



**Convention on the  
Rights of the Child**

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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 44 OF THE CONVENTION**

**Third periodic reports of States parties due in 2002**

**PARAGUAY<sup>\*</sup>,<sup>\*\*</sup>**

[7 March 2008]

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

\*\* The annexes may be consulted in the secretariat files.

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## I. INTRODUCTION

1. The ratification of the Convention on the Rights of the Child and the Optional Protocols thereto signifies the Paraguayan Government's undertaking to promote and protect the rights of children and young people.
2. In recent years, steps have been taken to strengthen the institutional framework, while at the same time endeavours have been made to overcome the economic crisis which bedevils the country. Democratization is being pursued through the devising and implementation of policies, plans, programmes and projects which particularly influence the daily living conditions of children at home, at school and in the community, and by encouraging social, cultural and economic changes which make for citizenship resting on the fair and just exercise of rights.
3. Pursuant to the Convention, the Paraguayan Government has presented two official periodic reports and is now submitting its third periodic report which takes stock of its compliance with the recommendations made to the Paraguayan Government by the Committee on the Rights of the Child after its consideration of the second report and which appraises progress made in following these recommendations.
4. This report will provide an overview of the action taken by government institutions and civil society organizations to facilitate the application of strategies in defence of the rights of children and young people.
5. The Paraguayan Government has adopted new notions of childhood and adolescence in the course of formulating policies, programmes and projects targeted on this sector and has made considerable headway over the years in fulfilling the terms of the Convention.
6. In order to help children with well-targeted measures it is necessary, together with the non-governmental organizations and foreign organizations and governments cooperating in this sector, to ponder a new relationship between the State, children, adults and families.
7. There are many different facets to this new relationship, but perhaps the most important is the renewed vigour given to a notion embracing all the vital elements of comprehensive citizenship and full democracy, where the values of multiculturalism are instilled from childhood onwards.
8. The participation of children and youngsters in matters concerning them obviously means buttressing mechanisms to protect the rights embodied in the Convention with principles of equality and justice far removed from the ethos of charitable assistance.
9. The National Secretariat for Children and Adolescents directs policies to promote, disseminate, safeguard and foster all aspects of the rights of children and young people. It implements plans, programmes and projects in cooperation with state bodies, NGOs, representatives of youth organizations, the United Nations Children's Fund (UNICEF), the International Labour Organization (ILO) and the Movement for Peace, Disarmament and Liberty (MPDL).
10. In the following sections of this report we describe the main thrust of our action:

- (a) National strategies to combat poverty that focus on rights and holistic public and social policies aimed at children and young people;
- (b) Social investment which has risen substantially since 2004 with the implementation of social programmes in the most vulnerable communities;
- (c) Establishment of processes to support families through practical action to generate economic resources improving the quality of life;
- (d) Decentralization as an alternative means of enabling local communities and departmental authorities to bolster social programmes and projects designed for children and adolescents;
- (e) Responsibility shared between the Government and civil society for the inculcation of a culture that takes account of the rights of children and young people, recognizes and respects those rights and makes them enforceable.

11. Great strides have been made at the national legal level in terms of approving and ratifying international treaties and agreements with a view to bringing them into effect. Bodies have been set up to respond to the Committee's recommendations.

12. The Paraguayan Government acknowledges that this is still work in progress in so far as the ultimate goal is to empower groups of society, such as children, youngsters, women, persons with special needs and indigenous peoples, who traditionally have been excluded from power and opportunities for participation. These groups now play a more visible and proactive role.

13. Awareness-raising campaigns, capacity building and programmes to disseminate knowledge of rights at various focal points of the community are based on participation, solidarity and social responsibility.

14. Public and social policies giving priority to children and adolescents call for the introduction of genuine protective strategies, mechanisms and action on the part of families and communities and of a protection system which ensures that full effect is given to the rights of children and young people.

15. The following social programmes are in place:

- (a) Tekoporã, implemented by the Secretariat for Social Action (SAS), is aimed at extremely poor families living in five departments (Concepción, San Pedro, Caaguazú, Caazapá and Canindeyú). Its target in 2008 is to provide 50,000 families, comprising 350,000 beneficiaries, with services in the fields of health, education and human development, as well as with help with registering births and obtaining identity documents for children, adolescents and adults. It manages projects enabling families to produce food for their own consumption and organize producers' associations;

- (b) Abrazo, a programme run by the Secretariat for Social Action, is aimed at the progressive reduction of street children's labour. It has 14 open centres offering comprehensive protection (3 in Asunción, 1 in Ciudad del Este and 10 in various districts of the Central department). It is currently assisting more than 1,569 children and adolescents.

(c) The battle against poverty in Paraguay is headed by the social planning team. In 2008 there are plans to build 270 classrooms for the third cycle of basic education and 92 health centres, to procure 1,500 medical kits, to support 200 health services (existing dispensaries and hospitals), to provide 70 potable water systems, to build 5,268 latrines, to finance 60 community social projects and to launch 25 producers' associations; this being the first phase of spending the seven-million-euro grant from the European Union to further the fight against poverty in Paraguay;

(d) The PRODECO community development project, implemented by the Secretariat for Social Action, whose chief aim is to assist 320,000 poor and vulnerable rural and urban households and 3,700 families comprising 18,500 direct beneficiaries and to institutionally strengthen 55 municipalities and 50 community organizations in the departments of Itapúa, Misiones and Ñeembucú;

(e) The programme to support families of child and adolescent workers, which is being run by the Directorate for Social Welfare and Assistance (DIBEN), assists 1,800 children and adolescents from 700 families by offering counselling, basic foodstuffs, medical care and medicines.

16. A combination of the food and nutrition programmes for children and undernourished pregnant women being carried out by the Ministry of Public Health and Social Welfare (MSPBS), the national vaccination programme and public policies on child health and safe maternity ensure that pregnant women and children up to the age of 10 receive free care and medicine.

17. Public investment in children is having an impact on their living conditions, especially of those belonging to the most vulnerable sectors, but there are areas requiring more attention.

## II. CONTEXT

18. Paraguay, after decades of living under an authoritarian regime, is putting in place processes designed to strengthen democracy. But high levels of poverty, great inequality and weak institutional development have hampered the social transformation needed to build a culture based on rights and equal opportunities which would make for an inclusive society for all children and young people.

19. In the Human Development Report 2003, the United Nations Development Programme (UNDP) drew attention to the fact that growing inequality in family income had widened the gap between the poorest and the richest families.

20. The country has approximately 5.8 million inhabitants, 43% of whom are under the age of 18; 58% live in urban areas and 42% in rural areas. Between 1992 and 2005 the population went up from 4.2 to 5.8 million, 50.05% of whom are women and 49.95% men. The annual average growth rate of 2.2% makes Paraguay one of the countries in the region with the highest population growth. Projections suggest that the number of inhabitants will top 6.3 million in 2010 and 7.5 million in 2020.

21. The national poverty rate rose steadily from 32.1% in 1997-1998 to 46.8% in 2002. Thanks to the Government's efforts, it fell to 38.2% in 2005. The Government is pursuing those efforts, because achievements to date are insufficient in view of the size of the problem.

22. We are committed to maintaining an increase in social investment in order to expand plans, programmes and projects linked to the implementation of the rights of the child. Public and private institutions must redouble their efforts to make a quantitative and qualitative leap in the provision of social services and to coordinate their action in pursuit of common goals. Advances have been made in the political and institutional context.

23. The sole means of guaranteeing the exercise of the rights of all children and young people is to build a country able to offer them optimum conditions for their development and equal opportunities for all.

#### **A. Institutional evaluation as at 2003**

24. The following main findings of the institutional evaluation set the scene for State action:

- (a) Lack of consistency between economic and social policies;
- (b) Institutional fragmentation in the social sector;
- (c) Hodgepodge of objectives, functions and target population groups and uncoordinated action;
- (d) Atomization of the social sector;
- (e) Lack of targeting instruments, records and monitoring and evaluation systems;
- (f) Low level of social investment.

#### **B. Progress and challenges**

25. The economy started to pick up as from the second half of 2003. After nine years of a persistent deficit, the 2004 financial year ended with a surplus of US\$ 100 million and an inflation rate of 2.8%. For the first time, revenue exceeded expenditure for three consecutive years and the 2006 financial year ended with a surplus of some 0.5% of GDP. The latter has risen by 14.8% over the last four years, thus laying the foundations for structural social changes.

26. Another impediment to the country's progress is corruption. According to Transparency International, it is vital to improve accountability and social oversight. At the same time, it must be emphasized that improvements have been made: in 2004, Paraguay had the worst score in the perceived corruption index in South America. It had the second highest score in Latin America and the sixth highest in the world. But by 2006 it had upped its score from 1.7 to 2.6 and could therefore be regarded as being among the countries which had achieved a significant improvement. It had a better position on the world scale.

27. In order to overcome these obstacles, Paraguay restructured its budget to give higher priority to social investment. Fifty per cent of the total national budget for 2008 is earmarked for social investment.

28. Paraguay's situation in 2005 was such that, even though economic growth could potentially contribute to the implementation of the Convention and the achievement of the Millennium Development Goals, it was still vital to reduce poverty levels through sustainable per capita economic growth accompanied by a reduction in income disparity.

29. The Government has concentrated on improving tax collection in order to fund a steady increase in social investment which will promote employment and fairness, in other words which will benefit the whole population. In order to achieve this kind of growth, the public and private sectors are being encouraged to join forces in a rights-based approach.

30. The prolonged squeeze on social investment has weakened the institutional framework in Paraguay. The Common Country Assessment of Paraguay indicates that limited progress has been made towards the Millennium Development Goals, although Paraguay has ratified most of the human rights treaties and has made headway in bringing its legislation into line with the principles of Convention.

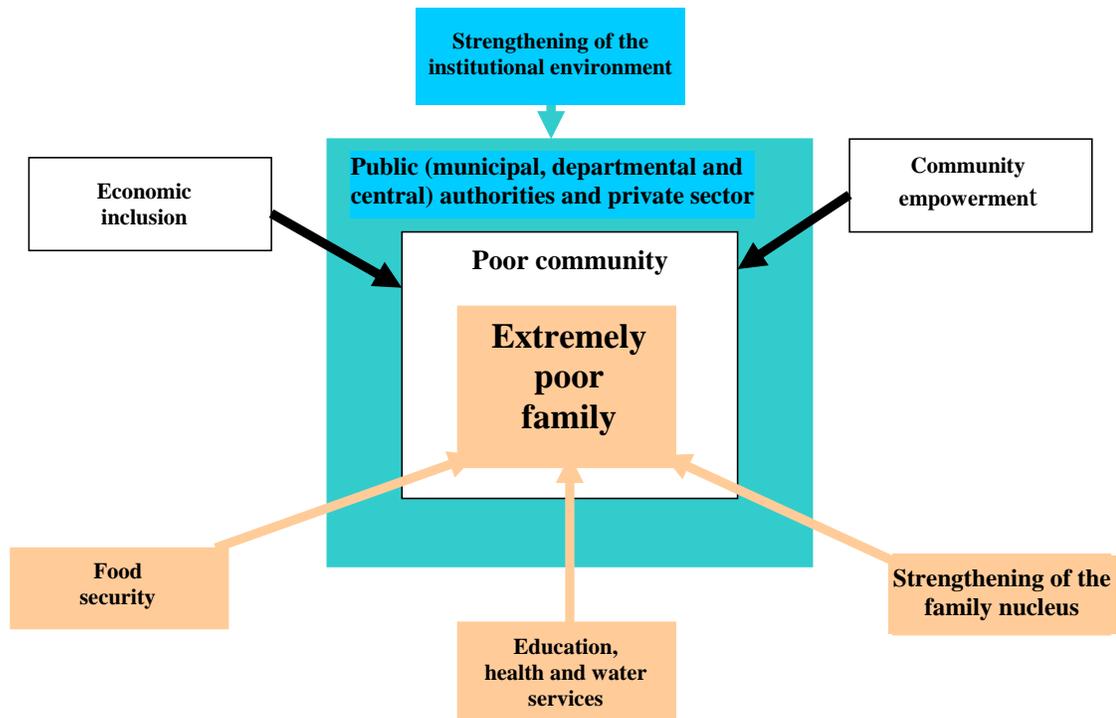
31. The country's institutions are working out practices to foster respect for rights and, although to this end it has already set up the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents (SNNPI), putting this system into full operation is a big ongoing institutional challenge.

32. In order to contend with this challenge, the Government is implementing the National Poverty Reduction Strategy and is channelling more resources into social investment, formulating holistic social programmes and employing innovative instruments such as the geographic priority index, the family record and the quality of life index, which are useful means of identifying and selecting the beneficiaries of social programmes.

## 1. Holistic action model

### Economic protection, promotion and inclusion

33. The following figure shows this strategy.



Source: III Forum “Investing in people”.

34. The Social Protection and Promotion Network (RPPS) is central to this strategy. It consists of a set of linked activities and programmes to prevent, mitigate and overcome the adverse effects of poverty, especially among the most vulnerable sections of the population.

35. The fundamental principle behind the network is to persuade families to promise that they will do their bit towards improving their personal, economic and social skills in order to stop poverty being passed on from one generation to the next.

36. A system of conditional monetary transfers is employed. This is, in essence, a means of ensuring the implementation of the rights of children and young people who are affected by extreme poverty. At present the network encompasses the following programmes: Tekoporã (operating in six departments and serving 50,000 beneficiaries in 2008); Abrazo (14 open centres) offering a programme of all-round care for children and young people, and Ñopytyvo, designed to improve the living conditions of 30,000 children from birth to the age of 14.

37. The Abrazo programme is an integral component of the network and its aim is gradually to reduce street children’s labour. It seeks to do so by offering extremely poor families

comprehensive support and counselling and by issuing solidarity vouchers, provided that these families fulfil their part of the bargain.

38. The programme is in operation in Asunción, Luque, Fernando de la Mora, Lambaré, Villa Elisa, Ñemby, San Lorenzo, Itauguá, Capiatá, Limpio and Mariano Roque Alonso in the Central department. Since January 2007 it has been active in Ciudad del Este in the Alto Paraná department.

39. At present it serves 1,569 working children and supports their families by income generation activities and family counselling. 391 working children's families receive solidarity vouchers.

40. The open centre in Ciudad del Este (Alto Paraná), which was set up at the beginning of 2007, is currently adapting its management model. Its initial target was to support 200 children and 147 families. By December 2007 it was assisting 128 children and 105 families.

41. The Abrazo programme is currently serving 402 youngsters. In 2008 the plan is therefore to open a vocational training centre for employability and social integration which, by gender mainstreaming, will seek to make young people employable, help them to integrate in their families and society and generate income.

(a) Family support: in October 2007, 726 families in the above-mentioned areas in the Central department and 105 families in Ciudad del Este were receiving family support, thus bringing the total number of beneficiary families to 831.

(b) Street outreach work: 95% (on average) of children covered by the programme were not seen on the street.

(c) Care in centres:

(i) 45% (601) attend regularly;

(ii) 10% (126) attend irregularly;

(iii) 45% (608) never attend the open centres;

(iv) Daily services offered at the centres include teaching and coaching, food, recreation and sport, clothing and hygiene and workshops.

(d) Income and work: 480 families are in work schemes, 186 heads of families are members of cooperatives (in Medalla, Milagrosa, Ricardo Brugado and Capiatá), 152 economic units receive financial services (loans) amounting to a total 86,856,600 guaraníes, with a default rate of less than 4%. On average, 450 economic units receive technical assistance every month in the home or at their places of work.

(e) Issue of vouchers: 391 families are in receipt of solidarity vouchers

42. The programme receives technical and financial support from UNICEF.

43. It also coordinates its work with public bodies such as the Ministry of Education and Culture (MEC), the Ministry of Public Health and Social Welfare, the National Secretariat for Children and Adolescents (SNNA), the Identification Department of the National Police and local authorities through the Municipal Advisory Boards for the Rights of Children and Adolescents (CODENI).

44. The Social Protection and Promotion Network advocates enhancing the effectiveness of the various services and benefits for this sector of the population by incorporating them in a coherent, coordinated system. To this end, responsibility for resources to support extremely poor families has been placed in the hands of the Social Action Secretariat, thereby putting it in charge of the Government's social protection net.

45. The Integrated Intervention Plan and the Social Protection and Promotion Network require the State to play an active role in identifying the most indigent families so that public services and benefits reach those most in need of them, and in arranging for the appropriate public services and benefits to be channelled to families through direct personalized contact with each of them.

46. Similarly, the Secretariat for Women in the Office of the President of the Republic is carrying out the Second National Plan for Equal Opportunities for Women and Men 2003-2007, approved by Executive Decree No. 1958/03. The plan's strategic approach embraces the action mapped out in the Beijing Declaration and Platform for Action and makes children the focus of authorities' care and attention. One of the lines of action to which priority is being attached is the adoption of legislation stemming from an awareness that mothers who are heads of households have to bear parenting responsibility without the presence of a father figure. This situation has serious repercussions on children's development and on the quality of life of both the young people and their mother.

47. Paraguay intends to close the gaps caused by wage discrimination and occupational segregation which make poor women more vulnerable than men in similarly straitened circumstances. Greater efforts are likewise going to be made to eliminate disparities between women who are poor and women who are not because, generally speaking, these disparities not only affect the implementation of a woman's rights, but also seriously limit her children's effective exercise of their rights:

(a) The rate of unemployment among poor women is twice that of women who are better off;

(b) More than 20% of women who are not poor have access higher education whereas only 3% of poor women receive higher education.

48. The commitment underlying ratification of the Convention has led the Government to devote the greatest possible attention to reshaping the overall economic context and living conditions, since these are the prerequisites for ensuring that everyone can exercise their human rights without any kind of discrimination.

49. Indigenous communities, consisting of some 87,000 persons making up 2% of the population, live in insalubrious conditions with very low social development indicators.

50. A breakdown of the indigenous population by age groups shows that just under 50% is under the age of 15. The high birth rate (6.3 compared with a national average of 3.9) keeps the population young – 47.1% is younger than 14 and 25.6% is aged between 15 and 29. These figures show how important it is for these communities that effect be given to the rights embodied in the Convention.

51. The Government is carrying out a set of social policies and programmes to overcome deeply entrenched exclusion.

52. The disparities revealed by the 2002 national indigenous census are reflected in a high rate of illiteracy (51%, whereas the national rate of people over the age of 15 years is 7.1%), markedly lower average length of schooling for children aged 10 and over (7 years for the national population against 2.2 for indigenous groups) and inadequate housing lacking basic services (only 34% live in houses, 2.5% have potable water and 9.7% have electricity). These challenges are being tackled by the National Indigenous Institute (INDI), the official State body responsible for applying indigenous policy and coordinating the various sectors concerned.

53. The Institute's project to offer comprehensive assistance to indigenous persons will help to boost the (still insufficient) provision of education and health services for indigenous communities, while the Food Security Programme, which supplies technical advice, equipment and seed for the cultivation of basic foodstuffs, seeks to make communities self-sufficient.

54. As the National Constitution acknowledges, decentralization is indubitably a fundamental tool for the development and strengthening of democracy. Although this process has not been smooth, mainly because it has proved difficult to arrive at a political agreement on the meaning and implications of government decentralization, significant progress has been made in recent years.

55. With the support of the Development Information and Resources Centre (CIRD) and the United States Agency for International Development (USAID) a decentralization programme is being carried out to encourage the participation of local government, institutions and communities in the management of local basic health services. In this context, the aim is to maintain and improve the Paraguayan population's health at local and regional level and especially the health of rural women of child-bearing age.

56. Since 1994 government policy in the education sector has centred on reforming the education system which caters for more than a million pupils. Two gradual processes were set in motion in 2000: (a) deconcentration, and (b) decentralization of the education system.

(a) Deconcentration:

- (i) Departmental statistical units have been set up;
- (ii) Rules have been drawn up for parent-teacher associations to encourage parents to participate in the running of schools;
- (iii) School inspection and administrative support clusters have been set up in the oversight coordination office of each department.

- (b) Decentralization:
  - (i) Departmental education boards have been established in the capital and in all departments as intermediate decision-making bodies;
  - (ii) The Reform Strategy for Intermediate Education has been drawn up in a participative manner;
  - (iii) Departmental education strategies have been drafted in a participative manner;
  - (iv) The school meals programme has been implemented by departmental governments;
  - (v) National, regional and institutional commissions have been set up to select teachers.

57. The judiciary must be reformed and modernized if democracy is to be strengthened. In order to remedy existing structural and functional shortcomings, the Government is taking a number of steps to improve management mechanisms and institutional transparency.

58. In May 2006 a bilateral agreement was signed with the United States, which is donating US\$ 34.6 million to Paraguay so that it can implement the Millennium Challenge Threshold Program under which assistance is given to a small number of countries not eligible for Millennium Challenge Accounts but which have demonstrated their commitment to ruling justly, investing in people's wellbeing, promoting economic development and pursuing the reforms needed in order to achieve these goals.

59. In Paraguay the two scourges being tackled under this programme are impunity and the black economy. The Government has made strides in contending with these problems. Since 2003 it has been striving to reduce tax evasion, secure the payment of duties and boost customs revenue. It has signed an agreement with the International Monetary Fund (IMF) on the adoption and implementation of macroeconomic policies to avoid a massive default on national and international financial commitments.

60. Budgetary readjustment has restored trust in the banking sector and paved the way to economic growth leading to the first real increase in per capita income since 1996. Public procurement has been reformed by the introduction of calls for tenders. This has not only made for greater transparency, but has reduced procurement costs by 40%.

61. In conclusion, favourable factors in the shape of social investment and moves to combat corruption and poverty do exist and they may contribute to the achievement of significant progress towards compliance with the terms of the Convention on the Rights of the Child. To this end, the Government is trying to ensure that social investment is used efficiently and transparently so as to restore macroeconomic stability, as well as trust in and the credibility of state institutions.

### **III. STOCKTAKING OF COMPLIANCE WITH THE COMMITTEE'S RECOMMENDATIONS**

62. The Committee on the Rights of the Child performs an all-important function in the process of monitoring the application of the rights embodied in the Convention in each of the countries which have ratified it. States parties are obliged to submit periodic reports on compliance with the Convention to enable the Committee to engage in such ongoing monitoring.

63. The Committee issued the following concluding observations after it had considered Paraguay's second report:

#### **A. General measures of implementation**

64. This section contains a summary of the Committee's recommendations and sets out its findings with regard to legislation, coordination, independent monitoring, the National Plan of Action, data collection, budgetary allocations, dissemination, capacity-building and cooperation with NGOs.

#### **1. The Committee's recommendations**

65. The Committee recommended that the State party should give effect to the recommendations made after its consideration of the first report.

66. The Committee's principal concerns pertained to: (a) legislative shortcomings; (b) lack of a monitoring mechanism; (c) difficulties in implementing rights owing to a shortage of implementing agents and insufficient social expenditure; (d) a need for more efficient means of protecting vulnerable sectors, and (e) a need for better tools and resources for children's survival and development.

