



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

Distr.: General  
10 June 2011  
English  
Original: Spanish

---

**Committee on the Elimination of Discrimination  
against Women**

**Pre-session working group**

**Fiftieth session**

3-21 October 2011

**Responses to the list of issues and questions with regard  
to the consideration of the sixth periodic report of  
Paraguay\***

---

\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

## **Introduction**

1. The Paraguayan State received the list of questions from the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW/C/PRY/Q/6) through the Ministry of Foreign Affairs. The Secretariat for Women of the Office of the President of the Republic (Secretaría de la Mujer de la Presidencia de la República (SMPR)), as the authority charged with promoting public gender policies and coordinating the drafting of the sixth periodic report on the implementation of the Convention on the Elimination of all Forms of Discrimination against Women with the Directorate of Human Rights of the Ministry of Foreign Affairs and with representatives of the public institutions that make up the Inter-agency Bureau to Monitor the Implementation of the Convention, has proceeded to respond with the goal of continuing to exchange with the Committee information that contributes to constructive analysis for a better understanding of the Convention and complete implementation, assuming as a State the responsibility for achieving real equality between women and men.

2. The institutions participating in drafting the responses are:

(a) From the executive branch: the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Agriculture and Livestock, the Ministry of Public Health and Social Welfare, the Ministry of Justice and Labour, the Ministry of Education and Culture, the Secretariat for Children and Adolescents, the Secretariat for the Civil Service;

(b) From the judicial branch: the Secretariat of Gender of the Supreme Court of Justice;

(c) From the legislative branch: the Commission on Equality, Gender and Social Development of the Senate;

(d) Agencies: the National Institute of Rural and Land Development (INDERT), the National Institute for Indigenous Affairs (INDI), Agricultural Empowerment Credit (CAH), the High Court of Electoral Justice.

## **General**

### **Response to paragraph 1 of the list of questions**

3. Convened by the SMPR, the Inter-agency Bureau to Monitor the Implementation of the Convention has met four times with the aim of drafting the sixth periodic report of Paraguay.

4. Representatives designated by institutions of the three branches of the State participated: the Commissions on Equality and Gender of the Senate and the Chamber of Deputies, the Supreme Court of Justice, the Office of the Ombudsman, the Public Prosecution Service, the High Court of Electoral Justice and of the Executive Branch: the Ministry of Public Works and Communications, the Ministry of Public Health and Social Welfare, the Ministry of Finance, the Institute of Rural and Land Development, the Technical Secretariat for Planning, the National Secretariat for Children and Adolescents, the Directorate General for Statistics, Surveys and Censuses, the Ministry of Trade and Industry, the Ministry of Justice and Labour, the Ministry of Foreign Affairs, the National Institute for Indigenous Affairs, the National Housing Service, the Secretariat for Social Action, the Ministry of Education and Culture and the Vice Ministry of Youth. More than 20 institutions took part, assuming their responsibility within the State for implementing the Convention and putting forward initiatives that contribute to its understanding and implementation.

5. The methodology used comprised expository treatment of the Convention, its Optional Protocol and the observations made by the Committee on the Elimination of Discrimination against Women in 2005, and group dynamics focused on groups of articles of the Convention, for its understanding and for the drafting of responses. The groups have held further workshops. The public presentation of the report was made on 7 April 2010 at the Ministry of Foreign Affairs, and in that month the report was placed on the web page of the Ministry.
6. The areas shared with civil society were: in 2009 —the interim process of drafting the report, the responsibility of the State— in the Fourth Feminist Conference that took place in the city of San Bernardino in October. At that meeting the Minister for Women expounded upon the advances in and challenges of implementing the Convention and State activities in support of the “CEDAW Line” campaign. In December of the same year, in connection with marking the thirtieth anniversary of the Convention, a discussion took place about implementing the Convention in Paraguay and a presentation on the outcome of the project “Promotion and Strategic Training in the CEDAW”, 2010. In December, the Convention outreach materials were presented in Spanish and Guarani in two modalities, one for the general public and the other technical and aimed at public officials; the sixth periodic report of Paraguay in its edited and printed version was also presented.
7. In February 2011, the printed report was distributed to State institutions, including participants in the aforementioned inter-agency bureau, and to women’s, feminist and human rights organizations, with the aim of contributing to the dissemination and drafting of the shadow report, the responsibility of non-governmental organizations.
8. Other activities are anticipated as part of the work plan, together with the Committee for Gender Equity of the Binational ITAIPU: (a) repetition of training sessions for members of the Inter-agency Bureau to Monitor the Implementation of the Convention, aimed at new members; (b) a discussion between the State and civil society about the sixth national periodic report and the civil society shadow report; (c) printing of materials about the Convention, the Optional Protocol and the sixth periodic report.
9. The Paraguayan State does not have a mechanism for approving reports on compliance with international treaties; approval is given through the participation of representatives from institutions of the three branches of Government. The sixth periodic report has been submitted to the President of the National Congress and the Commissions on Gender of both chambers of Congress.

#### **Response to paragraph 2 of the list of questions**

10. The Inter-agency Bureau was created in 2005, and the main objective of its first meetings was to promote an understanding of the Convention and its Optional Protocol, as well as of the general recommendations and concluding observations of the Committee.
11. With the goal of incorporating prioritized actions into the operating plans of the participating institutions in the Bureau, a global operating plan was developed that guided the management of each of the participating institutions. The sixth periodic report does not make further reference to that fact because the plan did not manage to be approved by the highest authorities of the institutions, nor was any follow-up on it performed by the Bureau; nevertheless, it can be found to be useful at the technical levels of the institutions, comparing its content —agreed on at the aforementioned Inter-agency Bureau— with the actions pursued by each of the participating institutions. Some examples: supporting legislative amendments, conducting campaigns opposing violence against women, placing on the agenda the ratification of Convention 156 of the International Labour Organisation (ILO) concerning equal opportunities and equal treatment for men and women workers: workers with family responsibilities, promotion of children’s centres in the private sector,

collecting indices of female participation in the public sphere, translating the Convention to Guarani, creating and cooperating with the operation of shelters for female victims, developing training programmes principally for public employees.

12. When new authorities took office following the change in government in 2008, the representatives of the Bureaus for the most part changed, and consequently the processes for introducing the Convention, its protocol and the committee's observations started over, coinciding with the process of drafting the sixth periodic report.

13. The coordination of the Bureau, the responsibility of the SMPR, undertook the drafting of the sixth periodic report. It is important to mention that the Republic of Paraguay has exerted efforts to fulfil its responsibility to present reports to the United Nations System associated with international treaties and the Universal Periodic Review.

## **Constitutional, legislative and institutional framework**

### **Response to paragraph 3 of the list of questions**

14. It is mentioned in paragraph 41 of the report that, since the end of 2007, steps have been taken toward formulating a comprehensive bill against violence toward women, and toward the goals of creating working groups, fostering debates on the issue and gathering suggestions from institutions and movements.

15. On 20 December 2010 an inter-branch agreement was signed which constitutes an historic event in Paraguay's commitment to eradicating all forms of violence against women. This document has established a group to create a comprehensive preliminary draft of a law framed under the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of Belém do Pará). Envisaged as a leading activity in this process is the convening of an international seminar, with the goal of raising awareness of the need for a comprehensive law.

16. The process of formulating a national law on equal opportunity, referred to in paragraph 16 of the report as a strategic guideline of the SMPR, has yet to be given impetus.

### **Response to paragraph 4 of the list of questions**

17. The proposals made by the SMPR included articles 136 and 137. However, through Law No. 3440, which amends several provisions of Law No. 1160/2007 of the Criminal Code, article 137 is drafted in the same way, adding in subsection 2 that if the individual is younger than 18 years of age, he or she may be spared the penalty. Article 136 was unchanged. None of these rules conforms to what is established by the Convention or recommended by the Committee.

18. Among the noteworthy advances in the enactment of Law No. 3440 are those pertaining to the characterization of violence within families, article 229 including physical pain as a manifestation of violence and a prison sentence of up to two years or a fine. Likewise, there is the concept of human trafficking for activity that has occurred abroad, and human trafficking for personal and labour exploitation.

## **National Gender Machinery**

### **Response to paragraph 5 of the list of questions**

19. Clarification: Paragraph 4 is related to the Inter-agency Bureau to Monitor the Implementation of the Convention and not to this question. Paragraph 16 puts forward the

management priorities of the current administration of the national mechanism for women in view of the weaknesses and advances in the implementation of the preceding National Plan for Equal Opportunities between Men and Women; neither of these two paragraphs indicates a strengthening of gender policies. Paragraph 126 of subsection 7 mentions that public institutions are demonstrating a growing political openness to the incorporation of the gender perspective in their plans and programmes, and that the challenges are set out in programmes, budgets and coordination efforts at the highest level.

20. The SMPR as a national gender mechanism currently has the capacity for coordinating with the various ministries through its participation in the social welfare cabinet and its bilateral relations with the ministry of the executive branch. It has been possible to incorporate the gender perspective as a cross-cutting aspect of the National Policy on Social Development and as specific goals to use in the fight against domestic violence.

21. Between 2003 and 2008 the institution's budget was reduced. Beginning in 2009, it was gradually increased. This budgetary increase was achieved as a result of better access to the National Congress Budget Committee, presentation of reports and action plans, and funds from external cooperation in support of institutional programmes. In the 2011 budget, shelters for female victims of domestic violence and for victims of human trafficking will be supported, institutional strengthening processes will continue, five regional SMPR offices will be set up in five departments in the country and two shelters (for victims of domestic violence and human trafficking, respectively) will be opened in departments in the interior of the country.

22. Current management of the SMPR complies with Civil Service Act No. 1626/2000 regarding the stability and mobility of personnel and the rights and obligations of government employees. The number of government officials, male and female, meets the requirements, and work plans have been established with regard to the professionalization of the staff. The current administration provides guidelines and invests resources in internal strategic planning processes and in coordinating activities both within and between agencies.

#### **Budget of the Secretariat for Women of the Office of the President of the Republic**

<i>Year</i>	<i>Institutional budget</i>	<i>Projects/Grants</i>	<i>Total in guaranis</i>	<i>Total in U.S. dollars</i>
2008	4 545 321 218	49 255 800	4 573 577 018	914 715
2009	4 628 267 574	502 840 400	5 131 107 974	1 026 222
2010	5 070 994 642	391 363 800	5 462 358 442	1 092 472
2011	5 742 892 457	12 320 721 060	18 063 613 517	3 612 723

23. Since 2008 there has been a gradual increase, with considerable growth in 2011. This is because much support has been received from foreign cooperation agencies, to pursue projects geared toward the following outcome:

- (a) Incorporating the gender perspective into prioritized ministries, in policies and institutional practices;
- (b) Increasing the public supply of prevention and care services for victims of gender-based violence and trafficking in women and children in the metropolitan area and priority departments, including the fitting out of shelters for women in high-risk situations;
- (c) Institutional strengthening for the effective decentralization of gender equality policies at the departmental and local levels;

(d) Democratic governance and social cohesion, decentralized management with regional offices and care centres, from the Secretariat for Women, in four departments.

