daughters have equal rights to inherit assets?	Yes	Código Civil, Art. 818
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Código Civil, Arts. 825-826
Does the law provide for the valuation of nonmonetary contributions?	Yes	Código Civil, Arts. 310 y 323
Pension		
Are the ages at which a woman and a man can retire with full pension benefits the same?	Yes	Decreto Supremo Núm. 054-97-EF de 1997, Art. 41; Ley Núm. 26504/1995, Art. 9
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	No applicable provisions could be located
Is the mandatory retirement age for a woman and a man the same?	Yes	Decreto Supremo Núm. 003-97-TR, Art. 21
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Decreto Ley Núm. 1999, Arts. 70 y 73

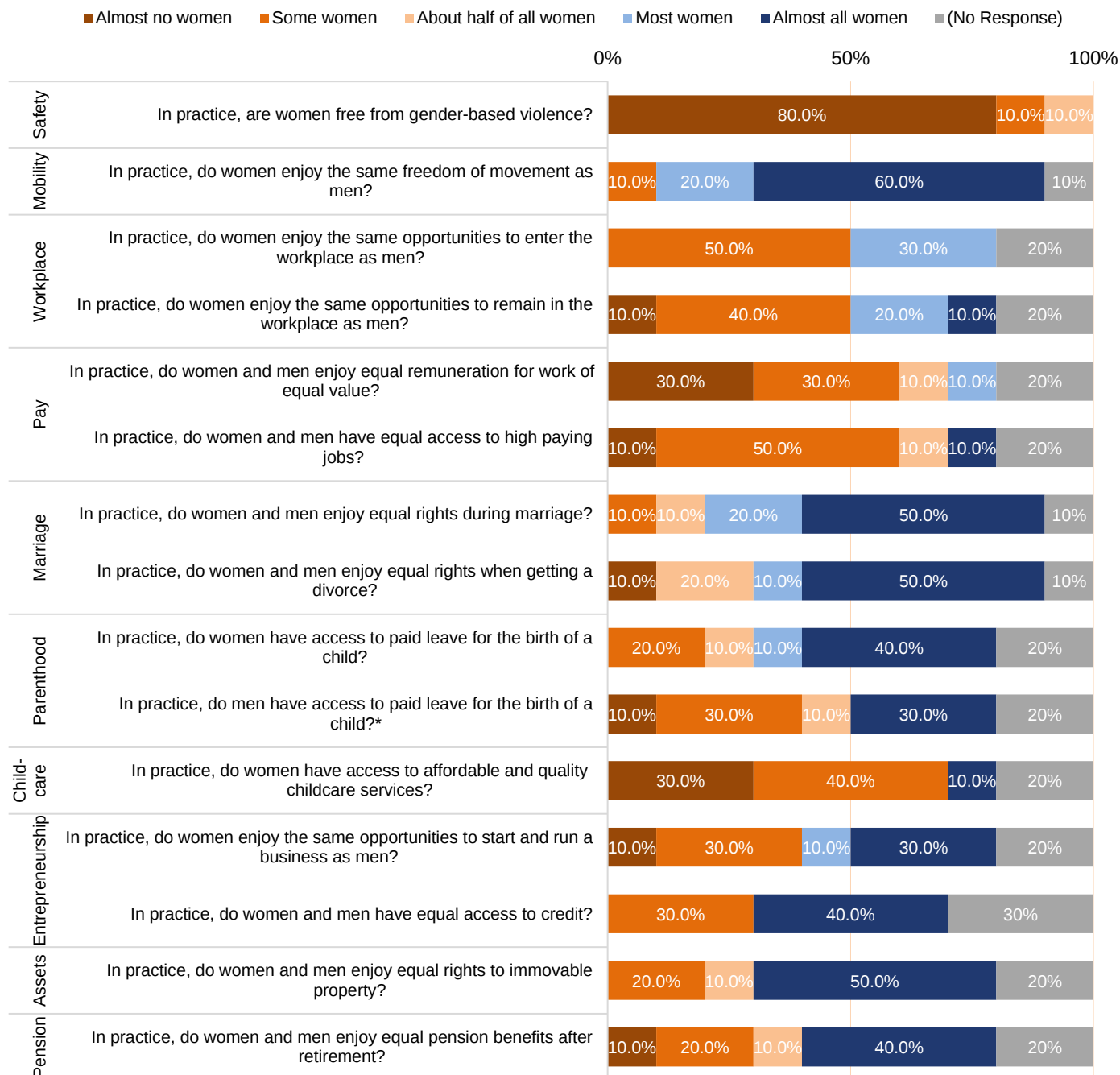
WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
Safety		