67. The Committee's recommendations underscored a need to strengthen society and the various sections thereof through the combined efforts of governmental and non-governmental organizations to carry out monitoring activities and to comply with the terms of the Convention.

68. The remainder of this report will deal in detail with compliance with the various observations and recommendations made by the Committee.

#### **2. Legislation and compliance**

69. Act No. 1680/01, containing the Children's Code, which entered into force in 2001, repeals the Minor's Code which was based on the concept of an irregular situation.

70. Our policy framework tallies with the principles and paradigms of comprehensive protection, even though efforts must still be made to introduce new practices and to ensure that the provisions of all national laws are completely in line with these principles.

71. The Children's Code (Act No. 1680/01) establishes the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents which should guarantee that full effect is given to the rights of the child through the action of National Council for the Rights of Children and Adolescents which is responsible inter alia for preparing

and supervising the execution of national policy. The system regulates and encompasses programmes and action at national, departmental and local level, thus producing a decentralized setup.

72. The National Secretariat for Children and Adolescents (SNNA), created by Presidential Decree No. 15.201 of 31 October 2001, responds to the Executive branch. It is tasked with facilitating the coordination of the various organizational levels of the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents. It is responsible for giving effect to policies and for executing plans, programmes and projects lending momentum to public policies to remove social obstacles to the rights of the child.

73. The Secretariat started work in 2002. In 2003 the Adoption Centre was incorporated in it.

74. Although the Secretariat's budget has grown, it is still not large enough to meet current demands, something which restricts its ability to cope with the challenges and complexity of comprehensive care.

**Table: Growth in the Secretariat's budget**

Year	Approved budget	Supplementary budget	Total	Comments
2001				Act No. 1680/01 containing the Children's Code was passed and the National Secretariat for Children and Adolescents was created
2002				The National Secretariat for Children and Adolescents started work
2003	2,345,000,000	0	2,345,000,000	
2004	3,444,319,627	0	3,444,319,627	
2005	3,963,979,838	926,700,000	4,890,679,838	The budgetary increase was not passed on to the following budget
2006	3,655,044,680	1,500,000,000	5,155,044,680	The initial budget was cut, but the subsequent increase was maintained the following year
2007	5,322,630,205	1,730,520,000	7,053,150,205	The budgetary increase had no impact on the 2008 budget
2008	5,761,305,761		5,761,305,761	

*Source:* National Secretariat for Children and Adolescents.

75. This report was written in consultation with the various participants in three strategic meetings and three regional workshops attended by judges, prosecutors and defence lawyers working in juvenile courts, members of national and departmental Councils for the Rights of Children and Adolescents and of Municipal Advisory Boards for the Rights of Children and Adolescents, National Police officers, members of indigenous groups and youth organizations, representatives of the Coordinating Office for the Rights of Children and Adolescents (CDIA),

churches, the Office of the Ombudsman and educational and health authorities, Civil Registry officials and directors of children's homes and shelters. This approach included:

- (a) Participation by children from a variety of organizations and youth leaders from schools;
- (b) A meeting with indigenous children and youngsters from the western and eastern regions;
- (c) Input from judges, prosecutors and defence lawyers working in juvenile courts, university professors, the Coordinating Office for the Rights of Children and Adolescents, National Police officers and representatives of the Ministries of Education and Culture, Public Health and Social Welfare and Justice and Labour and of international cooperation partners.

76. National legislation recognizes a pregnant woman's constitutional right to ask for support for her child, the purpose of which is to provide for any urgent assistance needed in order to ensure good health during pregnancy and birth.

77. A child has rights as soon as he or she is conceived and the law protects him or her from that moment on. A child's right to receive a maintenance allowance must be seen through that lens. The Children's Code clearly states that "a pregnant woman may demand maintenance from the child's father. Such maintenance shall also include the obligation to pay for the expenses incurred by the mother on account of pregnancy and birth".

78. This constitutional right of the child is embodied in a specific law. Two things must be demonstrated:

- (a) Eligibility as the son/daughter, grandchild, niece/nephew, or sibling of the person from whom support is claimed. The appropriate document is the birth certificate. Similarly proof may be provided by means of the reply to interrogatories of the person against whom the claim is brought;
- (b) The economic capacity of the maintenance provider. This can be proved by any form of evidence, even brief witness statements.

79. Furthermore, with respect to legislation on child labour, Paraguay has ratified ILO Convention No. 138, concerning Minimum Age for Admission to Employment, of 1973 and ILO Convention No. 182, concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, of 1999. It has likewise passed Decree No. 4951 of 22 March 2005, implementing Act No. 1657/01 and approving the list of dangerous forms of child labour. All this progress is crucial for compliance with the Convention on the Rights of Child. Book V of the Children's Code entitled "Breaches of criminal law" makes provision for special juvenile courts. The Convention calls on States parties to establish a statutory minimum age for the criminal responsibility of minors. Pursuant to the commitment which we have accepted, our Code lays down that a young person is criminally responsible as from adolescence, in other words as from the age of 14. Act No. 2169/03 states that a punishable act committed by an adolescent will be punished by remedial or custodial measures "only when the application of socio-educational measures would be insufficient". In such cases, the measures for which provision is made in Book V of the Children's Code may be ordered only by a juvenile court.

80. Draft Act No. 3440/07 was approved recently. It amends several provisions of Act No. 1160/97, the Criminal Code enacted by Congress on 26 November 1997.

81. The Executive branch, in Decree No. 11707 of 11 January 2008 objected to some parts of the above-mentioned Act, namely article 1 amending articles 51, 139 and 140 of the Criminal Code, and article 2 which introduced derogations from it.

82. An interinstitutional round table has been set up. It consists of representatives of NGOs active in the defence of women and children, such as the Coordinating Office for the Rights of Children and Adolescents, the Community Educational Support Base (BECA) and Global Infancia, and of representatives of State bodies such as the judiciary, the Attorney General's office, the Public Defender's office, and the Municipal Advisory Board for the Rights of Children and Adolescents of Asunción. It plans to draw up a document supplying the Executive branch with reasons for vetoing the above-mentioned articles which undermine and are inconsistent with the comprehensive protection doctrine, the Children's Code and Act No. 2861, which punishes trade in and the commercial and non-commercial distribution of pornographic material using pictures and other representations of minors or legally incompetent persons. The approval of Act No. 2861, which characterized this crime, was a big step forward in the legislative area, as previously the failure to make such acts a crime had left children who were the victims of serial violations of their rights without protection. The impugned article would be an enormous setback to Paraguay's efforts to strengthen the comprehensive protection of children and young people, in that it would detract considerably from the achievements made with the passing of the above-mentioned Act.

83. Article 51 of the Criminal Code says the following with regard to probation:

“1. The Court shall, for a probationary period, suspend the execution of the remaining custodial sentence, when all the following conditions have been met:

1. Two thirds of the sentence have been served.
2. It is not expected that the convict will commit further punishable acts, even if he or she does not serve the remainder of the sentence.
3. The convict has applied for, or consented to, release on probation.

The decision shall be based on the convict's personality and previous life, the circumstances of the punishable act, his or her conduct while serving his or her sentence, his or her living conditions and the effects that suspension of the sentence will have.

2. In all other respects, the provisions of article 44 (4) and articles 45 to 50 shall apply.

3. In general, suspension of the sentence shall not be granted when the convicted person has made false or evasive statements regarding the whereabouts of objects which have been confiscated, or whose use is prohibited pursuant to article 86 *et seq.*

4. The Court may set time limits not exceeding six months during which no further application for suspension shall be admissible.”

84. The above-mentioned article makes direct reference to the graduated treatment given to juvenile offenders held in custody in national prisons. The Constitution (art. 20) and Act No. 210/1970 on prisons specify that the purpose of a custodial sentence is to rehabilitate convicted persons and to protect society through graduated treatment. The impugned Act substantially modifies two fundamental aspects of existing provisions. The first difference concerns the demand that all the legal conditions for probation must be met. At present, the court may grant probation without any other formalities and regardless of the prisoner's wishes, provided that two thirds of the sentence have been served and the prison director issues a good conduct report.

85. If the amended provisions are retained as they stand, courts will henceforth have to fulfil much stricter requirements, since a psychosocial report and a report on the likelihood or possibility of the convict reoffending will have to be provided without fail. This will hold up the court's processing of applications and the prison population will rise. This rise will inevitably lead to an increase in prison budgets to meet additional needs for infrastructure, food, recreation, etc.

86. Secondly, the impugned article contradicts the very notion of probation. This is an established right under ordinary criminal law and not a favour bestowed by the State. Of course, it applies in the final phase of the graduated treatment accorded to the convict and is conditional upon that person meeting certain standards of conduct, failing which this benefit is forfeited (Criminal Code, arts. 46 and 49). The criminal system offers prisoners with a record of good conduct the possibility of early reintegration into society, in accordance with the purposes of sentencing stipulated in the Constitution. Hence the wish to depart from this position is neither constitutional nor legal. The granting of probation is an obligation of the State which its administrative or judicial authorities must perform using a rapid procedure in accordance with the Code of Criminal Procedure, art. 496, the Constitution, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, rules 20.1 and 28.1 and the Criminal Code, arts.51, 46 and 49.

87. Article 139 of the Criminal Code, which concerns procuring, states:

“1. Anyone who induces into prostitution:

1. A person under 16 years of age
  2. A person between 16 and the age of majority by exploiting his or her helplessness, trust or naivety, or
  3. A person between 16 and the age of majority who is in his or her care, shall be punished by imprisonment of up to five years, or by a fine.
2. When the offender acts for commercial gain, the penalty shall be increased to imprisonment of up to six years. The provisions of articles 57 and 94 shall likewise apply.
  3. When the victim is under 14 years of age, the penalty shall be increased to imprisonment for a maximum term of eight years.”

88. It must be emphasized that article 1 of the Convention on the Rights of the Child (which was ratified by Act No. 57/1990) says, “For the purposes of the present Convention, a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier”. Article 1 of Act No. 2169/2003, establishing the age of majority, is consistent with this provision of the Convention because it establishes the age of majority at 18.

89. Moreover procuring is a crime because it induces (persuades, convinces, entices or tempts) another person to engage in commercial sexual practices. In the wider sense, it may refer to the trade of pimps, brothel-keepers or traffickers who enrich themselves by sponsoring and exploiting the delivery of sexual services by others. Similarly the Convention requires States parties to undertake to protect children from all forms of sexual exploitation and abuse and article 34 (a) and (b) in particular call for measures to be taken against the inducement or coercion of a child to engage in any unlawful sexual activity and against the exploitive use of children in prostitution and other unlawful sexual practices.

90. Regardless of whether the sexual trade of adolescents occurs in the context of the family or outside it, it amounts to an abuse of trust in an adult as a result of social and economic uprooting. Criminal law must protect all adolescents who are trapped and/or defenceless because their family links have been severed.

91. In the light of the foregoing, it is reasonable to say that, since the impugned Act does not tally with the Convention’s definition of the child, or with the ordinary legal definition thereof (amended version of the Civil Code), because it has lowered the age limit of legal protection from 18 to 16, it must be challenged through the constitutional mechanism. (See art. 54 of the Constitution, arts. 2 and 31 of the Children’s Code, Act 57/90, arts. 1 and 34 (a) and (b) of the United Nations Convention on the Right of the Child and art. 2 of Act 2169/2003 establishing the age of majority.)

92. Furthermore article 140 of the Criminal Code, entitled “pornography related to children and adolescents”, states:

“1. Any person who:

1. Produces by any means publications whose subject is sexual acts involving minors under the age of 18 and which try to whet the sexual appetite by showing those persons’ genitals for pornographic purposes;
2. Organizes, finances or promotes public or private entertainment in the course of which a person under the age of 18 participates in the performance of sexual acts, or
3. Distributes, imports, exports, offers, exchanges, exhibits, disseminates, promotes or finances the production or reproduction of the publications referred to in the first subparagraph, shall be punished by imprisonment of up to five years, or by a fine.

2. Any person who produces the publications referred to in paragraph 1, subparagraph 1, shall be punished by imprisonment of up to three years, or by a fine.

3. The above penalties may be increased to up to ten years' imprisonment when:
  - The publications and entertainment referred to in subparagraphs 1 and 2, involve minors under the age of 14;
  - The offender exercises parental authority, custody or guardianship over the child or young person, or is entrusted with his or her education or care;
  - The offender colludes with persons who are responsible for the education, custody or guardianship of the child or young person;
  - The offender uses violence, force, threats, coercion, deceit, rewards or remuneration of any kind vis-à-vis the child, or the offender operates commercially, or as a member of a gang whose purpose is the repeated commission of the above-mentioned punishable acts.
4. Any person who, with the intention referred to in paragraph 1, subparagraph 1, obtains the possession of the publications referred to in subparagraphs 1 and 3 shall be punished by imprisonment of up to three years, or by a fine.
5. Articles 57 and 94 shall apply *mutatis mutandis*.
6. Persons convicted of the commission of the punishable acts described in this article may not generally benefit from probation.”

93. First, the Convention requires States parties to undertake to protect children from all forms of sexual exploitation and abuse and having regard in particular to article 34 (c) thereof, to prosecute the exploitation of children in pornographic performances and materials.

94. It is equally clear that the impugned Act, in going back on the characterization of child pornography, considerably detracts from the progress achieved by Act No. 2861/2006 which is now in force. This Act adequately implements the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in that it punishes the three main consequences of the use of children in pornography namely production, distribution and consumption.

95. It must be pointed out that the above-mentioned Act received accolades from international organizations and the judiciary, although the difficulty of proving that sexual appetite had been whetted and the draconian sentences were explicitly criticized. Act No. 2861/2006 was praised and welcomed at meetings of the High Level Authorities in Human Rights of the Common Market of the South (MERCOSUR).

96. In addition, civil society organizations were of the opinion that the Act set a standard for the protection of Paraguayan youngsters, in that it covered not only the production and reproduction of pornographic material, but a series of connected activities such as the distribution and marketing of such material, or the exhibiting of children and also prohibited alternatives to pre-trial detention. In particular it made reporting of the offence obligatory and severely punished the use by state officials of confiscated pornographic materials in order to prevent their reintroduction on the market.

97. Act No. 1600/00, passed in 2000, recognizes that domestic violence is a social ill. But the Criminal Code, unlike Act No. 1600 and the Children's Code, requires the aggression to be repeated and habitual in order for it to be defined as family violence or the ill-treatment of minors. In the case of the ill-treatment of minors, the amount of harm is also relevant, since there is a reference to it having to be "serious".

98. The articles of the Criminal Code related to family violence or the ill-treatment of children are quoted below.

“SECTION I. PUNISHABLE ACTS AGAINST THE PERSON

CHAPTER VI. PUNISHABLE ACTS AGAINST MINORS

[...]

Article 134. Ill-treatment of minors

A person legally responsible for the education, guardianship or custody of a child aged under 16 years who subjects this child to considerable mental suffering or severe and repeated maltreatment, or damages his or her health, shall be sentenced to deprivation of liberty for up to two years or to a fine, except when the offence is punishable under article 112.

[...]

SECTION IV. PUNISHABLE ACTS AGAINST HARMONIOUS  
RELATIONS BETWEEN PERSONS

CHAPTER I. PUNISHABLE ACTS AGAINST MARITAL STATUS,  
MARRIAGE AND THE FAMILY

[...]

Article 229. Family violence

Any person who, within the family circle, habitually exerts physical violence on another person living with them shall be fined.”

99. Certainly one of the areas where the Government and civil society will have to strive to engineer changes as soon as possible is the revision of the penalties laid down in the Criminal Code for ill-treatment and violence. These penalties must be directly proportional to the harm inflicted on the victim and on society. In particular it is vital to reconsider the appropriateness of the fines established in some cases as an alternative to imprisonment, e.g. in:

- (a) Article 134. Ill-treatment of minors;
- (b) Article 135. Sexual abuse of children;
- (c) Article 136. Sexual abuse of wards;

- (d) Article 137. Rape;
- (e) Article 138. Homosexual acts with minors;
- (f) Article 139. Procuring;
- (g) Article 229. Family violence.

100. Concern about the weakness of some of the penalties established for these offences is exacerbated by the fact that acts characterized as crimes against sexual autonomy (the vast majority of victims being women) carry smaller penalties than those laid down in respect of punishable acts against material goods and property.

101. Paradoxically, while the sexual abuse of children and adolescents can be punished by imprisonment for up to five years (art. 135), cattle rustlers are liable to ten years' imprisonment. The theft of an animal carries a much more severe sentence than any of the penalties laid down for ill-treatment and sexual abuse and the alternative of paying a fine to avoid imprisonment is excluded.

102. Daily practice in applying the law will gradually reveal legislative strengths and weaknesses. Although the law recognizes that children have rights, internal and external mechanisms to guarantee them are lacking. For example, at the national level, multidisciplinary teams of child psychologists, social workers and psychiatrists have yet to be appointed or brought up to their full complement. Not all departments have such technical teams or all the financial and/or material resources allowing them to perform their functions.

103. The Supreme Court of Justice (CSJ), with the support of international cooperation partners and NGOs, has held training sessions for judges, public prosecutors, police officers and the staff of courts and the Attorney General's office. This is one of the central tasks which will continue, because it is vital to have qualified human resources, as well as mechanisms and procedures which facilitate the speedy application of the law in keeping with its fundamental principles. To this end, consultations have been held, with the support of USAID, between the Supreme Court of Justice, the National Secretariat for Children and Adolescents and civil society organizations dealing with children and young people in order to clarify the functions and responsibilities of the various actors mentioned in Act No. 1680/01, the Children's Code.

104. Although some criteria and attitudes stemming from the concept of an irregular situation still exist among some sectors of society and some parts of the Government owing to a resistance to, or lack of awareness of the new paradigm introduced by the comprehensive protection doctrine, they must be seen as remnants of the prevailing macho, authoritarian culture which is gradually being overcome.

105. Paraguay has made big strides in building up coherent legislation, although the institutional framework still requires buttressing. Policies for children and young people have been defined on the basis of the general principles of the Convention on the Rights of the Child, e.g. non-discrimination and the best interests of the child, the right to life, survival and development and respect for the opinions of children and young people.

### 3. Coordination

106. The National Secretariat for Children and Adolescents has the status of a ministry and responds to the Executive branch. Its duties are spelled out in article 41 (the functions of the Secretariat) of Act No. 1680/01, the Children's Code. They are to:

- (a) Carry out policies worked out by the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents;
- (b) Execute its own plans and programmes;
- (c) Set up the National Council for the Rights of Children and Adolescents and appoint departmental and municipal councils and boards for the rights of children and adolescents;
- (d) Facilitate relations and coordination between the various councils within the system;
- (e) Manage the technical and financial assistance provided by national and international institutions;
- (f) Authorize, register and oversee the functioning of protective organizations;
- (g) Register NGOs dealing with children and young people.

107. The National Secretariat for Children and Adolescents is the central authority which links and coordinates the work of institutions active on behalf of children and young people in Paraguay. It advocates gradual decentralization for the benefit of children and young people and provides backing for departmental and local bodies with the support of UNICEF, Plan Paraguay, the Organization of Ibero-American States for Education, Science and Culture (OEI), the MPDL, NGOs, churches and public bodies.

108. The National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents encompasses a set of linked and coordinated bodies whose aim is to give full effect to the rights of the child in Paraguay.

109. The System consists of:

(a) The National Council for the Rights of Children and Adolescents comprising representatives of the Ministries of Public Health and Social Welfare, Education and Culture and Justice and Labour, the Attorney General's office, the Public Defender's office, national NGOs and departmental Councils. It is chaired by the National Secretariat for Children and Adolescents (Children's Code, chapter 2, art. 42, statute and membership). According to article 43 thereof its duties are to:

- (i) Formulate policies to promote and protect the rights of the child;
- (ii) Approve and supervise the specific plans and programmes drawn up by the Secretariat;

(iii) Establish its rules of procedure.

(b) Departmental Councils for the Rights of Children and Adolescents comprise (Children's Code, chapter 2, art. 44, statute and membership):

- (i) The Governor;
- (ii) The Council (*junta*) of the Department;
- (iii) The departmental secretariats of health and education;
- (iv) Departmental non-profit making organizations active on behalf of children and young people;
- (v) Departmental youth organizations;
- (vi) Municipal councils.

Seventeen Departmental Councils for the Rights of Children and Adolescents have been set up to coordinate programmes targeted on this sector with Municipal Councils and Advisory Boards for the Rights of Children and Adolescents.

(c) Municipal Councils for the Rights of Children and Adolescents comprise (Children's Code, chapter 4, art. 46, statute and membership)

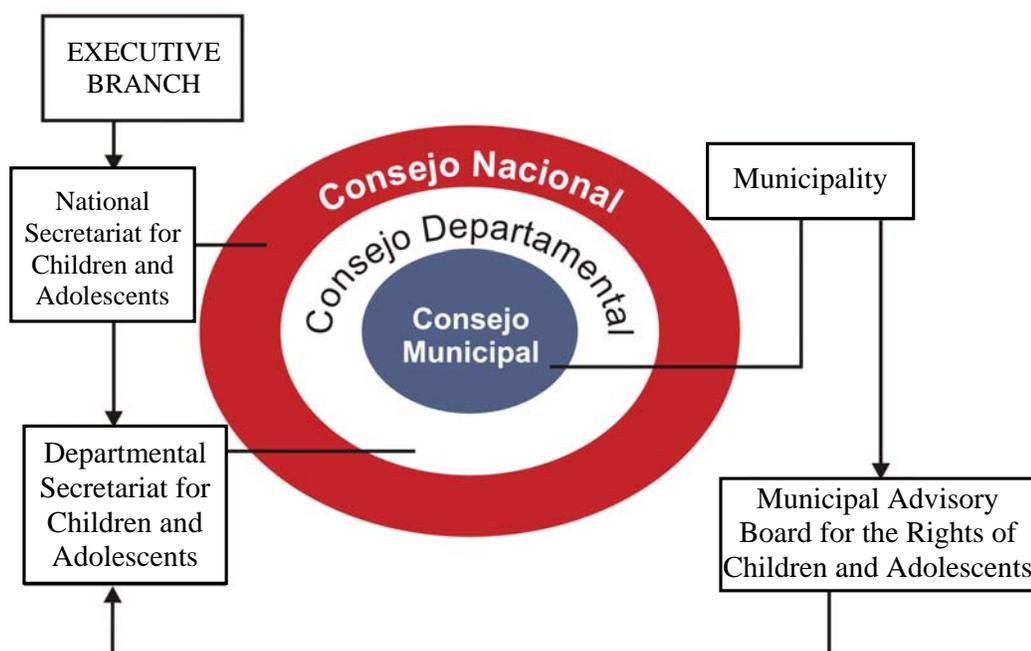
- (i) The Mayor;
- (ii) The Town Council (*junta*);
- (iii) NGOs working on behalf of children and young people;
- (iv) Neighbourhood commissions or municipal development boards;
- (v) Youth organizations.

