



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

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

Summary record of the 1000th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 5 October 2011, at 10 a.m.

Chairperson: Ms. Pimentel

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Sixth periodic report of Paraguay (CEDAW/C/PAR/6 and Corr.1; CEDAW/C/PAR/CC/3-5; CEDAW/C/PRY/Q/6 and Add. 1; HRI/CORE/PRY/2010)

1. *At the invitation of the Chairperson, the delegation of Paraguay took places at the Committee table.*
2. **Ms. Rubín** (Paraguay), introducing the sixth periodic report of Paraguay (CEDAW/C/PAR/6 and Corr.1), said that there were two main instruments that guided public social policy in Paraguay: the National Policy on Social Development (2010–2020), which had been adopted in 2009, and the Strategic and Social Plan (2008–2013), which that policy was designed to complement. In the National Policy on Social Development, the State of Paraguay recognized for the first time that the right to enjoy a life without violence was a prerequisite for development. Other gender-related rights also served as cross-cutting themes of the Policy.
3. Paraguay's gender policy was set out in the National Plan for Equal Opportunities for Women and Men (2008–2017), but did not yet have legislative status. Nonetheless, in response to the Committee's previous concluding comments (CEDAW/C/PAR/CC/3-5), the Secretariat for Women was working on the preparation of a global operating plan and the establishment of an inter-agency council on gender equality and a related follow-up committee. The latter would be composed of representatives of civil society organizations and would oversee the implementation of equal opportunity plans in public institutions at both the central and local levels.
4. Progress in carrying out other recommendations made by the Committee had been hampered by the failure of legislators to approve certain legislative proposals. As a result, despite recent amendments to the Criminal Code, the penalties for rape and for sexual abuse of a ward were still not commensurate with the seriousness of those offences. In addition, the National Congress had not yet adopted the preliminary bill to combat all forms of discrimination, even though it had been before the Senate for years and had been approved by the Commission on Social Equity and Gender. A preliminary bill on sexual and reproductive health had suffered a similar fate. The issues dealt with in those bills, and the issue of maternal mortality from complications during abortion, had elicited controversy in Paraguay, owing to the prevailing conservative views of the majority in Congress. The Guiding Framework for Comprehensive Sex Education, devised by the Ministry of Education and Culture had been rejected for similar reasons. Its implementation had had to be suspended in September 2011, owing to pressure from religious fundamentalists within the academic community.
5. On the other hand, progress had been made with the drafting of a preliminary bill on the prevention, punishment and elimination of violence against women, which incorporated the definition of the term "discrimination against women" contained in article 1 of the Convention. A special commission had been set up to frame the comprehensive legislation, in an effort to expedite its adoption by the legislature.
6. There were three main areas in which the Government had made advances in preventing, punishing and eliminating violence against women: the decentralization of public services for women and girls who had been victims of violence and trafficking; the development of a shared information system for public institutions providing those services; the inclusion of a gender perspective in the general State budget.

7. Considerable advances had also been made in strengthening the national mechanisms that implemented the Government's gender policy. Gender units had been set up in various governmental bodies, including the Supreme Court and the Ministry of Defence. Support and funding had been provided to branches of the Secretariat for Women in all departments of Paraguay and in more than half of its municipalities. Moreover, construction had begun on four regional referral centres attached to the Secretariat for Women. The centres were located in three departments of the tri-border region near Argentina and Brazil, (Alto Paraná, Canindeyú and Amambay) and in Boquerón, which had a large indigenous population and little or no State presence, particularly in terms of gender policy implementation.

8. Between 2008 and 2011, the budget of the Secretariat for Women had increased nearly threefold; however, most of the increase was attributable to funds provided by external donors. As part of the institutional strengthening process, there were plans to establish a ministry for women and gender equality, which would elevate the Secretariat for Women to the ministerial level. Although the Secretariat had had some difficulties in securing the adoption of temporary special measures by the legislature, it had been able to define specific goals for reducing inequalities between men and women through inter-agency cooperation agreements. Such agreements had provided for the dissemination of the Convention in Braille and in Guarani, as well as for the establishment of a shared database on women victims of violence, aimed at providing reliable and timely information to monitor and evaluate public policies for the prevention, punishment and elimination of violence against women.

9. Mechanisms for the protection of women victims of violence were available through several public institutions. The Secretariat for Women operated an assistance centre for victims of gender violence. Five police stations had been specially equipped to deal with complaints of physical, sexual, psychological and other forms of violence against women and girls. Furthermore, seven referral hospitals in seven departments provided services under the National Programme on Prevention and Comprehensive Assistance to Victims of Gender Violence. The Public Prosecution Service and the Supreme Court also had victim assistance facilities. The criteria and procedures for dispensing services to victims of gender violence had been standardized across all public institutions.

