

# Reducing Violence and Discrimination against Women: The Peruvian Case

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**Abstract:** *The number of inhabitants in the world continues to increase, with eight billion inhabitants by mid-November, according to the UN (2022). The report entitled The CIA World Factbook prepared by the CIA (2021) states that as the population grows, the more significant the difference between men and women. As of 2021, 67 million more men than women lived on the planet, constituting the largest ever recorded difference between the two sexes: For every 51 men, there were 49 women. Although this report does not include figures on violence and discrimination, these are found in other documents consulted. Even in the 21st century, violence and discrimination against women are complex social problems to solve, so as part of the international research mobility at the University of Santiago de Cali, I was interested in learning how countries close to Peru had faced this situation and achieved a better country for all its citizens. Thus, in co-authorship with a Colombian colleague, we prepared this research article that seeks to measure the effectiveness of Peruvian public policies so that they can be replicated by other countries and learn from the successes of sister countries.*

**Keywords:** Violence, discrimination, public policy

## 1. Introduction

Men and women are definitely different, physically, mentally, and psychologically, since we were created to differentiate and complement each other at the same time. "These differences have been evolving and deepening according to needs", as Geary (2020) states. The author states that the female and male sexes present their own physical, behavioral, social, emotional, sexual, cognitive, and neuronal characteristics, differences that are aimed at one of the fundamental objectives of human life: reproduction.

Historically speaking, androcentrism, i.e., placing man as the center of things and identifying him with the human in general, has increased the differences and has led to the development of the human being; has increased the differences and has strengthened the idea that in the evolutionary process, women have played a passive role and therefore little relevant, relegating them, as Martinez (2003) argues, to the position of giving birth, breastfeeding and raising children, while, on the other hand, men were characterized as the innovators capable of creating science and technology that define us as human beings and differentiate us from animals, such as walking on two limbs, greater brain volume, the manufacture of equipment and tools, cooperative communication or graphic representation.

The sum of these perceptions, together with the lack of attention shown by the governments of most countries in the world, especially in underdeveloped or developing countries, the inequality in educational, financial, and labor

opportunities, the social roles that increase personal obligations and unpaid work, and the lack of female empowerment and independence are the leading causes of the marked discrimination and violence exercised on the weaker sex, a term that the Spanish Royal Academy continues to define as "women"; the Royal Spanish Academy continues to describe as "women's group" with the addition "used with derogatory or discriminatory intent".

Here we begin to understand that, because of these over-documented differences, women have historically been placed next to men as companions and support. And such idiosyncrasy is probably the first link in this chain of limited opportunities and gaps between men and women.

The Spanish Language Dictionary(n.d.) conceptualizes a breach as 1. Irregular breakage or opening, especially in a wall or rampart. 2. A break in a front of combat. 3. A chink through which something begins to lose its security. To make a breach in something. 4. Wound, especially in the head.

If we transfer this generic concept to our society, these separations are constant and increasingly visible, especially in terms of access to employment, perceived remuneration, savings capacity, and the possibility of forming and managing companies for women, which increases the opportunities for discrimination, undermining and violating their fundamental human rights and constitutes the perfect starting point for the use of violence.

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Much has been written about discrimination and violence, but it is essential to start at the beginning, defining both words. For Amnesty International (n.d.), discrimination is the harm to the rights of a human being simply for having an essence or a belief and is manifested when the person does not enjoy their human and legal rights on equal terms with other people due to an unjustified difference established by law, policy or the way they are treated. It also explains that discrimination is based on nationality, race, caste, ethnicity, religion, beliefs, gender, sex, sexual orientation, language, age, health status, etc., resulting in inequality.

On the other hand, the Pan American Health Organization (n.d.) conceptualizes violence as the intentional use of physical force or power, in fact, or as a threat, against oneself, another person, or a group or community that causes or has a high probability of causing injury, death, psychological damage, developmental disorders or deprivation.

At this point, it should be noted that violence profoundly affects the social and economic spheres, as established by Heinemann and Verner (2006). In Latin America, they mainly affect the economy in terms of investment and production and social aspects such as interpersonal relationships based on trust: Corbacho, Philipp, and Ruiz-Vega (2015).