Its duties are to run programmes directly protecting and promoting all aspects of the rights of children and adolescents in their municipality, to coordinate programmes and activities undertaken by the public and private sector on behalf of children and adolescents and to submit the annual budget for programmes on behalf of children and adolescents to the municipality.

(d) Municipal Advisory Boards for the Rights of Children and Adolescents, in accordance with the Children's Code, chapter V, art. 48 *in fine*, provide free continuous services for the protection, promotion and defence of the rights of children and adolescents. They may not adjudicate disputes. They are headed by a director and are made up of professional lawyers, psychologists, social workers and specialists in other disciplines, as well as local staff with recognized experience in providing services to the community (Children's Code, art. 49, membership).

110. Paraguay has 231 municipalities. 188 Municipal Advisory Boards for the Rights of Children and Adolescents have been set up. Constant supervision is necessary in order to ensure that duties assigned under Act No. 1680/01, the Children's Code, are performed properly.

## NATIONAL SYSTEM OF COMPREHENSIVE PROTECTION AND ADVANCEMENT OF CHILDREN AND ADOLESCENTS



111. The membership of these entities helps to secure the proper implementation of the Children's Code at the administrative level. This is a slow process because of the weak institutional framework and the poor development of local youth services.

112. One of the principal management strategies of the National Secretariat for Children and Adolescents is to work closely with state institutions, NGOs and cooperation partners to permit the implementation of plans, programmes and projects to assist children and young people. One of the projects carried out sought to consolidate the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents. It was a joint project of the National Secretariat for Children and Adolescents, UNICEF, Plan Paraguay, the MPDL, Global Infancia and the FORTALESER Foundation. It was coordinated with NGOs through the Coordinating Office for the Rights of Children and Adolescents, the Marco Aguayo Foundation,

the shelters run by the Ministry of Justice and Labour, the Institute for Comparative Studies in Criminal and Social Sciences (INECIP), SOS Children's Villages Paraguay, the Hearts for Childhood Foundation and ENFOQUENIÑEZ, among others.

113. Public and private bodies have improved their negotiating and organizational skills. This is most useful when it comes to drawing up and implementing policies and programmes for children and young people.

114. Strategic alliances between public institutions, NGOs, cooperation partners and the media permit better protection of rights at local, departmental and national level.

115. Agencies in the United Nations system, first and foremost UNICEF, promote and support these coordination processes and the forging of alliances as a working strategy for building an increasingly strong team of organizations where the institutional independence of each is respected.

#### **4. Independent monitoring**

116. The adoption and passing of laws ratifying human rights agreements may be highlighted as an element of the legislative progress recorded in recent years.

117. In the area of public policy, the establishment of human rights units within various government agencies has made it possible to take account of and give effect to numerous government decisions.

118. The Office of the Ombudsman has been established pursuant to the 1992 Constitution to safeguard human rights, handle complaints from the public and protect community interests.

119. It is a novel institution in Paraguay. Its creation was prompted by society's urgent need for adequate means of combating arbitrary decisions and injustice. The Office of the Ombudsman therefore offers citizens an alternative channel for submitting protests, complaints or denunciations regarding rights violations.

120. The role of the Office of the Ombudsman is to investigate any human rights violations caused by acts, deeds or omissions of state or private bodies providing public services. Any person, regardless of their age, nationality or place of residence, may turn to the Office without any restriction or discrimination whatsoever and without any need to exhaust previous remedies.

121. Children and adolescents may, like any other person, submit their protests, complaints or requests to the Ombudsman free of charge. Applications may be made orally or in writing and directly without the assistance of a lawyer. Applications are handled by the Delegates of the Ombudsman who take turns in dealing with cases.

122. The Department for Children and Young Persons of the Office of the Ombudsman was set up in October 2005. The head of this department is responsible for taking action, in his capacity of Delegate for Children and Young Persons, in the event of youngsters' rights being violated by the judiciary, administrative authorities or private individuals. He safeguards the respect of human rights in judicial proceedings and is also responsible for promoting these rights in all areas.

123. According to the Ombudsman's reports to Congress, successful action has been taken in judicial cases involving children and adolescents and in proceedings regarding children and/or young people at risk, or who had been abandoned.

124. The Office of the Ombudsman also plays an active role in monitoring conditions in juvenile prisons. As part of its work in supervising the activities of the public authorities, it has submitted its recommendations on the infrastructure and living conditions in these prisons to the Ministry of Justice and Labour and the Adolescent Offenders Welfare Service (SENAAI).

125. A handbook setting out the functions of the Department for Children and Young Persons has been drawn up and there are plans for defining, with the participation of the department's staff, a process for handling denunciations which will be publicized in order to encourage people to come forward. As part of this dissemination work, an attempt will be made to explain to the general public the difference between juvenile defence lawyers who work in courts and the Department for Children and Young Persons of the Office of the Ombudsman and the role played by each of these entities.

## **5. National Plan of Action**

126. The National Plan of Action, approved in December 1991, came into being in response to the undertaking given by Paraguay at the World Summit for Children organized by the United Nations in September 1990. The National Plan of Action has become a benchmark for children's programmes. Initially difficulties were encountered in carrying out the dissemination and interinstitutional coordination activities planned by the Government and civil society, but they have gradually been put in place. The budgetary factor likewise hampered full implementation of the Plan.

127. On 14 June 2003 the National Council for the Rights of Children and Adolescents issued Resolution No. 01/03 approving the National Policy on Childhood and Adolescence 2003-2013 (POLNA) and the National Plan of Action on Childhood and Adolescence 2003-2008 (PNA) with a view to "securing the full development of the rights of the child in Paraguay, as well as the effective exercise of the rights embodied in the Convention on the Rights of the Child, the Constitution, the Children's Code and the pertinent laws".

### ***Objective of the National Plan of Action***

128. The objective of the National Plan of Action is to secure the full development of children and young people as well as their effective exercise and full enjoyment of their rights.

129. Various kinds of action have been taken for this purpose:

(a) Formulation and implementation of fundamental rights-based universal policies that promote the comprehensive protection of all children and adolescents;

(b) Design and execution of policies centred on specific problems affecting especially vulnerable groups of children and young people.

130. Careful targeting of action under the National Plan of Action makes it possible to:

- (a) Ensure that the most vulnerable groups are covered;
- (b) Develop adequate systems for the delivery of services tailored to needs;
- (c) Offer low-income groups basic opportunities for achieving an adequate level of human development.

131. In order to strengthen coordination between institutions that endeavour to defend children's rights at local and national level, the Government drew up the National Plan of Action in a participative process as required by the Children's Code. The National Secretariat for Children and Adolescents was in charge of this process in which government organizations, NGOs and youth organizations participated.

132. The National Plan of Action pays due heed to the principles that guided the formulation and implementation of the National Policy, these being:

- (a) The best interests of the child;
- (b) Universality, integrality and indivisibility;
- (c) Quality and efficiency;
- (d) Decentralization and participation;
- (e) Gender equality.

133. The coordination, execution and supervision of the National Plan of Action is the responsibility of the National Secretariat for Children and Adolescents which must report regularly to the National Council for the Rights of Children and Adolescents on progress with the plan's implementation. It is the responsibility of the National Council to coordinate the action taken by the various components of the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents with a view to carrying out the activities planned or devised with a view to filling gaps in care or to remedying shortcomings in earlier measures.

134. The National Plan of Action was approved in December 2003 by the National Council for the Rights of Children and Adolescents, as were the national plans for the prevention and eradication of child labour and the protection of adolescent labour and for the prevention and eradication of the sexual exploitation of children and young people in Paraguay.

135. The National Policy on Childhood and Adolescence, which frames these plans, is based on the comprehensive protection doctrine and on the conviction that only a joint effort on the part of the Government, international organizations, civil society and youth organizations will permit the development of effective policies and programmes tailored to the specific needs of the sector.

136. In March 2005, the action taken by the Government and civil society to implement the National Policy and National Plan of Action on Childhood and Adolescence was evaluated and

analysed by public and private organizations with a view to obtaining feedback and agreeing on mechanisms to improve coordination and effectively achieve the goals set.

137. The process involved the participation of 29 representatives of 12 public sector institutions, 25 representatives of 22 civil society organizations and representatives of international organizations. The main conclusions were:

(a) With regard to the results expected from the National Plan of Action as far as basic universal policies were concerned:

- (i) The National Policy on Childhood and Adolescence had been formulated;
- (ii) The National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents had been introduced and was gradually being expanded;
- (iii) A rights-based approach was starting to be incorporated as a matter of course into government action plans.

(b) Advances were being made towards building stronger institutions to defend children and young people, notwithstanding persistent structural weakness due to the need for more resources. More investment was being made in some areas and the Government was involved in activities forming part of the social programmes being run by the Social Action Secretariat.

(c) Civil society had provided much of the momentum behind policy making and the adoption of the Children's Code which provided for the establishment of the National Secretariat for Children and Adolescents. The National Secretariat had concentrated on launching the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents and on ensuring that children and young people were given priority and that their concerns were duly taken into account in the public sector's plans and programmes, as well as on coordination with key institutions.

(d) With regard to the results expected from the National Plan of Action as far as targeted social policies were concerned:

- (i) Targeted intervention models had been coordinated and new models developed to cover gaps in care;
- (ii) The local components of the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents were the driving force behind the implementation of targeted models;
- (iii) The local components of the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents had gradually expanded their action;
- (iv) The rights of the child had been disseminated at the national level;

(e) Civil society had done some crucial work in informing actors in the local public sector, especially at the municipal level, about the rights of the child.

(f) Targeted policies had given rise to national plans to prevent child labour and the commercial exploitation of children and to protect adolescent labour. The Executive branch and the general public had regarded the problems of street children as a priority, because that survival strategy was spreading rapidly.

(g) Lastly, it was agreed that an integral approach was essential and that the protection of minors was an urgent and important matter.

138. Implementation of the National Plan of Action calls for better intermeshing of the work of the national and local entities, government bodies and NGOs responsible for carrying out the activities in question. Similarly there is a need for more social investment and for a monitoring and evaluation mechanism making it possible to identify advances and setbacks in the application of the Convention.

139. The National Plan of Action has managed to overcome some of the shortcomings highlighted in the earlier analysis, above all because there is now a coordinating body. Nevertheless the monitoring system must be used as tool in order that those responsible for executing the Plan gain ownership of it and achieve results with a greater impact.

## 6. Data collection

140. In order that national and international undertakings can be fulfilled, UNICEF is providing the Directorate-General for Statistics, Surveys and Censuses (DGEEC) with technical assistance to develop and implement the *DevInfo* programme (known as *ParInfo* in Paraguay), which employs software created exclusively in order to access national demographic data. *ParInfo v1.0* is a database system that stores, organizes and displays socio-economic indicators classified under various headings. By centralizing Paraguayan statistics on clearly defined topics, it offers a tool for the presentation of data in tables, diagrams and maps.

141. The system provides access to indicators organized according to sectors, goals, etc. for data management. The database comprises 156 indicators, 13 sectors, 37 classes and more than 35,000 files containing national, departmental and district information and a chronological series ranging from 1990 to 2003 in most cases. The purpose of *ParInfo* is to boost national capacity to monitor the fulfilment of various national and international undertakings and progress towards national and international goals. Its structure helps to organize and present information about Millennium Development Goals indicators.

142. The following entities provide information and/or technical assistance with updating Millennium Development Goals indicators:

- (a) Inter-American Association of Sanitary and Environmental Engineering;
- (b) Central Bank of Paraguay (BCP);
- (c) Strategic Consulting;

- (d) Ministry of Education and Culture;
- (e) Ministry of Public Health and Social Welfare;
- (f) UNICEF;
- (g) Paraguayan Centre for Population Studies (CEPEP);
- (h) Directorate-General for Statistics, Surveys and Censuses;
- (i) Paraguayan Sanitary Services Supply Company (ESSAP);
- (j) Sanitary Services Regulatory Office;
- (k) National Indigenous Institute;
- (l) Ministry of Agriculture and Livestock (MAG);
- (m) National Parliament;
- (n) The Environment Secretariat (SEAM).

143. The *DefInfo LAC* database contains information on:

- (a) Millennium Development Goals;
- (b) Education for All;
- (c) Ibero-American Development Agenda;
- (d) Demography;
- (e) Social policy and expenditure;
- (f) Health and reproductive health;
- (g) Emergencies (armed conflicts and natural disasters);
- (h) Infant development;
- (i) HIV/AIDS;
- (j) Protection of children;
- (k) Populations of indigenous peoples and Afrodescendants.

144. The Directorate-General for Statistics, Surveys and Censuses includes in the Permanent Household Survey (EPH) questions concerning 10 indicators related to the implementation of the rights of the child in the fields of health, nutrition and access to potable water and sanitation. They are indicators used in the Multiple Indicator Cluster Survey (MICS), which is the

household survey developed by UNICEF in order that countries can fill in gaps in data so as to monitor the situation of women and children. It can produce internationally comparable and statistically adequate estimates of these indicators.

**Paraguay: Estimated infant mortality rate. Vaccination coverage of children of 1 year of age against measles, mumps and German measles in 2005**

Indicator	Deaths per 1,000 live births Total	Deaths per 1,000 live births Urban areas	Deaths per 1,000 live births Rural areas	Deaths per 1,000 live births Males	Deaths per 1,000 live births Females
Estimated infant mortality	34.5	34.3	34.5	39.4	29.2

Indicator	Total percentage
Vaccination coverage of children of 1 year of age against measles, mumps and German measles	89.8

Indicator	Total percentage	Percentage Urban areas	Percentage Rural areas	Percentage of non-poor	Percentage of poor
Estimated vaccination coverage of children of 1 year of age against measles, mumps and German measles	82.6	85.3	79.6	59.8	40.2

**Sources**

DGEEC: Permanent Household Survey

DGEEC: National Population

Ministry of Public Health and Social Welfare: Mass Immunization Programme.

145. Information on the situation of children and adolescents is provided by the Continuous System of Statistical Information (SIEC) of the Ministry of Education and Culture, the Permanent Household Survey conducted by the Directorate-General for Statistics, Surveys and Censuses and the National Demographic and Sexual and Reproductive Health Survey (ENDSSR) conducted by the Paraguayan Centre for Population Studies with the support of the United Nations Population Fund (UNFPA), USAID and the International Planned Parenthood Federation (IPPF).

**Population from birth to the age of 17 broken down by quintiles of per capita income according to place of residence and age groups**

Place of residence and age groups	Income quintiles per capita household					
	Total	20% poorest	Next 20%	Next 20%	Next 20%	20% richest
<b>Total</b>	<b>5,946,471</b>	<b>1,189,430</b>	<b>1,187,676</b>	<b>1,191,475</b>	<b>1,185,285</b>	<b>1,192,605</b>
0-4	10.4	14.7	11.7	11.1	8.3	6.4
5-9	12.1	17.6	15.0	11.3	8.9	7.5
10-14	12.6	17.8	15.3	12.4	10.1	7.5
15-17	7.2	7.7	8.0	7.5	7.1	5.8
18 and over	57.7	42.2	50.0	57.7	65.6	72.8
<b>Urban areas</b>	<b>3,455,333</b>	<b>692,409</b>	<b>689,907</b>	<b>690,048</b>	<b>692,107</b>	<b>690,862</b>
0-4	9.8	14.8	10.5	11.0	6.3	6.3
5-9	11.2	17.8	14.1	9.1	8.2	6.9
10-14	11.5	16.8	13.2	11.5	9.7	6.2
15-17	7.2	7.0	8.5	7.5	6.7	6.0
18 and over	60.3	43.6	53.7	60.9	69.1	74.6
<b>Rural areas</b>	<b>2,491,138</b>	<b>498,544</b>	<b>499,344</b>	<b>496,641</b>	<b>497,957</b>	<b>498,652</b>
0-4	11.4	15.3	11.9	10.4	11.7	7.4
5-9	13.2	17.2	15.8	12.9	11.4	8.6
10-14	14.2	19.1	16.7	14.7	11.4	8.9
15-17	7.3	8.1	7.9	7.6	7.4	5.6
18 and over	54.0	40.3	47.7	54.4	58.0	69.5

*Source:* DGEEC Permanent Household Survey 2006.

146. Although a centralized, updated and complete database of information regarding children and young people is still needed, ministries do have data on their own programmes and objectives.

147. The National Secretariat for Children and Adolescents has initiated steps, with the help of the Inter-American Children's Institute, to contribute to the Inter-American Child Information Network (RIIN), a database containing information on youth topics.

## **7. Resources for childhood and adolescence**

148. Paraguay is lagging behind in the implementation of the Convention, but social investment has been growing since 2004. The current economic growth promotes human development, since economic and social policy is interrelated.

149. Paraguay's economy traditionally rests on the export of primary and agricultural products plus the re-export of foreign products (triangulation).

150. The export of agricultural goods has been of benefit to city-dwellers and to the modern large-scale agriculture and livestock sector (soya and cattle), but it has not improved the quality of life in rural areas, especially that of farmers using traditional low-yield techniques to cultivate their small plots of land.

151. Organizations within the United Nations system take the view that Paraguay's productive structure is not strong enough to contend with the changing economic order, because the population has unequal opportunities to access productive resources and social services and because the rule of law is limited in scope.

152. Figures for 2005 are very encouraging, as they show that poverty is receding for the third year running. The number of people living below the poverty line has fallen to 38.2% of the population. About half of these poor people, or 15.5%, live in extreme poverty, which means that some 902,000 persons do not have enough income to cover their basic food requirements.

153. In 2000/2001 income distribution had become more unequal since in 1997/1998 the richest 10% of the population accounted for 41% of the country's total family incomes, but in 2000/2001 this figure had climbed to 43%. This deterioration in living conditions went hand in hand with a drop in the Government's social expenditure.

154. The present Government, which has been in office since August 2003, intends to press on with strengthening the formal economy and combating inefficiency, corruption and tax evasion, this being the purpose of the Millennium Challenge Threshold Programme which is receiving the support of the Government of the United States.

## Scope of the Programme

**2** guiding  
principles  
**3** Branches of  
government

**10** Projects

**28** institutions

1. FIGHT AGAINST IMPUNITY AND CORRUPTION
2. STRENGTHENING OF THE FORMAL ECONOMY

1. EXECUTIVE BRANCH
2. THE LEGISLATURE
3. THE JUDICIARY

1. STRENGTHENING PROSECUTING AUTHORITIES' INVESTIGATIVE CAPACITY
2. DEVELOPMENT OF THE JUDICIAL DISCIPLINARY SYSTEM
3. AMALGAMATION OF THE SUPERVISORY SYSTEMS OF THE COMPTROLLER GENERAL'S OFFICE AND THE AUDIT OFFICE OF THE EXECUTIVE.
4. LINKAGE OF PUBLIC RECORDS (PERSONS, VEHICLES, CONVICTIONS)
5. OVERSIGHT OF PUBLIC EXPENDITURE BY THE LEGISLATURE
6. BOOSTING THE OPERATIVE EFFICIENCY AND TRANSPARENCY OF THE SUBSECRETARIAT OF STATE FOR TAXATION
7. BORDER AND CUSTOMS CONTROL SYSTEM OF THE NATIONAL CUSTOMS SERVICE
8. STRENGTHENING THE INVESTIGATIVE CAPACITY OF THE MINISTRY OF FINANCE, CUSTOMS AND INLAND REVENUE
9. REDUCING THE TIME REQUIRED TO OPEN A BUSINESS
10. ENCOURAGING THE SETTING UP OF OFFSHORE PROCESSING INDUSTRIES (*MAQUILADORES*)

National Congress, Supreme Court of Justice, Attorney General's Office, Comptroller General's Office, Audit Office of the Executive, Ministry of the Interior, Ministry of Finance, Ministry of Public Health and Social Welfare, Ministry of Public Works and Communications, Ministry of Agriculture and Livestock, Ministry of Industry and Commerce, Subsecretariat of State for Taxation, Paraguayan Navy, National Directorate of Customs, Registry of Motor Vehicles, Commercial Registry, Identification Department of the National Police, National Council of *Maquiladora* Export Industries, National Department of Plant and Seed Control quality, National Institute of Technology, Standards and Metrology, Environment Secretariat, Civil Registry, National Anti-Drug Secretariat, National Navy, Municipality of Asuncion, Social Insurance Institute, Registry of Criminal Records.

INLAND REVENUE INVESTIGATION UNIT

Indicators	Targets	Results
1. Number of cases referred to the Attorney General's Office	30	142
2. Reports on financial crimes sent to the Secretariat for the Prevention of Money Laundering	30	155
3. Accusations presented by civil society	36	25

**Increase in the collection of taxes**

**G. 16.477.799.902**

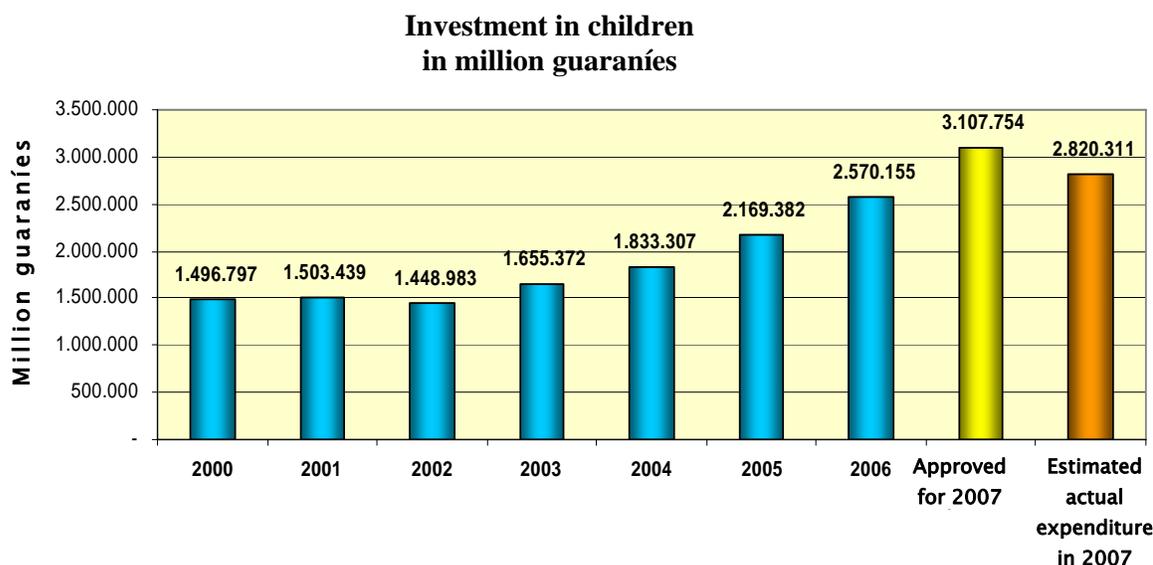
CGIA – CUSTOMS INVESTIGATION UNIT

Indicators	Targets	No. of cases
1. Number of cases of internal corruption referred to the UII	15	26
2. Number of cases involving customs offences referred to the Public Prosecutor's office	30	117
3. Number of reports of financial crimes sent to the Secretariat for the Prevention of Money Laundering	15	19
4. Accusations presented by civil society		

155. The value of confiscated contraband amounted to US\$ 4,589,693,000, or 75.08% of the target.

156. The Paraguayan Government has increased social expenditure out of respect for the social, economic and cultural rights of the people and therefore of children and young people. In 2003, social investment amounted to 36% of the national budget. It grew steadily to 45% in 2007 and is set to reach 50% in 2008.