10. In December 2010, the Secretariat for Women had set up the first shelter for women victims of violence, which provided temporary lodging and comprehensive assistance for women, including legal, psychological and social services, as well as schooling for their children. The same services would be offered in the women's shelters scheduled to be set up in the two tri-border departments of Alto Paraná and Canindeyú.

11. As a member of the Inter-Agency Board to Prevent and Combat Trafficking in Persons, the Secretariat for Women had helped to draft a document describing the national policy to prevent and combat trafficking in persons, which had been submitted to the President's Office for approval. The Secretariat had also established the Directorate for the Prevention of Trafficking in Persons and for Victim Assistance, whose functions included the development of prevention strategies, the proper channelling of complaints and the provision of comprehensive assistance at the referral centre it operated, which was the only temporary shelter for victims of trafficking in Paraguay. To date, 97 women and teenage girls had utilized its services.

12. The Secretariat for Women had compiled data on trafficking patterns and had distributed a document containing its findings to the countries of the Southern Common Market and Spain. Moreover, it had prepared a background document for a preliminary bill on trafficking in persons that would be submitted to the National Congress for consideration.

13. One of the most worrying situations in Paraguay was the fact that some 15 per cent of the economically active female population were employed as domestic workers in conditions that did not meet national employment standards. It was essential to stimulate debate on the issue and to examine the strong link between domestic work and the reproductive roles that women were expected to play in society. In Paraguay, paid domestic work was economically devalued, its workers were socially segregated and it was treated in the law as an inferior form of employment.

14. With the cooperation of other public institutions and NGOs, the Secretariat for Women had carried out several activities aimed at addressing that situation. As a result of efforts to broaden the debate on the subject of paid domestic labour, trade unions and associations had been strengthened, awareness-raising materials had been prepared and training courses had been imparted. Another important outcome of that action was a programme for young people that promoted training and opportunities for social inclusion, relying on support from various public agencies and NGOs. A preliminary bill aimed at improving the working conditions of female domestic workers, including their wages, working hours and social security benefits, had also been drafted. Moreover, the Secretariat for Women was actively campaigning for the ratification by Paraguay of the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189). Following ratification, the Secretariat planned to submit the domestic workers bill to the National Congress so that it could be analysed in the light of ILO Convention No. 189 and not solely on the basis of the existing Labour Code.

15. Lastly, she reported that the Ministry of Foreign Affairs had sent a document to the National Congress requesting acceptance by Paraguay of the amendment to article 20, paragraph 1, of the Convention. The amendment had already been approved by the Committee on Foreign Affairs.

Articles 1 and 2

16. **Ms. Šimonović** asked whether members of the judiciary had received training in the provisions of the Convention and were sufficiently knowledgeable about the complaints mechanism under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. It appeared that certain crucial recommendations made in the Committee's concluding comments, such as the incorporation in national legislation of a definition of the term "discrimination against women" and the prohibition of such discrimination in line with articles 1 and 2 of the Convention, had not yet been fully implemented. She would appreciate additional information on the preliminary bill to combat all forms of discrimination, with particular reference to its prohibition against all forms of discrimination against women.

17. Although articles 46 to 48 of the Constitution of Paraguay guaranteed equality between women and men and prohibited discrimination, there appeared to be a lack of adequate and effective mechanisms for enforcing those provisions. She asked what types of penalties were imposed in cases of gender-based discrimination and what forms of judicial protection were available to victims. She requested figures on the number of cases of gender-based discrimination that had been registered and on the number of cases in which the Convention had been invoked directly.

18. It appeared that certain elements of de jure discrimination still persisted in domestic legislation, such as article 1209 of the Civil Code, according to which married women could not accept donations without their husband's consent or, in the absence of such consent, without the authorization of a judge. She asked whether any steps were being taken to bring such discriminatory provisions into conformity with the Constitution and with the provisions of the Convention relating to non-discrimination and equality between women and men.

19. **Ms. Arocha Domínguez** said that she was concerned at the number of obstacles placed in the way of the adoption of several pieces of legislation that were vital to the advancement of women's equality in Paraguay. Given the contradiction between the State party's public and political agendas, she asked what probability there was of resolving those problems and what measures were envisaged to promote their adoption by the legislature.