## **Visibility of the Convention and its Optional Protocol**

### **Response to paragraph 6 of the list of questions**

24. The official translation to Guarani of the Convention was done by the Ministry of Education and Culture at the request of the SMPR. Materials about the Convention and its optional protocol were printed in Guarani and Spanish. The printed materials are distributed to gender-related mechanisms of the central Government and the interior of the country.

25. These materials were distributed to the institutional counterparts of the SMPR of the ministries of the executive branch and gender-related areas of the Supreme Court of Justice and the National Congress. They will be distributed to the Secretariats for Women of the provincial Governments and municipalities of the country.

26. The Convention rendered in Braille, also prepared by the Ministry of Education, has been completed, and there are copies in the SMPR. The Ministry of Education and Culture has made multiple copies on its Braille press, which will be distributed to Braille users in the educational institutions that serve those with this disability and through associations for blind and visually impaired persons of Paraguay.

## **Temporary special measures**

### **Response to paragraph 7 of the list of questions**

27. Paragraph 126 refers to the main problems that persist in the implementation of the Beijing Declaration and Platform for Action and those related directly to the implementation of the Convention, and this question refers to subsection 10.

28. In light of General Recommendation No. 25, Paraguay has promoted temporary special measures to accelerate women's participation in elected public office and speed women's access to land ownership. These measures have been established in the regulations of the Electoral Code and the Agrarian Act, respectively.

29. The quota for female participation established by the Electoral Code is 20 per cent; and because it does not establish an interrelationship and through the system of list creation, women have a lesser proportion of public representation than the 20 per cent set as the minimum. On the other hand, the political parties have decided to create gender and/or women's areas and, responding to agreements made with the SMPR—the current administration—the High Court of Electoral Justice has created a gender unit and has disaggregated electoral data by gender. The SMPR has organized political dialogues with women from political parties in the capital and others from the interior of the country, exploring the experiences of women in elected positions, women's difficulty in reaching and remaining in power, the quota for female participation and other difficulties, such as campaign finance and the stereotypes that still exist in connection with women's political activity.

30. In past years there have been two attempts to increase the quota for female participation and incorporate measures of interrelationship in proposals to amend the Electoral Code. Men make up the majority of both chambers of Congress and the proposals have even created different positions among the women of the various caucuses in Congress. Although the latest attempt failed, the differences between supporters and

opponents is very slight. The preamble indicates that sexist stereotypes still deny women opportunities to occupy positions of power.

31. In March of this year, 2011, Representative Víctor Bogado presented a preliminary amendment to subsection r of article 32 of Act No. 834/96, on the percentage of women's participation in elective office.

32. Another special measure concerns the preference of women for access to land, established in the Agrarian Act. This provision, although dating from 2002, has been little known in past years and little used by the National Institute of Rural and Land Development (INDERT), which did not have data disaggregated by gender. With the current INDERT administration, and in accordance with the Agrarian Act and the agreement signed with the SMPR, measures have been established for putting together land application commissions with at least 30 per cent of their steering committee positions filled by women. Thus in 2010, 250 commissions were recognized, 75 of these headed by women; land purchases were signed for 4,237 families, 35 per cent of which are for women; and in accordance with agrarian reform, 950 titles were issued, 38 per cent of which were for women. The data are disaggregated by gender.

33. With both strategies Paraguay is demonstrating that it is making progress, although much work remains before equality with men can be achieved.

## **Stereotypes**

### **Response to paragraph 8 of the list of questions**

34. The SMPR has set a priority legislative agenda through which it does monitoring and makes revisions and contributions from the gender perspective to preliminary drafts presented to the National Congress.

35. The responses to this question are organized in accordance with the paragraphs mentioned in the report.

#### *Paragraph 31*

36. The Minister of the Secretariat for Women has urged the President of the National Congress to resume the enactment processes of the law against all forms of discrimination, encouraging Paraguay to comply with the Convention and all international human rights commitments.

37. With regard to the executive branch, the Civil Service Secretariat coordinates implementation of the Equality and Non-discrimination Plan in the Paraguayan civil service, which is supported by constitutional rules and the precepts of international treaties ratified by Paraguay. The Civil Service Secretariat has signed an agreement with the Network against All Forms of Discrimination, mentioned in the report. Work with this network led to the creation of the bureau for equality and non-discrimination within this State Secretariat. The plan affirms that absence of a law against all forms of discrimination is not cause for Paraguay to stop meeting its obligations. With this plan, the State is striving to change itself, promoting equality and guaranteeing non-discrimination.

#### *Paragraph 40*

38. An effort has been made to play a part in the process of revising and amending the Criminal Code and Code of Criminal Procedure, and advances have been made in the definition of punishable acts: acts against sexual autonomy, domestic violence and human trafficking. With the goal of incorporating into the legal framework comprehensive regulations regarding gender-based violence, an agreement has been signed among the

branches of Government and the process of developing the preliminary draft of a law responding comprehensively to gender-based violence, mentioned in other parts of this report, is moving forward.

*Paragraph 93*

39. The Preliminary Draft on Sexual, Reproductive, Maternal and Perinatal Health is part of the legislative agenda of the SMPR, set, among others, as a priority for its amendment, promotion and approval.

40. The SMPR performs activities that concern policy analysis and gender mechanisms in the National Congress, as well as activities related to combating gender-based violence, and invites members of Congress to be participants, and often leaders, in these processes. The extent of participation by members of Congress in these types of activities has nonetheless been very low.

41. The Supreme Court of Justice has supported and defended the opinion that the School of Law, under the authority of the Judicial Council, should maintain “Gender Issues” on its curriculum, having a mandatory department chair in this area with a general (first-level) training level. The chair was created in 2008—with a seminar preceding it in 2006—and has been maintained to the present day.

## **Violence against women**

### **Response to paragraph 9 of the list of questions**

42. In December 2009 a new main office of the Forensic Clinic opened, belonging to the Directorate of Forensic Medicine, under the authority of the Public Prosecution Service. The object of this new operation is to provide improved and more humane service, especially to victims of crimes against sexual autonomy, with differentiated, confidential treatment, avoiding re-victimization. In medical emergencies, the Medical Emergency Centre continues to function as a medical-legal support office.

### **Data on suspected victims of sexual abuse from the Department of Forensic Clinical Services**

<i>2010</i>	<i>Total</i>
Adult Women	106
Adult Men	20
Girls	752
Boys	21
<b>Total</b>	<b>899</b>

<i>2011</i>	<i>Total</i>
Adult Women	37
Adult Men	6
Girls	201
Boys	14
<b>Total</b>	<b>258</b>

*Source:* Forensic Services Directorate, Department of Forensic Clinical Services, Office of the Public Prosecutor.



**Statistics on code 1600 calls (911 system of the National Police)**

<i>Year</i>	<i>Total number of calls</i>
2008	9 893
2009	16 974
2010	21 527
2011 (January-March)	3 524
<b>Total</b>	<b>51 918</b>

*Source:* Technical Support, Communications Department, SADLE 911 Emergency Call Dispatch System.

43. The 911 emergency system of the National Police has recorded the following statistics, from 2009 through 2011.

Table 1  
**Code 1600 (Law 1600) Statistics, 2009**

<i>Month</i>	<i>Total</i>
January	1 205
February	1 318
March	1 372
April	1 343
May	1 362
June	980
July	744
August	1 792
September	1 457
October	1 577
November	1 756
December	2 068
<b>Total</b>	<b>16 974</b>

*Source:* 911 System, National Police (2011).

Table 2  
**Code 1600 (Law 1600) Statistics, 2010**

<i>Month</i>	<i>Total</i>
January	2 109
February	1 846
March	1 818
April	1 644
May	1 657
June	1 827
July	1 459
August	1 527

<i>Month</i>	<i>Total</i>
September	1 577
October	1 894
November	1 805
December	2 364
<b>Total</b>	<b>21 527</b>

*Source:* 911 System, National Police (2011).

Table 3  
**Code 1600 (Law 1600) Statistics, 2011**

<i>Month</i>	<i>Total</i>
January	2 140
February	286*
March	1 098**
<b>Total</b>	<b>3 524</b>

*Source:* 911 System, National Police (2011).

*Note:* \* In February, beginning on 5 February, 1600 codes were not recorded due to technical problems with the system. Beginning on 28 February, the system returned to normal. \*\* The total number of 1600 codes in March 2011 was recorded from 1 March through 17 March.

44. It must be noted that Code 1600 records all cases of domestic violence reported to the 911 system, without distinguishing the gender or age of the victim. Although for the time being the records of complaints made to the Special Division for Women, Child and Adolescent Victims of Violence are not included in this statistic, the General Directorate of Order and Safety has differentiated statistics on violence against women, which are categorized by criminal act and geographic area.

Table IV  
**Violence against women by area and department, January to November 2010**

<i>Area</i>	<i>Department</i>	<i>Homicide</i>	<i>Attempted homicide</i>	<i>Voluntary injury</i>	<i>Sexual assault</i>	<i>Attempted sexual assault</i>	<i>Not specified</i>
I	Metropolitan		1	2	2	2	21
	Central	3	3	8	18	1	59
	Cordillera	1		3	7	1	9
II	Concepción			3	1	1	21
	Amambay	1	1	17	2		76
III	Alto Paraguay						
	San Pedro			3	4		8
	Caaguazú	1		5	2	1	11
	Caazapá					1	3
	Guairá		1	2	1		5
IV	Itapúa	4		1	2	2	12
	Alto Paraná	2		4	10	1	31

<i>Area</i>	<i>Department</i>	<i>Homicide</i>	<i>Attempted homicide</i>	<i>Voluntary injury</i>	<i>Sexual assault</i>	<i>Attempted sexual assault</i>	<i>Not specified</i>
	Canindeyú	1		3	4		3
V	Misiones	1			1		7
	Paraguarí			3	3	2	2
	Ñeembucú						4
VI	Boquerón						
	Presidente Hayes			1			9
<b>Total</b>		<b>14</b>	<b>6</b>	<b>55</b>	<b>57</b>	<b>12</b>	<b>281</b>

*Source:* Prepared by the Statistical Department based on data provided by the Directorate General of Order and Security (2011).

45. The Inter-agency Committee for a Comprehensive Response to Gender-based Violence has formed a Technical Committee with the purpose of implementing a single data registry. To fulfil its mission it has established various lines of action, among them implementing a standardized or approved system or registry of gender-based violence. Its aim is to obtain reliable statistics on the magnitude of the problem and to improve means of detection, and to maintain an updated data bank of the prevalence of violence toward women. In addition, it aims to gather and analyze statistical data and generate information on gender-based violence in Paraguay.

46. Interviews are currently being conducted with institutional-level actors on the topic of gender-based violence in Paraguay: members of the National Police, the Public Prosecution Service, the judicial branch and the Ministry of Health and Social Welfare, among others. The goal of these interviews is to capture the experiences of each institution regarding the detection of instances of violence and to compile information; that is, the data source, its use and the quality of the information.