Being a woman is synonymous with being vulnerable to violence, mainly due to the inequality and machismo prevalent in our society. Violence against women is strongly associated with male domination and the legitimized belief that men can use it against them if they refuse to comply with their desires and needs. Violence can be classified as economic, labor, institutional, psychological, physical, sexual, and symbolic.

The Peruvian Ministry of Health (2001) points out more broadly that gender violence occurs in all stages of life and is mainly concentrated in girls and adolescents: In the prenatal stage, it presents itself as violence and interruption of pregnancy with harmful effects on the fetus and newborn. In childhood, through infanticide and physical, psychological, and sexual abuse. In childhood, due to the persistence of abuse, incest, child prostitution, pornography and child marriage, forced labor in mines, the countryside, factory activity, or exploitation in the streets (selling candy, cleaning windshields, etc.), in adolescence due to the persistence of abuse, incest, child prostitution, pornography and child marriage, forced labor in mines, the countryside, factory activity or exploitation in the streets (selling candy, cleaning windshields, etc.), in adolescence caused by violence during the phases of falling in love and courtship (abuse, manipulation of drinks that leads to rape, among others) and forced sex due to economic needs (students having sex with adults in exchange for money), rape by close relatives, incest and suicide due to depression. In adulthood, it is consummated with harassment and sexual abuse in the workplace, rape, especially if there is subordination, discrimination, forced prostitution and pornography, trafficking in women, intimate partner violence, physical

abuse, femicide or hate crimes, psychological abuse, abuse of women with disabilities and suicide, anxiety resulting from violence and, finally, in old age it results in forced suicide or homicide for various reasons (the most common being illness), physical, economic, psychological and sexual abuse and abandonment.

## **2. The Peruvian case**

According to the National Institute of Statistics and Informatics of Peru (INEI), as of July 10, 2022, Peru had a population of 33,396,700 inhabitants, of which 50.5% are women, with the largest age group being between 15 and 59 years of age, which represents 62.4%, and the fastest growing age group being 60 years of age, which means 13.3%. On the other hand, the National Household Survey (ENAH) as of December 2021, prepared by INEI (2022), reveals interesting data on access to essential services such as education, health, and jobs. Thus, 85.8% of women are affiliated with some type of health insurance. In the October-November-December 2021 quarter, there was an increase in school attendance by women and men at the three educational levels. Thus, the proportion of girls (86.3%) increased by 2.9 percentage points compared to the same period in 2020. Similar behavior was observed in girls (97.1%) aged 6 to 11 years attending primary education, by increasing by 2.1 percentage points; and at the secondary level, the proportion of female adolescents (80.7%) increased by 2.1 percentage points, respectively, compared to the fourth quarter of 2020. On the other hand, 72.2% of the employed female population worked in companies with 1 to 10 workers, 20.3% in companies with 51 and more workers, and 7.5% in companies with 11 to 50 workers.

It is important to note that women work double or even triple shifts. As background, we have the survey on the use of time (National Survey on the Use of Time - ENUT) developed at the national level by the Ministry of Women and Vulnerable Populations and the National Institute of Statistics and Informatics (INEI) in 2010. This survey was applied to a sample of 4,580 private homes taking into account a population aged 12 and older in 24 departments and the Constitutional Province of Callao. According to its results, women in Peru dedicated approximately 52% of their working time to unpaid productive work, while men only dedicated 24% of their time. Household activities such as caring for children and the sick, preparing meals, cleaning, washing, etc., take up almost 39 hours per week. These occupy nearly 39 hours per week, which is much more than the time spent by men (approximately 15 hours per week). It should be noted that after these investigations, the INEI in 2019, collected the same information on page 37 of the report "Peru: Gender Gaps 2019 - Progress towards equality of women and men", providing a more detailed analysis of the use of time between men and women, but always based on information from the year 2010.

Thus, in all places, women work more than men, with rural women and residents of the jungle having an even greater workload, working more than 11 hours on average than men.

On the other hand, the average number of hours dedicated by women to household activities is more than double that of men. At the national level, women spend 24 hours more than men on unpaid activities, while they spend 14 hours less than men on paid activities.

Regarding the time spent on paid and unpaid work by men and women, according to age groups, regardless of age, women work more hours than men; however, the gap is reduced in the case of adolescents and older adults. The largest gap in workload is found among women between 18 and 49 years of age, where they work 13 hours more than men.