Articles 3 and 4

20. **Ms. Schulz** said that the volume of activity carried out by the Secretariat for Women was impressive, particularly given what seemed to be its inadequate funding and support from the Government. She asked how many people worked at the Secretariat for Women. According to paragraph 121 of the periodic report, its staffing levels had not changed since 2004; yet its responsibilities appeared to have increased massively in that period. She wished to know what was preventing the Government from elevating the status of the Secretariat and granting it the resources that would allow it to rank among the highest organs of the State.

21. She enquired what part of the Secretariat budget for 2011 was funded by the State and what part came from external sources. If all funds allocated to projects and grants had been provided by external sources, she wondered what alternative policy the Government would follow if those sources were cut. She asked what amount had been allocated to the budget for equality issues over the next five years in connection with the National Plan for Equal Opportunities for Women and Men (2008–2017) and the proposed decentralization bill. What was the overall budget for equality measures at the national, regional and local levels? What support was provided by the central Government for the establishment and operation of women's secretariats in the departments and municipalities?

22. She asked whether the Government had the data it needed to plan and monitor equality measures. If not, she wondered whether it took steps to improve its statistical information system on a regular basis. She would be interested to know how the Government guaranteed proper coordination among all relevant bodies in ministries, committees, networks and with civil society.

23. She had been disappointed to see that Paraguay had adopted very few of the temporary special measures required under article 4 of the Convention, save for the very weak regulations in the Electoral Code and Agrarian Act. That was a paradoxical situation, since the Constitution itself provided a sound basis for temporary special measures, in that it explicitly established both the principle of equality and the responsibility of the State in providing appropriate mechanisms to ensure that equality was genuine and effective. Discrimination against women in Paraguay was rife, as was the appalling poverty that affected huge sectors of society. Introducing temporary special measures, in line with the Committee's general recommendation No. 25, should therefore be given high priority in order to accelerate the achievement of de facto and substantive equality of women and men; moreover, such measures should be made mandatory, by executive decree. She had not been satisfied with the explanation given by the State to the effect that there was resistance on cultural grounds.

24. **Ms. Rubín** (Paraguay) said that the Convention had been incorporated into domestic law, and that she would submit the relevant case law in which it had been directly invoked. Draft legislation on discrimination had been submitted to parliament in 2006, the adoption of which the Secretariat for Women was doing its utmost to secure. While waiting for it to be adopted, the executive branch of the Government had held various open meetings with civil society and women's organizations, most recently in 2010; it had lobbied the heads of political parties and had organized forums bringing together rural women's organizations in the country's different departments. However, ultimately, the legislative branch had the last

word on whether to adopt the legislation on discrimination. The executive currently had an absolute minority in parliament, and it was therefore difficult to push through a law to which there was a great deal of resistance from society. The political parties reflected the mandate given to them by society; therefore, very little discussion had been given over to the draft legislation on discrimination and the draft legislation on violence.

25. **Ms. Boungermi** (Paraguay) said that action was taken, in conjunction with civil society, to raise awareness of the Convention within the judiciary, including through training and capacity-building for magistrates, lawyers, and civil servants. The issues of gender and gender rights were a compulsory component of the initial training given to lawyers and judges. With regard to the application of the Convention, various sentences had been handed down in which the Convention had been directly applied. The Convention had been fully incorporated into national legislation, and the most important articles, including article 1, were self-executing, as was demonstrated by the various rulings listed in the judiciary section of the web page of the Secretariat for Women. The definition of discrimination against women contained in the Convention had been used in various mechanisms, one of them being the mechanism of *amparo*, but such *amparo* cases invoking the Convention were rare, and had to be specifically brought before the courts by the litigant.

26. She confirmed that the discriminatory clause in the Civil Code providing that married women could not accept donations had not been formally repealed. However, since the Convention was part of national law and took precedence over the Civil Code, in practice there had not been a single case of a married woman not being allowed to accept a donation. Training was required, nevertheless, in order to ensure that judges continued to interpret the Code correctly. She would be in favour of the clause being formally repealed, because of the symbolic value that would have.

27. The judiciary was in the process of carrying out a study on the main areas of difficulty encountered in the implementation of the Convention, to see how to give better effect to the rights established therein. A gender unit had been set up in April 2010 in order to ensure oversight of all constitutional laws governing all judicial activities related to gender equality in the judicial branch, and a cross-cutting gender equality policy had been agreed on, accompanied by a strategic plan for its implementation. Under the strategic plan, which was currently being rolled out, it was intended to create a justice and gender monitoring centre, through which data would be compiled, systematically organized and analysed.