#### GROWTH BETWEEN 2000 AND 2007



*Source:* UNDP-UNICEF, *Investing in people*.

157. The advocacy and promotion of the UNDP-UNICEF project “Social Expenditure in the Budget”, together with Congress’s decision to give higher priority to such expenditure, has resulted in it rising from 36 to 45 per of total government resources between 2003 and 2007. Nevertheless, as the Common Country Assessment in 2005 showed, social investment is lower in Paraguay than in other countries in the region.

158. One of the reasons why Paraguay has fewer resources for social investment is that it is one of the Latin American countries with the lowest tax burden. According to the IMF, tax evasion works out at some 60% of the amount which should be collected. In order to boost revenue, the Government is in the process of improving collection and has achieved a 122% increase in the period 2002-2006.

159. In recent years, economic policy has resulted in stability, significantly higher revenue and much larger foreign currency reserves as the country starts to regain the international community’s trust.

160. After nine years of persistent deficit, in 2004, under the democratic regime, the financial year ended for the first time with a surplus of US\$ 100 million and an inflation rate of 2.8%.

In the following four years income exceeded expenditure and the 2007 financial year again ended in surplus. This situation constitutes a sound basis for launching structural social change.

161. Social investment is closely associated with the battle against poverty. The Government has devised an Economic Growth with Equity Plan which aims to cut the extreme poverty rate to 13% by 2008 and to 7% by 2015.

162. A National Poverty Reduction Strategy has also been drawn up. This is the legal instrument which generally guides the Government's measures to reduce poverty.

163. This strategy amounts to a targeted comprehensive social policy to fight poverty as part of efforts to reach the Millennium Development Goals and it establishes a set of action lines aimed at dealing with all aspects of poverty.

164. At the institutional level, the strategy links the functions and activities of the key institutions responsible for social provision, namely the Social Planning Team, the Directorate for the National Strategic Plan to Combat Poverty (DIPLANP) and the Technical Planning Secretariat for Economic and Social Development of the Office of the President.

165. The Social Planning Team was set up by Decree No. 401 of 19 September 2003 to coordinate the Government's social policies and programmes. It is responsible for drawing up social plans and programmes and for guiding the formulation of the strategic plan that underpins social policy to fight poverty, inequality and exclusion. It is also responsible for coordinating activities related to social policy by liaising between various state institutions.

166. It is up to the Social Action Secretariat to identify, coordinate, administer and supervise the plans, programmes, projects and activities delineated by social policy which are to be carried out by public and private bodies in towns and the countryside. It must also establish priorities in the battle against poverty. It does this by means of interinstitutional agreements on the transfer of funds in keeping with the corresponding legal rules.

167. The Directorate for the National Strategic Plan to Combat Poverty is responsible for giving the State a flexible and effective mechanism ensuring the rapid, efficient, transparent and participative execution of the National Poverty Reduction Strategy.

168. The National Council of the Social Equity Fund is in charge of securing the proper functioning of the Social Equity Fund (FES) and promoting the execution of social policies to stamp out poverty.

169. Its duties include those of approving programmes and projects financed by the FES, supervising the managerial activities of the Executive Director of the FES, analysing reports to be presented to the Social Planning Team, supervising the correct management of FES resources and signing interinstitutional or intergovernmental agreements with non-governmental associations or entities to further the achievement of its aims.

170. The FES receives technical and financial support from UNDP. It is a mechanism that makes it possible to set priorities for national and international public funding for action directed at the poorest and most vulnerable sectors of the population, with a view to reaching the Millennium Development Goals and thereby reducing the social exclusion engulfing children.

171. The tools designed for this purpose by the Social Action Secretariat encourage objective targeting on beneficiaries by employing innovative methods of evaluating and monitoring projects. Their application should therefore be extended to all pro-poor programmes.

172. The Geographic Priority Index (GPI) makes it possible to pinpoint districts with the highest proportion of chronic poverty so as to determine which areas should receive priority attention. It combines two methodologies for gauging poverty, i.e. unsatisfied basic needs (UBN) and income poverty measured against a basic basket of foodstuffs.

173. A community census is conducted in order to establish family records. The form used for this purpose supplies a full picture of families' living conditions. It is also used for the final selection of beneficiaries on the basis of a quality of life index (QLI). It also serves to provide a baseline for objectively assessing the impact of programmes.

174. Mechanisms designed to pinpoint localities and objectively select beneficiaries in greatest need must be accompanied by instruments for the subsequent monitoring and evaluation of programmes and by information systems ensuring their efficient implementation.

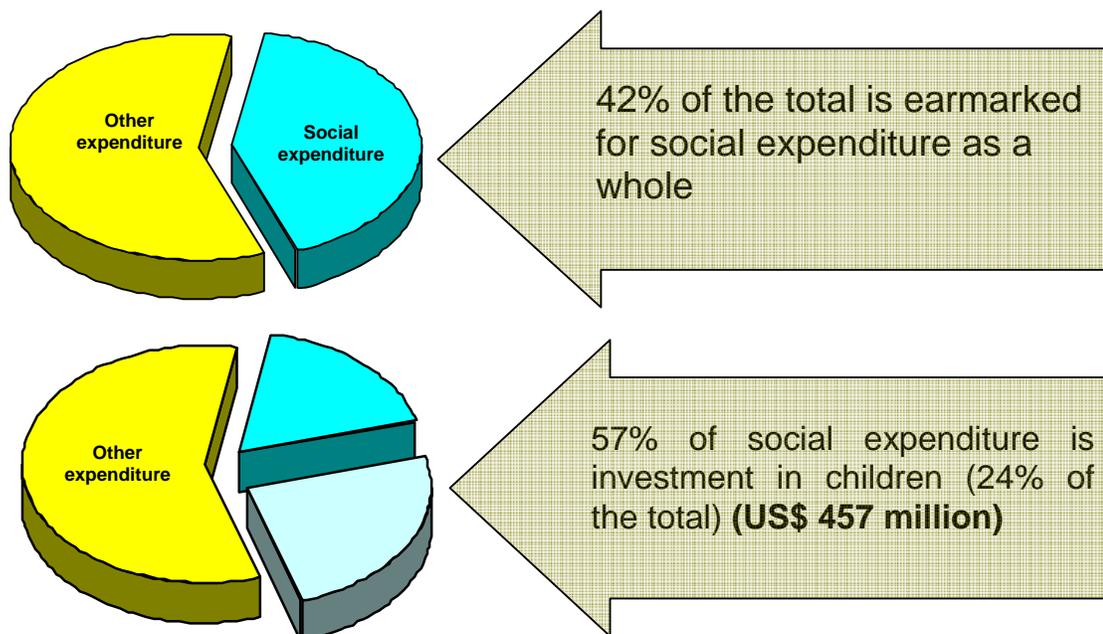
175. Paraguay stands by, and has added substance to, its undertaking to give higher priority to social expenditure through the introduction of the Economic Growth with Equity Plan which encompasses the following action lines: reform and modernization of public authorities; reliable and foreseeable economic environment; sustainable economic growth; equal education opportunities to improve human capital; public works and housing construction; raising the country's profile abroad and international integration, and fighting poverty and social exclusion.

176. The purpose of the joint UNDP-UNFPA-UNICEF project "Social expenditure in the budget", the agreement signed between the Ministry of Public Health and Social Welfare and the Gender Equality Commissions of both houses of parliament and UNFPA support is to see to it that these additional resources are used efficiently.

177. One achievement has been the improved capacity to collect taxes which has been in evidence since the second half of 2003. This in turn has resulted in GDP growth and consequently a better economic outlook.

178. Paraguay intends to devote 50% of the budget for 2008 to social investment. Reaching this target will give it the resources for meeting some of the challenges entailed by the Millennium Development Goals and this will be to the advantage of socially excluded children.

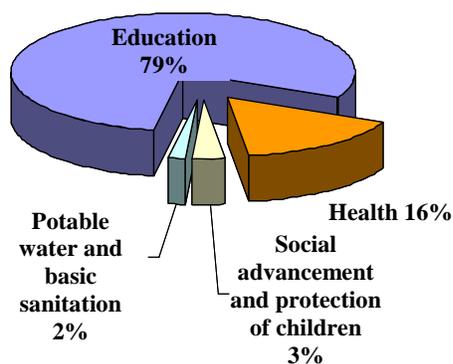
**Table: Social expenditure in favour of children in 2006**



Source: UNDP-UNICEF *Investing in people*.

179. Investment in education made up 79% of investment in children in 2006. It is necessary to channel more resources to other sectors and improve efficiency so as to ensure a better overall spread.

180. The following table shows a breakdown of investment in children in 2006 according to sectors.



Non-discretionary budget	
Total percentage variation 2005-2006	18.5
Education and culture	16.3
Health	23.3
Potable water and basic sanitation	
Social advancement and protection of children	

Source: UNDP-UNICEF *Investing in people*.

181. The significant rise in social investment has not, however, been sufficient to overcome the disadvantages suffered by excluded children and adolescents. Some sectors of the population require very specific economic policies guaranteeing them access to high-quality services. These policies are related to the fight against poverty and to the targeted programmes which are gradually being implemented.

182. Strengthening the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents is an ongoing task encompassing the promotion and dissemination of rights, capacity building and the improvement of knowledge, skills and procedures in tandem with local and departmental governments in order to ensure that Municipal and Departmental Councils and especially Municipal Advisory Boards for the Rights of Children and Adolescents function as the lead agencies for implementing the protection system, with a budget that makes it possible to set up a multidisciplinary team to tackle problems, including the living conditions of rural and indigenous children, at the local level.

183. The National Poverty Reduction Strategy generally guides Paraguay's action to reduce poverty and ushers in a new approach to social policy (holistic action) which has encouraged the formulation of youth policies.

184. The lion's share of this investment goes to education. The priority given to this sector explains the higher school attendance recorded in the last decade.

### **8. Dissemination of the Convention and capacity building**

185. Public and private institutions have stepped up their dissemination of the Convention on the Rights of the Child. During the initial stages, NGOs played a significant role by launching initiatives and conducting experiments in disseminating the Convention and capacity building.

186. State institutions and NGOs are making joint efforts to train and sensitize the judiciary, the education sector, health workers, the National Police and the community at large. Judges, lawyers, members of the police force, teachers and head teachers, health personnel, Civic Aduit officers and Civil Registry officials, among others, have been instructed in the provisions of the Convention and trained in its application.

187. Campaigns to advertise the Convention have dealt with the rights of the child and the content and scope of the Convention. Paraguay is determined to press on with training all professions that work with children and with acquainting the general public with the principles of the Convention.

188. Abundant training material has been produced in Spanish, Guaraní and other local languages. More creative methods, such as drama, music, audiovisual clips, banners and posters have been used for national, local and departmental dissemination activities. Children's participation has been crucial and feedback has helped to extend the outreach of each type of activity.

189. One of the measures with the greatest impact has been the inclusion of the Convention on the Rights of the Child in the curricula of all levels of education with the support of UNICEF, UNESCO and the Office of the United Nations High Commissioner for Human Rights. The rights embodied in the Convention are taught throughout the first, second and third cycles of

basic school education and especially in the recently reformed curriculum of the first cycle. In the first cycle, the Convention is studied in the context of social life, in the second cycle it is included in social studies and in the third cycle it forms part of the ethics and civic education syllabus.

190. In accordance with Decree No. 5039 of August 1994, Rights of the Child Week is celebrated in schools between 10 and 16 August. The Ministry of Education and Culture, together with NGOs such as Global Infancia, the Community Educational Support Base and the Coordinating Office for the Rights of Children and Adolescents, proposes ways of celebrating this week which is now observed in many schools.

191. In 2006 and 2007 Rights of the Child Week was organized by a roundtable comprising the Ministry of Education and Culture, the National Children's Platform of Paraguay, the Governor's Office of the Central department, the DEQUENI Foundation, Pastoral del Niño, the Social Action Secretariat, the Adolescent Offenders Welfare Service, the Ombudsman's Office, the Teresiana Foundation, the National Coordinating Office for the Comprehensive Development of Very Young Children (CONADIPI), the Municipal Advisory Board for the Rights of Children and Adolescents of Asunción, the Coordinating Office for the Rights of Children and Adolescents, UNICEF, Plan Paraguay and the National Secretariat for Children and Adolescents.

192. During this week, the Convention on the Rights of the Child is used as a reference point for triggering dialogue between youngsters and their community.

193. The media supply valuable cooperation in dissemination activities. Backing for this task has likewise been secured from private business in an attempt to make the most of available resources.

194. Educational institutions are constantly working to improve knowledge of the rights of the child and to incorporate them in the daily life of children and adults. The Ministry of Education and Culture and Global Infancia have conducted a valuable experiment in heightening awareness of the right to security by running the project "Risk Management in Schools" in five schools in the first educational district of Asunción. The project leaders say that it has made children, teachers and head teachers aware of the right to a safe life by conveying the message that safety is a right that should enjoy high priority on the public agenda.

195. The Municipal Advisory Boards for the Rights of Children and Adolescents are some of the main social actors which publicize the Convention in the municipalities of the country and which serve as a source of advice to and a receiver of complaints from the community. They constantly carry out activities to promote and defend the rights of the child.

196. The Municipal Advisory Boards for the Rights of Children and Adolescents of six towns (Encarnación, Areguá, Capiatá, Luque, Mariano Roque Alonso and Ñemby) are helping Global Infancia to run an ILO-funded project in schools which is aimed at preventing and eradicating domestic child labour in the homes of third persons.

197. The project began by capacity building and by creating an awareness of the principles of the Convention among members of the community who are of key importance in coordinating protection networks.

198. The Municipal Advisory Boards for the Rights of Children and Adolescents play a fundamental role at local level when it comes to meeting the challenges of implementing Act No. 1680/01, the Children's Code, but again they require more resources if they are to widen the coverage and impact of their work.

199. Similarly AVINA, Plan Paraguay and UNICEF help Global Infancia to run the "Global News Agency" which regularly circulates extensive reports of subjects related to the rights of the child. It sends electronic publications to the media and to a network of representatives of civil-society organizations, public bodies and international cooperation partners. One of the Agency's most important contributions is the annual report analysing the manner in which editors of newspapers and magazines treat youth topics.

200. Whenever the Ministry of Public Health and Social Welfare mounts campaigns on child health it always adopts a cross-cutting, rights-based approach by emphasizing the principles of the Convention on the Rights of the Child.

201. In 2005, 2006 and 2007, the National Secretariat for Children and Adolescents, together with state bodies, international cooperation partners and NGOs, organized a range of activities and campaigns to advertise the rights of the child.

202. Mention should be made of the following campaigns:

- (a) National campaign for identity "Give me a name, a family and a country";
- (b) Campaign to prevent cruelty to children "Show the red card to ill-treatment";
- (c) Worldwide campaign "Life's lessons";
- (d) Worldwide campaign "Saving lives", Tekove Poti national programme to curb the consumption of alcohol, tobacco and other substances;
- (e) Promotion of very early childhood (National Coordinating Office for the Comprehensive Development of Very Young Children);
- (f) "I love life" programme explaining how to prevent HIV/AIDS, which resulted in the collection of 100,000 signatures in support of a permanent budgetary appropriation for children living with HIV/AIDS.

203. The volunteers' and sponsors' guide, which was drawn up as part of the project to provide comprehensive care and protection for the young victims of the Ycuá Bolaños supermarket fire, was published in September 2004 by the National Secretariat for Children and Adolescents with the support of the Inter-American Children's Institute.

204. In June 2005, the National Secretariat for Children and Adolescents, acting with the approval of the National Council for the Rights of Children and Adolescents and the support of the MPDL and the ILO, published the paper "Building another Paraguay for Children and Young People". This paper contained:

- (a) The National Policy on Childhood and Adolescence;

- (b) The National Plan of Action on Childhood and Adolescence;
- (c) The National Plan for the Prevention and Eradication of Child Labour and for the Protection of Adolescent Labour, and
- (d) The National Plan for the Prevention and Eradication of the Sexual Exploitation of Children and Adolescents in Paraguay.

205. In 2006, the National Secretariat for Children and Adolescents and the National Council for the Rights of Children and Adolescents, with the support of UNICEF, published rules for the approval and operation of children's shelters forming part of the special protection system. These rules are currently undergoing revision and updating.

206. A manual on the comprehensive care of ill-treated children has been published with the approval of the National Council for the Rights of Children and Adolescents, the Community Educational Support Base, Plan Paraguay, UNICEF and the National Secretariat for Children and Adolescents.

207. The website of the National Secretariat for Children and Adolescents has been approved.

208. The Institutional Review for 2006 and 2007 of the National Secretariat for Children and Adolescents had been edited and issued. It contains a description of principles, measures, achievements and challenges, as well as articles on subjects specifically connected with children.

209. The Paraguayan Government, acting through the National Secretariat for Children and Adolescents and civil society, will redouble its efforts to devise strategies whose contents and methods help as many Paraguayans as possible to understand and take on board the principles of the Convention on the Rights of the Child.

## **9. Cooperation with NGOs**

210. The joint efforts of State bodies and NGOs have been and still are of value in furthering the implementation of the Children's Code in Paraguay.

211. The contribution made by NGOs to the formulation and implementation of public policy on children is recognized by the National Secretariat for Children and Adolescents and state institutions. Various thematic roundtables have strengthened and lent continuity to the coordinated work of these organizations. They reflect a shared sense of purpose and the determination of state institutions and civil society to continue their teamwork.

212. In accordance with its terms of reference, the Social Action Secretariat assists NGOs to devise various social projects that help to improve children's quality of life, including infrastructure projects, preventive action and care models.

213. As part of measures to secure comprehensive protection, the National Secretariat for Children and Adolescents has entered into agreements with a number of the country's universities under which students spend vocational training periods in children's homes and in indigenous communities in order to foster children's skills, and in private businesses, church

organizations and binational firms such as Itaipú and Yacreta in order to engage in activities targeted on highly vulnerable sections of the population.

214. Stronger strategic alliances have been forged in order to coordinate processes, projects and programmes with state bodies, NGOs, churches, private enterprise and international cooperation partners.

215. NGOs participate in various interinstitutional commissions. This participation has facilitated excellent cooperation in activities to eradicate and prevent child labour, protect adolescent labour and prevent the sexual exploitation of minors and human trafficking.

216. Such cooperation exists between the National Committee on Comprehensive Care for Street Children (CONAISCA), the Interinstitutional Commission to Prevent Violence and Promote Harmonious Relations among Citizens, the Executive Committee of the National Programme to Protect Children from the Consumption of Alcohol, Tobacco and Other Psychoactive Substances, the National Coordinating Office for the Comprehensive Development of Very Young Children, the National Commission for the Prevention and Eradication of Child Labour and the Protection of Adolescent Employment and the Social Protection and Promotion Network, among others.

217. Campaigns such as “Show the red card to ill-treatment” and the setting up of a telephone helpline “Fono Ayuda” have been carried out in cooperation with NGOs. The free helpline, reached by dialling 147, offers psychological, social and legal counselling for young victims of ill-treatment. It can be called by the youngsters themselves, or by any other person who knows of such cases.

218. The Institute for Comparative Studies in Criminal and Social Sciences, with the backing of USAID, cooperates with the National Secretariat for Children and Adolescents and other civil society organizations in promoting social dialogue between the judiciary and the youth sector, with a view to fostering participation and transparency within the framework of a project to enhance the performance of courts, transparency and access to information.

219. Child labour in the homes of third persons and its relationship with human trafficking has been examined at regular seminars held by the National Secretariat for Children and Adolescents, Columbia University of Paraguay, the ILO and the Centre for Child and Youth Studies (CENIJU).

220. Wide-ranging dialogue furthers cooperation and joint efforts, as can be seen in public policy forums and from the support given to the strengthening of the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents.

221. The first international seminar on cruelty to children, which was jointly organized by the Community Educational Support Base, the National Secretariat for Children and Adolescents, the Ministry of Education, UNICEF and Plan Paraguay, furthered the analysis of ways of tackling this problem. It produced some ideas and led to undertakings and the creation of protection networks in priority communities.

## **B. Definition of the child**

222. For the purposes of interpreting and applying laws relating to children and adolescents, the Paraguayan Government has established the following definitions:

- (a) Child: any human being from conception to the age of 13;
- (b) Adolescent: any human being between the ages of 14 and 17;
- (c) Adult: any human being over the age of 18.

223. In Paraguay the definitions of a child are contained in Act No. 2169/03 of 26 June 2003, which amends article 36 of Act No. 1183/85, the Civil Code, by setting the age of majority at 18. It also amends article 1 of Act No. 2702/01 and article 2 of Act No. 1680/01, the Children's Code in that it removes the category of "young adult".

224. Act No. 2169/03, which sets the age of majority, reaffirms that where doubts exist about the age of a person, it will always be presumed that he or she is a child or adolescent. Hence, in the event of there being any doubt as to the age of a person he or she will be presumed to be a child rather than an adolescent and an adolescent rather than an adult.

225. Under Act No. 1/92 partially reforming the Civil Code both sexes may marry as from the age of 16. Article 17 thereof stipulates that minors of either sex may not enter into wedlock below the age of 16, apart from in some exceptional cases, when they may do so as from the age of 14 with the authorization of the children's judge.

226. On the other hand, article 194 of the Criminal Code stipulates that adolescents between the ages of 14 and 17 have criminal responsibility, without prejudice to a young person being held blameless for an act committed as a result of their incomplete mental development, or for other reasons specified in article 23 and articles relating thereto of the Criminal Code.

227. Article 120 of the Constitution defines electors as Paraguayan citizens resident in the national territory, without distinction, who are aged 18 and over.

228. Act No. 569/75 establishes compulsory military service, but article 129 of the Constitution establishes the right to conscientious objection.

229. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which was ratified and approved by Act No. 1897/02, prohibits the recruitment of persons who have not attained the age of 18 years. Paraguay made a reservation to this provision, in which it stated that it allowed the voluntary recruitment of adolescents as from the age of 16. In response to the campaign mounted by the Coalition to End the Use of Child Soldiers, in March 2006 Paraguay withdrew this reservation with the consequence that both voluntary and compulsory recruitment of minors under the age of 18 is now prohibited.

