

**EXECUTIVE SUMMARY – 01)** This report is focused on the situation of human rights of girls and young women in Paraguay. Reference is made particularly to situations of rights violations that have to do with their gender and the fact that they are minors. It is considered that the most serious violations of rights in this regard are human trafficking, gender violence with an emphasis on sexual exploitation and abuse and exclusion for reasons of gender, such as teenage pregnancy.

02) Trafficking is a serious and persistent problem in the country. Paraguay is a country where trafficking has origin. It mainly affects women, among them 16% of victims identified in the last four years are under 18. The State has not yet implemented the assistance and recovery program specialized in adolescent that are victims of trafficking which is provided in the legislation approved in 2012.

03) Gender violence in its various expressions, such as sexual exploitation and abuse is a very common problem and it does not receive attention from the State which does not provide financial, technical and material resources to guarantee care of quality for this situation. Gender violence is even present in public schools, places where they should be more protected.

04) While there have been advances, particularly in the area of education, it is still needed to increase the ways and actions of protection and respect for children and adolescents. For example, in the area of education they have been advances in enrollment, but still is necessary to improve respect and protection of girls in schools.

05) Paraguayan State must invest in prevention and care programs for girls and young women victims of trafficking, exploitation and sexual abuse. It must implement programs in coordination with civil society with experience in these matters. It must do recognition of good practices carried out in the country and implement them to expand the coverage of its actions, which are usually limited to the capital.

## **I. BACKGROUND AND FRAMEWORK –**

06) Congregation of our Lady of Charity of the Good Shepherd is an international congregation of religious women present in 74 countries and that have special consultative status with ECOSOC since 1996. We work with women and children, especially those who are trafficked, forced to migrate and oppressed by extreme poverty. We also support projects for economic justice. - From its holistic view towards family the organization in Paraguay works with children, adolescents and women, from a rights perspective. We also work with projects for economic justice and communitarian development in many areas of the country.

## **II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND**

### **B. Implementation of International Human Rights Obligations**

#### **1. Right to life, liberty, and security of the person**

##### **1.1 Child trafficking (Recommendations of Moldova and Slovenia)**

07) Paraguay is considered an origin country of international trafficking (IOM-Public Ministry, 2014). Trafficking mainly affects women and the main purpose of this crime is sexual

exploitation (Public Ministry, 2012). A study carried by the Public Prosecutor in 2011, refers that 51% of trafficking cases in the country are for sexual exploitation, 100% of victims in these cases are women. A more recent study, in 2014, found that 16% of identified cases affected people less than 18 years (IOM-Public Ministry, 2014).

08) Border crossings remain permeable, as were found cases of children and adolescents victims of international traffic (IOM-Public Prosecutor, 2014), despite rules that regulate and control the traffic of minors to other countries.

09) Internal trafficking also affects teenagers. In 2013, as reported by the Public Prosecutor in 2014, the 8 (eight) internal trafficking cases investigated affect adolescent girls.

10) Paraguayan State does not have a program of assistance and recovery for adolescent victims of trafficking. However, the creation of this program is provided in Law No. 4788/12 of combating trafficking.

11) There are not a public place specialized on adolescent victims of trafficking. Girls and adolescents who are rescued share the same place with adult victims.

12) Since there is a lack of a program of assistance and monitoring post-rescue, many of these children and adolescents return to the vulnerability.

### **1.2. Abuse and sexual exploitation (Recommendation of Malaysia)**

13) The allocation of resources for the implementation of the National Plan for Prevention and Eradication of Sexual Exploitation of Children and Adolescents, is deficient. It was found in situ that the main office of the State for the care of these cases, the National Secretariat for Children and Adolescents do not have the appropriate conditions to make the necessary attention to girls and adolescent victims and their families, does not meet the conditions of intimacy or atmosphere required for these cases. This type of services is centralized in the capital and in Ciudad del Este a city in the border line with Brazil.