28. **Ms. Rubín** (Paraguay) said that strategies followed to try to improve implementation of the Convention included the signing of inter-agency agreements, such as those dealing with the prevention of violence, and the prevention of trafficking in persons. The budget of the Secretariat for Women was funded to a large extent by donations, including the funding received from the Itaipú Binacional entity, which was expected to continue in the long term. The executive had been working to raise awareness of the importance of raising funds from personal income tax, which was virtually nil in Paraguay.

29. With regard to staffing levels of the Secretariat for Women, there were 104 staff members, 20 per cent of whom were specifically trained in gender issues. Selective recruitment took place through competitive exams and staff received ongoing training, with support from various ministries and secretariats. The Social Affairs Office had received funding from the European Union, some of which would go to the Secretariat for Women to address gender issues in a cross-cutting fashion.

30. The Secretariat for Women continued to work in the area of statistics with the Ministry of the Interior, the national police, the judiciary, and the Ministry of Health; the latter had the most advanced information system.

31. **Ms. Boungermini** (Paraguay), providing relevant figures, said that the percentage of women holding senior posts in the different branches of the judiciary had been steadily increasing. There continued to be some resistance to their appointment, however, at the very highest levels of the judiciary. For example, at the Supreme Court, only 27 per cent of posts were held by women, and that situation was likely to continue for some time.

32. **Ms. Rubín** (Paraguay) said that the position of the Secretariat for Women in the Social Affairs Office had been the result of a process of consultation that dated back to 2008, and had received strong support from the President of the Republic.

33. **Ms. Soto** (Paraguay) said that the Secretariat for Women was an executive body with ministerial rank. While the Secretariat coexisted with ministries, it did not participate in the President's Cabinet. However, following extensive debate, preliminary draft legislation on reform of the executive had been drawn up, under which the Secretariat for Women would become a ministry, with responsibility for women's affairs and gender issues. As a result, the new body would have greater participation in the Cabinet, and would see its budget increased. Following consideration of the legal aspects of the draft legislation by the President, the legislation would be submitted to parliament for approval.

34. **Ms. Murillo de la Vega** asked what decision-making powers, or margin of manoeuvre, the executive enjoyed in the area of legislation, given that before draft legislation could be submitted to parliament for approval, it had to be approved by the President.

35. **Ms. Šimonović** asked whether it was possible to challenge the unconstitutionality of legislation, for example, the provision in the Civil Code that discriminated against married women.

36. **Ms. Arocha Domínguez** said that she would appreciate further information on the implementation of the Optional Protocol, on the training given to the judiciary in that regard, and on the general dissemination of the Convention and Optional Protocol.

37. **Ms. Rubín** (Paraguay) said that the executive's margin of manoeuvre was limited, especially since it had a minority in parliament. Therefore, the work of the Secretariat for Women focused necessarily on the aspects of dissemination of information, lobbying, and awareness-raising. She intended to circulate to parliament, again, information on the Convention, and on the Optional Protocol. The Braille translation of the Convention had been completed and the Secretariat for Women had planned to make it available to Braille schools. The Ministry of Education, however, had recommended that the information should be provided instead in the form of a recording, in Spanish and Guarani, which would be distributed to 30,000 schools. Civil society had been involved to a considerable extent in public information campaigns to promote the Convention and the Optional Protocol.

38. **Ms. Boungermini** (Paraguay) said that the constitutionality of legislation could be challenged, but only as a last resort, and only in the context of specific legal proceedings. With regard to the discriminatory provision in the Civil Code, it would be sufficient to invoke the application of the Convention itself, thereby eliminating the need to invoke unconstitutionality. Training was provided to members of the judiciary on the Convention and the Optional Protocol, including during their initial training in law schools.

39. **Ms. Soto** (Paraguay) said that the executive had the power to draw up public policies based on provisions of the Constitution, the Convention and the Optional Protocol. For example, the Ministry of the Public Service, had drawn up and implemented the Equality and Non-discrimination Plan in the civil service. The Plan was also based on provisions of the Constitution and the Convention, and contained a number of gender equality indicators.

40. **Ms. Ameline**, affirming the importance of temporary special measures, said that she had been pleased to read of the attempts to increase the quota for women's participation in political life, and that the gap between supporters and opponents was closing. In line with the Committee's general recommendation No. 25, temporary special measures were a key element in States parties' efforts both to accelerate the implementation of the Convention in practice and to bring about a change in cultural attitudes. Notwithstanding the opposition to the two or three temporary special measures that had been introduced in the areas of political quotas, land ownership, and indigenous issues, the measures had been voted on and approved, and should therefore be implemented. It was important that the Secretariat for Women should become a ministry, since the visibility and authority of a ministry responsible for the rights of women was an important element in the dialogue between the executive and legislative branches of the Government.