An interesting fact is the analysis of the time spent on different activities, depending on whether they are married or cohabiting or not. This care involves goods and tasks that allow people to have healthy food, support in education, care in sickness or clean homes. It encompasses, therefore, work that translates into material care, a cost related to economic care and an affective bond related to psychological care. In this sense, the gaps between women and men are as follows: (1) Care for personal needs: 2.08. (2) Care for educational activities: - (3) Cooking activities: 9.41, (4) House cleaning: 3.09. (5) Care of minors: 3.56. (6) Care of sick family members: 1.17. (7) Household administration and organization: 1.23. (8) Leisure time: -4.18. (9) Care of family members with physical or mental disabilities, as well as seriously ill: 8.32.

Analyzing the female occupation of the economically active population (EAP), this amounts to 41.2% of the employed population at the national level, which in urban areas represents 39.9% and in rural areas 42.0%. Of the working women, 39.6% are dependents and receive a monthly salary, 33.6% are independent workers, 17.3% work for a family member with more significant resources but are not paid, 5.9% are household helpers, and 3.6% are heads or "bosses", i.e. they lead a group of workers; according to their economic activity, 42.4% of women work in service companies, 25.8% in commerce, 20.8% in agriculture, 8.4% in manufacturing, 1.8% in transportation and communications, 0.5% in activities related to the construction sector and 0.3% in mining and fishing, with an average monthly income of 1134.90 soles, which is 267.70 soles less than the national average and 458.10 soles less than the average monthly income of men.

Perhaps the pay gap that, although narrowing, persists between men and women who have the same academic training and occupy the same position is a common characteristic in Latin America. In the Peruvian case, the National Civil Service Authority (SERVIR), in the study entitled "Women in the Peruvian Civil Service 2022" has established that the overall salary gap remains in favor of men, notwithstanding the decrease of 2 percentage points; the differences are more visible in servants with lower educational levels as discussed in previous versions of the report. This disparity in the public sector (10%) continues to be significantly lower than that observed in the formal private sector (21%).

It is also quite interesting to know that women perform "special tasks" in sectors such as Women and Vulnerable Populations (72%), 66% as nurses in hospitals, and 57% as kindergarten or elementary school teachers.

In terms of violence, although child marriage and female mutilation are not standard practices in Peru, arranged marriages after rape are shared, where many parents, wishing to avoid scandal, agree to their daughters entering into a relationship and even marrying their rapist, a situation that is even more accentuated if there is a pregnancy. It is also a matter of concern that Peruvian legislation is very lax when judging sexual violence within stable unions or marriages. In male cultures in some areas of Peru, such as the highlands and jungle, sexual violence under these conditions is considered an effective form of subordination and even a reinforcement of the woman's belonging to the man.

An essential aspect that I must address at this point is that at the national level, women are also violated by the authorities on several occasions. In the National Police, when they delay or refuse to collect their complaints of domestic violence or rape; in the Institute of Legal Medicine, when the woman who has been violated in any way suffers revictimization with the physical examinations and interviews lacking in empathy that is carried out, in the Court for the diminutive sentences and even under the legal minimum when the aggressors make a sincere confession or carry out a termination or an early conclusion. Likewise, women are more often requested by the authorities to receive legal aid, a favorable ruling, a reduced sentence, higher alimony, or even speedy justice in exchange for sexual favors.

I have left the issue of femicide for last. As of January 2022, the Ombudsman's Office in Peru reported 519 careful notes for the disappearance of girls, adolescents, and adult women; this figure represents 19% more than what was reported in the same month of 2021. In the same period, there were 18 femicides, 8 violent deaths of women, and 6 attempted femicides.

Regarding legislation, in Peru, we have many regulations that seek equal opportunities among citizens. Likewise, the "National Observatory of Violence against Women and Family Members" has been implemented, which offers a network of services composed of the Women's Emergency Center, the Urgent Attention Service run by the Ministry of Women and Vulnerable Populations, the Institutional Attention Center, chat 100, as well as a specialized directory of Public Prosecutor's Offices in the Ministry of Women and Vulnerable Populations; as well as a specialized directory of Prosecutor's Offices, the National Integral Program for Family Welfare (INABIF), police stations of the National Police of Peru, the Program for the Prevention and Eradication of Violence against Women and Family Members - AURORA, the Public Defender's Office of the Ministry of Justice and Human Rights, the Judiciary, community health centers, the National Registry of Identification and Civil Status (RENIEC), among others. The purpose of this observatory is to collect,

produce, follow up and systematize information on a permanent basis to help the Peruvian State design, implement and manage effective public policies for the prevention and elimination of violence against women and family members clearly aligned with the international commitments assumed by the country in terms of gender violence.