14) In 2014, the National Secretariat for Children and Adolescents reported that attended nine (9) cases of exploitation and sexual abuse (National Secretariat for Children and Adolescents, 2014). Although it is reported that these cases are followed, there is no recovery programs for girls and adolescents rescued. Not being assisted by a program and a methodology appropriate these children and adolescents return to the same situation of vulnerability in which they were at the time of being captured by operators or be victims of exploitation. In sexual exploitation cases where exploiters are people around them as friends, neighbors, even the couple or their parents, it is impossible to think of a recovery process based on their address, is essential to have shelters or specialized centers care, but Paraguayan State does not have these services.

### **1.3. The "criadazgo" (Child domestic labor - Recommendation of Slovakia)**

15) Child domestic labor, known in Paraguay as "criadazgo" mainly affects children and adolescents. 81.6% of people of 5-17 years engaged in child domestic work in third party households are girls or young women (ILO - DGEEyCPy, 2013.)

16) Domestic work of children is considered dangerous work under the Convention No. 182 of the ILO and its national regulatory Decree No. 4951 of 2001. However it is a practice that has no legal penalty or punishment.

17) A study published in 2013 estimated that about 50 969 children and teenagers are in child domestic labor working out of their houses (ILO - DGEEyCPy, 2013.). 18,271 are children between 5 to 13 years, 9.6% of children and adolescent workers around Paraguay (ILO - DGEEyCPy, 2013.).

18) Child domestic labor is an activity that could be involved in practices of internal trafficking (IOM-Public Ministry, 2014). The lack of protection of children participating in "criadazgo" expose them to vulnerability that end or can end up in situations of abuse, sexual exploitation and trafficking for sexual or labor exploitation (Save the Children, 2011).

## **2. Right to education and to participate in cultural life of the community**

19) Regarding the right to education progress has been made in access to basic education, more children have access to education both genders equally. There is still a gap in access compared to urban and rural populations, greater numbers of children and adolescents in urban areas enter the educational system and stay longer compared to children and adolescents in rural areas (SITEAL, 2013). There are still many factors within the educational system, which particularly affects children and adolescents, including gender violence and exclusion due to teen pregnancy.

### **2.1. Gender violence and abuse in schools**

20) The study "Scoping Study on school bullying in Paraguay." Published in 2014, performed in 109 public schools has revealed that girls and adolescents are victims of sexual violence in public educational institutions. On 122 cases of abuse or violence, 52 were of sexual violence, these include sexual abuse, sexual harassment, sexual coercion and rape, all punishable offenses. The vast majority of victims of these cases are women, more than 40 cases of girls victims, compared with 5 cases of boys (MEC, BECA, Plan International, 2014).

21) Tacking into account the conclusions of the study, it was found that most victims of abuse and / or violence in general are women, 63 cases of women victims of some type of abuse against 38 cases of male victims (MEC, BECA, Plan International, 2014).

### **2.2. Teenage pregnancy**

22) Pregnancy in adolescents remains a problem in Paraguay. This affects access to education for many children and adolescents. The qualitative study "Dropout in Secondary Education" (15 to 18) of 2012 points out that 8.6.% of teens defectors surveyed, said that they left school because of pregnancy (Peralta, Misiego, & Prieto, 2012 ). Motherhood in adolescence should not mean the violation of other rights, however it occurs that way.

23) A UNFPA report 2013 revealed that 20% of pregnancies in Paraguay correspond to adolescents. Also this study found that between 2009 and 2011 has increased the number of live births to mothers aged 10 to 14 years old, from 590 to 611, an increase of 4%. Furthermore, the study underlined that "two of the daily deliveries that occur in the country are for adolescents

aged 10 to 14 years" (UNFPA, 2013) According to a Paraguayan Governmental report, in 2014, 684 cases of girls aged 10 to 14 who gave birth were given, implying an increase over previous years (UltimaHora.com, 2015).