41. Furthermore, in the event of additional funds becoming available, the Government should step up its efforts with civil society, trade unions and social associations to give added impetus to initiatives under way to promote the rights of women. For instance, training and other assistance could be given to women to encourage their participation in political life. She asked whether temporary special measures were envisaged in areas other than the ones she had mentioned, and what discussions had been entered into with the religious leaders who were fuelling the resistance described.

42. **Ms. Awori** requested additional information on the temporary special measures proposed by the Secretariat for Women in the course of the past three years. She asked what actions had been taken as a result of the political dialogues held with women, which were described in paragraph 29 of the responses to the list of issues and questions.

43. She would appreciate an explanation of why only 16 per cent of the names on the lists of candidates for primary elections were women, whereas the Electoral Code established a minimum quota of 20 per cent. She enquired what steps the Secretariat envisaged taking in order to increase women's participation in elected public office.

44. There were reports that the Agrarian Act, which gave preference to female-headed households in allocating land, in fact discriminated against other poor and marginalized women who were married or unmarried with a partner, and who were also meant to benefit from the legislation. The delegation should provide information on what steps the Government envisaged taking to ensure that temporary special measures concerning land reform benefited all marginalized women, especially those living in rural areas in poverty. It should also indicate whether any temporary special measures had been introduced for indigenous women.

Article 5

45. **Ms. Patten** asked to what extent the goals of eliminating domestic violence and bringing perpetrators to justice were genuine priorities in Paraguay, given that, despite specific recommendations from the Committee and other treaty bodies, the 2007 amendment of the Criminal Code had not included amendments to articles 136 and 137, nor had article 229 of Act No. 1600 been amended. She wished to know what obstacles had stood in the way of the adoption of those amendments.

46. She was concerned at reports that, although the law allowed for the imposition of a prison sentence on perpetrators of violence against women, the penalty imposed in most cases was merely a fine. She emphasized that domestic violence was a serious offence, adding that its domestic nature was an aggravating rather than a mitigating factor because women had the right to feel and be safe in their personal relationships. With regard to the tendency to resolve cases of domestic violence through mediation, she asked what measures were taken when using that method to ensure that perpetrators were effectively prosecuted.

She wished to know what training was given to judges, lawyers, law enforcement officers and other criminal justice system personnel in order to help them better understand domestic violence and make decisions that were aimed at ensuring the safety of women and their children.

47. She welcomed the fact that there were five specialized police stations to deal with women and children who were victims of violence, and enquired whether the Government planned to establish special domestic violence courts, pointing out that it could seek international aid for that purpose. In a number of countries, such courts were proving to be very effective, owing to their specialized handling of domestic violence cases, tailored support for victims, fast-tracking of cases through the system and specialized training given to judges and prosecutors. Moreover, such courts took a partnership approach to domestic violence involving the police force, prosecutors, judicial personnel and support services for victims.

48. **Ms. Murillo de la Vega** asked whether consideration was being given to reinstating the Guiding Framework for Comprehensive Sex Education. She also asked whether the State party planned to propose a legislative amendment aimed at prohibiting child labour for both boys and girls, in view of the vulnerable situation of servant girls (*criaditas*).

49. One effective means for garnering support and introducing change that the Government had at its disposal was the media, which always stood ready to disseminate its views. Another way was to bring about a change in attitude among social workers, policemen and prosecutors by linking human rights training to promotion criteria. She asked whether the Secretariat for Women could nominate women to serve on the Truth and Justice Commission and how many women currently served on it. Their participation in such an important commission was a way of giving visibility to and empowering women.

50. She urged the Secretariat for Women to intensify its efforts to publicize the situation of the public prosecutor who headed the Special Unit on Trafficking in Persons and Sexual Exploitation of Children of the Public Prosecution Service, Teresa Martínez, whose job had involved prosecuting members of organized crime groups. It was inconceivable that she had been stripped of her judicial immunity by the Judges Impeachment Panel, which left her exposed to the allegations of mafia-sponsored traffickers in women and children. It was essential to inform the public about the consequences of removing a prosecutor's judicial immunity because that would reveal the intentions of the parties in her case and the possible involvement of organized crime.