47. The Inter-agency Committee has enabled relationships and direct dialogue among the component institutions at the time that services, care and reporting are coordinated, in an attempt to avoid disjointed information and fragmented activity. Through Resolution No. 57, the Ministry of Public Health and Social Welfare has formed a Multidisciplinary Technical Team (ETM) and begun other activities regarding mechanisms that improve institutional policy and the creation and/or intensification of initiatives to improve the comprehensive care provided to victims.

48. In view of the absence in institutions (at the central level) of statistical data on the cases covered in their departments, and with the fundamental purpose of avoiding re-victimizing those who are of victims of violence, a care registry form has been created in the departments that handle women's (adult persons') cases, with guidance from the ETM and the Public Prosecution Service. In addition, with representatives from the Ministry of Health and civil society, a care registry form has been created in the departments for children's and adolescents' cases. These forms will provide a complement to the clinical records being implemented in the departments. It should be noted that the aforementioned clinical records have expanded on and specified aspects that reflect situations of violence, inter-culturality and sexual orientation, among others.

49. Through the MAJUVI programme and with the collaboration of CLADEM Paraguay, the Supreme Court of Justice has been monitoring the magistrates' courts of the capital district whose jurisdiction is victims of domestic and intra-familial violence and the possible issuance of protection measures. The monitoring was done in 2007, 2008 and 2009.

50. The Strategic Plan for Implementation of the Gender Equality Policy intends to create a justice and gender monitoring centre that would gradually cover all judicial activity related to gender equality in the judicial branch, through which data are compiled, systematically organized and analyzed in order to make relevant institutional-level decisions.

**Response to paragraph 10 of the list of questions**

51. In developing training modules on care with regard to violence against women, the SMPR indicates the appropriate procedures and sets forth that mediation and conciliation are incorrect, contraindicated procedures. When areas or departments in which these practices are being carried out are identified, in addition to pursuing training, local awareness-raising and support-building networks are being formed for interventions.

52. In circular No. SG 7/2011 of 19 January, the Minister of Health stipulated that public health institutions must: (a) urgently provide care and treatment by suitable professionals, make available all pertinent examinations and transfer patients to specialized institutions if necessary; (b) submit a copy of the diagnosis to both the patient and the appropriate magistrate's court within 24 hours. Non-compliance with the aforementioned provision shall result in being subject to the sanctions set forth in the relevant legislation.

53. With the cooperation of the SMPR, a joint protocol on health system services for victims of domestic and gender-based violence has been developed and is in its final phase of revision for later printing and dissemination. A flow chart for the comprehensive care of victims of violence has been created and disseminated, and it displays the course of action or steps that are essential to take and/or suggest to the victim to ensure that treatment is comprehensive.

54. Knowing the limited awareness of and resistance to tackling the issue of gender, and its implications for care and the delivery of diagnoses, a series of conversations with and ideas from healthcare personnel from certain departments has been pursued in order to learn about their experiences and practices when they intervene in cases of violence, and to increase awareness and help them adhere to their role as civil servants and health officials in modifying their ways of approaching victims when those victims' rights are at risk.

55. The Supreme Court of Justice, through Agreement No. 633, has approved the content of the "100 Brasilia Regulations Regarding Access to Justice for Vulnerable People", approved by the Plenary Assembly of the 14th Ibero-American Judicial Summit, held from 4 to 6 March 2008 in Brasilia, as a set of basic regulations to guarantee access to justice for vulnerable people. Regulation 67 states that, "In order to mitigate or avoid emotional tension or anxiety, every effort will be made to avoid the victim coinciding with the person accused of the crime in the court premises, as well as their confrontation during judicial proceedings, ensuring the victim is protected visually".

56. These regulations cover other problems that especially affect women in judicial proceedings and may constitute causes of vulnerability, such as: age, belonging to an indigenous community, victimization, migration and internal displacement, poverty, gender, belonging to a minority group and deprivation of liberty, with special attention paid to cases of domestic violence.

57. In the section on gender, Regulation 18 bases the concept of discrimination against women on article 1 of the Convention on the Elimination of All Forms of Discrimination against Women, and Regulation 19 adopts the concept of violence against women from the Convention of Belém do Pará.

58. The creation of the Special Division for the Care of Women, Child and Adolescent Victims of Violence, the responsibility of the National Police and under the authority of the

Ministry of the Interior, seeks to minimize the impact of personnel turnover. There are currently six offices: three in the Metropolitan area, one in Ñemby, one in Villarica and one in Encarnación. It should be noted that there is a plan to expand and open new offices of the Special Division in the Misiones and Ñeembucú departments.

59. As part of the process of establishing this division and the concept of specialized care for women and persons who belong to vulnerable groups, in 2010 a police contingent of 1,087 from the Special Urban Police, the 911 system and the Operations Department were trained in domestic violence procedures and first aid. The plan is to continue with the training so that in 2011 more than 2,500 police officers would be trained.

60. It should be noted that the subject matter of domestic violence has been included in the curriculum of the “Sargento Ayudante José Merlo Saravia School for Non-commissioned Officers” and the Institute of Advanced Police Studies.

61. In the years 2010-2011, the National Police Command approved the following resolutions related to the protection of female adult victims of violence:

(a) Resolution No. 253/2011, approving the police procedures manual before the Commission on Punishable Acts when those acts are related to domestic or gender-related violence, which examines the general procedure that police personnel must follow in instances of family violence, search procedures, verification that acts are habitual (a requirement established for determining the type of crime, laid down in Act No. 1600) and the relationship with specific related offences;

(b) Resolution No. 126/2011, which approves the National Police manual on the use of force, examining special procedures based on gender for body searches and interventions;

(c) Resolution No. 531/2010, establishing the procedures protocol for large-scale evictions, which covers the necessary considerations for the recording of data about and conditions of the intervention in cases involving women and those under 18 years of age in groups to be evicted;

(d) As regards serving police officers, the focus has been on raising the awareness of police personnel and improving the relationship between the community and the police force;

(e) Two standard-setting materials, “Basic Guide to Human Rights for Police Personnel: A Tool to Promote Good Police Practices” and “Police in the Service of the Community”, have been created and will be distributed to all police stations in the country; they are also available to the public.

#### **Response to paragraph 11 of the list of questions**

62. Female adult victims of violence have the following protection mechanisms at their disposal: six Special Divisions for the Care of Women, Child and Adolescent Victims of Violence, established in 2009 within the framework of an institutional cooperation agreement, three of which are located in the metropolitan area, one in the Central department, one in the Guairá department and one in the Itapúa department; police stations in charge of the National Police, protective measures enacted in civil jurisdictional headquarters by the magistrates’ courts nationwide, managed within the framework of Act No. 1600/00, and offices for criminal complaints, part of the federal Public Prosecution Service. It is worth noting that for cases of domestic violence, the Supreme Court of Justice, through agreement No. 642/2010, prescribes that criminal complaints of domestic violence received outside the public service schedule of the magistrates’ court of the capital be channelled through the continuous duty office of the Supreme Court of Justice. There are health centres throughout country, plus the special offices for the care of victims of

violence that are part of the Ministry of Public Health and Social Welfare (with five offices located in the Workers' Neighbourhood Hospital, the San Pablo Hospital, the Centre for Medical Emergencies, the Acosta Ñu Paediatric Hospital and the Itagua National Hospital) and the Women's Support Service, under the authority of the SMPR.

63. On 26 November 2010 the SMPR opened the Shelter for Women in Situations of Violence. It is the first temporary shelter for female adult victims, is located in the Central department near the nation's capital, has a capacity of 50 persons and provides comprehensive assistance (legal, psychological, education of children, social work). The services it offers are: temporary lodging, psychological care and support, legal advice and assistance, medical care and support, occupational therapy, information on and training in rights, personal safety and support for the maintenance of school education programmes for children admitted with their mothers.

#### **Response to paragraph 12 of the list of questions**

64. During the execution of the SMPR's 2010 Operating Plan, the proposed objective of "institutionalization of the national plan to prevent and punish violence against women" was replaced, since the aforementioned plan was no longer in effect. As an alternative, the work was concentrated on the goal of the sixth area of action under the third National Plan for Equal Opportunities between Men and Women, "preventing and eradicating all forms of violence against women", as a substitute for the functional structure of the original plan. An Inter-agency Committee for a Comprehensive Response to Gender-based Violence was strengthened, bringing together various institutions that work in this field: the Ministry of the Interior, the Ministry of Health, the National Secretariat for Children and Adolescents, the Supreme Court of Justice, the Public Prosecution Service and the Secretariat for Women.

65. In the Ministry of Public Health, psychological services were introduced and strengthened for persons (women, children and adolescents) who are victims of gender-based, domestic and intra-familial violence. These services are provided in hospitals established by the Framework Agreement for Inter-agency Cooperation among the Ministry of the Interior, the Ministry of Public Health and Social Welfare, the SMPR and the National Secretariat for Children and Adolescents of the Presidency of the Republic (the Workers' Neighbourhood Hospital, the San Pablo Hospital, the National Hospital and the Centre for Medical Emergencies) and seven hospitals from the following departments: Central (San Lorenzo Regional Hospital), Paraguari (Yaguaron District Hospital), Presidente Hayes (Villa Hayes), Itapúa (Encarnación), Alto Paraná (Ciudad del Este), Canindeyú (Curuguaty) and Caazapá (Caazapá), through contracts with 12 psychologists and five social workers (Resolution SG No. 5572 of 31 October 2010).

66. These professionals conducted 288 psychological consultations in November and December 2010 and 481 in January and February 2011. Additionally, other tasks performed were: assisting persons in situations of violence, raising awareness among healthcare personnel, coordinating with local institutions (courts, Public Prosecution Service offices, municipal counselling services on child and adolescent rights (CODENI), etc.) and carrying out community-related activities.

67. Further, training is being provided to family healthcare teams (33 teams in the Central department and 34 in San Pedro de Ycua Mandiyu), in mental health-related care and domestic and intra-familial violence.

68. A discussion on domestic violence has been held on a monthly basis since March of this year, with the goal of having on hand public health professionals who are sensitive to the issue and trained in providing care and psycho-therapeutic support to victims of domestic and intra-family violence; it is aimed at the human resources departments of the

mental health units of the various health regions and receives the participation of psychologists from the judicial branch, the police force's family department and other public institutions.

69. With the goal of raising awareness and consciousness of violence against women, the SMPR has developed the following campaigns:

(a) The National Campaign for the Economic Empowerment of Women under the watchword "Let's live a violence-free life". Launched on 23 November 2010 with the presence of the President of the Republic and high-level national officials, this campaign is spreading a positive message to both victims and society, urging commitment and action from everyone. Broadcast in Spanish and Guaraní on radio and television spots and disseminated via large-format posters, flyers, bus placards and tee shirts, the campaign has reached people nationally, with an emphasis on the rural population.

(b) "Lilac-coloured glasses for the media." This is the title of a tool aimed at journalists and male and female communicators regarding the production of news about violence against women. This material, developed in 2008, was presented the following year to male and female university students and to journalists from the departments of Ñeembucú, Itapúa, Caaguazú, Amambay, Alto Paraná, Misiones and Guairá, initially reaching a total of 180 professionals in the area. Given this initiative's warm reception, it was expanded to a third phase in 2010, with presentations to more universities, to members of the State Communicators' Team and to male and female communicators from six other departments in the country: San Pedro, Caazapá, Concepción, Central, Canindeyú and Cordillera. In total, 296 journalists have received training.