In this context, the principal regulations in force in the country are the following:

- Article 26, paragraph 1 of the Political Constitution of Peru establishes that the principle of equal opportunity without discrimination is respected in the labor relationship, reflecting the provisions of international treaties and conventions to which Peru is a signatory, such as ILO Convention 111: Convention on Discrimination in Employment and Occupation, which in its Article 1° subsection (a) establishes that discrimination encompasses "any distinction, exclusion or preference" based on ethnic origin, skin color, religious beliefs, sex or sexual orientation, political opinion, nationality or social heritage that has the effect of "nullifying or impairing equality of opportunity or treatment in employment and occupation."
- Law 12391: Law granting citizenship and suffrage rights to women, as well as the right to elect and be elected. It used to cover only literate women but that article has now been repealed.
- Law 27270: Law against acts of discrimination in force since 2006; it establishes as discrimination "the annulment or alteration of equal opportunities or treatment" for access to educational centers of technical or professional training or in calls for employment if a differentiated treatment is promoted based on "race, sex, religion, opinion, social origin, economic condition, marital status, age or of any nature". Organizations must inform their workers of the salary policy of the work center is considered a discriminatory practice to have different salary treatment for males and females if both meet the required job profiles and perform the same functions.
- Law 28094: Law of Political Parties in force since 2003 that established for political parties "the system of gender quotas of 30% for managerial and popularly elected positions". However, as the Ombudsman's Office has consistently pointed out, there is still a lack of access for women candidates to better positions in the lists since up to now, 80% of women candidates are still placed in the last positions (lower third of the lists) where their eligibility is scarce resulting in only 4% of women candidates being elected for example as councilors in the Provincial Municipalities.
- Law 28983: Law on equal opportunities between women and men enacted in 2007 establishes "the normative, institutional and public policy framework at the national, regional and local levels", which prevents discrimination in both public and private spheres, encourages full dignity and guarantees both sexes their rights to "equality, dignity, free development, well-being
- Law 30709: Law prohibiting wage discrimination between women and men. It has been in force since 2017 and

sanctions wage discrimination through the determination of "categories, functions, and remunerations that allow executing the principle of equal pay for equal work" guaranteeing a dignified treatment, a respectful and non-discriminatory work climate, and the balance between work and family, preventing and punishing with particular emphasis sexual harassment. This law is applicable in public and private organizations.

- The National Agreement, in its objective II, "Equity and social justice" and specifically in State policy 11: Promotion of equal opportunities without discrimination, expresses the commitment of the State to the opportunity for women to have equal access to productive resources and jobs.

The National Policy on Gender Equality implemented by D.S. 008-2019-MIMP, which establishes a suitable future in terms of inclusion, tolerance and non-violence, deserves a separate comment:

By 2030, structural discrimination affecting women will be reduced, which will be reflected, among others, through the following indicators: (1) Reduction to 36.8% of social tolerance towards violence against women, (2) Incorporation of the gender approach in the institutional management of 100% of ministries, (3) Reduction to 2.4% of the percentage of women victims of physical and/or sexual violence, in intimate partner relationships, in the last 12 months, (4) Increase of women congresswomen to 40% and women mayors to 20% and, (5) Increase of the income parity rate of women and men to 86.8%.

Finally, since 2016, the 2030 Agenda and the SDGs are critical referents for the implementation of Peru's development policies, with the Government having presented two National Voluntary Reports in 2017 and 2020. The 2017 Voluntary National Report developed a conceptual framework where the sustainability of personal well-being was the central part, and to achieve it, the OECD well-being model, Agenda 2030, OECD investment policies, and prediction in various scenarios are considered as a foundation for the development of a vision for the future. This report presented the initial progress and expressed the government's commitment to reporting on the work carried out, with the National Center for Strategic Planning (CEPLAN) as the focal point.