Article 6

51. **Ms. Jahan** said that Paraguay was a source, transit and destination country for trafficking in women for the purposes of commercial sexual exploitation and forced labour. That trade often occurred in the tri-border area of Panama, Argentina and Brazil. Internal trafficking, particularly from rural to urban areas, also posed a serious problem in Paraguay, and indigenous women were a particularly vulnerable group. She requested information on the time frame within which the legislature was expected to adopt the comprehensive national policy to prevent and combat trafficking in persons and the preliminary bill on trafficking in persons. She enquired whether Paraguay's anti-trafficking laws were consistent with the definition of trafficking contained in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol). In view of reports that cases of internal trafficking were not adequately prosecuted or penalized and that cases of runaway minors and women, which might be linked to trafficking, were not duly investigated, she recommended that the definition of trafficking used in national anti-trafficking laws should be broadened to include internal trafficking.

52. She asked whether the Inter-Agency Board to Prevent and Combat Trafficking in Persons had the mandate to investigate allegations of trafficking, and whether it had adequate human and financial resources. The delegation should indicate the number of complaints made, cases prosecuted and convictions handed down for human trafficking. She wished to know the results of investigations into official complicity in human trafficking on the part of judges, policemen and border guards and what subsequent action had been taken. There were reports that such allegations were often ignored and that impunity was rampant. Further reports indicated that inadequate protection was provided for witnesses, which prevented women from testifying against their traffickers, who were often members of organized crime syndicates. Since that was a regional problem, she asked to what extent Paraguay was working with neighbouring countries in combating the problem and what specific action had been taken.

53. **Ms. Gabr** said that human trafficking was more than a violation of the human rights of women; it constituted a form of slavery. She asked what priority the Government accorded to tackling the problem. It was important to launch awareness-raising campaigns to ensure that lawyers, judges and law enforcement officers understood how serious a problem it was. It would be useful to know whether the Government had identified the root causes of trafficking in Paraguay and how to eradicate them.

54. She asked which body would be responsible for implementing the future legislation to combat trafficking in persons. She requested additional information on the powers of the Inter-Agency Board to Prevent and Combat Trafficking in Persons, the ministry to which it was attached and its source of financing. Trafficking was a cross-cutting issue that needed to be addressed by Government action, adequate financing, public awareness-raising and the training of members of the judiciary. She enquired whether there were plans to build more shelters for victims of trafficking in Paraguay, and she would appreciate knowing the volume of calls received by the trafficking hotline.

55. **Ms. Rubín** (Paraguay) said that the most recent attempt to increase the quota set in Electoral Code for female participation in elected public office from 20 to 50 per cent had, for the most part, met with defensiveness, derision and misunderstanding on the part of male legislators, who had failed to grasp its nature as a temporary special measure. That was despite the fact that one male congressman had actually proposed to increase the quota to 33 per cent, though he had subsequently failed to defend his proposal against opponents. Ultimately, there had been a motion to reject the proposal without appointing a day on which to consider it further.

56. In response, the Secretariat for Women had begun a capacity-building campaign to increase women's political awareness of the ideologies espoused by the political parties with representation in the National Congress. By 2011, the Secretariat had managed to introduce the campaign in four departments. A women's movement with a feminist, socialist and progressive platform was working assiduously on a project to propose a non-partisan list of women.

57. **Ms. Soto** (Paraguay) said that, despite the failure of the legislature to adopt the proposed temporary special measure, the debate in the National Congress and the parity proposal had nonetheless had a positive impact, as they had been the rationale for the formation of a non-partisan national women's rights movement composed of women legislators, ministers and representatives of women's civil society organizations. The movement had organized public hearings and lobbied legislators in preparation for the debate on the proposal, whose treatment in the National Congress had thereafter generated a wave of reaction.

58. The Equality and Non-discrimination Plan in the Paraguayan civil service was another temporary special measure, which was aimed at increasing women's access to the

executive levels of public administration. An analysis of the composition of the civil service had revealed that the majority of civil servants were women, but the reverse was true of civil servants at the executive level. The Plan therefore required each public institution to have its own gender equality plan.

59. **Ms. Rubín** (Paraguay) said that women had not yet reached the 20 per cent quota established in the Electoral Code, because women candidates often failed to ensure that their political parties included them as every fourth name on candidates' lists for national elections. The capacity-building campaigns organized by the Secretariat for Women currently stressed that point. Another reason was that women did not receive sufficient campaign funds from the State, owing to the lack of any special instructions to political parties to distribute funds to women's campaigns.

