



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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REFERENCE: AA/follow-up/Paraguay/58

10 September 2014

Excellency,

In my capacity as Rapporteur for Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the sixth periodic report of the Republic of Paraguay at the Committee's fiftieth session, held in October 2011. At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission (CEDAW/C/PRY/CO/6). You may recall that in the concluding observations, the Committee requested the Republic of Paraguay to provide, within two years, further information regarding the specific areas of concern identified by the Committee in paragraphs 23 and 31 of the concluding observations.

The Committee welcomes the follow-up report received on time, in October 2013 (CEDAW/C/PRY/CO/6/Add.1), under the CEDAW follow-up procedure. At its fifty-eight session, held in July 2014 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 23** of the concluding observations that the State party “step up its efforts with regard to anti-trafficking initiatives with a view to addressing fully and comprehensively the complexities of trafficking in women and girls and the exploitation of prostitution”: The State party indicated that the 2010-2019 National Policy for the Prevention and Suppression of Trafficking in Persons in the Republic of Paraguay was approved on 19 January 2012 through Decree No. 8/2012, which provides the Government with a roadmap to adopt measures to: a) prevent crimes of trafficking; b) provide protection and assistance in upholding the human rights of all victims or potential victims of human trafficking; and c) strengthen actions for the prosecution of criminal organizations, investigation, court action and punishment of crime. The State party added that, in 2012, the Ministry of Women signed an agreement with the International Organization for Migration as part of Andean Development Corporation on the consolidation of institutional mechanisms for the prevention of human trafficking. The State party further indicated that Comprehensive Law No. 4788 on Human Trafficking entered into force on 13 December 2012. The Committee considers that the State party took significant measures and that, for the period under consideration, the recommendation **has been implemented**.

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Regarding the recommendation that the State party “adopt a law on trafficking which fully complies with article 6 of the Convention”: The State party indicated that Comprehensive Law No. 4788 on Human Trafficking entered into force on 13 December 2012 with the aim of: suppressing and punishing human trafficking in any of its manifestations, whether perpetrated in the national territory or abroad; and protecting and assisting victims by strengthening government action against this criminal conduct. The Committee considers that the recommendation **has been implemented**.

Regarding the recommendation that the State party “adopt effective referral and identification mechanisms for victims of trafficking”: The State party indicated that, pursuant to Article 30 of Comprehensive Law 4788/12 on Human Trafficking, the Inter-Agency Board for the Prevention and Suppression of Trafficking in Persons will prepare and approve national guidelines and procedures for identifying victims of human trafficking. It added that the Public Prosecution Department’s Specialized Unit to Combat Human Trafficking and the Sexual Exploitation of Children and Adolescents is currently designing the system for certifying victims of trafficking, which is set to be implemented in mid-2014. The Committee considers that the State party has taken some steps towards the adoption of effective referral and identification mechanisms for victims of trafficking. It considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “adopt the necessary measures to investigate the scope and causes of internal trafficking of children and women in order to draft and implement a comprehensive strategy to prevent trafficking and punish traffickers”: The State party indicated that a National Policy to Prevent and Combat Trafficking in Persons in the Republic of Paraguay 2010-2019 existed before the issuance of the Concluding Observations. It further mentioned the actions taken to implement this strategy and the production of a diagnostic study on trafficking in women and children scheduled to be finalized and published mid-2014. The Committee considers that the State party took some steps towards the full implementation of the recommendation by implementing the National Policy to Prevent and Combat Trafficking in Persons 2010-2019 and developing a study on trafficking in women and children. The Committee considers that the recommendation **has been partially implemented**.

Regarding the recommendation that the State party “strengthen its mechanisms for the investigation, prosecution and punishment of the perpetrators of trafficking”: The State party mentioned and detailed the new tools provided for by the Comprehensive Law 4788/12 against Human Trafficking to strengthen investigation, prosecution and punishment of the perpetrators of trafficking. It added that, in August 2012, a Technical Support Directorate was set up for the Specialized Unit to Combat Human Trafficking. The Committee considers that the State party has taken significant steps to strengthen its mechanisms for the investigation, prosecution and punishment of the perpetrators. It considers that, for the period under consideration, the recommendation **has been implemented**.

Regarding the recommendation that the State party “increase its efforts with regard to international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking, through information exchange, and to harmonize legal procedures aimed at the prosecution and punishment of traffickers”: The State party mentioned actions taken as regard cooperation with other countries in the prevention and prosecution areas. The Committee considers that the State party failed to mention whether the measures were taken after the issuance of the concluding observations. The Committee **did not receive sufficient information** to assess whether the recommendation has been implemented.