(c) The Communication and Gender Observatory has been in place since March 2010. It is a collaboratively developed forum for research and analysis in which the press addresses the issue of gender-based violence. This suggests that the media have become fundamental allies for change in social consciousness with regard to the skewed roles and representations of both women and men in society.

(d) This SMPR initiative, created with the coordination of other State institutions and civil society, supports a workshop on the transfer of methodologies for news analysis and web-page design. In addition, the first report, on the results of the analysis of news published in the press about cases of violence against women, was presented.

### **Response to paragraph 13 of the list of questions**

#### *Cases: Kidnappings of women*

70. Between 2005 and 2006 the Secretariat for Women led a series of activities with women who had been kidnapping victims, on the theory that their experiences could be useful to other women, and in support of the promulgation of anti-kidnapping standards.

71. María Edith Bordón de Debernardi, María Ángela Martínez, Gilda Ayala and Fátima Cubas met for the first time to share their experiences, but, above all, to agree to unite to promote actions that would serve to warn and raise the awareness of all key actors in the eradication of kidnapping. Among the various activities, with the support of the Secretariat for Women, they met with the President of the Republic and the President of the National Congress, proposing that the criminal conduct of kidnapping be punished with increased rigour through the increase of sentences and that the training capacity for preventive action by security and judicial bodies be expanded; they also requested a special anti-kidnapping law and rapid-investigation legal mechanisms and tools. In seeking effective mechanisms to combat kidnapping and insecurity, and as an institution charged with fighting all forms of violence, the Secretariat for Women has promoted the organization of women around this

national concern, fostering citizens' awareness and sensitization and partnerships between civil society and the State in pursuit of a common goal.

72. Public information on the cases is provided below.

*María Edith Bordón de Debernardi*

73. The male and female kidnapers of María Edith Bordón de Debernardi received sentences of 10 to 25 years of imprisonment. All of the defendants were sentenced for the crimes of false imprisonment, kidnapping, extortion, aggravated extortion, voluntary manslaughter and membership in a criminal organization. José Tomás Rosa, sentenced to eight and a half years, was released after serving six years of his sentence. Nidia Espínola, sentenced to five years, has already been released. Alcides Oviedo Brites, Carmen Villalba and Aldo Meza are serving 15- to 18-year sentences. Juan Arrom, Anuncio Marti and Víctor Colmán have been in Brazil as political refugees since January 2002.

*Cecilia Cubas*

74. Cecilia Cubas, the elder of the two daughters of former president Raúl Cubas Grau (1998-1999), was 31 when she was kidnapped on 21 September 2004 in the vicinity of her residence in the city of San Lorenzo, by an armed group that intercepted her vehicle with gunfire. Her body was found in February 2005, five months later, in a ditch dug at a dwelling in Ñemby, in spite of the payment of some 250,000 dollars her family had made as part of a ransom attempt that failed.

75. The group of kidnapers was brought to justice in 2005. In December 2006 they were sentenced to prison, the men in a special group and the women in Buen Pastor women's prison. Among the harshest sentences are those of Osmar Martínez and Anastasio Mieres Burgos, the latter the uncle of the fugitive Manuel Cristaldo Mieres. Both received a sentence of 25 years of prison. In addition, Francisca Andino and Roberto Otazú were sentenced to 30 and 25 years, respectively. Others sentenced in the "Cecilia trial" were Vaciano Acosta, José Hidalgo Ayala, Manuel Portillo and Pedro Chamorro, who were sentenced to 24 years and nine months. Sebastián Osorio González, uncle of the defendant Carlos Espínola González, was sentenced to 21 years and three months. Aldo Meza was sentenced to 15 years. Lidia Samudio and Rosalba Jara, former partner of the deceased Severiano Martínez, received a sentence of five years. In March 2007 Casildo Acosta was sentenced to six and a half years of prison, also for his part in the *Cecilia Cubas* case.

76. The main ringleaders, such as Osvaldo Villalba, Manuel Cristaldo Mieres and Magna Meza, continue to be fugitives.

77. The Government of Paraguay has enacted a law to combat kidnapping, by which the State will block the accounts of victims of abduction and those of their relatives, so that only the Public Prosecution Service may negotiate with the captors.

78. The new law amends several articles of the Criminal Code, principally the restriction on having at one's disposal the family assets of those who are kidnapped.

*Case: Sexual abuse at military academy*

79. The victim was a cadet in the Armed Forces, in training to be an officer. The victim was unconscious; the abuse was filmed via cell-phone by those involved and then distributed among the victim's male and female colleagues. The aforementioned filming was the principal item of evidence considered by the court at sentencing, besides the psychiatric assessment which determined that the youth was unconscious.

80. On 17 March 2010, oral proceedings, culminating on 9 April, began. The accused, five in number, received sentences of two to eight years of prison for the sexual abuse of a



defenceless person; three of the accused were sentenced to eight and a half years, one convicted person was sentenced to three years and another to two and a half years. After seven months, two of those sentenced were paroled after serving two thirds of their sentences and for having been accessories to and not the perpetrators of the crime.

*Case: Domestic violence and attempted voluntary homicide*

81. Another case that provided the impetus for the Secretariat for Women's support is that of an official of the Customs Administration who fired at the house of his former in-laws, where his ex-wife and five year-old daughter were living. He fired several shots, for which he was charged and prosecuted for attempted voluntary homicide.

82. The court concluded that the man actually intended to kill his former partner and sentenced him to 13 years' imprisonment.

*Case: False imprisonment of Norma Machado*

83. In 2010 a complaint was made by the niece of the former police chief. The youth, 21 years old, accused her uncles Vidal, Inocencio and Viviano Machado (the first two of whom are police inspectors) of illegally depriving her of her liberty and torturing her because she is a lesbian.

84. It is alleged that Vidal, Inocencio and Viviano went to the house where the youth lived with her partner and there beat both women. They then took their niece to the Tapití company—which belongs to the Machado family— where she was psychologically tortured. They told her it was bad to be a lesbian and that she had to change. The girl was finally taken to Villa del Rosario, in the department of San Pedro, where she was locked in a house for nine days until she escaped. The complaint found its way to the office of public prosecutor Marta Sandoval, and the same day the agent referred the case to the anti-kidnapping unit of the Public Prosecution Service.

85. Public prosecutor Sandoval alleged that what was being reported was a kidnapping, so that her office had to intervene in the matter.

86. The police justice system has already punished both the officials involved for not having responded to the calls to 911 and Inocencio Machado, the police officer on duty and the victim's uncle, who had dragged her from the couple's house.

87. The Public Prosecutor denies all the facts, saying that Norma accompanied her relatives of her own free will, and discounts that the violence occurred because the family did not accept her being a lesbian.

88. The Coordinator for Human Rights in Paraguay (CODEHUPY) appealed this decision and brought a complaint as an intervenor.

*Cases: Punishable acts against sexual autonomy in the department of Boquerón*

89. In the case of *Public Prosecution Service v. Víctor Gossen* for a punishable act against sexual autonomy, the support of the SMPR legal counsel services contributed to a speedy trial. He was sentenced to five and a half years.

90. In Case No. 148/2008, *Public Prosecution Service v. Alfred Doersen Giebrecht*, a case involving an offense against sexual autonomy before the Romzewski Maziuk criminal court of appeal, in the summary stage the attorney of record requested support from the SMPR. An oral trial was held, and the accused received a sentence of five years and eight months. This sentence was overturned due to procedural errors which are still pending before the courts.

91. These Boquerón cases are very paradigmatic because they occur in a department in which diverse cultures, Paraguayan, indigenous and foreign, converge with cultural and religious systems that render the situation of women and girls vulnerable and weaken institutional safety-nets. The Mennonite culture is in the majority in this department, and on many occasions it impedes access to information and the implementation of protection mechanisms.

92. These were some of the cases that, through publicity from print media, radio and television, have had great resonance with the citizenry and in institutions with jurisdiction. Nevertheless, and although there is no national standardized registry for cases of gender-based violence, of the 2,030 cases of domestic violence lodged in 2010 with the SMPR Women's Support Service (SEDAMUR), none has advanced to oral proceedings or a conviction. As far as is known, only three cases of domestic violence in past years have advanced to oral proceedings and a conviction for a fine. Access to justice to protect adult female victims remains an unfinished task.

## **Trafficking and exploitation of prostitution**

### **Response to paragraph 14 of the list of questions**

93. In December 2009 a proposed special preliminary draft of a law against human trafficking was submitted as an SMPR initiative to the coordination office of the Inter-agency Bureau to Prevent and Combat Human Trafficking.

94. At this time, the proposal is being amended by the aforementioned bureau. Three central themes are being emphasized: prevention, care and punishment, interpreted consistently with the aid of constitutional rules, the United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention, ratified by the Republic of Paraguay. Its goal is to adopt measures to prevent and punish human trafficking, particularly that of women, girls and boys, as well as to protect and assist victims and potential victims of this punishable act, within a framework of respect for human rights.

### **Response to paragraph 15 of the list of questions**

95. The Code for Children and Adolescents establishes measures of protection against all forms of exploitation and prohibits the use of children and adolescents in the sex trade and in the preparation, production and distribution of pornographic publications. It has not been revised or amended since its enactment.

96. Administrative measures, such as the creation within the Secretariat for Children and Adolescents of a prevention and care unit for child and adolescent victims of sex trafficking and sexual exploitation, have been taken with the goal of providing care to victims and carrying out prevention-related activities. Services include crisis intervention, shelter, reuniting families and psychological support. In addition, the Inter-sectoral Bureau to combat the sexual abuse and exploitation of children and adolescents, which is engaged in formulating a national plan, has been reactivated.

97. Adolescent and girl human-trafficking victims take refuge in the SMPR shelter by judicial order or of their own free will.

**Response to paragraph 16 of the list of questions**

98. At the Inter-Agency Board to Prevent and Combat Trafficking in Persons in the Republic of Paraguay specifically in the Sub-Commission on Prevention, a comprehensive plan for 2011 is being formulated.

99. At the SMPR, the creation in 2009 of the Department for Prevention and Care for Victims of Trafficking in Persons is one of the measures taken to prevent trafficking in women and to be a part of the inter-agency machinery.

100. Similarly, within the framework of the Programme to Combat Human Trafficking, Particularly in Women and Children, along with the General Directorate for Statistics and Census, the data related to the cases have been systematized, together with a road map tracing human trafficking in the printed document entitled "Human Trafficking in Paraguay: Results Obtained by Analysing Information from Institutional Registries and Road Map", presented at a public session in September 2010. A standardized registry form that was presented by the SMPR was also approved.

101. The document on public policies for preventing and combating human trafficking was presented to the Inter-agency Bureau for Preventing and Combating Human Trafficking and later submitted to the Ministry of Foreign Affairs for approval.