60. She was aware of only a few cases in which men had gone to prison for committing acts of domestic violence, meaning that, more often than not, a minimal fine was imposed. Those responsible for the recent amendment of the Criminal Code had been opposed to establishing an offence known as "femicide", as they considered it to be a feminist expression and claimed that the offence it described was already provided for in the Code.

61. The preliminary bill on trafficking in persons was consistent with the Palermo Protocol and was sponsored by all three branches of the Government. The time frame for its adoption would depend on the will of legislators and on the strength of the lobbying and campaigns carried out by the Secretariat for Women.

62. Regarding efforts to trace missing children, the Secretariat for Children and Adolescents had plans to launch another public awareness campaign in 2012 and to provide training to police, judges and prosecutors, which was the standard procedure followed for addressing that problem. She confirmed that the Secretariat for Women organized ongoing awareness-raising campaigns on human trafficking. In its 2013 budget request, the Secretariat had requested the allocation of State funds to replace the external funding it would receive in 2012.

63. The Secretariat for Women was building two additional shelters for women victims of trafficking. The 24-hour hotline was operational, but women who had been trafficked, many of whom were from Asia and other foreign countries, tended not to avail themselves of it.

64. The Secretariat for Women had taken up the cause of Teresa Martínez, who was supposed to have taken part in the present dialogue with the Committee. The Secretariat had made its position known among the three branches of the Government, and would be following her case closely. It was regrettable that someone who had been so effective in combating trafficking should have charges brought against her. The Secretariat suspected that the organized crime groups that controlled human trafficking in Paraguay were behind those charges.

65. **Ms. Boungermini** (Paraguay) said that, under existing legislation, members of the judiciary were given training on gender violence issues. Since gender violence was considered to be a multifaceted problem, a commission had been established in December 2010 for the purpose of drawing up a preliminary bill on violence against women. The commission was composed of representatives from the judiciary, the executive (the Secretariat for Women), and the legislature (the commissions on equality and gender of the Senate and the Chamber of Deputies), and had been working since April 2011 to analyse the reasons why efforts to combat gender violence had failed. The preliminary bill covered civil, criminal and administrative aspects, protection measures, and sanctions and penalties; it provided for public policies on gender violence issues and related training. It also provided for a mandatory percentage of the national budget to be assigned to combating gender violence. The preliminary bill was expected to be finalized by early December 2011

and, in a strategic move, would be officially proposed by the Chamber of Deputies or the Senate, rather than by the executive or judiciary. It was not known when the bill would be approved.

66. The preliminary bill on trafficking in persons had been finalized and was ready for submission to parliament. The bill provided for the protection of witnesses from a gender perspective. The Ministry of the Interior had embarked on the process of training police departments in gender violence issues.

67. **Ms. Heikel** (Paraguay) said that the concerns expressed regarding discrimination against certain women under the Agrarian Act in the award of land titles were ill-founded. The relevant provisions of the Agrarian Act established two things: first, if a farm was run by a man and a woman — whether married or living in a de facto union — the title must be in both their names; second, if a farm was run by a single woman, the title could be in her name only. There was no provision for the award of land titles to single men. Men living in de facto unions, however, often declared themselves to be single when they completed a census, which led to discrepancies in statistics. Possible cases of corruption, where persons who did not work the land were given land titles in their name, were being looked into.

68. The Ministry of Agriculture was implementing three temporary special measures to reduce the inequality of women and combat stereotypes in the area of land reform. First, the body responsible for implementing the Agrarian Act was obliged to reserve at least 30 per cent of titles for women heads of households; compliance with that obligation was monitored. Second, at least 18 per cent of the beneficiaries of technical assistance programmes run by the Ministry of Agriculture had to be women heads of households, in line with the figures recorded on the census. Third, when sending technical staff to assist persons working the land, the Ministry of Agriculture was obliged to respect gender parity in the technical teams it dispatched, in order to avoid reinforcing stereotypes.

69. **Ms. Abdo** (Paraguay), in response to queries on child labour, drew attention to the information provided in paragraphs 143, 144 and 146 of the written responses concerning the minimum age of domestic workers, the National Strategy for the Elimination of Child Labour and the Protection of Labour of Adolescents, and the affidavit of non-violation of children's rights.

70. **Ms. Soto** (Paraguay) said that the Truth and Justice Commission had been replaced by the Directorate-General for Truth, Justice and Reparation of the Office of the Ombudsman, and was headed by a woman.

71. **Ms. Gabr** asked for information on the status, mandate and funding of the national body to combat trafficking in persons. She would appreciate further information on the National Strategy for the Elimination of Child Labour that had been mentioned, including the time frame for its implementation.