The Committee recommends that, in relation to paragraph 23 of the concluding observations, the State party provide, **in its next periodic report**, additional information on actions taken to:

- 1) Adopt the national guidelines and procedures for identifying victims of human trafficking and finalize the system for certifying victims of trafficking, which is set to be implemented in mid-2014; and
- 2) Increase its efforts with regard to international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking, through information exchange, and to harmonize legal procedures aimed at the prosecution and punishment of traffickers.

The Committee also informs the State party that it will review in-depth the content of Law No. 4788 on Human Trafficking during the consideration of the next periodic report.

Regarding the recommendation made in **paragraph 31** of the concluding observations that the State party “act without delay and implement effective measures to deal with the high maternal mortality rate”: The State party mentioned the adoption of the National Plan for the Rapid Reduction of Maternal Mortality and Serious Maternal Morbidity 2012-2017 aiming at intensifying key actions of proven effectiveness to reduce maternal morbidity and mortality in strategic areas. The Committee considers that the State party has taken some steps towards the implementation of the recommendation by adopting and implementing the National Plan for the Rapid Reduction of Maternal Mortality and Serious Maternal Morbidity 2012-2017. The Committee considers that the recommendation **has been partially implemented**.

Regarding the recommendation to “act without delay and implement effective measures to prevent women from having to resort to unsafe abortions”: The State party mentioned the setting up of Safe Maternity Committee nationally and another in each of the country’s health regions, with the aim of promoting specific actions of major impact such as access to family planning for women who are not pregnant. The Committee notes that the State party failed to indicate whether this action was taken after the issuance of the concluding observations. It also considers that the State party failed to act without delay to implement effective measures to prevent women from having to resort to unsafe abortion. The Committee considers that the recommendation **has not been implemented**.

Regarding the recommendation that the State party “act without delay and implement effective measures to remove punitive provisions imposed on women who undergo abortion”: The Committee **did not receive information** to assess whether the recommendation has been implemented.

Regarding the recommendation that the State party “adopt a policy for patient privacy, to safeguard doctor-patient confidentiality specifically when treating women for abortion complications”: The State party indicated the existence of a “Manual on standards of post-abortion care with a human face”, with an emphasis on confidentiality. It added that this document is currently being disseminated. The Committee considers that the State party failed to indicate the date of issuance of this manual. In addition, it considers that the drafting of a manual cannot be a substitute to the elaboration of a policy. The Committee considers that the recommendation **has not been implemented**.

Regarding the recommendation to “strengthen institutional health-care capacity and the implementation of programmes and policies aimed at providing effective access for women to health-care information and services, in particular regarding reproductive health and affordable contraceptive methods, with the aim of preventing clandestine abortions”: The State party mentioned the conduct of capacity building activities for Women’s Bureaus in the Departmental Governors’ Offices to raise awareness on sexual and reproductive rights. The Committee notes that the State party failed to indicate whether the capacity building activities occurred after the issuance of the concluding observations and to provide information on the strengthening of institutional health-care capacity and the implementation of programmes and policies aimed at providing effective access for women to health-care information and services with the aim of preventing

clandestine abortion. The Committee considers therefore that it **did not receive information** to assess whether the recommendation has been implemented.

Regarding the recommendation that the State party “approve the implementation of regulation for Law No. 2907/06 in order to ensure the necessary budget for providing contraceptive methods”: The Committee **did not receive information** to assess whether the recommendation has been implemented.

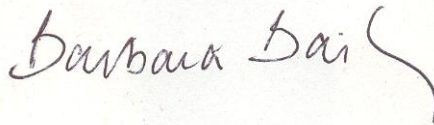
The Committee recommends that, in relation to paragraph 31 of the concluding observations, the State party provide, **in its next periodic report**, additional information on actions taken to:

- 1) Act without delay and implement effective measures to prevent women from having to resort to unsafe abortions and to remove punitive provisions imposed on women who undergo abortion;
- 2) Adopt a policy for patient privacy to safeguard doctor-patient confidentiality specifically when treating women for abortion complications;
- 3) Strengthen institutional health-care capacity and the implementation of programmes and policies aimed at providing effective access for women to health-care information and services, in particular regarding reproductive health and affordable contraceptive methods, with the aim of preventing clandestine abortions; and
- 4) Approve the implementation of regulation for Law No. 2907/06 in order to ensure the necessary budget for providing contraceptive methods.

The Committee looks forward to pursuing its constructive dialogue with the authorities of the Republic of Paraguay on the implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Barbara Bailey
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women