102. In 2010 an analysis was performed of the specific needs for increasing the capacity to respond to and fight human trafficking from the jurisdiction of the Ministry of the Interior. The principal measure taken was to establish an inter-ministerial working group, whose objective is to coordinate policies, plans, programmes, projects, activities and procedures, responding to the need to standardize criteria regarding this issue.

103. One of the measures resulting from the comprehensive implementation of the National Public Safety Policy in regard to trafficking in persons and missing persons is incorporating procedures for combating all forms of exploitation and preventing potential acts of trafficking in persons in the scope of the Division for Care of Victims of Violence specialized in women, children and adolescents.

**Response to paragraph 17 of the list of questions**

104. This specialized unit works in coordination with relevant institutions entrusted with responsibilities for care and assistance to victims of trafficking, in accordance with their age.

105. As for the SMPR, the Directorate of Prevention and Care for Victims of Trafficking in Persons develops strategies of prevention and promptly processes complaints regarding victims of trafficking, providing them with comprehensive care, maintaining interaction with the institutions that comprise the Inter-Agency Working Group to Prevent and Combat Trafficking in Persons.

106. In addition, adult women are enrolled in a Model Social Reintegration Programme that seeks to achieve social reintegration of those affected by this transnational crime, which implies the need to develop lines of action to facilitate reintegration in day-to-day contexts such as family, education and work, while avoiding exposure to further re-victimization.

107. This model is based primarily on productive activities that are developed from the perspective of the victims according to their individual interest and ability. Its implementation was initially handled with support from the International Organization for Migration and is currently under the budget support provided in the Work Plan of the Committee for Gender Equity of the Binational ITAIPU.

108. The Secretariat also provides temporary shelter for women victims of trafficking, be they adult or adolescent; in the latter case, they are referred by order of the competent judicial bodies to child and adolescent services.

109. The Paraguayan State has begun the process of accession to the Convention on the Reduction of Statelessness of 1961. This document already has a technical legal justification, a requirement for it to be sent as a message to Congress. The process is expected to be completed this month. The instrument will thereafter be under consideration within that organ of the State, for subsequent approval.

110. With regard to the Convention relating to the Status of Stateless Persons of 1954, the State is analyzing the document with a view to preparing the corresponding legal justification.

111. Finally, the campaign “My life counts and has no price” is being carried out in order to raise awareness about human trafficking among groups that make public policy or influence its formulation: national authorities, media, civil society organizations, members of the community and other stakeholders. It includes television and radio spots and printed materials, all in Guarani and Spanish versions, with nationwide coverage.

112. The Social Reintegration Programme for Women Victims of Human Trafficking began to be implemented in 2006, with the support of the International Organization for Migration. Up to 2008, nine women had benefited under the programme, in the areas of skills training, completion of education, cash assistance, medical treatment, and support for their productive activities.

113. Since 2010, a model Social Reintegration Programme has been implemented in conjunction with the Committee for Gender Equity of the Binational ITAIPU. To date, four women have benefited. It should be noted that women enter the programme voluntarily.

## **Political participation and decision-making**

### **Response to paragraph 18 of the list of questions**

114. Regarding this paragraph, it may be mentioned that in the Chamber of Deputies in January 2011 Congressman Víctor Bogado presented for consideration the bill “Amending subsection (r) of article 32 of Act No. 834/96, establishing the Paraguayan Electoral Code, regarding the percentage of participation by women in elective office”. The wording was as follows: “To ensure participation by women in collegial bodies to be elected, they must as internal candidates amount to no less than 33 per cent, namely one woman candidate for each three vacancies to be filled, in such manner that this group may appear anywhere but in the proportion of one candidacy for every three posts to be elected. Every party, movement or alliance sponsoring lists is free to determine order of precedence. Political parties, movements or alliances which fail to comply with this provision in their internal elections shall incur the penalty of not being registered in the lists of the respective Electoral Tribunals.”

115. The bill has been referred to the Committee on Legislation and Codification, the Committee on Constitutional Affairs and the Committee on Social Equity and Gender of the Chamber of Deputies. The Committee on Social Equity and Gender considered the bill on 29 March 2011, a major step. This advisory committee recommended adoption of the draft with amendments providing that the draft would include the order of precedence and that this should be so until the lists are concluded.

**Response to paragraph 19 of the list of questions**

116. A major purpose of SMPR is to foster the ability of all institutional, political and social stakeholders to achieve equal opportunities for participation by women. There have been substantial achievements to date, although not yet enough.

117. Through the project “Political Participation for Gender Equality”, implemented by the SMPR in strategic partnership with the High Court of Electoral Justice, a training plan for women politicians has been developed. This programme, which aims to promote effective political participation by women and to strengthen gender equality policies in the country, has trained 479 women leaders.

118. The same project will carry out social communication campaigns to raise awareness of gender equality, non-discrimination and the promotion of women’s political participation. Noteworthy among them is the design, development and implementation of a web portal on gender equality and political participation.

119. Between February and June 2010, five political dialogue round tables were set up, with incumbent female councillors, mayors and pre-candidates to municipal elections in the city of Asunción, the Central department and the departments of Misiones, Ñeembucú, Caaguazú and Paraguari. In Asunción there were 80 women in attendance, and in five localities in the interior of the country 435 women of different political parties and civil society organizations participated.

120. A system has been created for processing information disaggregated by sex in the Superior Court of Electoral Justice.

121. A workshop on “Political participation for gender equality” was held in order to create a forum for dialogue with leaders of political parties and movements, with a view to fostering commitment to mainstreaming gender equality in party strategies.

122. Workshops entitled “Female Voices in the City” were held with the aim of developing local government policies with a gender perspective in pre-selected cities: Ciudad del Este, Hernandarias, Presidente Franco, Coronel Oviedo and Caaguazú. Each meeting was aimed at women candidates of different political parties and women community leaders.

123. By way of information on the “Women’s Parliament” project, the responsible organization was the Tiempo Nuevo association in partnership with the National Parliament, Women’s Network and the Association of Departmental Councils (AJUDEPA) of Paraguay. The Women’s Parliament project aimed to “empower and strengthen transformative women’s leadership with a gender perspective, to promote equal access and participation of women and men in political power structures and decision-making processes in Paraguay”. The project achieved results in the components of training, parliamentary practise and dissemination.

124. The participants were 125 women members of Congress and 60 alternates, with the continuous participation of members, observers from civil society and social organizations (the women members were from all political parties having representation in Congress, including those that did not receive enough votes to remain registered). Of the 125 women in the Women’s Parliament, 68 (54 per cent) participated in internal primary elections. With regard to legislation, five bills with a gender perspective were submitted to Parliament, dealing with development, the budget, decentralization, human rights and electoral reform. Work went ahead on the law on water resources, on sexual and reproductive rights, and on amendments to the law on domestic violence.

125. It may be noted that a proposal amending the Electoral Code to raise the quota to 50 per cent was presented by the Women’s Parliament and transmitted to the three committees

that were considering the issue. Lobbying took place with the leaders of the blocs and the Minister for Women's Affairs. Unfortunately, the proposal lost in the Chamber of Deputies by two votes against, but this too is considered a valuable result since the previous attempt lost by 30 votes. This is the bill that is having the greatest impact in Congress on the ability of women to coalesce around the proposal, to organize parliamentary lobbies for its approval and to rally more support compared to previous efforts.

126. The Tiempo Nuevo association (Women's Parliament), in collaboration with the University Research Institute, conducted a poll to identify perceptions about the presence of women in political and parliamentary positions, applied to 574 neighbourhood committees in the municipality of Asunción between 30 June and 1 July 2007. When asked if women have the capacity for political office, 64.6 per cent (371) of respondents said yes. As to whether they would agree to amend the Electoral Code to increase the share of women on ballots for representatives, senators and other national elective offices, 60 per cent (347) said yes.

## **Education**

### **Response to paragraph 20 of the list of questions**

127. The Paraguayan Congress passed Act No. 4084/2010 "to protect students during pregnancy and maternity", in order to facilitate school enrolment and remaining at school, as well as support academic performance, during pregnancy and maternity, in public, private and semi-public schools. Technical staff of the Ministry of Education and Culture are assigned to the design and analysis of regulations under the aforementioned act with a view to its subsequent application.

128. Secondary education now has an alternative programme, namely the "Open Secondary School" (Educación Media Abierta (EMA)) for youths 15 to 20 years old who for various reasons cannot attend school in the regular school system, providing adolescent girls in this situation an opportunity to continue their studies according to their available time and at their own pace of learning. This educational option is being offered free of charge at certain public schools.

129. With regard to the submission of a technical proposal for cooperation by the Peace Corps on a project under the Secretariat for Women's Affairs to implement a programme of opportunities for low-income young women who have dropped out of school due to pregnancy, this proposal has not yet taken shape because the Technical and Financial Support Programme for low-income young people in the interior of the country, being developed by the same entity, is currently under evaluation. The Ministry of Education has not yet included among its remedial initiatives programmes that direct attention specifically to economically disadvantaged girls, adolescents and women.

130. School dropout is encountered throughout the national educational system, reaching its highest levels in the third level of elementary basic education and middle school; however, to date there is no system that provides disaggregated information on reasons for dropping out in relation to early pregnancy.

131. As part of the World Day to Prevent Teen Unwanted Pregnancy, the campaign "Take Responsibility Now" was launched in September 2010, in order to create awareness among adolescents aged 15-19 about their responsibility for this disturbing reality. The campaign is aimed at students enrolled in secondary education in public and private schools of the capital and the departments of Central and Alto Paraná. This first phase covered ten schools and 2,910 students.

132. In the framework of the project on “systematizing perceptions of adolescents and youth to promote public policies for prevention and eradication of violence against women through the media”, educational materials were developed under the title “Let’s talk frankly about violence against teens and youth”, accompanied by a short film titled “Ana”, produced by students of a film institute who had received training in gender and in fighting gender violence, who used stories that came from students of five schools in Asunción and Greater Asunción. In addition, a “Guide for discussion in formal education settings” was printed that will be used in the classrooms of national schools or in non-formal educational settings. The SMPR and the organization “Vincularte” launched this educational material at a public ceremony held in November 2010.

### **Response to paragraph 21 of the list of questions**

133. The literacy programmes and projects implemented to address the high rates of illiteracy among indigenous women, in particular Guarani speakers, have specific goals, as follows:

(a) Guarani-Spanish Bi-literacy regarding Gender and Community Organization for Production, Health and Education. This is a bilingual literacy programme that aims at the same time to provide training in gender, reproductive health, environment and production; enhancement of the Guarani language and rural culture; advancement of women for participation and community management; systematizing education; producing radio programmes and videos; and providing inter-sectoral and inter-agency coordination. In 2010, the departments of Alto Paraná, Ñeembucú, Amambay, Presidente Hayes, Alto Paraguay and Boquerón were brought into the programme. Since the implementation of the literacy programme, 20,120 women and 9,093 men have been reached during this period.

(b) The “Alfa PRODEPA Prepara” initiative addresses the illiterate population settled in high-risk locations such as new settlements and the outskirts of Asunción, in coordination with various community stakeholders. It seeks to have participants apply their communication competence in their social interactions, use basic computational skills in daily life situations, and express their critical judgment and sense of belonging to the Paraguayan Nation. It has not been implemented in the last two years.