230. The right of children and young people to education is recognized as a social and cultural right. Article 76 of the Constitution stipulates that basic education is compulsory and that it is free in state schools. The educational reform of 1993 lengthened this basic education to nine years for children between the ages of 6 and 14.

231. In 2003 Paraguay ratified ILO Convention No. 138 making 14 the minimum age for admission to employment. It likewise ratified ILO Convention No. 182 and Recommendation No. 190 concerning the prohibition and immediate action for the elimination of the worst forms of child labour, of 1999 through Act No. 1657/01. Further to this ratification, Decree No. 4951 of 22 March 2005 approved the list of dangerous forms of child labour and prohibited all persons under the age of 18 from engaging in them. It thus fully guarantees the education, health, security and morals of children, although domestic labour may be performed as from the age of 16 if the competent authority allows it.

232. It must be pointed out that Paraguay has used the principles of the Convention on the Rights of the Child, the Constitution, the ratification of ILO Conventions Nos. 138 and 182 and the Children's Code to safeguard the rights of young workers within the framework of the National Plan for the Prevention and Eradication of Child Labour and the Protection of Adolescent Labour. To this end, the Ministry of Justice and Labour passed Resolution No. 701/06 approving the format of the Adolescent Labour Register, which is mandatory throughout the country.

### **C. General principles**

233. The Constitution promulgated on 20 June 1992 gives the rights of the child constitutional status insofar as article 54 thereof enjoins families, society and the State to guarantee children's comprehensive development and the full exercise of their rights and to prevent abandonment, malnutrition, violence, abuse, trafficking and exploitation. At the same time, it makes it clear that the rights of the child must take precedence.

234. The Children's Code embodies the principle of the best interests of the child and establishes a compendium of rights to secure children's protection and defence. It makes provision for the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents and special criminal courts for juvenile offenders.

235. The principles of non-discrimination, the child's best interests, a child's right to life, survival and development and respect for his or her opinion have been incorporated in laws and administrative decisions.

236. Paraguay has ratified international treaties, optional protocols and agreements and has tried to bring its legislation into line with them in order to ensure that any measure adopted by the Executive branch, the legislature, the judiciary, the Attorney General's office, local and departmental governments or other institutions, as well as any action taken by society, gives priority to the best interests of the child and respects children's rights.

237. The Children's Code, the National Policy on Childhood and Adolescence, the National Plan of Action on Childhood and Adolescence and plans to counter child labour and the sexual exploitation of children were formulated on the basis of the principles set forth in the Convention. These principles apply to political, judicial and administrative decisions and to all programmes, projects and services affecting children.

238. The best interests of the child prevail in all court proceedings. When settling disputes, judges give primary consideration to what is most advisable for the child or young person. Only

then do they weigh up the interests of the parents or guardians. In doing so, the court must have regard to the youngster's age, sex and opinion (depending on age and mental capacity), whether he or she has spent most time with one of the parents, other members of the family or a guardian and the most propitious conditions for the child's full development.

239. Moreover, in keeping with this principle, in maintenance, separation or divorce proceedings, sufficient child support must be awarded to meet children's needs. The opinion of the child or young person must always be taken into account when deciding custody and visiting arrangements must be established without prejudice to the child's access to school. In other words, all measures must have regard to this principle.

240. The principle of the best interests of the child also obtains in the sphere of adoption. The law specifies that any decision regarding adoption must be based on the criterion of finding a family for the child. The work of the Adoption Centre and the system introduced by the law on adoptions has resulted in the redefinition of a child for adoption as a person with rights.

241. The best interests of the child must take precedence in the juvenile justice system. For this reason, a custodial sentence must be seen as a last resort to be applied only in extreme cases specified by the law.

242. When a young person is in a situation suggesting the need for protection or support, the measures laid down in the Children's Code will be applied. Measures such as the sheltering or placement of the child in suitable units catering for his or her protection are exceptional and temporary.

243. The National Secretariat for Children and Adolescents plays an active role in monitoring, planning and formulating policies at all levels in order to ensure that social welfare and health institutions, courts and administrative authorities apply these principles in the measures that they adopt.

244. The shift in focus and the process of taking these principles on board did not happen overnight, because they entailed a change in individual and social attitudes and, in some instances, the interpretation of what constituted the best interests of the child, or because there was a lack of specialized training.

245. In order firmly to entrench this viewpoint, training was organized with legal officers and members of professions whose duties are linked to the implementation of youth programmes. Community outreach work similarly tried to convey a clear understanding of the legal and social implications of these principles.

246. The judiciary, ministries, professional associations, universities and other public and private organizations organize seminars, think tanks, training workshops and brainstorming sessions so that judicial authorities and policy-makers at national and local level can base their work on the terms of the Children's Code and the National Policy on Childhood and Adolescence.

## 1. Non-discrimination

247. In Paraguay effect is given to the principle of non-discrimination in the provisions of the Constitution, the Convention on the Rights of the Child and the Children's Code. Non-discrimination signifies that all children have rights, irrespective of their race or their economic, cultural or social circumstances.

248. This principle is embodied in the Constitution, since article 46 thereof states that "All the inhabitants of the Republic are equal in dignity and rights. Discrimination shall not be permitted. The State shall remove the obstacles to non-discrimination, together with the factors which maintain or favour discrimination. The measures of protection introduced to combat unfair inequalities shall not be regarded as discriminatory".

249. The Children's Code reflects the same attitude to non-discrimination as the Constitution. Its provisions, like those of the Convention, call on families, society and the State to guarantee children's comprehensive, harmonious development and their full enjoyment of their rights. But the reality of the country means that compliance with this principle is gradual. The authorities are playing their role as the entities responsible for securing observance of the law. In the event of discrimination against children and the violation of their rights, provision is made for the judicial authorities or the Municipal Advisory Boards for the Rights of Children and Adolescents to step in and safeguard these rights.

250. While legislation stipulates that all human beings are equal and repudiates all types of discrimination, it cannot be denied that bad treatment based on prejudice against ethnic origin, custom, belief, social status, gender and age does exist in the country. The discrimination accompanying such prejudiced attitudes can be covert or overt. The main victims of flagrant rights violations tend to be children, especially girl children.

251. One group of girls who suffer from serious discrimination is that of the "*criaditas*", servant girls who live with a family. They are extremely vulnerable, do not receive any wages for their work, their opportunities for schooling are limited and they are often subjected to all kinds of abuse and rights violations.

252. The development of children who suffer from discrimination is placed in great jeopardy. Street children are victims of commercial sexual exploitation, trafficking, child labour, ill-treatment and abuse. These problems will be described in length in the report. They are addressed by programmes to prevent a growth in the number of victims and to assist young people living with the consequences of such discrimination.

253. Another group of children who suffer from discrimination is that of disabled children. Efforts are being made to alert citizens to their plight.

254. The National Secretariat for Children and Adolescents, government institutions and NGOs who work with the disabled have participated in the joint formulation of the National Programme of Comprehensive Care for Disabled Children and Adolescents (2005-2009). At the same time, the National Secretariat for Children and Adolescents is playing an active part in the campaign to secure the ratification of the United Nations Convention on the Rights of Persons with Disabilities.

255. Since 2004 the Ministry of Education and Culture has been the driving force behind an interinstitutional project to draw up a national directory of entities of and for persons with disabilities. The National Secretariat for Children and Adolescents supports and participates in this project. The directory was officially published in 2005.

256. The Ministry of Education and Culture is planning to set up a national commission on inclusive education comprising international cooperation partners and governmental and non-governmental institutions and organizations, including the National Secretariat for Children and Adolescents.

257. The commission's job will be to encourage collaboration and exchanges between institutions and sectors as a means of furthering the incorporation in state policies of principles and approaches that promote the social and educational inclusion of the disabled.

258. The Government has expressed its commitment to the principles underpinning the National Policy on Childhood and Adolescence and is therefore trying to influence factors causing discrimination. Much of the discrimination affecting children and young people in Paraguay stems from rising poverty levels.

259. This situation explains the emphasis which the State places on the battle against poverty and why it is concentrating its efforts on this battle, since it is the best way of avoiding discrimination. The building of citizenship and the fight against discrimination imply the safeguarding of equal rights (which in turn means fighting poverty) and the consolidation of democracy.

260. For that reason, endeavours to expand social investment, fight poverty and enhance democracy help to generate a socially inclusive environment.

261. Since discrimination is also closely related to perceptions and prejudices it is necessary to engineer a change in attitudes. Hence it is important to include the principles of the Convention in educational programmes and to emphasize the significance of non-discrimination. The aim is to achieve better education imparting human values.

262. Since 1994 the Ministry of Education and Culture has been playing a very important role by implementing educational reform which embraces human rights and shared values with regard to democracy, the family and the environment, guarantees equal opportunities, introduces a model of participative management and includes children living with HIV/AIDS who used to be discriminated against by their own community. Similarly, there is nothing to prevent pregnant teenagers from continuing their education; on the contrary the Ministry requires educational institutions to help them to complete their studies, although often the decision to drop out comes from the teenagers themselves or from their families.

263. The National Secretariat for Children and Adolescents, the Secretariat for Women, the Coordinating Office for of the Rights of Children and Adolescents and other public and private bodies are running campaigns to promote rights contributing to a culture of non-discrimination. To this end and in order to roll back gender inequality among youngsters, the Secretariat for Women is implementing the Second Plan for Equal Opportunities for Women and Men

(2003-2008), approved by Decree No. 1958/03, which incorporates lines of action mapped out in the Beijing Platform for Action and which devotes particular attention to the girl child.

264. The Ministry of Education and Culture has an educational policy which meets the needs of children speaking Guaraní or other languages. The reformed curriculum is designed to initiate a process of teaching in pupils' mother tongue.

265. Schools follow the guidelines established by the Ministry for providing initial and basic schooling in the pupils' language. In areas with several ethnic groups, not only Guaranis, the teacher learns the dialect of each group and in many cases he or she is representative of the ethnic group in question. The opposite situation can also exist in which non-indigenous children are admitted to these schools as a token of mutual respect.

266. Programmes to further educational reform are producing teaching aids in the mother tongue of the schoolchildren, but admittedly not all languages have been covered to date.

267. The National Secretariat for Children and Adolescents is running programmes to deal with discrimination that dramatically affects its victims. It has therefore given priority to the National Plan for the Prevention and Eradication of the Sexual Exploitation of Children and Young People and the National Plan for the Prevention and Eradication of Child Labour and the Protection of Adolescent Labour.

268. Mention must be made of the valuable work done by the Interinstitutional Roundtable to prevent and combat the trafficking in persons and to the Comprehensive Care Programme for Street Children, inter alia.

## **2. Respect for the child's opinion**

269. One of the most innovative principles of the Convention is the right to participate. This right facilitates the exercise of other rights. It is also a basic civil and political right.

270. Children and young people are entitled to express their opinions freely on all matters affecting them and to have these opinions taken into due account. This right highlights the child's role as an active participant in the promotion, protection and monitoring of his or her rights.

271. Mechanisms are in place to facilitate children's direct access to participative forums and to the process of building a culture of participation, even if some attitudes and practices are still encountered where children are treated as objects or the property of adults and unable to contribute to society.

272. As far as participation is concerned, the 2002 Permanent Household Survey showed that 25.3% of the under-fifteens belonged to a club or association, the largest percentage of whom, 32.1%, belonged to a religious organization.

273. A claim to be the spokesperson of Paraguayan children presupposes a knowledge of what they like and dislike about the country. But it also means promoting their participation in social change. For this reason experiments in awareness raising and dissemination have sought actively to include them, not just as an audience, but as agents of change. Groups of instructors, youth

leaders in schools and outreach workers have generated an echo effect for transmitting the principles of the Community to their peers and their community.

274. Opportunities for access to and the analysis of information have been opened up so as to awaken children's interest in subjects on the public agenda. This process was set in motion by the contribution of members of government bodies and NGOs.

275. At the educational level, opportunities for participation exist through school parliaments, institutional councils and school networks and clubs. The greatest momentum comes from the implementation of educational reform which seeks to give pupils a more proactive role in the educational community.

276. The type of participation which the reform promotes is based on the pedagogical principle that "children are the leading actors in their own learning process". It rests on the democratic principle that children are entitled to participate in the decision-making processes of their school and are capable of doing so on the basis of their previous knowledge. In this way pupils gradually start to participate by forming working groups (committees) for taking decisions which might help to improve their school. Building on this initial experience, the school parliament is then set up where all pupils are involved in decisions and activities.

277. The participation of families and the community turns the school into a centre for community initiative and strengthens parents' primary educational role by linking processes which begin in the home with those carried out at school by the team of teachers. Such complementary action ultimately transforms these processes into an educational continuum through a process of negotiation and decision-taking.

278. There are organizations and bodies, such as the departmental and municipal councils, which make it possible to find out what children's opinions are. Children and young people may take part in the National Council's sessions, where they may influence resolutions by expressing an opinion on them, but are not allowed to vote.

279. The Global News Agency set up by Global Infancia enables children to contribute to the press coverage given to youth topics.

280. In 2005 and 2006, the National Platform of Youth Groups and Organizations and the Organization of Child Workers (ONAT) helped to select newspapers and journals which were deemed to be child-friendly. In 2006, a survey of more than 600 children was conducted in order to gather their views on the approach adopted by the press. The findings of the survey were published in the Agency's annual media report.

281. The consultations leading up to the writing of the report revealed children's perception of their right to participate. They showed that it is necessary to find tools and opportunities for disseminating the Convention in schools, families and communities. Poor children, indigenous children and children living in rural areas must be offered more possibilities for participation so that they, as well as adults, can learn more about the application of the Convention and of children's rights in Paraguay. Children feel that the factors hampering their full enjoyment of their right to participation are fear, pressure from peers and adults and the lack of opportunities for participation.

282. Since it is impossible to demand something unless you know about it, representatives of the National Platform of Youth Groups and Organizations are concerned that little has been done to publicise the rights of the child and progress in applying the Convention in Paraguay.

283. Children and young people are critical of what they regard as the neglect of several aspects of relevance in this connection:

- (a) Rehabilitation of offenders;
- (b) The impact of the separation of families and the migration of parents;
- (c) The functioning of shelters and homes (a priority concern);
- (d) Sources of work for families.

284. The National Platform of Youth Groups and Organizations is part of the Latin American Children's Network. The latter's Executive Secretary until March 2007, who came from the National Platform, attended the general discussion held by the Committee on the Rights of the Child in Switzerland in September 2006 on the subject "To speak, participate and decide – the child's right to be heard". The Committee members and more than 30 children from four continents attended this event.

285. The Governor's Offices of Alto Paraná, Central, San Pedro, Cordillera, Guairá and Caaguazú and the National Platform of Youth Groups and Organizations, with the technical backing of Global Infancia, Plan Paraguay and the REMA Foundation, were active in ensuring that Paraguayan youngsters were represented at the Second World Congress on Children's and Adolescents' Rights (November 2005, Peru) and the Third World Congress held in Barcelona, Spain in November 2007.

286. Departmental forums in which 44 municipalities take part, regional meetings and the First National Children's Congress, attended by 150 representatives from seven departments, are a clear sign that children and young people manage to play a real and effective role in analysing contexts and realities, flagging issues and drawing conclusions for presentation to members of the parliamentary focal point for the rights of the child in Paraguay.

287. Children and young people successfully participate in the social, cultural, artistic, scientific and educational spheres and in the realms of sport at the municipal, departmental, regional, national and international level. Their complaints and demands are a source of hope and of challenges. But in all their roles they deserve to be heard and to be given greater consideration and respect.

## **D. Civil rights and freedoms**

### **1. Right to life**

288. Article 4 of the Constitution states that "The right to life is inherent in the human person. Its protection is guaranteed in general terms from conception. The death penalty is abolished. The physical and mental integrity, honour and reputation of every person shall be protected by

the State. The law shall regulate the freedom of persons to dispose of their own body solely for scientific or medical purposes.”

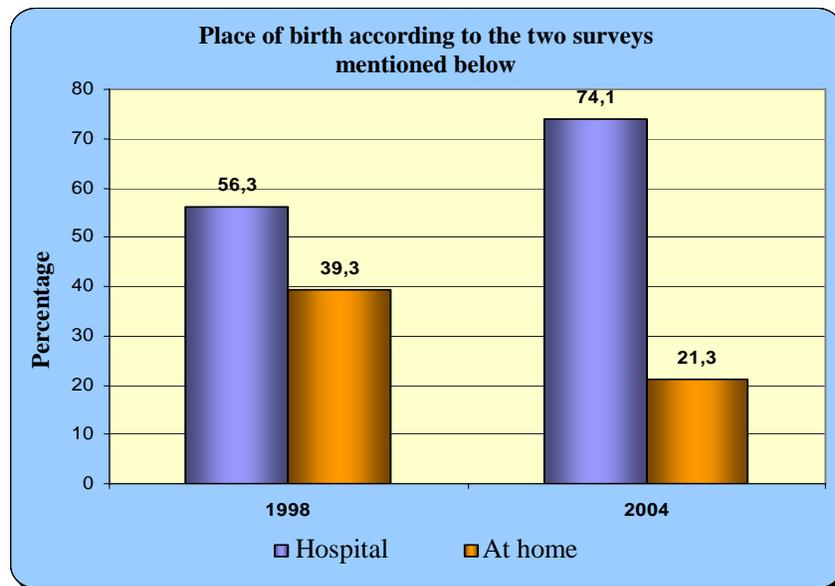
289. Article 9 of the Children’s Code states that “unborn human beings” shall be protected from conception until 45 days after birth through the provision of care for pregnant women.

290. The State looks after pregnant women without financial means by providing housing, food and medical drugs as necessary. It looks after indigenous pregnant women while paying due respect to their culture. There are plans to offer special care for pregnant adolescents and to promote safe maternity and breastfeeding.

291. Pregnant women are entitled to such assistance measures even where the child is stillborn, or in the event of neonatal death. All the statutory services are, however, insufficient to guarantee unrestricted access to them.

292. Although the Ministry of Public Health and Social Welfare is implementing a maternal health programme, it has not managed to end the exclusion of rural and indigenous women and their children which puts their lives at risk.

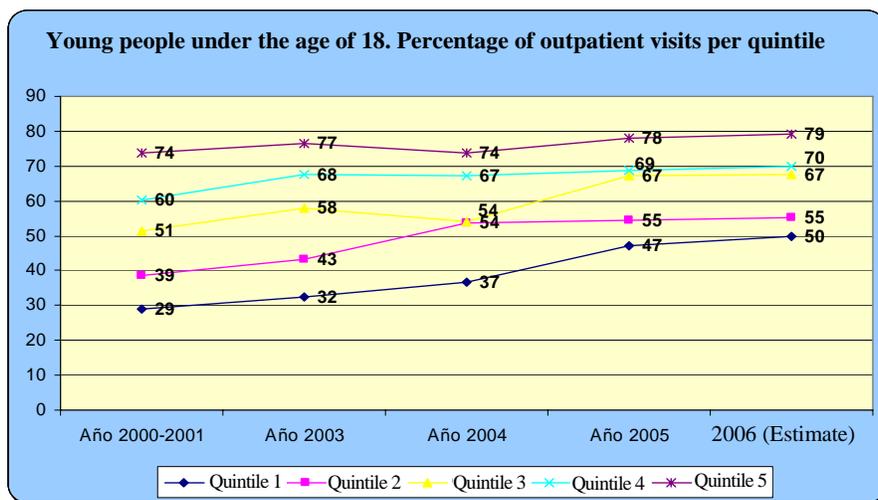
### Births in hospital



*Source:* 1998 National Survey of Mother and Child Health. 2004 National Demographic Survey of Sexual and Reproductive Health.

293. One positive aspect of state care is that in 2007 the Ministry of Public Health and Social Welfare waived charges for the outpatient and inpatient treatment in all ministry services of children under the age of 10, young people under the age of 18, pregnant women and newborn babies.

## Outpatient visits



*Source:* UNDP-UNICEF-UNFPA project “Social expenditure in the budget” with data from the Directorate-General for Statistics, Surveys and Censuses.

294. Investment in health has made it possible to widen access to medical treatment, especially for the most disadvantaged group (with a rise from 29 to 50%). But it is still vital to improve the supply of medical care, because only one in two extremely poor children receives medical treatment when he or she requires it.

## 2. Preservation of identity

295. The right to identity is the first right which Paraguay grants to all children as an inalienable fundamental right.

296. Births are registered by means of the birth certificate. Legal protection of the right to identity begins at this point, as this document permits the exercise of full citizenship. The right to identity, to a name and to nationality brings with it legal access to the privileges and protection which the country gives to all its citizens.

297. Indigenous communities are being uprooted because health and land problems, destruction of their habitat and poor living conditions force them to emigrate from their original communities. This uprooting undermines their identity and indigenous culture.

298. The same difficulties are faced by many Paraguayan families who have emigrated from the country for a variety of reasons. In order to tackle this problem the National Secretariat for Returnees is striving to preserve the identity and promote the social integration of migrants.

299. Between August 2003 and August 2006 it assisted 2,794 repatriated families and supported 1,220 applications for Paraguayan nationality for children born abroad of Paraguayan parents and 1,384 cases of educational reintegration.

300. The National Secretariat for Returnees encourages family reunification by strengthening returnees' identity as Paraguayan citizens with the same rights as persons who have been resident in the country.

301. In 2007 it coordinated its activities with those of the Ministry of Justice and Labour (Directorate-General of the Civil Registry), the National Police (Identification Department), departmental and municipal secretariats and councils for children and adolescents and Municipal Advisory Boards for the Rights of Children and Adolescents, with the support of Plan Paraguay. These activities permitted the organization of mass registration campaigns enabling repatriates to obtain identity documents.

### **3. Registration of births**

302. The Government recognizes the critical situation revealed by the investigations of Roberto Céspedes and, in response to it, the National Secretariat for Children and Adolescents, acting in cooperation with the Ministries of Justice and Labour (Directorate-General of the Civil Registry), Education and Culture and Public Health and Social Welfare, is organizing registration campaigns with the support of Plan Paraguay and UNICEF.

303. According to the data of the 2002 census, the birth of 94.9% of persons living in the country has been registered and 70.1% possess an identity card. The younger a person is, the less likelihood there is that he or she has been registered. For example only 73.2% of children below the age of 4 are registered, whereas 93.8% of children between the ages of 5 and 9 and 98% of the remaining population are registered. In urban areas the rate is 96.6% and in rural areas it is just under 92.8%.

304. Ethnic disparities in the exercise of this right mean that, although at the national level 60.5% of the indigenous population is covered, only 19.8% of the Pai Tavytera and 31.9% of the Mbya have a birth certificate.

305. It is estimated that annually some 585,000 children go unregistered. At the national level, this amounts to 22.3% of children and 10.4% of the total population.

306. Act No. 1377/99 lays down that the registration of birth and the issue of the first birth certificate are free irrespective of the age at which registration takes place

307. The factors which impede registration are the fact that people do not realize that the issue of the first certificate of a live birth and the first birth certificate is free, families are too poor to travel and the Civil Registry officials responsible for this task (Ministry of Justice and Labour) are too far away.