Has the government developed comprehensive mechanisms to address violence against women?	Yes	Trabaja sin acoso: Guía práctica para la prevención y sanción del hostigamiento sexual en el lugar de trabajo en el sector privado y público; Centro de Emergencia Mujer; Centros ALEGRA; Establecimientos de salud (atenciones gratuitas con el Seguro Integral de Salud); Línea 113 Salud; Chat 100; Hogar de Refugio Temporal; Capacitación de policías sobre violencia contra las mujeres y feminicidio
Are special procedures in place for cases of sexual harassment?	Yes	Denuncia ante la Superintendencia Nacional de Fiscalización Laboral (SUNAFIL); Denuncia ante Comité de Defensa del Estudiante
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	Yes	El Ministerio de la Mujer y Poblaciones Vulnerables
Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	Yes	Plan Operativo Institucional (POI) 2023 consistente con el Presupuesto Institucional de Apertura (PIA) 2023
Mobility		
Are passport application processes the same for a woman and a man?	Yes	Passport application procedures
Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	Yes	Política Nacional de Transporte Urbano, PTNU
Workplace		
Does a specialized body receive complaints about gender discrimination in employment?	No	Insufficient evidence located
Has the government published guidelines on nondiscrimination based on gender in recruitment?	Yes	Guía para la Igualdad Salarial; Guía para la Valoración Objetiva de puestos de trabajo entre hombres y mujeres
Has the government published guidelines on flexible work arrangements?	Yes	Guía de buenas prácticas en materia de conciliación del trabajo y la vida familiar y personal
Pay		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	Yes	Ley Núm. 30709/2017, Arts. 1-3; Decreto Supremo Núm. 002-2018-TR, Arts. 3-6; Resolución Ministerial N.º 243-2018-TR; Resolución Ministerial N.º 145-2019-TR; Protocolo para la fiscalización de las obligaciones en Materia remunerativa previstas en la Ley N° 30709
Have sex-disaggregated data on employment in different industries or sectors been published?	Yes	Informe Técnico de Estadísticas con Enfoque de Género: Trimestre Enero-Febrero-Marzo 2023
Marriage		
Is there a fast-track process or procedure for family law disputes?	Yes	Divorcio Rápido (Ley No 29227), Art. 1; Ley de Conciliación (Ley No. 26872), Art. 9
Are there specialized family courts?	Yes	Ley Orgánica del Poder Judicial, Arts. 46 (1) and 53
Is legal aid available for family law disputes?	Yes	Centros de Asistencia Legal Gratuita (ALEGRA), Dirección General de Defensa Pública y Acceso a la Justicia
Parenthood		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Seguro Social de Salud - EsSalud
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Have sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
Childcare		
Is there a publicly available registry or database of childcare providers?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	No	Insufficient evidence located
Has the government published any reports on the quality of childcare services?	No	Insufficient evidence located
Entrepreneurship		

Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	Yes	Instituto Nacional de Estadística e Informática (INEI)
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	Yes	La Estrategia Nacional Mujer Emprendedora
Does a current national government plan or strategy focus on women's access to financial services?	Yes	Regulation and Work Plan of the Committee for Financial Inclusion for Women, National Financial Inclusion Policy (PNIF)
Assets		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Ley de Registros de Predios Rurales
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Have anonymized sex-disaggregated data on property ownership been published?	No	Insufficient evidence located
Pension		
Are incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Oficina de Normalización Previsional; Tribunal Administrativo Previsional (TAP)

WBL 2.0 distribution of expert opinion responses



*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.