Likewise, in addition to CEPLAN, other essential actors in this process are the Presidency of the Council of Ministers - PCM, the National Agreement Forum, the National Institute of Statistics and Informatics (INEI), the Office of Government Compliance and Sector Innovation (OCGIS) and the Roundtable for the Fight against Poverty (MCLCP).

With respect to the monitoring of the implementation of the 2030 Agenda, this has been organized in three complementary and highly integrated levels. First, the National Institute of Statistics and Informatics (INEI) has developed a "Monitoring and Follow-up System for the Sustainable Development Goals (SDGs) indicators" based on the indicators proposed by the

United Nations Statistical Commission. Then, CEPLAN proposed indicators related to five dimensions of the 2030 Agenda and in line with the submitted image of the future in order to disseminate information for dialogue about the future of Peru to 2030 and, finally, a joint State - Civil Society concerted monitoring is carried out through the Roundtable for the Fight against Poverty (MCLCP).

The second National Voluntary Report 2020, entitled "The Protection of Life in the Emergency and After" has summarized the primary efforts as a country to protect the lives of citizens as a first step to achieve integral development, which is connected with national policies, the Strategic Plan for Integral Development (PEDN), the long-term vision and the general government policy. Achieving this integration will be easier if efficient processes of identification, location, and care of all citizens are carried out, with particular emphasis on the vulnerable population, of which women are an essential part; this in the framework of any pandemic such as COVID-19 will allow faster monitoring, location, and tracking of patients and contacts, efficient delivery of economic support to people who really need it; without this, it will be challenging to protect life. Likewise, the commitment assumed by the Peruvian State in this second report is to address corruption in all its forms and levels, thus ensuring that state resources are not wasted paying bribes and thus reducing opportunities for the population to access essential services and a better quality of life. The report concludes with the formulation of the vision of Peru in 2050:

By 2050, we will be a democratic country, respectful of the rule of law and institutions, integrated into the world, and projected towards a future that guarantees the defense of the human person and his or her dignity throughout the national territory. We are proud of our identity and proper of the ethnic, cultural, and linguistic diversity of the country. We respect our history and millenary heritage, and we protect our biodiversity. The constitutional State is unitary and decentralized. Its actions are ethical, transparent, effective, efficient, modern and interculturally focused. Together, we have achieved inclusive, equal opportunity, competitive and sustainable development throughout the national territory, which has allowed us to eradicate extreme poverty and ensure the strengthening of the family.

### 3. Methodology

The pragmatic paradigm has been used in this research. This approach was proposed by Charles Peirce and William James in the 19th century and holds that if a procedure is applicable and works, its use is valid. According to Tashakkori and Teddlie (1998), as a research paradigm, pragmatism is based on the proposition that researchers should use the philosophical and/or methodological approach that works best for the particular research problem being investigated.

Likewise, it has been conducted under a mixed methodology (From qualitative to quantitative): Arias (2016). The first was

based mainly on the literature review that led to the design of indicators and instruments for the collection of information applied to 1,200 people from different social strata who reported violence in their intimate partner relationships to the National Police of Peru and the Public Prosecutor's Office from 2018 to 2021. The second allowed to know figures on complaints, types of aggressions, educational level, occupation, marital status, and financial situation, among other valuable information of aggressors and victims, and has provided relevant information on the legal situation, family relationship, couple life, etc.; also achieving to know the perception of victims and aggressors regarding the treatment they receive from justice, in their workplaces and by society as a whole as well as the relationship between the protective means and the opportunities to get out of the spiral of violence.

The research design used is non-experimental (Longitudinal - Descriptive) and hermeneutic. Descriptive in that it aims to characterize the process of violence against women and members of the family group in Peru and longitudinal because the research and data recording was conducted between 2018 and 2021. To collect this data, the survey technique was used through questionnaires with a 5-alternative Likert scale to victims and aggressors, a bibliographic review guide, and semi-structured interviews with representatives of the Ministry of Women and Vulnerable Populations, police, prosecutors, and judges.

With respect to the selection of the sample, 3,200 people were contacted in person and by telephone, distributed among 2,700 victims and 500 aggressors in police stations located in the regions of Piura, Lambayeque, La Libertad, Lima, Ayacucho, Puno, Huánuco and Loreto, indicating the purpose of the research. Positive responses were received from 1,200 people (1,010 victims and 190 aggressors). To avoid bias, all those who agreed to participate in the study were selected on a non-probabilistic basis.