(c) “Teleclasses”, aimed at the disadvantaged illiterate population, is a non-formal literacy programme that makes use of audiovisual technology, based on the knowledge acquired by the participants. It has not been implemented in the last two years.

(d) Basic and Secondary Education by Distance Learning for Youth and Adults is a programme of basic and secondary education by distance learning implemented through adult education centres, using a tutoring approach and framed in a modular semester framework. It aims to provide an opportunity for young people aged 15 and older who for work or personal reasons cannot regularly attend classes at national schools. The subjects covered are: communication; logic and mathematics; the natural and social environment. Reported enrolment for 2006-2009 is as follows:

- (i) Bilingual Basic Education: 122,811 men and 153,937 women;
- (ii) Secondary Distance Education: 27,924 men and 35,037 women.

(e) The project “Literacy for young people and adults of the Qom people” has 90 students in total, of whom 75 are women and 15 men. It benefits seven Toba Qom communities in the departments of Presidente Hayes and San Pedro. This programme focuses on three areas: mathematics, reading and writing in the Qom native language, and community organization.

134. *Note:* The figures given represent enrolment during the periods indicated; they do not represent the number of persons served in total because a person enrolls more than once in different years and twice per year during secondary education.

## **Employment**

### **Response to paragraph 22 of the list of questions**

135. The issue of “remunerated domestic work” arose in 2007 as part of the agenda of the National Tripartite Commission to promote and examine equal employment opportunities for women at work, presided over by the Deputy Minister of Labour. This commission has held workshops on the topic and participated in civil society initiatives, as mentioned in the sixth periodic report.

136. The Opportunities Programme, which brings together cooperating agencies and government institutions, has held training sessions on labour rights, social security, violence, professionalism, complaint mechanisms for labour and domestic violence, and strengthening of associations, aimed at domestic workers in five departments (Caaguazú, Misiones, Itapúa, Cordillera and Concepción) benefiting 471 workers with regard to various issues. Representatives of associations and unions have attended meetings of domestic workers in Brazil and a national gathering of domestic workers in Asunción. As a result of these meetings a manifesto was produced which has been delivered to the Ministry of Justice and Labour, the SMPR and the Social Security Institute, to address especially problems arising from lack of information by both public authorities and domestic workers.

137. The Vice-Ministry of Labour and Social Security, by Resolution No. 124 dated 15 February 2010, created the Centre for Domestic Workers (CATD) with the aim of providing a space for specialized service for domestic workers as well as employers. It has also held training sessions for 21 staff inspectors and monitors and 15 measurement specialists concerning labour standards for domestic work. Since its inception (June 2010) it has dealt with 301 cases (data as of 21 March of this year), resolving a large percentage of complaints (75 per cent).

138. As a joint undertaking of the Ministry and the SMPR, 39 home management courses were launched, aimed at paid domestic workers. These courses were conducted by the National Labour Skills and Training Service (SINAFOCAL) in Asunción and 13 departments (Caaguazú, Concepción, Itapúa, Ñeembucú, Alto Paraná, Guairá, Cordillera, Caazapá, Central, Misiones, Boquerón, Paraguarí and Canindeyú) with attendance of 35 women per course, totalling 1,400 women trained in 2010.

139. The Social Security Institute, which ruled in 2009 that national mandatory social security coverage includes domestic workers, is publicizing this decision through internal announcements. Before the ruling, there were 4,260 covered workers; as of 31 December 2010 (just over one year) this had increased by 8,631, totalling 12,891 covered domestic workers to date; it is hoped that this figure will continue increasing.

140. In the legislative arena, a new development is the fact that the Opportunities Programme has a draft document on domestic work to serve as a proposal for a special law regulating domestic work. The proposal contemplates equal pay and an eight-hour workday. This document was drafted in consultation with organizations of domestic workers and Government institutions: SMPR, Ministry of Justice and Labour, Ministry of Planning, Ministry of Finance, among others, the Social Security Institute, organizations of housewives, employers’ associations and trade unions, through a series of workshops called “Consultation for the development of possible legislative changes in social security”. This document is being reviewed for submission to the Ministry of Justice and Labour.



141. The pilot course “Professionalization of paid domestic workers” trained 150 women in Asunción and Encarnación. The overall objective is to educate and train workers to ensure their qualifications in order to place them in better working conditions, enhancing their educational and job expectations, with awareness of their rights. Many women engaged in domestic work do not know their rights, or do not know where to turn if those rights are violated. Often they believe, for example, that payment of the “aguinaldo” Christmas bonus, if they receive one, is a gratuity from their employer, not a right they hold.

142. The content and activities that comprise this project are intended to enable participants to acquire the knowledge, skills and attitudes specific to their work activity, and a set of competencies necessary for performance in different work settings.

#### **Response to paragraph 23 of the list of questions**

143. Article 4 of Decree 4951/2005 provides that the competent authorities may authorize domestic work from the age of 16 as long as the education, health, safety and morals of adolescents are fully protected and they have received adequate instruction or vocational training in the specific branch of activity. In article 2 of the decree, sub-paragraph 22 identifies domestic child labour and unpaid domestic child labour (*criadazgo*), *inter alia*, as hazardous and prohibited forms of employment.

144. The National Council on Childhood and Adolescence, in keeping with the Code on Children and Adolescents, by Resolution No. 3 / 10 approved the National Strategy for the Elimination of Child Labour and the Protection of Labour of Adolescents.

145. Two Care Guides for hazardous child labour cases have been approved. The first, a Guide to Intra-agency Hazardous Child Labour Cases, was adopted by Resolution No. 558/10 of the Ministry of Justice and Labour. The second, a Guide to Inter-agency Hazardous Child Labour Cases, has been approved by resolution of the National Council on Childhood and Adolescence.

146. The National Directorate of Public Procurement, by Resolution No. 941/10, approved the affidavit form by which a bidder warrants that he is not involved in practices that violate the rights of children and adolescents with regard to child labour, as stipulated in the Constitution, the ILO Convention on the Minimum Age for Admission to Employment and Work (No. 138), the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182), the Labour Code, the Child and Adolescent Labour Code, and other applicable rules and standards in Paraguay.

#### **Response to paragraph 24 of the list of questions**

147. The National Agenda for Women and Employment (coordinated by an NGO) identified six main problems: multiple workdays for women, growth of economically active population in the informal sector of the economy and the vulnerability of women in the sector, discrimination against women in public employment, forced migration and trafficking and their impact on women, insecurity and discrimination in paid domestic employment, and job insecurity with its negative impact on the labour rights of women. In regard to these problems it presents 31 proposals. Among the proposals regarding women in the informal sector, the following are mentioned: training for women, promoting equity for women and men in trade unions, and influencing government agencies to promote the empowerment and economic autonomy of women, among others.

148. The recently opened Legal Referral Service of the Vice-Ministry of Justice is an institutional mechanism that operates under the Department of Justice, aimed at facilitating access to justice primarily by people in vulnerable situations. It functions as a telephone

help line (0800-110002), providing free legal orientation and referral of cases to the formal institutions of the justice system and/or for a that allow collaborative dispute resolution. It is also a means of conflict prevention and rights advocacy.

149. While the service is based on the principle of universality, it focuses primarily on meeting the needs of the most vulnerable population, who, according to the Brasilia Regulations regarding Access to Justice for Vulnerable People, are those who, because of their age, gender, physical, mental, social, economic, ethnic and/or cultural circumstances, find it particularly difficult fully to exercise their legal rights before the system of justice.

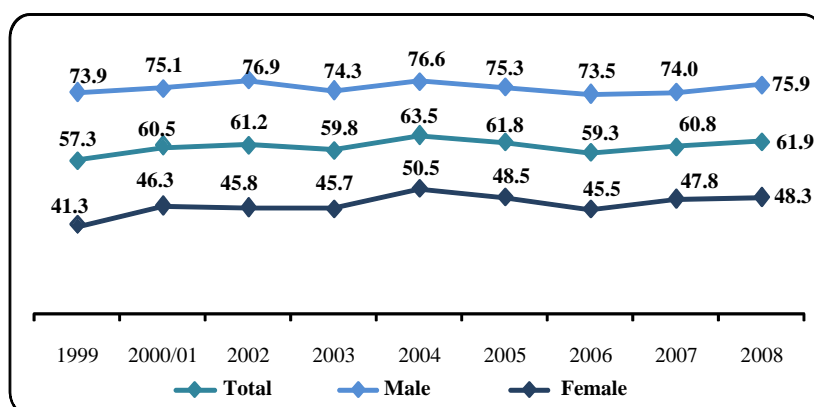
150. In the field of training a work plan has been devised between the SMPR and the Ministry of Trade and Industry which provides training on entrepreneurship and associations for women in the country's 17 departments. The plan includes four productive initiatives for women as a pilot in two departments identified as priority areas, among others. On 16 December 2010 a draft bill was presented to the Chamber of Deputies that regulates micro-, small and medium enterprises, aimed at the formalization of micro-enterprises through incentives and benefits for this sector, which attracts a large number of women.

151. Since the ratification of the ILO Convention concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities (No. 156), activities have been conducted such as dissemination (flyers, brochures), training (workshops, lectures, seminars for unions —workers, business and government— State institutions, Ministry of Justice and Labour, and Vice Ministry of Labour) and awareness-raising about its contents. As a result, some unions that have included clauses relating to reconciling work and family life in their collective agreements. To date 1,000 people have been trained.

**Data disaggregated by sex concerning participation of women in the labour market:  
persons employed by occupational category**

	<i>Total country</i>			<i>Urban</i>			<i>Rural</i>		
	<b>Total</b>	<b>Men</b>	<b>Women</b>	<b>Total</b>	<b>Men</b>	<b>Women</b>	<b>Total</b>	<b>Men</b>	<b>Women</b>
	<b>2 960 843</b>	<b>1 815 136</b>	<b>1 145 707</b>	<b>1 717 549</b>	<b>995 289</b>	<b>722 280</b>	<b>1 243 294</b>	<b>819 847</b>	<b>423 447</b>
Public employee	8.4	7.3	10.1	12.1	11.4	13.2	3.2	2.4	4.8
Private employee	33.0	40.1	21.9	42.4	52.1	28.5	20.3	25.4	10.5
Employer	5.5	7.1	3.0	6.3	8.4	3.5	4.4	5.6	2.0
Self employed	34.9	32.1	39.3	26.0	22.7	30.5	47.2	43.5	54.4
Unpaid family worker	11.3	12.2	9.9	4.6	3.7	5.7	20.5	22.4	17.0
Domestic employee	6.7	1.1	15.6	8.5	1.5	18.2	4.2	0.6	11.2
Not available	0.2	0.2	0.2	0.3	0.2	0.3	0.0	0.1	0.0

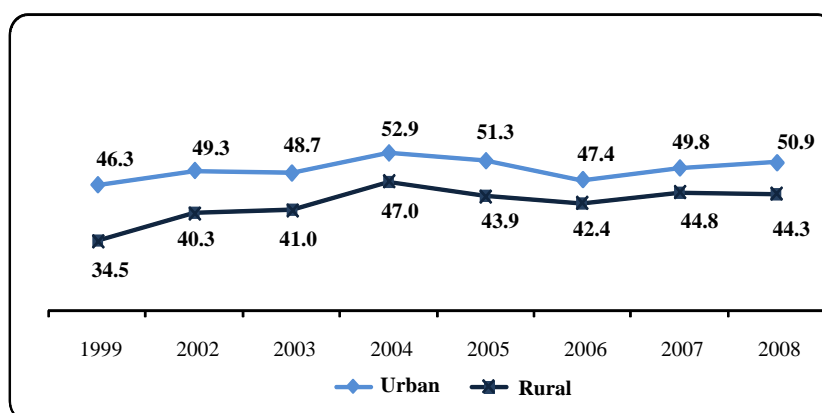
*Source:* Households Survey (EPH-2009).