308. In order to reduce the shortcomings of the system for registering births, the Directorate-General of the Civil Registry, together with the National Secretariat for Children and Adolescents, the Coordinating Office for the Rights of Children and Adolescents, Plan Paraguay and UNICEF, proposed the amendment of articles 51 and 55 of Act No. 1266/87 on the Civil Registry of persons, so as to introduce different procedures for registering children whose live birth was not certified, in order to guarantee their right to filiation and a family. This aim was achieved with the passing of Act No. 3156/06 which establishes an alternative mechanism using witness statements for registering uncertified live births. In February 2007, the

Directorate-General of the Civil Registry issued Resolution No. 274 establishing the mechanisms for implementing the new legal provisions. At the national level, Civil Registry officials have started to be trained in these new rules with the support of Plan Paraguay and UNICEF.

309. In order to overcome shortcomings in the registration of children's births awareness raising, information and registration campaigns have been organized and lay midwives recognized by the Ministry of Public Health and Social Welfare have received training in the issuing of certificates of live birth.

310. Since 2005, the National Secretariat for Children and Adolescents, supported by UNICEF, Plan Paraguay, the European Union, the Social Action Secretariat and NGOs, has been running the National Identity Campaign which is targeted on families in poor and border areas and indigenous communities. Between 2005 and 2006, 25,900 children were registered. The National Campaign for Registration in the Civil Register is now being implemented with a view to guaranteeing the right to identity through the programme to register children and issue them with an identity card.

311. These campaigns concentrate on areas where few children are registered and they have two main aims: first, to make the community aware of the importance of registering every birth and, secondly, to make late registration easier for children who have no birth certificate. In these cases registration is free, but the paperwork for regularization entails costs and it is now a question of abolishing them.

312. The Directorate-General of the Civil Registry plays an active part in these campaigns and also tries to ensure speedy registration by helping to organize censuses, record the data of unregistered children, keep a register of births and issue birth certificates.

313. At present the Interinstitutional Roundtable on Identity is endeavouring to formulate a national identity programme and is taking various steps to this end:

(a) A national meeting of members of Municipal Advisory Boards for the Rights of Children and Adolescents and departmental secretariats has been held with a view to advertising the new procedures for registering children in the Civil Register;

(b) A legal team has been set up to draft an Act on the amendment of Civil Registry fees;

(c) Civil Registry officers are being appointed in priority departments and municipalities;

(d) At the First Regional Latin American Conference on the Right to Identity and the Universal Registration of Births, held in Asunción from 28 to 30 August 2007, Paraguay presented the well-coordinated labours of the Interinstitutional Roundtable as an example of good practice.

314. Projects to ensure the timely registration of infants below the age of 1 have been conducted by Departmental Councils for the Rights of Children and Adolescents in the departments of San Pedro, Cordillera, Guairá, Caaguazú and Paraguari and they are being extended to other parts of the country.

315. A working group coordinated by the National Secretariat for Children and Adolescents and consisting of representatives of the Ministries of Justice and Labour, Education and Culture, Public Health and Social Welfare and the Interior, the Office of the Ombudsman, the Attorney General's Office, the Public Defender's office and of NGOs such as the Coordinating Office for the Rights of Children and Adolescents and members of the latter such as Global Infancia, the Community Educational Support Base, Plan Paraguay, Civic Audit Offices, etc. has achieved the following results:

(a) Bureaucratic barriers to registering children and obtaining a certificate of live birth have been pinpointed, as have inflexible procedures established by Act No. 1266/97;

(b) Various sectors have cooperated in the amendment of arts. 51 and 55 of Act No. 1266/97 with a view to making the registration of children in the Civil Register easier;

(c) Act No. 3156/06 amending arts. 51 and 55 of Act No. 1266/97 has been adopted;

(d) Judges, prosecutors and defence lawyers working in juvenile courts, police officers, members of the health profession, educational leaders, members of development committees, Civic Audit officers, local government officials and members of Municipal Advisory Boards for the Rights of Children and Adolescents as components of the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents have been trained in the actual implementation of Act No. 3156/06.

(e) In 2006 and 2007 more than 25,000 children from the departments of Concepción, San Pedro, Cordillera, Guairá, Caaguazú, Paraguari, Itapúa, Alto Paraná, Central, Boquerón and Capital were registered in mass registration campaigns.

#### **4. Torture and other cruel, inhuman or degrading treatment**

316. Article 5 of the Constitutions states that "No one shall be subjected to torture or to other cruel, inhuman or degrading punishment or treatment. Genocide and torture, as well as forced disappearances, kidnapping and murder for political reasons, shall not be subject to prescription".

317. The prevention and eradication of cruelty to and the sexual abuse of children is central to the action of the National Secretariat for Children and Adolescents. Since this ill-treatment compromises the healthy development of many children, it is vital that children be protected from cruelty and all forms of violence. The following action has been taken to ward off risks to children and violations of their rights:

(a) Adoption of Executive Decree No. 3279/04 which proclaims 31 May every year to be the national day against child labour and the ill-treatment and sexual abuse of Paraguayan children.

(b) Devising of teaching modules based on the promotion of the fundamental principles and provisions of the Convention, the Children's Code and Act No. 2861, which

punishes trade in and the commercial and non-commercial distribution of pornographic material using pictures and other representations of minors or legally incompetent persons<sup>1</sup>.

(c) Publication of regular articles in the press in which the National Secretariat for Children and Adolescents urges people to denounce cases of ill-treatment and sexual abuse of children and gives the numbers of telephone helplines.

318. Between 2005 and 2007 more than 15,000 basic and intermediate school teachers and educational leaders attended capacity-building workshops, seminars and congresses on the detection and prevention of the ill-treatment and sexual abuse of children in Asunción, towns in the Central department such as Mariano Roque Alonso, San Lorenzo, Luque, Itaugua and San Antonio and in other departments such as Presidente Hayes, Boquerón, Itapúa, Alto Paraná and Canindeyú. “Show the red card to ill-treatment” campaigns were run jointly with Global Infancia, Plan Paraguay and UNICEF in 2006 and 2007.

319. In 2007, national and international seminars and workshops on the culture of good treatment and its promotion were organized by the National Secretariat for Children and Adolescents, the Ministry of Education and Culture, UNICEF, the Organization of Ibero-American States for Education, Science and Culture, Plan International and Editorial Santillana. Similarly a manual was issued on the comprehensive care of ill-treated children. It was approved by the National Council for the Rights of Children and Adolescents and edited with the assistance of the Community Educational Support Base, the National Secretariat for Children and Adolescents, UNICEF and Plan Paraguay.

320. The Community Educational Support Base, together with the National Secretariat for Children and Adolescents, has held UNICEF-funded workshops for the staff of mother and baby centres in Asunción and Lambaré with a view to strengthening the institutions making up the National Network against Child Abuse (REDNAMI).

321. The project to prevent and eradicate child domestic labour in third persons’ homes, which is being carried out by the NGO Global Infancia with the support of the ILO, holds training workshops to create an awareness of and prevent the inhuman treatment received by *criaditas*. Action is directed at providing families, head teachers, teachers and citizens with insight into the problem and at generating a consensus on it.

322. The project led to the inclusion of the issue of child domestic labour in the policies and programmes of 46 public and private institutions in Greater Asunción and Encarnación and of 11 grassroots organizations in the metropolitan area.

323. The NGO Global Infancia, assisted by UNICEF, AVINA and Plan Paraguay, runs the Global News Agency which does useful work in drawing journalists’ attention to this issue and by giving it regular, widespread coverage.

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<sup>1</sup> Translator’s Note: the author has missed out an “o” between “menores” and “incapaces” in the original Spanish, see para. 621.

324. Paraguay has begun to pay the damages awarded by the Inter-American Court of Human Rights to former inmates of the Coronel Panchito Lopez Juvenile Re-education Institute. This act is accompanied by a determination to improve conditions, so as to avoid violations of the human rights of young persons in detention and to enable them to exercise their rights to health, education, training, recreation, etc.

325. In order to do away with one area where ill-treatment and torture allegedly occurs, Act No. 1897/02 had been passed in pursuance of the Optional Protocol to the Convention, which prohibits the recruitment of youngsters under the age of 18 into the armed forces. In order to supervise compliance with the Act, an interinstitutional human rights commission was set up to inspect barracks. The commission's final report says that, although there are still complaints of ill-treatment and torture, they concern isolated cases and there is a greater likelihood of their being denounced, brought to the public's attention and therefore punished in accordance with the law.

### **E. Family environment and alternative care**

326. Surveys providing information about "families in Paraguay" are still rare. The knowledge, techniques and values needed to improve the family environment are chiefly to be found in the content of the educational reform. Such skills are likewise being promoted in welfare centres for children and the family (CEBINFA) or by other all-round programmes like the "Healthy Towns" scheme and by the activities of NGOs and churches.

327. There are 1,207,279 households in the country; 651,946 in urban areas and 455,351 in rural areas. The average number of members of a household is 4.7, but it varies according to socio-economic circumstances. In the poorest 20% of the population, a household has 6 members, whereas in the richest 20% it has 3.3 members. The average number of children under the age of 17 in a household is 1.9. Among the poorest 20% it is 3.4 compared with 0.9 among the richest 20%. This situation implies that the poorest households have the greatest needs.

328. As for the composition of households, the Céspedes survey indicates that:

(a) There has been a rise in the percentage of extended households from 35.2% in 1982 to 39.8% in 2002;

(b) The percentage of composite households has fallen from 10.4% in 1982 to 6.5% in 2002;

(c) There had been a drop in nuclear households from 53.3% in 1982 to 51.9% in 2002.

329. Much poverty is found in households with extended families which are dominated by the *paterfamilias* – probably because the children have few economic opportunities to become independent (they cannot move to another home). The next group is that of the ideal household, i.e. one containing a complete family. But when all is said and done, households headed by women form a very significant group on account of their vulnerability and poverty. They have the highest incidence of poverty, 34.4%, among households containing complete families and account for a growing percentage of households containing extended families. Poverty,

combined with a lack of opportunity and hope, has marked wide sections of the Paraguayan population and has intensified massive internal and external migration, which has serious moral, social and economic consequences for the country.

330. Migratory outflows and the feminization of migration meet a growing demand in the developed countries for female domestic servants, carers or sex workers. Many migrant women are heads of households who are looking for work because of a lack of economic opportunities at home. This means that they have to leave their children in someone else's care.

331. The chief victims are children and young people. The breakup of the family jeopardizes their mental health, stability and safety. The effects of this separation on children frequently take the form of feelings of sadness and anxiety, poor performance at school, apathy, behavioural problems, more aggressive attitudes and violence.

332. Migration's most painful consequence is the breakup of families. Children at the very stage of their development when they most need the protective and formative presence of their parents are left on their own, or with parent substitutes who will never be able to fill certain gaps which generate helplessness and frustration among children separated from loved ones. The situation is worse when a mother who is the head of a household migrates, because she has been a mother and a father to her children. Her departure represents an act of abandonment by the only parental figure sheltering them. Very small children find it particularly difficult to understand this situation.

333. Article 8 of the Children's Code embodies children's right to a family, to live and develop within a family and, if the family has no or insufficient financial resources, to provision by the State of these resources. It also prohibits the separation of a child from the family circle and the suspension or loss of parental authority on the grounds of penury.

334. The Government bases its social policies on a model of all-round protection, promotion and economic inclusion that centres on extremely poor families.

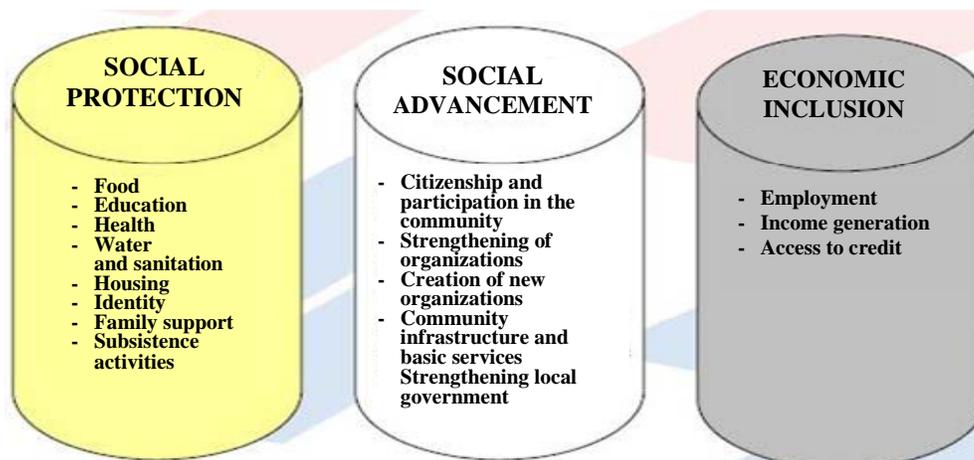
335. Within the context of the National Poverty Reduction Strategy, social investments are made through the Social Protection and Promotion Network to preserve children's right to live in a family.

336. The National Poverty Reduction Strategy has been introduced and implemented through a comprehensive intervention plan aimed at the following:

- (a) Social protection: ensure basic conditions of survival for extremely poor families;
- (b) Social advancement: help extremely poor families to integrate in society;
- (c) Economic inclusion: help extremely poor families to achieve economic independence.

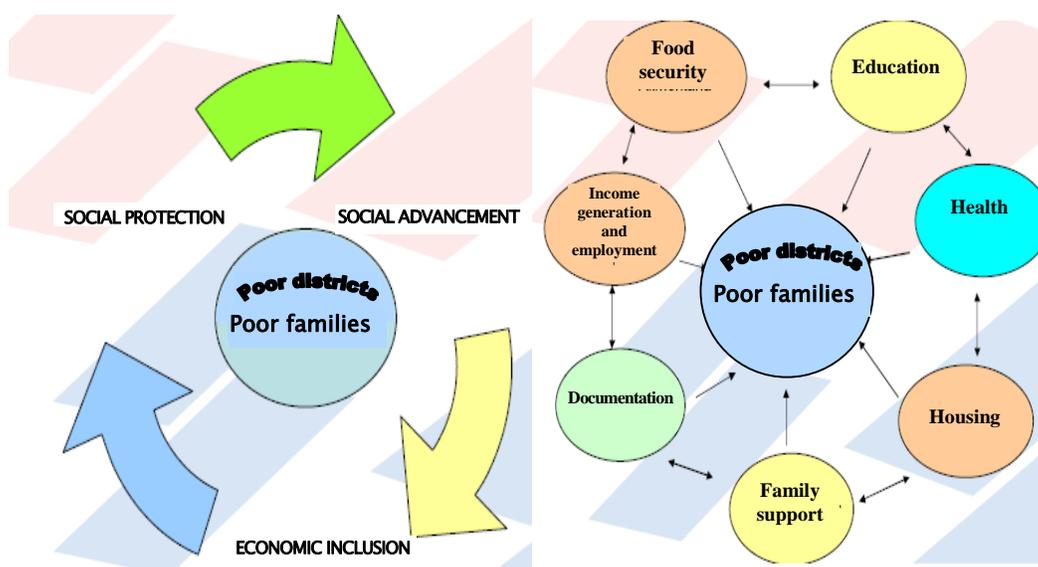
### **1. Comprehensive intervention plan**

337. The comprehensive intervention plan rests on the following pillars:



338. The plan seeks to coordinate and link government action to meet the strategy’s specific goal.

## 2. Linkage of measures



### Intervention system

339. Innovative instruments have been developed in order to guarantee the efficient implementation of the comprehensive intervention plan:

- (a) Objective geographic targeting, developed with the assistance of the Chilean Government (GPI– Geographic Priority Index);
- (b) Objective targeting of families (Family record/QLI – Quality of life index)

(c) A system will be developed for the computerized entry of beneficiaries of all the Government's social programmes in a single register. The system will include a management report module and a module for the monitoring and evaluation of the main programmes.

340. The Social Protection and Promotion Network consists of a range of coordinated measures and programmes designed to prevent, alleviate and overcome the adverse effects of poverty on each sector of the population, but especially on the most vulnerable groups. It concentrates on the family and tackles the individual problems of its members within the context of the specific circumstances of the family, in order to capitalize on the good points and to empower and strengthen the family.

341. The Social Protection and Promotion Network has radically altered the logic underlying access to traditional monetary benefits for the poorest families in that it has made such access a guaranteed right. As a result, these benefits can be targeted more accurately and the poorest families are empowered vis-à-vis the State.

342. The system is based on a pledge given by families that they will share responsibility for action to improve their personal, economic and social skills and to break the poverty cycle.

### **Essential components**

343. The system seeks to guarantee vulnerable families' access to:

- (a) Food security;
- (b) Health;
- (c) Education;
- (d) Documentation;
- (e) Employment;
- (f) Housing;
- (g) Family support.

344. The Social Protection and Promotion Network is implementing three programmes, Tekoporã, Abrazo and Ñopytyvo, which are of direct and indirect benefit to approximately 30,000 children below the age of 14.

345. Costs stem from the "conditional transfers" and the temporary employment programme. It must be borne in mind that a 24-million-euro donation from the European Union, whose first instalment will be disbursed in 2008, will bolster additional public schemes and the remaining programmes in the comprehensive intervention plan.

346. Since 2003, in the context of the Poverty Reduction Strategy, the Government, acting through the Social Action Secretariat and with the support of UNDP and funds from the World Bank, has been carrying out a pilot project on community development (PRODECO) to further

the full development of the social capital of the departments of Itapúa, Misiones and Ñeembucú. The aim of the project is to enhance the quality of life and the social inclusion of the poorest and most vulnerable communities in the above-mentioned departments through joint action on the part of departmental governments, municipalities, schools, churches and civil society.

347. Its specific aims are to subsidize and further the execution of some 500 productive schemes generating income and community development. It uses affirmative action to promote the social inclusion of vulnerable persons, families and groups, including young people, women and indigenous persons. The project's overall budget up to December 2007 amounts to US\$ 11,180,000 of which US\$ 9,000,000 come from loan No. 7109-PA from the International Bank for Reconstruction and Development (IBRD), US\$ 1,150,000 are directly contributed by the State and US\$ 1,030,000 is the monetary value of the input of the productive schemes' beneficiaries.

348. The project assists 3,700 families, or approximately 18,500 direct beneficiaries. Similarly 55 municipalities and at least 50 community organizations will receive technical assistance with formulating and implementing community development schemes to enhance the social capital of the participating communities.

349. Fifty-five local development committees and three departmental development committees have been set up and 56 townships in the three departments are in receipt of assistance.

350. The setting up of the Roundtable to Promote Responsible Parenting is another measure of relevance to the family environment. It is coordinated by the Secretariat for Women and includes representatives of the National Secretariat for Children and Adolescents among its members. Its purpose is to analyse draft legislation and proposals regarding the rights of parents and their obligations to their children.

351. The Roundtable has set up a responsible parenting panel. According to the Secretariat for Women, in Paraguay on average one household in four is headed by a woman. This figure is indicative of the large number of absent fathers in our country. The Secretariat for Women has achieved its objective of triggering a public debate.

352. The Ministry of Public Health and Social Welfare has infant and family welfare centres (CEBINFA) catering for the under-fives, where they receive food and day care promoting their emotional and psychosocial development. Similarly parents are taught how to foster the overall development of their children.

353. Twenty-nine centres now exist in the capital and in the Central and Concepción departments. They operate in neighbourhoods with families living below the poverty line and offer day care to 1,800 children (there has been a 45% rise in the number of beneficiaries since 2005).

354. The reform of basic school education (for children between the ages of 6 and 14) was three-pronged in that it dealt with academic subjects while introducing a cross-cutting approach and a local link between schools and the community. One of the cross-cutting elements consists

in educating families about democracy and the environment. These aspects should not only influence the pupil, but also have an impact at the family, community and national level.

355. The principal aim of the project to halt child domestic labour is first to prevent more children from working and to improve their access to basic services through the provision of socio-economic support, so that families do not need to push their children out of the family nest and secondly to keep a watchful eye on children working in third persons' homes. The project is being carried out in six townships.

356. In order to provide comprehensive care designed to restore rights, the First Lady's Office and the Paraguayan Human Development Network (REPADEH) are running the Programme of Comprehensive Care for the Street Children of Asunción (PRAINA), which is aimed at children between the ages of 6 and 14 who have been abandoned, or whose families links have been severed. It is assisting 1,277 children in the following phases:

**PHASE 1 OGA MIMBI: Street contact – canteen – shelter**

A) Street interviews	648
Average number of persons interviewed per month	155
B) Number of visits to the canteen	920
Average number of visits to the canteen per month	130
C) Number of children who have come to the shelter	300
Average number of children who stay in the shelter per month	26

**PHASE 2 TAPE PYAHU – MEDIUM-STAY HOSTEL**

A) Total number of children who have passed through the Tape Pyahu hostel	345
B) Current residents of the hostel	55

**PHASE 3 OGA PYAHU – Return to their family**

Returnees in phase 1	33
Returnees in phase 2	165
Total number of returnees in the programme	198

**LONG-STAY HOSTELS FOR YOUNG PEOPLE**

Young people who have been reintegrated in the community through long-stay hostels	21
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**ECONOMIC SUPPORT FOR FAMILIES**

Follow-up visits to children who have returned home	266
Number of children in receipt of economic support	54

*Source:* Tape Pyahu hostel, December 2007.

### 3. Adoption

357. Article 1 of Act No. 1136/97 provides that adoption is a legal institution for the protection of children and adolescents within the social environment of a family. The intention is that, under State supervision, the adopted child should become part of a family or form a family with the adoptive parent.

358. Act No. 1136/97 created the Adoption Centre, the central administrative authority for adoptions. Its job is to formulate and implement policies on the comprehensive care of children. Its purpose is to ensure that children available for adoption have a family which replaces the biological family when this does not exist, or when it cannot or does not wish to look after the child. The Centre is in charge of the whole process from identifying children for adoption, assessing their family situation and keeping in contact, up to final adoption in cases where reintegration in the biological family is impossible. Measures concentrate on maintaining the link with the child's biological family.

359. Once adoption has been agreed, the Adoption Centre monitors the child for three years in order to ensure the child's protection and ascertain that he or she has been fully integrated into the adoptive family. Article 103 of the Children's Code establishes that a child or adolescent, deprived of his or her nuclear family by court order, may be taken into a family on a temporary basis through custody, guardianship or permanently through adoption; it also provides that the family or person who takes in the child or adolescent shall be obliged to feed, educate, care for and protect him or her just as if he or she formed part of the family nucleus.

360. Since 1999 the Adoption Centre has been implementing the Foster Parent Programme in order to provide such support as is necessary for successful fostering. It also has a small home accommodating some 40 children whom it provides with all-round care in the shape of vaccination, neurological assessment and, on the doctor's advice, specific treatment (stimulation activities, food supplement and other psychosocial or physical measures).