24) A study published in 2014 in some districts of Asunción City, found that 47% of respondents became pregnant for the first time between 11 and 18 years (Kalu Consortium: Foundation KuñaAty- New Moon Group, 2014).

25) Particularly poorest girls and adolescents are affected. Early pregnancy with lack of care is a vulnerability factor that may lead to adolescent victims of exploitation, abuse and trafficking, therefore the protection and prevention measures in a more efficient way should be taken.

### **III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS**

26) Trafficking. Paraguayan government has advanced its legislative framework. In 2012 it was approved Law No. 4788/12 "Fighting trafficking". It has also made progress in drafting the protocols of care for victims of trafficking.

27) In education. Enrollment to public school system shows that there is gender equity in access, also there is an advance in average years of education of population. There is also progress in early entry into school system.

28) Regard to protection. A good practice to point out is the "Fono ayuda Línea 147" . It is a program consisting on a free phone line to report cases of rights violation that affect children and adolescents.

### **IV. KEY NATIONAL PRIORITIES**

29) Regarding Trafficking and sexual exploitation of children and adolescents. Paraguay should implement the program of specialized assistance and recovery for adolescent victims of trafficking provided in Law No. 4788/12. Important advances are necessary in the prevention and care of rescued victims, particularly minors.

30) It is necessary to allocate resources for the implementation and extension of coverage of the National Plan for Prevention and Eradication of Sexual Exploitation of Children and Adolescents. Coordination with the private sector should be improved for greater coverage and more efficiency of prevention programs of trafficking in persons, attention to victims of trafficking and sexual exploitation.

### **V. CAPACITY BUILDING AND TECHNICAL ASSISTANCE**

31) Paraguayan State must incorporate specialized staff in assisting victims of trafficking and sexual exploitation. In this area of assistance to victims the private sector in Paraguay has successful experiences. It should also request international technical cooperation in these areas, always considering the best practices of the private sector that exist in Paraguay and that the State has not implemented.

32) Care for victims is a matter that should be improved in the public service, it should be implemented actions that are guided by protocols of care that can be evaluated and improved. The state could appeal to the civil society with the help of international cooperation.

## **RECOMMENDATIONS**

### **Recommendations for rights to life, liberty and security of person**

33) We recommend the Paraguayan government to implement the assistance and recovery specialized program for adolescents' victims of trafficking, provided for in Law No. 4788/12. The program must allocate the necessary resources for their sustenance.

34) We recommend to create programs and specialized shelters for children and adolescents victims of trafficking.

35) We recommend the State to act with interest and diligence to protect victims and punish perpetrators.

36) We recommend to create programs and shelters for cases of child and adolescent victims of abuse and sexual exploitation. Public services must be decentralized and spread outside the capital, in all departments of the country. It is necessary a better coordination with private sector that develop these services in order to expand coverage.

*37) In this year, 2015, there have been several cases that were widely published and that shocked public opinion, a case of a 10 year old girl abused and pregnant by her stepfather (ABC Color, 2015), a girl of five years abused by a neighbor (UltimaHora.com, 2015) and a 11 year old girl abused for a second time and also pregnant (PARAGUAY.com, 2015). All three cases demonstrate the lack of prevention and action from the State, since in the first case there was a complaint two years earlier, in the second case it was an abuser with a history of rape and in the third case a girl who had been abused previously. In all cases, is notorious the lack of monitoring.*

### **Recommendations for Right to education, participation and participation in the cultural life of the community**

38) We recommend the State to work even better gender equality in schools. Should improve the training of teachers in this field including in the curricula of initial and continuing training, issues of gender equality and human rights so as to prevent and reduce violence in general and domestic violence in particular.

39) We recommend the State to establish programs and procedures to protect and care children and pregnant teenagers so that motherhood does not make them vulnerable and socially excluded. Their rights must be protected, as well as those of their child. The right to education of the mother should not be violated.

40) We recommend Paraguayan government to improve preventive actions, better coordination between the Ministry of Health and Ministry of Education to prevent further violations of rights of girls and adolescents affected.