1) Trend of economic participation<sup>1</sup> by men and women in Paraguay, 1999-2008

Source: Department of Surveys, Statistics and Census (DGEEC), Comprehensive Survey of Households. 2000/01. DGEEC, Continuous Survey of Households. 1995, 1999, 2002-2008.

152. The overall rate of participation of women and men increased over the past 10 years, from 57.3 per cent in 1999 to 61.9 per cent passed in 2008, mainly due to the increased participation of women by 9.2 percentage points between 1999 and 2004. However, the rising trend in women's participation took a slight downturn in the years 2005 to 2008. Meanwhile, men have seen relatively little increase in their rate of participation, although it has always been higher than that of women. From 73.9 per cent in 1999 it became 75.9 per cent in 2008, i.e. an average growth of just two percentage points.

## 2) Trend of economic participation by urban and rural women, 1999-2008



Source: Department of Surveys, Statistics and Census (DGEEC), Comprehensive Survey of Households. 2000/01. DGEEC, Continuous Survey of Households. 1995, 1999, 2002-2008.

153. The economic activity rate of urban women has historically been greater than that of rural women, but the gap between them has been narrowing over the past 10 years. While in 1999 the difference was 11.8 points in the year 2008 it was down to 6.6 percentage points. Thus, in this period, while the rural women's economic activity increased by 9.8 points, that of urban women increased by only 4.6 percentage points.

<sup>1</sup> Rate of activity (Ratio of economically active population to population over age ten).

## Health

### Response to paragraph 25 of the list of questions

154. See tables below.

#### Indicator 6.1B: Incidence of HIV among persons aged 15 to 19 (per 100,000 inhabitants)

	<i>Total</i>	<i>Men</i>	<i>Women</i>
1990	0.46	0.48	0.47
1991	0.46	0.48	0.47
1992	0	0.44	0.22
1993	0.41	1.28	0.84
1994	1.59	0.82	1.21
1995	1.54	1.99	1.76
1996	1.86	3.09	2.46
1997	2.53	3.37	2.94
1998	3.5	0	1.78
1999	2.38	3.53	2.94
2000	2.98	6.17	4.54
2001	2.25	4.34	3.28
2002	3.47	5.25	4.34
2003	4.67	3.24	3.97
2004	1.85	2.89	2.36
2005	1.22	3.5	2.34
2006	3.63	8.52	6.03
2007	3.31	8.16	5.68
2008	4.79	11.87	8.26
2009	6.27	11.83	8.99

*Source:* Ministry of Public Health and Social Welfare, National Programme to Control STDs – HIV/AIDS. 1990-2009.

#### Indicator 6.1C: Incidence of HIV among persons aged 20 to 24 (per 100,000 inhabitants)

<i>Year</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>
1990	0.51	1.01	0.00
1991	2.57	4.04	1.05
1992	2.97	4.39	1.51
1993	4.38	6.70	1.98
1994	1.91	3.29	0.48
1995	5.16	6.01	4.28
1996	9.90	12.28	7.47
1997	11.32	14.76	7.79
1998	10.24	17.16	3.15

<i>Year</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>
1999	10.29	6.93	13.72
2000	12.27	12.36	12.18
2001	12.37	12.23	12.51
2002	17.08	14.35	19.89
2003	17.57	15.11	20.11
2004	15.57	15.85	15.27
2005	14.50	12.90	16.16
2006	22.19	20.48	23.96
2007	18.30	14.57	22.17
2008	22.93	21.72	24.19
2009	25.91	24.96	26.90

*Source:* Ministry of Public Health and Social Welfare, National Programme to Control STDs – HIV/AIDS. 1990-2009.

#### *Observations*

155. The increase in new HIV infections (which is reflected in the increased incidence of HIV in both men and women) is associated with two factors: the improvement of the reporting and recording system and improved access by the population to diagnostic tests for HIV; these developments provide additional information for assessing progress towards the goal.

156. Regarding the gender distribution of HIV, the male to female ratio in 2010 was 1.5 to 1. The trend of the HIV epidemic is to reach more women, as the man-woman ratio at the start of the epidemic was 28 to 1. However, there is possible bias in the figures because the Programme to Prevent Mother to Child Transmission provides tests to women and because of the inequality of access to testing; for example, in 2010, 78,321 women but only 4,156 men were tested.

157. A National Health System that is unified, universal, comprehensive, inclusive and supportive, with equity and social participation, has been the goal of health policy since August 2008. It found expression in the 2020 Plan through the implementation of Family Health Units. It has required for its implementation the installation of a model of “integrated health through health service networks, governed by the Promotional Strategy for Equity in Quality of Life and Health”. The actions and activities of programmes and projects aimed at the prevention and control of tuberculosis, HIV/AIDS and STDs are being implemented through these networks of health services.

158. To fulfil its responsibilities, PRONASIDA, the National Programme to Control HIV/AIDS and Sexually Transmitted Diseases, coordinates partnerships and performs actions in conjunction with governmental and non-governmental organizations and with people living with HIV/AIDS. It also promotes the mainstreaming of HIV/AIDS on the agendas of local governments through the Local Health Councils that are part of the National Health System.

159. Currently in force is the Strategic Plan for a National Response to Sexually Transmitted Infections HIV/AIDS 2008-2012, which lays down as its vision for Paraguay curbing the advance of the HIV epidemic and sexually transmitted diseases among the general population, emphasizing the most vulnerable. The proposal presents strategic priorities relating to: (a) public policy and human rights; (b) promotion, prevention and protection; (c) diagnosis, care and treatment; (d) development of institutional management;

(e) strategic epidemiological information; (f) harmonization and cross-sectoral approach; (g) monitoring and evaluation.

160. Ministerial Resolution No. 433/06 of 2006 required health care providers in the country to offer testing for HIV and syphilis to all pregnant women attending the health services of the Ministry of Public Health and Social Welfare. A year later, in 2007, Ministerial Resolution No. 396/07 conferred priority on the Programme of Prevention of Mother-Child Transmission of HIV and syphilis, which aims to reduce mother to child transmission of HIV and control congenital syphilis as a health problem in Paraguay.

161. The aforementioned programme is responsible for implementing the National Plan for Control and Prevention of Mother to Child Transmission of HIV and Syphilis. The Plan seeks to: (a) increase the level of knowledge and use of practices that help prevent transmission of HIV and syphilis in women of childbearing age with an emphasis on pregnant women in Paraguay; (b) expand coverage for diagnostic tests of HIV infection and syphilis in pregnant women; (c) expand coverage of full prophylaxis of mother to child transmission of HIV and treatment of syphilis; (d) enhance national capacity to generate and utilize strategic information (vigilance, monitoring and evaluation) for the Programme of Mother to Child Transmission of HIV and Syphilis. Under the direction of PRONASIDA the Plan is aimed at all pregnant women diagnosed HIV (+) detected in prenatal care through voluntary testing or at birth through rapid tests. For this purpose there is a guide for prophylaxis of mother-child HIV/AIDS transmission and antiretroviral therapy for pregnant women.

162. Improving the quality of life of people living with HIV/AIDS is a challenge that the Ministry of Public Health and Social Welfare and PRONASIDA have taken on through the creation of a Department of Comprehensive Care. This unit aims to provide assistance to people living with HIV/AIDS in health services that provide not only medical diagnosis and treatment but also social, psychological, economic, legal and family support.

163. Between 2006 and 2008, the Country Coordinating Mechanism presented to the Global Fund to Fight AIDS, Tuberculosis and Malaria two projects to strengthen and consolidate national response activities: the "HIV/AIDS/STD project in six health regions of Paraguay" (round 6), initiated in November 2006 and the project entitled "Moving to strengthen national response to HIV/AIDS/STD in six health regions, towards universal access" (round 8), in effect since September 2009.

164. It is important also to emphasize that since mid-June 2007 a process has been underway in Paraguay to formulate and establish the Regional Project on harmonization of public policies for sex education, HIV/AIDS prevention and drugs in the school environment. The project, called "Ñande Rekové: Public Policy for Sex Education in the Paraguayan educational system", was instituted after the signing of a memorandum of commitment involving national health, education and children's authorities, civil society networks working on HIV/AIDS and children, and the support of international cooperation agencies.

165. Under the Ñande Rekové project, a Steering Committee has been formed which took up the challenge to form a working group with various sectors and to initiate treatment of sex education openly in the educational sector. Among the first actions undertaken by the project, the following may be highlighted: Evaluation of educational materials that address sexuality in the education system; the Project to Evaluate Institutionalization of Sexual and Reproductive Health in Teacher Training Institutions; the definition of curricula for comprehensive sex education; and the conduct of departmental forums on the theme "Sex Education, a commitment by all".

166. In 2009, a new law was adopted, Act No. 3940/09, which "establishes rights, obligations and preventive measures with regard to the effects of the Human

Immunodeficiency Virus and Acquired Immunodeficiency Syndrome”. Article 1 specifies that the law aims to ensure respect, protection and promotion of human rights in the treatment of people living with and affected by HIV and AIDS and establishes measures to prevent transmission. Article 3, referring to the competent authority, establishes that prevention, treatment and care of HIV and AIDS is a State policy for which responsibility falls to the Ministry of Public Health and Social Welfare, through the national programme to control AIDS and STDs as lead agency in coordination with other government institutions and in keeping with the strategic plan for national response. It further notes that the Ministry of Public Health and Social Welfare will ensure access to information and inputs for prevention, care and treatment of HIV and AIDS, as well as STDs because of their importance as facilitators of HIV transmission (art. 7). The other sections of the Act provide that the Paraguayan State guarantees all persons with HIV and AIDS the full exercise of all rights and guarantees enshrined in the Constitution for all inhabitants in the Republic. The violation of any right or interest to which they are entitled shall be reported to the judicial authorities and give rise to the appropriate civil, criminal or labour remedies (art. 13).

