



Covering Women's Issues – Changing Women's Lives

Peru Looks to Ban Popular Birth Control Method

*By Asjlyn Loder
WEnews correspondent
Friday, August 30, 2002*

Peruvian officials are considering banning tubal ligation--a popular birth-control method--in response to reports of forced sterilizations in the 1990s. Women's rights advocates oppose the change and are calling for compensation for the victims.

(WOMENSENEWS)--Conservative officials within the Peruvian government are attempting to ban sterilization, the fourth most popular birth-control method for women in the country and one that was just recently made legal.

Peruvian Congress members and the Ministry of Health called for the ban this summer after government reports revealed an untold number of women were sterilized without their consent between 1996 and 2000. About 450 cases have been documented, although the country's minister of health, Fernando Carbone, had told the press the number of actual cases are 200,000.



Fernando Carbone

Women's rights supporters say the government should be concentrating on helping the victims of the involuntary procedures--most have not been compensated for their losses-- rather than trying to restrict all women's choices. They also worry that Carbone and others are exploiting the issue to promote their anti-birth control ideology.

There are no doubt real victims of forced sterilization. Women's rights advocates point to cases such as that of Maria Mestanza, who died in 1998, one week after a botched and coerced tubal ligation. Despite bleeding and fever, the clinic that performed the sterilization refused to treat her, saying that her symptoms were an after-effect of anesthesia.

In 2000, the Center for Reproductive Law and Policy brought Mestanza's case before the Inter-American Commission on Human Rights, which monitors human rights practices in the Western Hemisphere. Peru reached a settlement with the commission in February 2001, agreeing to compensate Mestanza's partner and their children. But her family has yet to receive any money.

"We asked for compensation for these women. They didn't get compensation. I don't think they will get compensation," said Rocio Villanueva Flores, an attorney specializing in women's rights for the national ombudsman. So far, no move has been made to offer reparations to any of the victims of forced sterilizations.

Only five perpetrators have been successfully prosecuted. Five cases were dismissed in court and 17 dismissed by the public prosecutor, according to a recent report by the national ombudsman.

"It is important for women to know that the government recognizes that there have been problems and that appropriate reparations will be made," said Silvia Loli Espinoza, an adviser on gender issues with Peru's Ministry of Women and Social Development, in her presentation of Peru's Aug. 15 report to the U.N. Committee on the Elimination of Discrimination Against Women.

Questionable Statistics on Sterilization

Clouding the issues surrounding forced sterilization is an attempt by conservative forces to use the incidents--and perhaps exaggerate the extent that they occur--to build support for making all tubal ligations illegal.

In late July, based on statements made by Carbone on July 23, newspapers from Washington to Sydney decried Peru's tubal ligation program, in which more than 200,000 women were allegedly sterilized without consent from 1996 to 2000.

But official ministry records, released two weeks after Carbone's statement, show 507 interviews with women who had been sterilized, 90 percent of whom had not given informed consent to the procedure. Few news agencies reported the inconsistencies.

It remains unclear how the health ministry arrived at their figures, said Flores, as the national ombudsman's office has been the only government office to make a substantial, long-term study of the sterilization campaign. Widely considered Peru's authority on the issue, it has documented fewer than 500 cases of forced sterilization.

Critics of the report speculate that Carbone reached the figure by estimating that the sterilization campaign coerced 90 percent of the 215,227 tubal ligations performed from 1996 to 2000. Tubal ligation is a surgical procedure severing the tubes connecting a woman's ovaries to her uterus.

Sterilization Is a Controversial Birth-Control Method

Sterilization was legalized in Peru in 1995 despite opposition from Peru's Roman Catholic Church. During the rule of former President Alberto Fujimori, state-sponsored health-care providers coerced women into sterilizations with threats and insults, bribed them with money and food and failed to provide accurate information or adequate care. As a result, provisions to ensure informed consent were established in 1999.

A congressional report, released just days after Carbone's announcement, recommended banning voluntary sterilization. The report also sought to identify and charge those responsible for the forced sterilizations.

Peruvian Congressman Hector Chavez, who headed up the congressional report, termed the forced sterilizations "genocide," and demanded the extradition from Japan of the exiled Fujimori. Chavez claims that the campaign targeted indigenous women in an attempt by Fujimori to eliminate Peru's indigenous population. While uneducated, rural women were most vulnerable, the public defender found cases throughout the country.

Chavez also leveled accusations of complicity in the forced sterilization campaign at the U.N. Population Fund and at the U.S. Agency for International Development. The U.S. Embassy in Lima emphatically denied the accusations against USAID.

"There is a very conservative agenda going on the country today. Some of the groups behind these reports oppose modern family-planning," said Jairo Palacio, deputy director of the U.N. Population Fund's Latin American division.

Chavez has worked with the Population Research Institute, an anti-choice critic of family-planning programs. Carbone used to work for the Center for the Promotion of the Family, a Peruvian organization with links to Human Life International, an anti-choice group based in Virginia that opposes modern contraceptive methods.

"If it proves true that the Peruvian government is using these horrific violations as a tactic to diminish women's family planning options, low-income and indigenous women's rights will be violated for a second time," said Luisa Cabal, a legal advisor with the Center for Reproductive Law and Policy. The New York-based center helped document the forced sterilization campaign and has documented the dearth of reproductive health services available to Peruvian women.



Luisa Cabal
photo: Ariana Cubillos

In June, the government restructured the women's ministry, the agency charged with promoting women-friendly initiatives throughout the government in areas such as health care, education and legal reform, and gave it a new name, the Ministry for Women and Social Development.

The change, following two years of budget cuts, led women's rights advocates to suspect it was an attempt to downgrade and end the funding for the women's ministry. The 2001 budget was \$23.4 million, a \$13 million decrease from 2000 and less than \$2 for each Peruvian woman, according to Peru's report to the United Nations.

The new ministry will have two vice-ministers, one for women and one for social development. Women's rights advocates worry that the social-development component of the restructured ministry will receive the lion's share of the ministry's budget.

Reproductive choices are already limited in Peru, with "conscience clauses" allowing physicians to opt out of giving care they deem offensive, such as emergency contraception or post-abortion care. Abortion is illegal in Peru except when the life or health of the woman is at risk and physicians in Peru are required by law to report any woman they suspect of having had an abortion to the police.

Asjylyn Loder is a freelance writer in New York.

For more information:

Flora Tristan--Centro de la Mujer Peruana
(In Spanish):

<http://www.flora.org.pe/>

Center for Reproductive Law and Policy:

<http://www.crlp.org/index.html>

Latin American and Caribbean Committee for the Defense of Women's Rights
(In English and Portuguese):

<http://www.cladem.org/Ingles/index.htm>