### 4. Results

- 1) 98% of the reports of violence made in police stations or Prosecutor's Offices were made by women, and only 2% of the complainants are men. This is a hidden figure because specialists from the Ministry of Women and Vulnerable Populations estimate that almost 10% of males nationwide were victims of at least once in their lives of family violence; these do not report mainly due to shame due to their macho upbringing.
- 2) 100% of the complainants went to the authorities because they had suffered a 2nd or 3rd aggression, being that 75% for physical violence, 40% for physical and psychological violence, and 33% for material and economic violence.
- 3) 37% indicate that the aggressions started almost together with cohabitation or marriage.
- 4) 96% of victims cohabit with their aggressor, and 60% desist from reporting within an average of one week.

- 5) 77% of the complainants have a primary - secondary education level, and 52% have as their occupation only that of a full-time housewife.
- 6) 41% of the whistleblowers work in the seasonal agricultural sector, paid domestic service and informal commerce.
- 7) 14% disengaged from their aggressor partners. However, 60% (of that 14%) have another commitment where they are also victims of aggression (spiral of violence).
- 8) Of the total number of complaints in the period 2018-2021, 94% were made by strata C, D, E (poorer), and 6% by A, B. The main reason for not reporting in this sector is a shame and the need for discretion.
- 9) 70% are beneficiaries of some social program and only have an account in the National Bank where they receive this state aid.
- 10) 92% have never accessed credit, and if they receive any money sporadically, they hide it from their partner or enter it in the family budget automatically.
- 11) 70% want to have their own business, but 50% do not think about the association.
- 12) 43% stated that during the pandemic, their aggressor partners were away for work, so they felt calmer, but with economic severe shortages.
- 13) 100% perceive that they are re-victimized, especially if, before granting protection measures, they must go through Forensic Medicine, especially if they have been victims of sexual violence.

## 5. Conclusions

- 1) To close educational gaps: Curricula that develop all intelligence equally, giving them the same value in terms of qualification. Allow children, whether boys or girls, to play the same games and work in teams, valuing the characteristics that make them different and the contributions that each one can offer to achieve results. Likewise, training in the use of technologies and allowing students at all levels to have access to quality Internet. Finally, in the last grades of primary education and throughout secondary school, work with case studies that help to understand in their real dimension the existing gaps and the reasons why women demand greater inclusion.
- 2) To close economic and financial gaps: Encourage the creation of businesses by granting microcredits at special rates for women entrepreneurs and under conditions of partnership with other women, co-responsibility, and joint payment in case of default. Tax support in the first twelve months under certain conditions, such as hiring more women.
- 3) To close labor gaps: To grant leave to parents with the obligation that both father and mother in a consensual manner and in equal rotating periods, divide the effective care of the child until the child is at least one year old, generate tax incentives for companies that hire more women, legislate in favor of granting a bonus in the final score in public competitions for women over 50 years old who apply for a second level or higher managerial positions and with the purpose of breaking glass ceilings, in matches for executive positions require the presentation of blind resumes.
- 4) To close health gaps: To teach men and women from the beginning of their reproductive cycle the existing alternatives to prevent unplanned pregnancies and reduce the possibility of sexually transmitted diseases, also instill values of respect, equality, open communication, and tolerance between men and women for the basic fact of being human beings.
- 5) To close social gaps: It is essential to reduce malnutrition in early childhood and encourage the participation of private organizations so that through mechanisms such as works for, taxes they build educational centers and hospitals to improve the access of the vulnerable population to quality services in education and health; promote business formalization so that those economic activities that provide more work for women are constituted as formal companies so that they can grant them all the corresponding rights. With respect to the management of violence against women and the members of the family group, in addition to the existing regulations, work should be done on prevention rather than correction and this would be achieved if not only the subject of violence and the aggressor were included in the process, but rather the whole family, with the aim of making them understand how to realize in time that they are in a violent relationship, how to prevent it and how to end it.
- 6) To close the gaps in justice: Women attending women. That, in the whole circle of attention to women, especially if they are victims of family violence, femicide, or rape, should be followed exclusively by other women. This could reduce revictimization and ensure empathy and assertiveness.

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