72. **Ms. Schulz** asked to what extent the State party considered it possible to introduce temporary special measures and make them mandatory by executive decree, given the political resistance to them in parliament.

73. **Ms. Jahan** asked whether the problem of internal trafficking in persons was addressed by the preliminary bill on trafficking in persons.

74. **Ms. Rubín** (Paraguay) said that the Inter-Agency Board to Prevent and Combat Trafficking in Persons comprised representatives of different ministries, each of which funded their representatives' participation. Representatives of civil society also participated in the Board's work. The police force and the Public Prosecution Service had special departments for combating trafficking in persons. The Secretariat for Women was responsible for the psychological care of victims, providing them with legal support, and facilitating their reintegration into the labour market. It was difficult to address the problem

of internal trafficking in persons, since the phenomenon was, unfortunately, often denied. A tripartite commission had been established by Paraguay, Brazil and Argentina, for the purpose of combating trafficking. The commission ran a women's shelter in Foz do Iguacu and carried out awareness-raising activities, including police training, in the tri-border region.

75. **Ms. Boungermini** (Paraguay) said that the preliminary bill on trafficking in persons covered the offence of internal trafficking, in the sense that the requirement for the offence of trafficking in persons to be international in nature had been lifted. The same legislation provided for the identification, psychological support and repatriation of victims. It was not known, however, what form the final legislation would take, given that it was encountering similar resistance to the draft legislation on gender violence.

76. Concerning the fact that Teresa Martínez had been stripped of her judicial immunity, she said that one problem the Secretariat for Women faced in publicizing her situation was that Paraguayans were, in general, often indifferent to such issues.

77. **Ms. Rubín** (Paraguay) said that it was impossible, under the Constitution, for the executive to circumvent parliament in order to impose temporary special measures.

Articles 7 to 9

78. **Ms. Neubauer** said that too much emphasis had been placed by the State party, as illustrated in paragraph 135 of the periodic report, on the need to train women politicians in the gender perspective, rather than men. However, women had not yet reached the critical mass required in order to influence those with the real decision-making powers in Paraguay – men. It was necessary, therefore, to enlist the support of men, rather than to focus exclusively on women.

79. Paraguayan society was conservative, and sexist. In order to counteract that, articles 7 and 8 of the Convention should be read in conjunction with article 5, in order to modify the social and cultural patterns of conduct of men and women. Since the media had a very important role to play in that regard, she asked what steps had been taken to make the media accountable for upholding the principles of gender equality and non-discrimination. Were they encouraged to devise their own regulations and monitoring mechanisms for such matters?

80. **Ms. Rubín** (Paraguay) said that, in order to combat sexism in the media, a great deal of work was being done to focus on gender issues, with the close involvement of the head of communications at the Secretariat for Women. The Secretariat had done its utmost to enlist male politicians and journalists in its work, but to no avail. The body responsible for regulating such matters in the media was the advertising standards body CERNECO. The Secretariat for Women worked in close cooperation with CERNECO, and discussions were under way regarding the establishment of a prize for the media outlet that worked the hardest at promoting gender equality.

81. **Ms. Soto** (Paraguay) said that, in order to achieve a critical mass in terms of gender equality and non-discrimination in the civil service, specific rights-based training programmes on gender equality were being implemented, including in the Guarani language.

82. **Ms. Rubín** (Paraguay) said that, as part of the “*Lentes lilas*” (Lilac-coloured glasses) campaign, a manual was being disseminated in all ministries and public bodies to raise awareness of femicide and violence against women. In 2008, the campaign had featured the President of the Republic himself, and in 2009, a number of male and female ministers and deputies. The President, together with sports and music celebrities, had also taken part in the most recent campaign entitled “*Maltrato zero*” (No ill-treatment).

83. **Ms. Neubauer** asked whether the media observed the principles of gender equality in pre-election campaigns, by giving equal coverage to male and female candidates. She wished to know whether any relevant study had been carried out, whether the media had internal regulations on the subject, and whether any future measures were planned in that area.

84. **Ms. Belmihoub-Zerdani** said that the percentage of women in parliament (13 per cent) was very low. She would appreciate statistics on the results for women candidates in local elections. More information was also required on the situation of women with international responsibilities, for example ambassadors.

85. She asked whether the State granted subsidies to political parties. If so, did it favour parties that ensured equal representation of women? She enquired how many women were employed in the diplomatic corps, and how many judges were women.

The meeting rose at 1 p.m.