361. The National Adoption Centre seeks to:

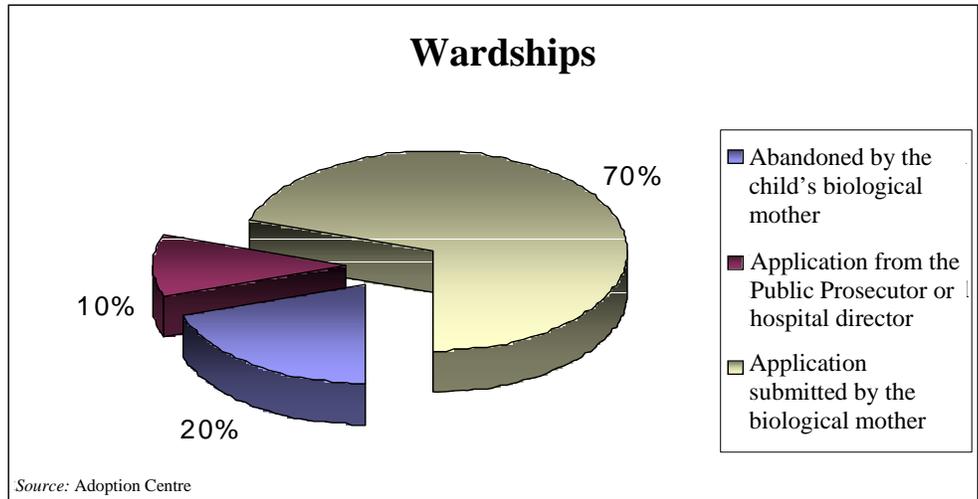
- (a) Strengthen family links;
- (b) Monitor the adoption process;
- (d) Keep an up-to-date register of children available for adoption;
- (e) Ensure the growth and development of children in the home.

362. In 2005, the Centre investigated 168 cases of missing children.

363. In the same year it received 36 applications from potential adoptive parents, 33 of which were approved and it was notified of 38 court adoption orders.

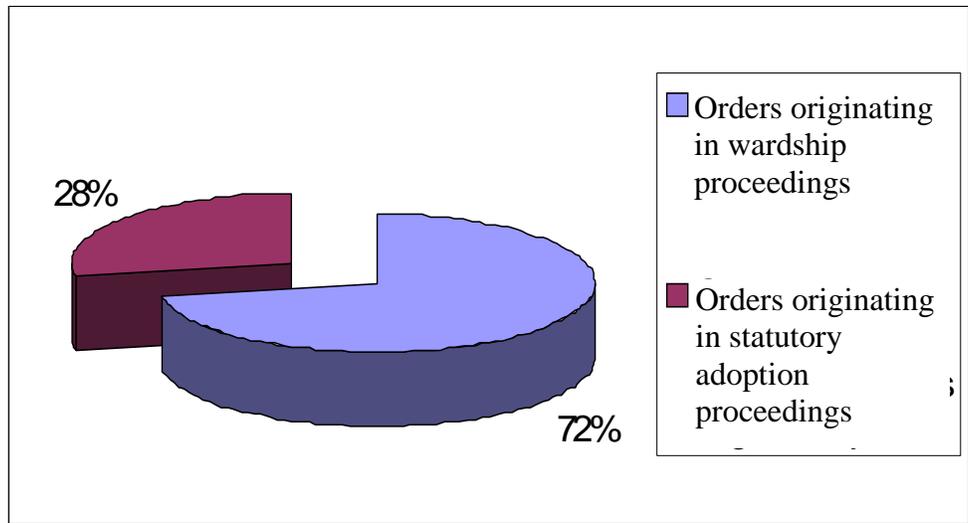
364. In 2006 it was notified of 57 court orders. In both years, most of the approved cases were in wardship proceedings. The second largest number of cases stemmed from proceedings originating in attempts to strengthen family links.

365. In 2006, the Centre was notified of 60 court orders divesting parents of their authority and declaring the child available for adoption. Of these cases, 55% originated in wardship proceedings and 45% were normal statutory adoption proceedings.



### Wardships

#### Adoption orders notified to the Adoption Centre in 2006



Source: Adoption Centre.

366. In 2006 the Adoption Centre was notified of court action on 155 files. It was asked to assess 60 applications from potential adoptive parents. Thirty-six of these files were assessed. Seven children were placed with foster parents, 10 children were reintegrated in their biological

family and 14 children were adopted. Seventy children received post-adoption monitoring and the Executive Board carried out 206 case studies.

367. The Adoption Centre and the other bodies involved in the process have done valuable work. The goal is to move away from a situation which was highly informal and harmful to children and to achieve greater efficiency through coordination.

368. A seminar on “Adoption as a comprehensive protection policy” was held in July 2006. It was attended by representatives of the Supreme Court of Justice, the Attorney General’s Office, the Public Defender’s office, the Adoption Centre, NGOs and the Ministries of Public Health and Social Welfare, Education and Culture and Justice and Labour. It received the support of UNICEF. One of the seminar’s findings was that it was essential to harmonize the criteria applied by all the bodies involved in the adoption process in order that they use the same procedures based on the conceptual framework provided by the law and the comprehensive protection doctrine.

369. The National Secretariat for Children and Adolescents is putting in place mechanisms to improve coordination with the judiciary, the Attorney General’s Office, the Public Defender’s office and other parts of the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents.

370. The rights of abandoned children are being protected and promoted:

- (a) 171 files were received;
- (b) 105 final reports recommended maintenance of the family link;
- (c) 5 search requests were processed;
- (d) In 70 cases the biological family was located;
- (e) 7 children were reintegrated into their biological families;
- (f) 95 court orders declaring children available for adoption were notified to the Adoption Centre;
- (g) 65 court orders of adoption were notified to the Adoption Centre;
- (h) 45 journeys were made within the country and 43,000 km covered;
- (i) 65 applications from potential adoptive parents were processed;
- (j) 55 psychological and social assessments were conducted of potential adoptive parents;
- (k) 69 psychological assessments were made of guardians;
- (l) 33 children who had passed through the Adoption Centre were adopted;
- (m) 50 potential sets of parents are on the waiting list;

- (n) 8 workshops were held for prospective adoptive parents;
- (o) 153 applicants informed and trained at workshops;
- (p) 5 capacity-building workshops and seminars;
- (q) 234 persons attended skills-development seminars with persons who implement the law on adoptions;
- (r) 21 children were placed with foster families;
- (s) 64 children passed through the Adoption Centre's home.

*Source:* Adoption Centre, 2007.

371. The contact team of the Adoption Centre has travelled all over the country.

372. The Adoption Centre responds to the National Secretariat for Children and Adolescents. It receives support from the binational companies Itaipú and Yacyreta as part of the process of strengthening the institutional framework so as to improve the quality of care received by the children in the Centre's home.

373. Improvements have been made to the infrastructure and facilities required for the efficient provision of care, and professionals have been hired (qualified nurses, psychologists, sensory stimulation specialists, physiotherapists, etc.).

374. In 2007, the increased budget made it possible to buy the building which will house the Centre's home in the future. The Centre will therefore be able to accommodate children who are under court protection orders while a search is made for their family in order to preserve the family link, or until adoption is recommended, if their family cannot be found.

#### **4. Abuse, neglect, ill-treatment and violence**

375. The ill-treatment and sexual abuse of children is a very complex problem stemming from cultural factors and the structural violence inherent in extreme poverty and social exclusion.

376. A number of studies have been made of this nexus of problems. Those carried out by the NGO Community Educational Support Base and by UNICEF (J. Betancourt, 1999) contained the following findings:

- (a) The red tape surrounding complaints often discourages victims from submitting them;
- (b) Official data is unreliable and does not reflect the true number of cases.

377. In 2002, the NGO Global Infancia conducted a survey of the ill-treatment of child domestic labourers entitled "Qualitative diagnosis of the situation of unpaid child servants in three towns in Paraguay".

378. The Documentation and Study Centre conducted a national survey of domestic and family violence using data from 2001. As far as perceptions were concerned, it was found that 54% of respondents considered it to be very frequent and 40% considered it to be frequent. 28% thought that physical violence helped to educate children and 82% thought that spanking was not wrong in some circumstances.

379. The same survey noted that the physical ill-treatment of women was accepted more in rural areas. Forty per cent of the population said that they knew of cases of physical violence to children, 17% knew of cases of sexual violence, but only 14% said that they would report cases of family violence and, lastly, 60% admitted that although they knew of real cases, they had decided not to lay an information.

380. Specific types of violence are encountered in the family. According to the Survey of Sexual and Reproductive Health conducted in 2004, 33% of married or cohabiting women came in for some kind of verbal abuse in the course of their life, 19% were subjected to physical violence and 8% experienced sexual violence. Despite the measures taken pursuant to Act No. 1600/00 on domestic violence, the persistence of macho, authoritarian, cultural patterns explains the violence against women and children. The Secretariat for Women therefore emphasizes that most of the women who report family violence also report the ill-treatment of their children.

381. In 2006, the Secretariat for Women dealt with 1,308 cases of women who were victims of domestic violence that included children and adolescents. The Teko Pyahú centre, that handles on average 20 cases a day of women or children who are victims of family violence, has set up a rehabilitation service for male aggressors. The Centre has a multidisciplinary team of specialists and has held training workshops in communities in an attempt to prevent violence against and the ill-treatment of women and children.

382. The Attorney General's Centre for Victims and Witnesses was set up to provide multidisciplinary assistance (mainly in the form of psychological, social or legal counselling) to all direct or indirect crime victims.

383. The Centre gives technical assistance to prosecuting authorities by accompanying the victim through various stages in proceedings and by drawing up multidisciplinary victimological assessments which, in an endeavour to curb domestic violence, offer biopsychosocial guidance and support for the victims and members of his or her family, in accordance with the current law on criminal procedure. Statistics for 2006 show that the courts dealt with a total 2,249 cases – 739 cases of sexual abuse, 408 cases of sexual coercion and 289 cases of cruelty to children.

#### **Punishable acts in 2006**

<b>Punishable acts</b>	<b>No.</b>
Sexual coercion	408
Attempted sexual coercion	108
Punishable acts against sexual autonomy	26
Sexual abuse	739

Punishable acts	No.
Cruelty to children	289
Punishable acts against minors	51
Rape	101
Domestic violence	130
Other	397
Total	2,249

*Source:* Attorney General's Centre for Victims and Witnesses.

384. An analysis of victims' ages shows that most victims of severe forms of ill-treatment or sexual abuse are children or adolescents.

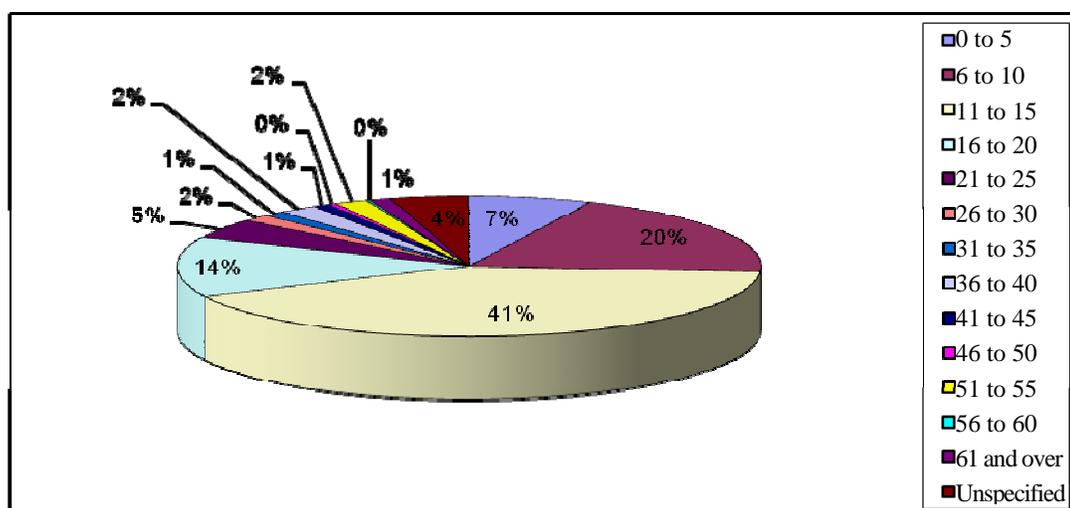
385. Sixty-eight per cent of the direct victims assisted over this period were under 16 years of age. Moreover 14% of the victims in the 16 to 20 age group were between 16 and 18 years old. 13% of offenders are under 20 and 26% are adults of unspecified age.

386. The figures show that we are faced with a reality requiring further efforts to prevent ill-treatment and also ensure that victims not only receive appropriate counselling throughout legal proceedings, but are also given support, as well as the benefit of measures to curb domestic violence and all the assistance they need to recover from the tremendous injury suffered.

#### Direct victims by age group, 2006

Age group of victims	Total
0-5	174
6-10	498
11-15	1,058
16-20	352
21-25	117
26-30	39
31-35	30
36-40	54
41-45	24
46-50	11
51-55	47
56-60	5
61 and over	30
Unspecified	110
Total	2,579

### Age groups in percentages



*Source:* Attorney General's Centre for Victims and Witnesses.

387. Another statistic which confirms that the girls suffer from more violence than boys is that 74% of the victims are female and 83% of the offenders are male.

388. One of the strategies being employed to curb domestic violence consists in the joint implementation of a national programme, "Dial 147 for help", by Plan Paraguay, UNICEF, the Community Educational Support Base and the National Secretariat for Children and Adolescents. This is a helpline which ill-treated youngsters can ring in order to obtain psychological, social and legal counselling in the event of ill-treatment, sexual abuse, exploitation at work and other violations of their rights, or on any other matter of interest to them. The programme was born in response to the need to tackle the problem by networking in a similar fashion to its predecessor the National Network against Child Abuse.

389. The helpline is now a service of the National Secretariat for Children and Adolescents. It forms part of measures to implement the targeted policies of the National Plan of Action and is a link in the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents.

390. On 20 November 2006 the National Secretariat for Children and Adolescents and the Community Educational Support Base signed an agreement under which the latter would provide technical assistance. The aims of the helpline are to:

- (a) Give specialized emotional support in crisis situations;
- (b) Offer expert information regarding the ill-treatment of children, which is aimed at promoting social responsibility;

(c) Refer callers to the appropriate services.

391. The main achievements of the programme are:

(a) The helpline has been in uninterrupted operation for more than five years;

(b) Since 2004 it has been part of Child Helpline International;

(c) More than 70 professionals and students have been trained in psychosocial and legal counselling so that they can act in cases where children are cruelly treated or sexually abused;

(d) Training assignments have been offered to 37 professionals and students who receive supervised technical and practical on-the-job training;

(e) A database has been set up for the helpline.

**The number of calls handled by the helpline between January 2007 and 21 December 2007**

392. A total of 9,934 incoming and outgoing calls were registered.

393. The reasons for the calls were classified as:

(a) Several reasons;

(b) Violence against women;

(c) Hoaxes;

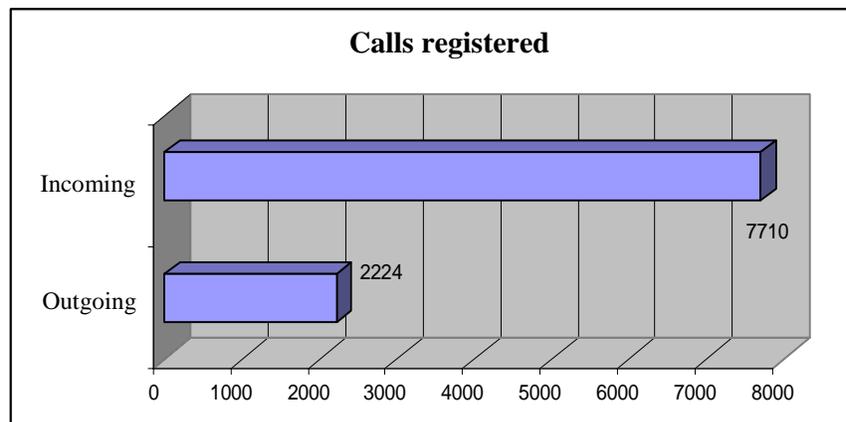
(d) Voice messages;

(e) Notification of rights violations;

(f) Monitoring of rights violations;

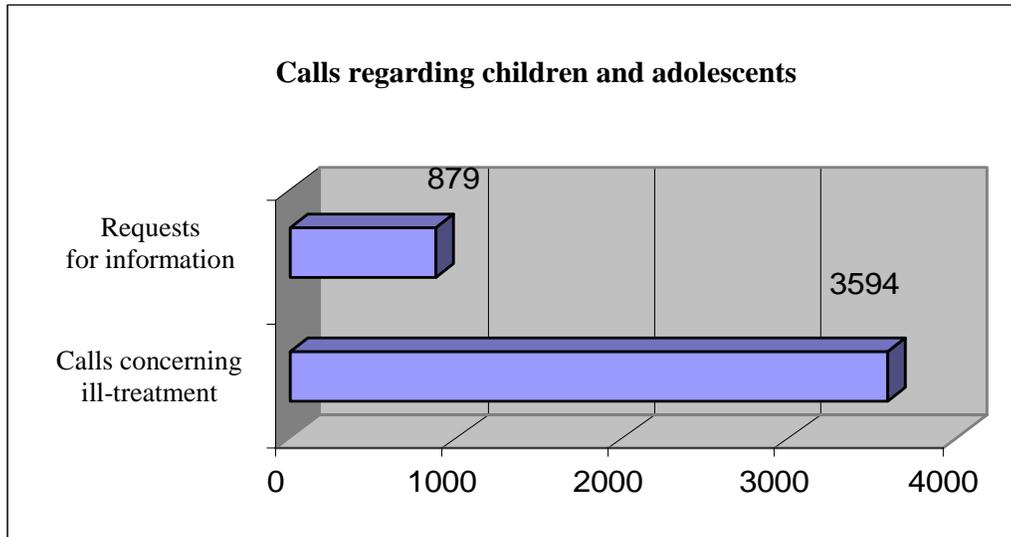
(g) Requests for information;

(h) Follow-up to requests for information.

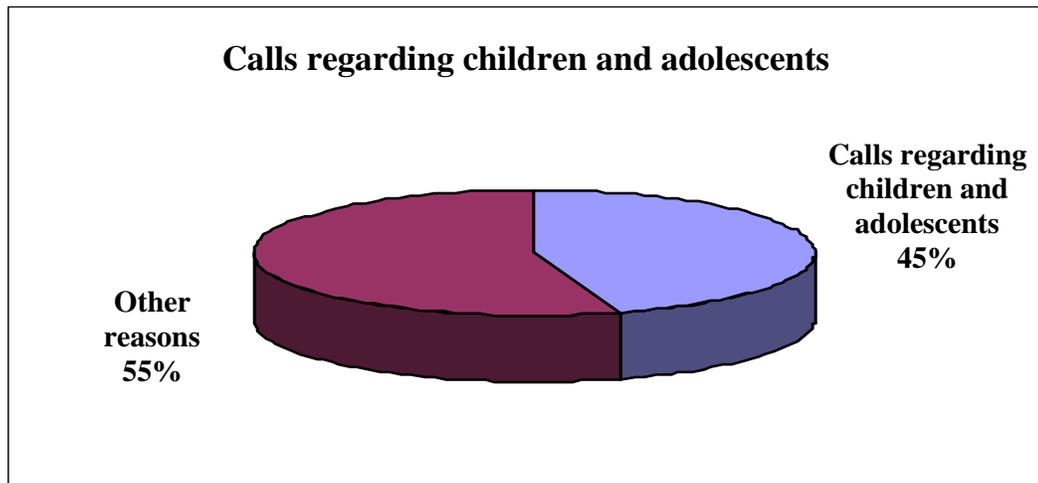


394. Thirty-six per cent of calls were related to cases of cruelty to children.

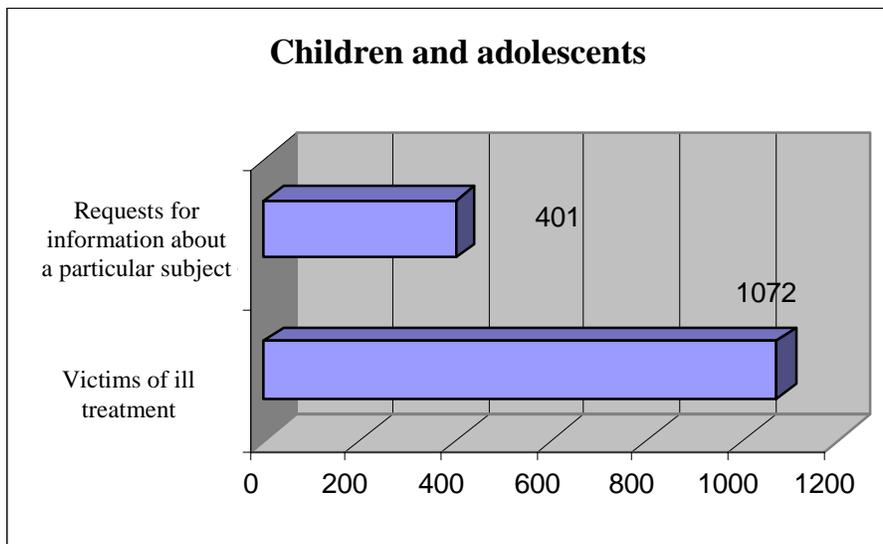
395. In September, after the helpline had launched publicity spots, calls started to come in from children and adolescents who described their own worries and needs. These calls make up 9% of the total.



396. The service registered 4,473 calls related to cruelty to children and requests for information about situations affecting children and adolescents.



397. Of the total number of calls, 1,473 came from children and young people.



398. The Municipal Advisory Boards for the Rights of Children and Adolescents play an extremely important role in identifying and receiving complaints about cases of ill-treatment and sexual abuse, as well as in referring and following up such cases. But on occasions they have been stumped by requests from some legal quarters asking advisers to assume functions outside their field of competence, as they have been mistaken for officials of the judicial system.

399. Although the boards have been a factor making it easier to denounce, deal with and prevent the ill-treatment of children in communities, their work is being hampered by a lack of resources. The challenge facing the State is to strengthen existing boards and to support the establishment of new ones in communities where there are none.

400. Another major contribution which should be mentioned is the scheme to detect and prevent the ill-treatment and sexual abuse of children at school. This is a joint scheme of the National Secretariat for Children and Adolescents and the Ministry of Education and Culture. The ability to reach out to more people is crucial to reducing ill-treatment in families and communities and ending ill-treatment in the classroom.

401. Since August 2005 the National Secretariat for Children and Adolescents has been carrying out the Programme for the Prevention and Eradication of the Ill-treatment and Sexual Abuse of Children, the principle purposes of which are to raise the awareness of and inform the community and to update the knowledge of teachers and professionals who are instrumental in the process of detecting and caring for ill-treated and sexually abused children. The aim is to adopt a comprehensive, timely and relevant approach which will result mainly in putting an end to ill-treatment and restoring the rights of the children concerned.

