

- ♦ take the necessary practical measures to implement the Act on domestic violence and make the necessary efforts to treat the victims and to provide training to those whose job it is to treat the victims; keep official records and establish the necessary monitoring system so as to make it possible to evaluate the magnitude of the problem and how it is evolving;
- ♦ undertake programmes to curb and reverse the trend of high school drop-out rates among girls and make existing programmes more systematic; pay particular attention to literacy programmes and implement them in a sustained manner; include information on progress to eradicate illiteracy in the next report;
- ♦ make greater efforts to achieve the principles of equal pay and equal pay for work of equal value, educate women so as to enable them to enter the labour force, provide training and re-training programmes so as to encourage women to gain access to non-traditional jobs, guarantee their right to social security;
- ♦ make all due efforts so that women can exercise their right to health and receive proper care and the necessary information from medical and paramedical personnel as part of basic respect for their human rights;
- ♦ review the law on abortion and ensure that women have access to full and complete health services, including safe abortion and emergency medical attention when complications arise from abortions;
- ♦ establish family planning programmes that emphasize sex education, use of adequate contraception and responsible use of sterilization services where necessary; and
- ♦ include, in the next report, information related to programmes on microcredit, bearing in mind that such programmes are extremely important and necessary in order to improve the status of women living in poverty, primarily in rural areas.

COMMISSION ON HUMAN RIGHTS

At its 1998 session, the Commission on Human Rights considered the situation in Peru under the confidential 1503 procedure. The Commission decided to discontinue that consideration.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Arbitrary detention, Working Group on:

(E/CN.4/1998/44, paras. 4, 7, 14, 15, 23, Opinion No. 18/1997; E/CN.4/1998/44/Add.1, Decisions No. 43/1996, 45/1996, 46/1996, 47/1996, 48/1996, 49/1996)
The main report notes that one case was transmitted to the government and no reply had been received. Reference is also made to receipt of a response from the government to decisions previously taken by the Working

Group (WG) as well as the fact that the government had reiterated its invitation to the WG to carry out an in-country visit.

Annex III of the main report summarizes opinions that were adopted at the WG's session in November/December 1997. Opinion No. 18/1997 related to the arrest and detention of an individual, apparently in connection with his public denunciation of a misappropriation of public funds in an enterprise in which the state holds 90 per cent ownership. Despite a decision of the civilian court ordering his release, the detention was maintained by order of the Military Court on the basis that the individual was retired from the army. The WG noted that the Peruvian Ombudsman had found the Military Court procedure to be arbitrary and had ordered the implementation of the ruling on the habeas corpus appeal. The WG adopted an opinion stating that the detention was arbitrary and indicated its intention to inquire further into the case during its 1998 visit to Peru.

The addendum to the main report summarizes decisions taken by the WG.

Decision No. 43/1996 related to the 1983 detention of an anthropologist who was accused of collaborating with and assisting Sendero Luminoso (The Shining Path), of financing subversive activities, and of terrorism. The trial was conducted with both the judges and prosecutor hooded; the defendant was reportedly sentenced to 12 years' imprisonment, the prison terms to which she was sentenced were to be served consecutively, and no release date was fixed. Concerns were expressed about the woman's health under harsh prison conditions. The government informed the WG that a forensic physician had visited her in 1996 and declared her state of health normal. The WG referred to the planned visit to Peru and the need to evaluate the functioning of the so-called "faceless" tribunals and the guarantees of due process which might have been violated, even if the explanations provided by the government are valid. As a consequence, the WG decide to leave the decision on the case pending until after the visit.

Decision No. 45/1996 related to the case of an American citizen who was sentenced in January 1996 by a "faceless" military tribunal to life imprisonment for the crime of "betraying the country". The government responded to the case, noting: the woman had been arrested in November 1995 together with others, all members of the Tupac Amaru Revolutionary Movement, during an armed confrontation with the police; those arrested were preparing to engage in subversive acts; and the woman was tried by a military court, which fully respected the rules of due process, and was sentenced for the crime of betraying the country, covered by and punishable under Decree-Law 25659. The WG left the decision on the case pending until after the visit to Peru to evaluate the functioning of the "faceless" tribunals and respect for the guarantees of due process.

Decision No. 46/1996 related to the arrest of a professor, by agents of the Anti-Terrorism Department (DIN-