167. The new law also provides that public and private health institutions at all levels should provide people with HIV the information, guidance, health supplies, treatment and care they need according to their level of complexity, in keeping with the protocols established and distributed by PRONASIDA. The lead agency is to establish and disseminate an appropriate system of referral and cross-referral (art. 14). There is likewise a ban on all forms of discrimination or degrading acts against people with HIV and AIDS. Also prohibited are restrictions on the rights and guarantees of these people when they are imposed solely because of their actual or presumed HIV status (art. 15). The law also prescribes universal care of people with HIV in public hospitals, universal access to free treatment as well as education about the disease, and the right to a decent job. It is also provided that “for compliance with State policy, the executive shall, with the legislature, devise ways to ensure that within the general budget of the Nation adequate financial resources are provided each year for programme development and strengthening of the national response to the epidemic”.

#### **Response to paragraph 26 of the list of questions**

168. In 2009 the Directorate of Health Programmes developed the National Sexual and Reproductive Health Plan and regional plans. Among the lines of action contemplated is the resolution of obstetric complications, including incomplete abortions, with provision of free medicines and care, including post-event obstetric care (application of IUDs, injectables) to be provided in keeping with the sexual and reproductive rights of the population that needs the services. Another line of action is ensuring availability of contraception, including instrumental equipment, other supplies and qualified human resources to reduce the high incidence of deaths from abortions performed under unsafe conditions and to respond efficiently to the needs of women.

169. The Directorate of Health Programmes has been occupied with the preparation, correction and subsequent enactment of a ministerial decision on humane care for abortion patients. This initiative, which is in its draft stage, will be accompanied by materials such as standards of post-abortion care with a rights perspective; these materials are currently being designed and adapted. These are extremely important tools which seek to create a change of paradigm among professionals to foster non-discriminatory, comprehensive care for abortion patients.

## Disadvantaged groups of women

### Rural women

#### Response to paragraph 27 of the list of questions

170. The Agrarian Act adopted through Act No. 1863-1802 provides in subsection (b) of article 2, relating to agrarian reform and rural development, that rural development involves “promoting women’s access to land, ensuring their ownership through access to land titles, credit and timely technical support”. Similarly, paragraph (b) of article 49 on the order of preference for awards, provides that female heads of household are to receive preferential treatment.

171. In 2010, the National Institute of Rural and Land Development recognized 250 Neighbourhood Committees organized by landless people; of these, 75 are headed by women, which means that a woman chairs the committee. It is noteworthy that for the formation of the committees it is required that 30 per cent of positions be occupied by women.

172. In 2010 there have been 4,237 applications for purchase of land of 10 hectares per family. Of these applications, 35 per cent were made by rural women. As for title given to beneficiaries of land reform, 38 per cent of them were issued to women in 2010, with women of the department of San Pedro being the leading beneficiaries. It should be noted that this department is one of the poorest in the country, where the Secretariat for Women is implementing a project on public policies for rural women. In this context, in 2010 INDERT and SMPR signed an inter-agency cooperation agreement to “adopt the necessary measures to ensure the inclusion of gender in institutional policy, allowing equal opportunity and treatment among male and female beneficiaries of land reform”.

173. With respect to credit, SMPR has signed an agreement with the company Crédito Agrícola de Habilitación (CAH) to “strengthen the gender component as part of institutional policy, to benefit women and men by access to credit with equal treatment”. In this regard, SMPR and CAH have begun a training programme on gender for 100 per cent of CAH field staff. Another important measure taken by CAH has been the incorporation of the gender variable in its institutional staffing tables. The Charter of the CAH is currently under review in order to remove barriers that prevent women from benefiting on equal footing with their male counterparts.

174. Up to 2010, 30 per cent of the loan portfolio was directed towards women. This figure is expected to improve following the coordinated work being carried out between the two institutions.

175. With regard to the identification of agro-toxic pest control products and reporting on their use, Act 3742/09, governs the entire range of plant protection products for agricultural use and states in its article 1 that it governs *inter alia* the “application” of these products and that the aim of the law is “to protect human, animal, and plant health and the environment”. The implementing authority of this Act is the National Plant and Seed Quality and Health Service (SENAVE). Non-compliance is sanctioned by SENAVE with: (a) a warning to the offender when the infraction is considered minor or was a simple error or omission; (b) a fine equal to the amount of 100 to 10,000 times the daily minimum wage, in keeping with the gravity of the offense; (c) the temporary suspension or cancellation of approval or registration of ownership of a registered activity or product, in cases of recurrent violations, considering that fact as an aggravating circumstance.



## Indigenous women

### Response to paragraph 28 of the list of questions

#### *Elaboration upon information referring to paragraphs 110 y 111*

176. Bilingual educational materials (Guarani-Spanish), developed by the Ministry of Education and Culture for Basic Education, were reviewed from the gender perspective by the Programme for Equal Opportunities for Women in Education (PRIOME) before distribution; they are used for education in the general population, according to the mother tongue of the pupil or student.

177. With regard to the targeted literacy programme mentioned in the report (paras. 36 and 110), this programme ceased to be implemented two years ago, but other literacy programmes have been strengthened and have become part of the 11 flagship programmes prioritized by the Government, within the framework of social policy, under the theme “Paraguay Reads and Writes”, with two components: literacy and the Ñande rapé pyahurã National Literacy Campaign, focusing especially on the reality of a mostly illiterate population of women. In this framework, the programme of Guarani-Spanish bilingual literacy focused on gender and reproductive health (carried out in partnership with civil society organizations), is essentially aimed at women, and works in different areas with women and men to address community development priorities, production, training, and gender equity, among others issues.

178. The National Literacy Campaign, which aims to improve levels of literacy in the country in the short term, is aimed at people aged 15 and older and intends to reach 100,000 people in two years. The methodology for teaching reading and writing follows the theme “Yes I can”. However, in the process of adapting it to the country and area context, additional modules beyond the reading and writing classes have been created, to focus on citizenship, human rights and gender equality. For the first time, national budget resources are being appropriated specifically to support important and universal literacy processes.

179. The Directorate General of Indigenous Education was created in August 2008 based on Act No. 3231/07, in order to provide specialized service to children, adolescents and young adults of the different indigenous communities in the country. Programmes that are conducted by the Directorate General are part of the process of implementation of the Escuela Viva I Programme. At present, the Escuela Viva II programme is under way.

180. In the implementation of programmes of this Division, action is driven by recognition of women and their central role in indigenous cultures. The productive and reproductive work they do in their communities receives recognition in this regard.

181. At the same time, the actions carried out at all levels of education by the Directorate of Indigenous Education are concrete measures related to strengthening of culture, aimed at the recovery of ancient cultures, highlighting older women as educators of boys and girls and of the whole community.

#### *Elaboration upon information referring to paragraph 113 of the report*

182. The National Programme for Indigenous Peoples (PRONAPI) did not expressly include gender issues in its programming; this policy is understandable given the fact that, in the execution of the programme, indigenous families participated actively as a family unit, and women have been responsible for the administration of food issues, although it must be acknowledged that receiving supplies and inputs (food and farming implements) was left to community leaders who were mostly men, and women did not play a prominent role.

183. As part of Government policy to combat poverty and foster social inclusion, the Directorate of Indigenous Affairs, Secretariat for Social Action, took charge of much of the implementation of PRONAPI, specifically the points related to the mitigation phase and support of food production for self-sufficiency. From July of 2009 to February of 2010, it distributed 11,218 basic baskets to indigenous families settled in 309 communities in nine departments (Caaguazú, Canindeyú, San Pedro, Concepción, Amambay, Guairá, Caazapá, Alto Paraná and Itapúa) which constitute the entire indigenous population of the eastern region of the country.

184. From the perspective of indigenous peoples' organization, these facts do not seem to imply discrimination; on the contrary, even though there is little public participation of indigenous women, the internal organization of communities reflects egalitarian relationships between men and women. This observation suggests that by respecting the ways of indigenous women themselves, in keeping with the culture and reality of their people, they will continue to gain ground both within their respective peoples and in interaction with the external society in the framework of the cultural diversity of Paraguay, which has 20 indigenous peoples.

185. The ways of indigenous women must be respected according to the rhythm of their own institutions, and governmental proposals for changes call for consultations to be undertaken in keeping with the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (No. 169) and INDI Resolution No. 2039/2010, a copy of which is attached.

186. Prepared pursuant to an agreement between the National Coordinating Body for Rural and Indigenous Women (CONAMURI), the United Nations Development Fund for Women (UNIFEM) and the Directorate-General for Statistics, Surveys and Censuses, the document "Visibility of inequalities among indigenous women, Guaraní-speakers and persons of African origin" presents a descriptive analysis of the main economic indicators that point to differences and inequalities between specific groups of women: Guaraní-speaking, indigenous, and of African descent. This document has used various sources of information such as the National Census of Population and Housing 2002, the Permanent Household Survey 2009, the Indigenous Household Survey 2008 and the first Indigenous Population and Housing Census of Three African Communities of Paraguay, conducted between 2006 and 2007. Regarding this latter source, it is worth mentioning that the source is a survey of some geographic areas of the country in which families of African descent reside, so the results are not strictly comparable with other sources examined, but it has been used so as to include this group, primarily to illustrate differences.

187. The Indigenous Household Survey of 2008 was a survey which covered 4,118 residents in approximately 926 homes, across five linguistic families and 82 communities. The survey was aimed at people living in indigenous communities in the country's 17 departments and was carried out between May and June of 2008. This survey contains extensive information reflecting demographic and socio-economic characteristics of indigenous households. Therefore, the figures presented are an essential input for the targeting of public policies geared to improving the living conditions of this important sector of the population. As the main result, it may be noted that the indigenous population consists of 108,308 people, of whom 50.8 per cent are men and 49.2 per cent are women.

188. It is important to mention in this regard that from 2010 onwards the SMPR has included in its operating plan a component for indigenous peoples. Within the framework of social and political participation of the Third National Plan for Equal Opportunities between Women and Men, a groundbreaking first meeting was held with 30 women from indigenous peoples of the Western Region, with the theme "Sharing knowledge to build citizenship". Its aim was establishing a dialogue between the SMPR and indigenous women

and learning about the forms of participation and organization of indigenous women within their community systems and in relation to the municipality.

189. Based on this meeting the SMPR has advanced and is part of a work plan established with the National Poverty Reduction Strategy in order to contribute to improving and empowering the lives of women members of the Association of Ayoreo Women Artisans of the District of Philadelphia, department of Boquerón, aiming at the recovery of cultural autonomy and basic security in the community by enhancing skills to access micro-credit and enhance quantity and quality in production and marketing of arts and crafts, with a view to promoting income generation for a better quality of life. An initial meeting on the work plan with the beneficiaries has been held in order to define types of activities, scope and locations.

190. The International Meeting of Guarani Peoples was recently held, at which time women put forward their demands and interests to national authorities. Specifically, they called for the development of literacy programmes.

### **Amendment to article 20, paragraph 1, of the Convention**

#### **Response to paragraph 29 of the list of questions**

191. Through the Ministry of Foreign Affairs, the Government has initiated internal procedures necessary to accept the amendment to paragraph 1 of article 20 of the Convention. The document already has the necessary technical and legal justification and must be accompanied by a certified copy of the text of the amendment in Spanish, which has been requested from the United Nations Secretariat, to be sent to Congress, which will consider its approval.

---