402. Under the programme, a manual on the comprehensive care of ill-treated children has been approved and 1,541 teachers, head teachers and supervisors and 200 community leaders have been trained. The manual was published in April 2007. It sets out the functions which must be performed by bodies in the chain of care for ill-treated children and adolescents.

403. Paraguay has gained much experience in tackling cruelty to children thanks to the National Network against Child Abuse. However training and coordination formed the basis of many of the measures.

404. The Secretariat for Women has launched the second part of a campaign against sexual harassment called "You harass, I accuse". It heightens awareness and provides training through the distribution of informative material, radio and television interviews and workshops for secondary school pupils, civil servants and officials of decentralized agencies. The purpose of this campaign is to alert people to the spread of sexual harassment in various areas of society and to encourage victims to take their courage in both hands and to complain to the appropriate bodies.

#### **F. Basic health and welfare**

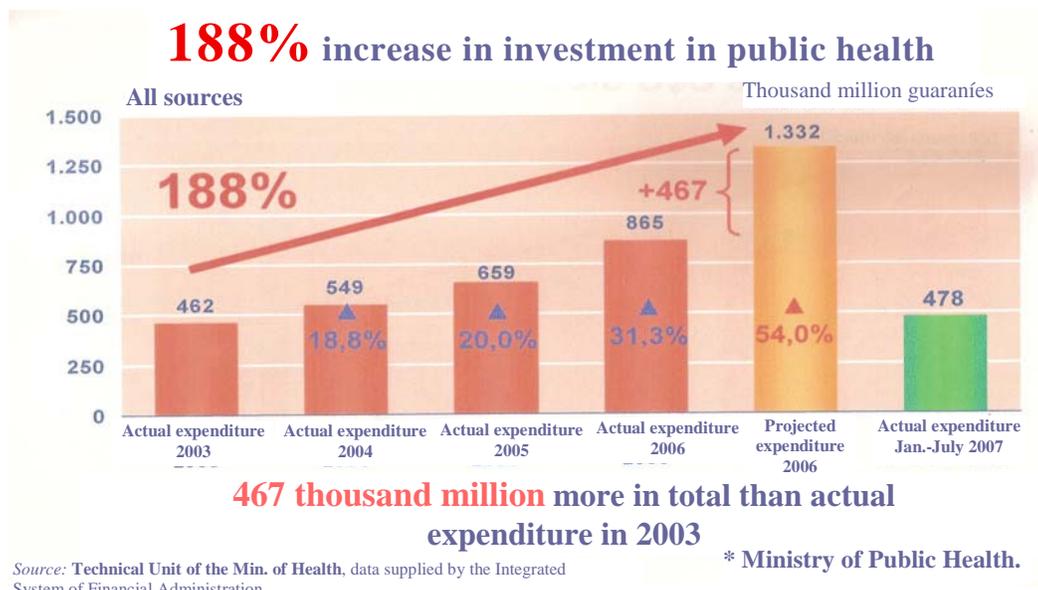
405. The Ministry of Public Health and Social Welfare, with the support of WHO, UNICEF, the Canadian International Development Agency (CIDA), UNFPA and other cooperation partners, is running programmes to guarantee children's right to health.

406. Under Resolution No. 19/2005, the present Government has abolished charges for the inpatient and outpatient treatment in the Ministry's health services of children under the age of 10. This was done in order to widen the coverage of the child population, the emphasis being on health promotion, disease prevention, high-quality care and recovery through better instruction in personal health care.

407. Resolution No.305/2007 widened the scope of article 1 of Resolution No. 19/2005 by extending free inpatient and outpatient treatment in all the Ministry's health services to young people up to the age of 19. Decree No. 10540/07 establishes free care for pregnant women and newborn babies in all the Ministry's services.

408. Through these provisions the State fulfils the terms of the Constitution, the Health Code, the Children's Code and international agreements signed by our country as well as the Millennium Development Goals.

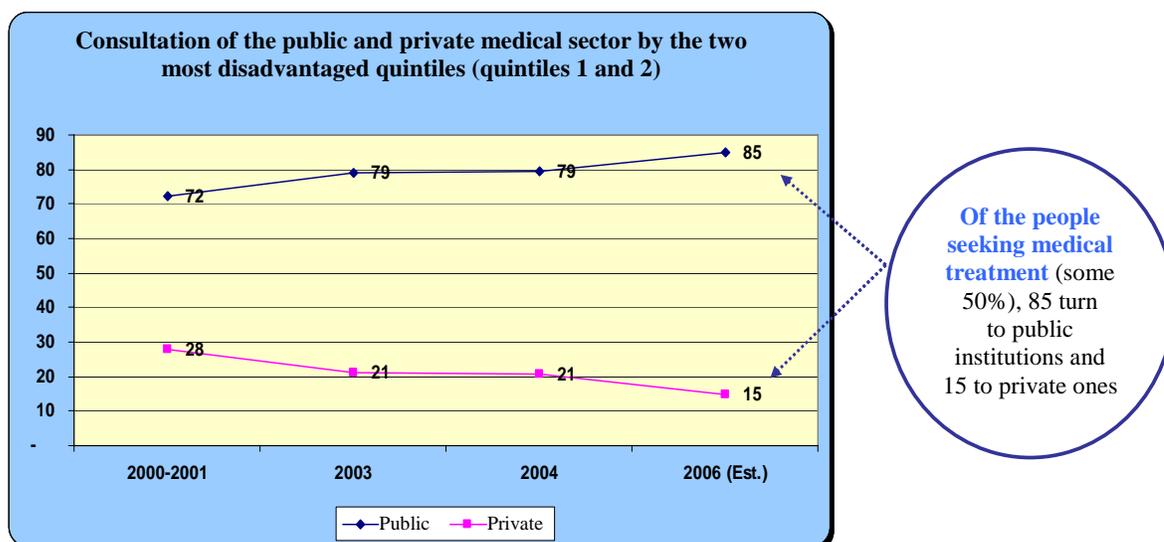
409. The Government's commitment to achieving development and fairness is reflected in the continuous growth in social investment, which has led to an increase in the budget of the Ministry of Public Health and Social Welfare.



410. Fifteen per cent of public health targets in the area of children's treatment have been reached. The challenges still facing the sector are to enhance the efficiency of expenditure and to incorporate alternative civil society resources and organizations in order to facilitate the access of children and adolescents to high-quality health services.

411. Investment in health has made it possible to increase access to medical treatment, especially for the most disadvantaged 20% of the population (with a rise from 29 to 50%). But it is still vital to improve the supply of medical care, because only one in two extremely poor children receives medical treatment when he or she requires it.

412. More and more children and adolescents are consulting public health institutions. Higher health investment leading to a greater supply of services has resulted in better coverage. There has been an increase in the consultation of public health institutions and a drop in the consultation of the private medical sector.



Source: UNDP-UNICEF-UNFPA project “Social expenditure in the budget”, with figures supplied by the Directorate-General for Statistics, Surveys and Censuses.

413. Priority programmes in the field of child and adolescent health are aimed at reducing the main causes of perinatal, neonatal, post-neonatal and infant mortality. They have been designed with a view to promotion, prevention and recovery, while not losing sight of the criteria of cost-effectiveness and impact. The most important achievements are listed below.

414. National plans to provide comprehensive health care for children aim to take action under the following headings:

- (a) Rights of the child;
- (b) Promotion and implementation of mental health programmes in institutions, families and the community;
- (c) Monitoring growth and development;
- (d) Application of the guide to the comprehensive health care of children, adolescents and pregnant women;
- (e) Improving compliance with regular health checks for children;
- (f) Computerized perinatal information system (SIP);
- (g) Computerized information system on children (SIN);
- (h) Computerized information system on adolescents (SIA);
- (i) Assisting families as the main persons responsible for the comprehensive development of children;

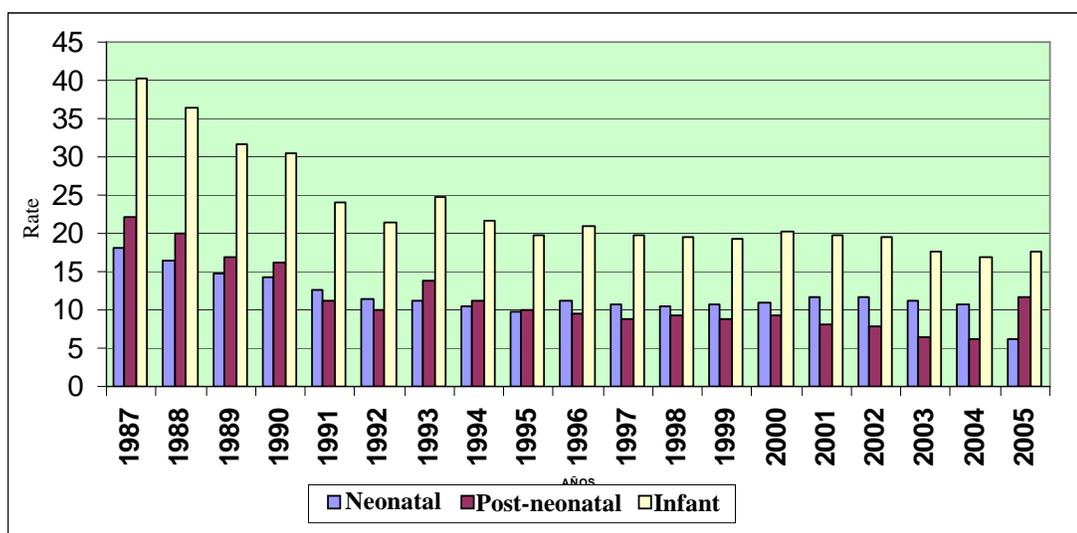
- (j) Prevention of disability and care of the disabled in tandem with other appropriate institutions;
- (k) Food for nursing mothers and small children;
- (l) Promotion, protection and encouragement of breastfeeding – wet nurse initiative
- (m) Mother and child-friendly hospital initiative (IHANM);
- (n) Prevention and treatment of malnutrition;
- (o) Boosting compliance with the guide to feeding families and children under the age of 2;
- (p) Devising and implementing food programmes for undernourished children and children at risk;
- (q) Monitoring intake of food and nutrition;
- (r) Food and nutritional security;
- (s) Vaccinations;
- (t) Care of newborn babies;
- (u) Prevention of and measures to deal with cruelty to children;
- (v) Participation of families and the community as actors sharing responsibility for health care through the strategy of integrated treatment of common childhood diseases (AIEPI), which promotes 16 key practices for fostering children’s health, growth and development within the family;
- (w) The strategy of integrated treatment of common childhood diseases is being implemented by hospitals, outpatient units and community health posts with an emphasis on the latter;
- (x) Environmental health: water, sanitation and hygiene. Control of chemicals, especially insecticides and lesions due to external causes;
- (y) Monitoring of child health and mortality.

415. The Department for the Comprehensive Care of Children’s Health has begun to implement the above-mentioned comprehensive care strategy by monitoring the growth and development of children at various stages of their life. The strategy rests on schemes to improve health workers’ skills, health services and the knowledge, attitudes and practices of families and the community.

## Infant mortality

416. Neonatal mortality accounts for a high percentage of infant deaths. Seventy-three per cent of neonatal deaths in infants under the age of 1 are due to lesions at birth, infections, premature birth and neonatal tetanus and are highly preventable.

**Neonatal, post-neonatal and infant mortality (per 1,000 live births)  
Paraguay, 1987-2005**

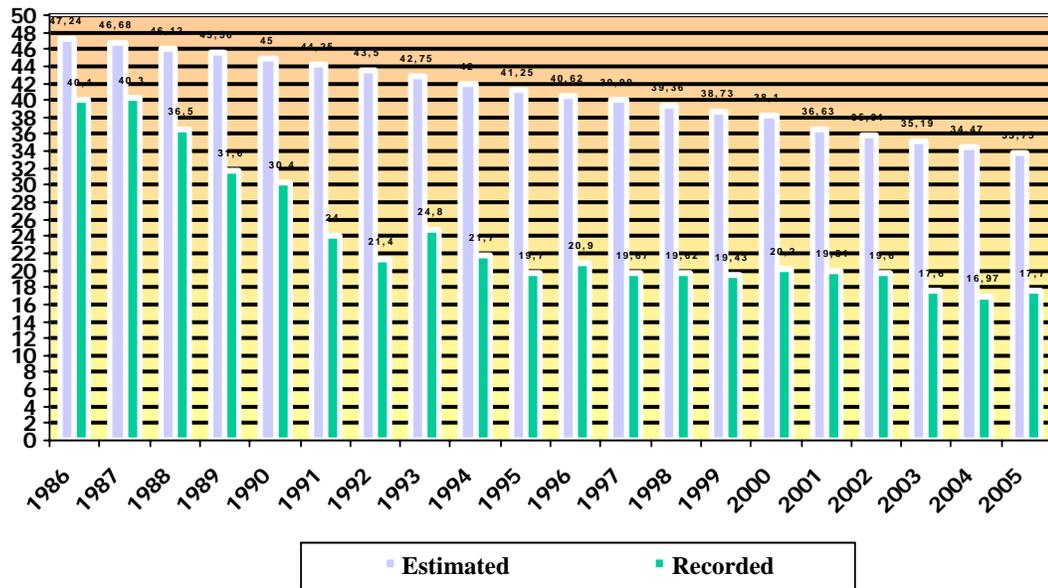


*Source:* Biostatistics Department, Ministry of Public Health and Social Welfare, Mortality Indicators, 2005.

417. Strategies aimed at the largest group of premature babies (37 weeks and over and 2,500 grams and over) will probably have a great impact on the reduction of neonatal mortality in the short term, especially through measures to enhance the skills of neonatal reanimation teams.

418. Encouragement of exclusive breastfeeding, the regionalization of neonatal intensive care units (UTIN) and the timely registration of recent births will also help to bring down neonatal mortality.

### Mortality indicators



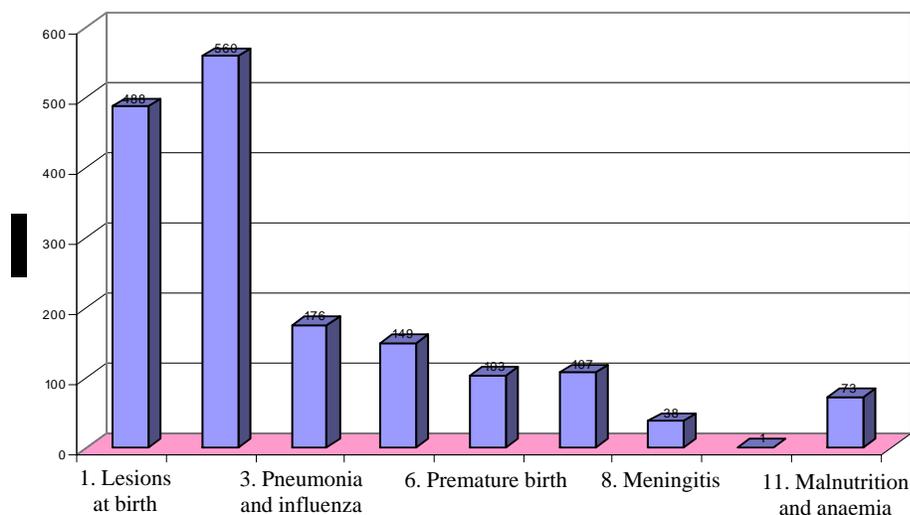
*Source:* Estimate and projection of the national population (Directorate-General for Statistics, Surveys and Censuses).

419. Registered mortality is 52.4% lower than estimated mortality, probably owing to the poor quality of data.

420. The strategy of integrated treatment of common childhood diseases is at different stages of implementation in the country, since it depends on the participation of the community through the health institutions located in each area or region.

### Mortality due to common childhood diseases

#### Mortality in children under the age of 5 caused by common childhood diseases PARAGUAY, 2004



Source: Biostatistics Department, Ministry of Public Health and Social Welfare

causes

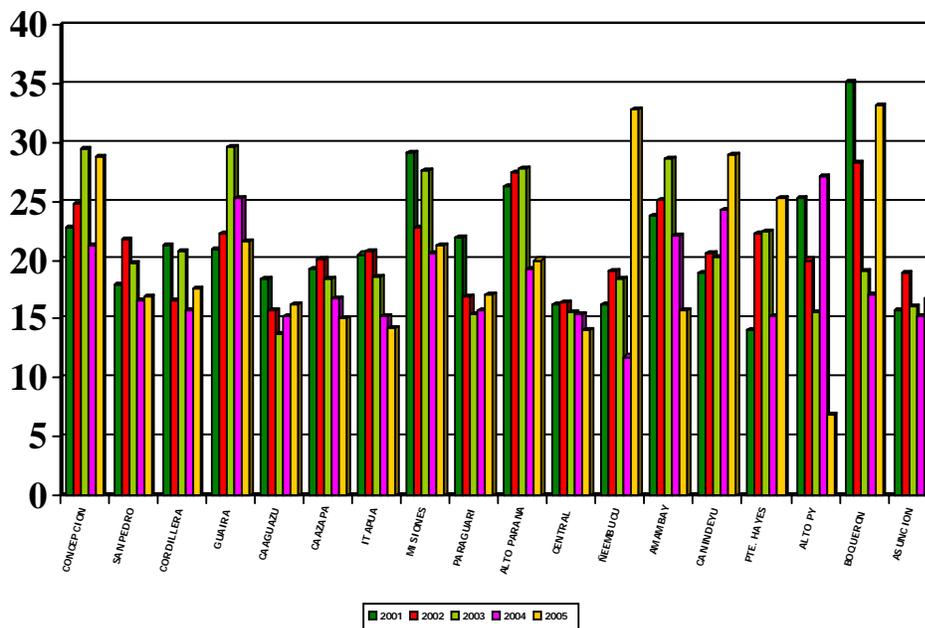
421. The under-fives have been identified as the age group where the greatest effort to reduce mortality is required.

422. In 73% of cases, death is caused by common childhood diseases directly related to socio-economic factors, an aggressive environment (exogenous death) and the impact of infections and malnutrition (characteristic of an epidemiological transition profile). It is therefore necessary to develop more advanced institutionalized services and apply effective and sustained primary care measures.

423. An analysis of infant mortality according to health regions or departments shows that its distribution is unequal. The highest rates are recorded in the departments with the most unsatisfied basic needs.

424. The flattening out of the infant mortality rate among children aged between 1 and 4 years, which was observed in the second half of the nineties, coincided with increased poverty.

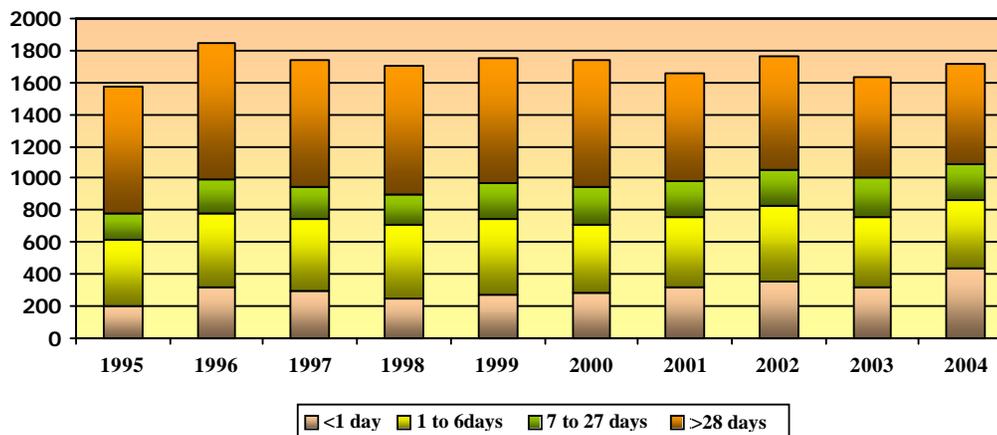
**Infant mortality according to health regions  
(Rate per 1,000 live births) 2001-2005**



425. The departments of Concepción, San Pedro, Guairá, Misiones, Alto Paraná, Amambay, Presidente Hayes and Boquerón have the highest rates of mortality among the under-fives. Only four regions have indicators below the national average, namely Cordillera, Caaguazú, Paraguari and Central, while Caazapá, Itapúa, Ñeembucú, Canindeyú and Asunción exhibit rates close to the national average of 19.85%.

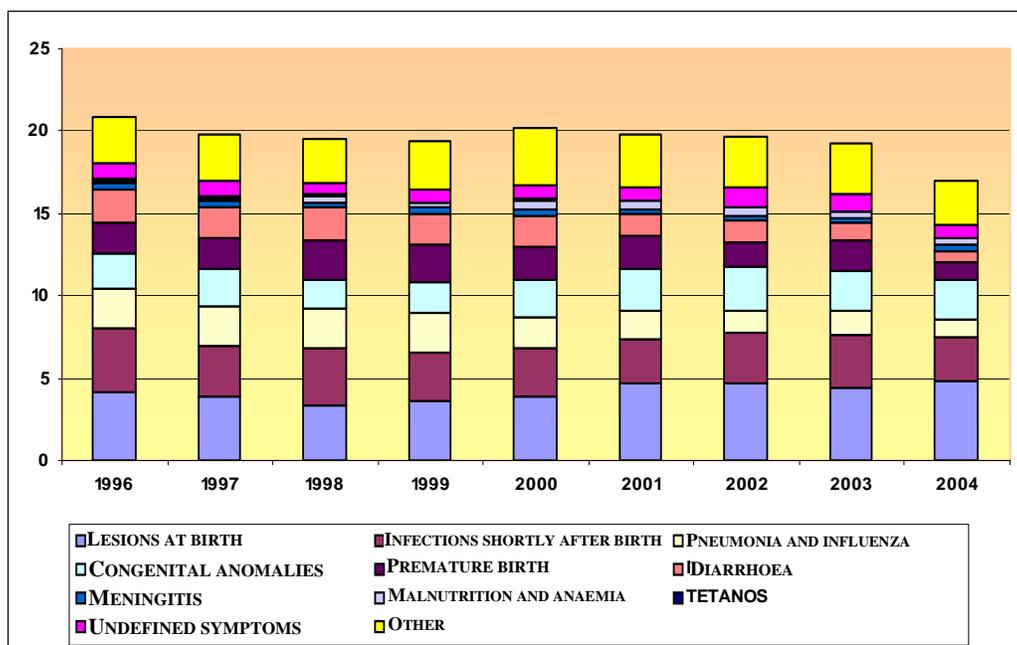
426. Most neonatal deaths occur between 1 and 6 days after birth.

**Infant mortality according to age group (rate per 1,000 live births)**



427. Lesions at birth, infections shortly after birth and premature birth are the main causes of death in the first twelve months of life.

**Causes of infant mortality per annum between 1996 and 2004  
(Rate per 1,000 live births)**

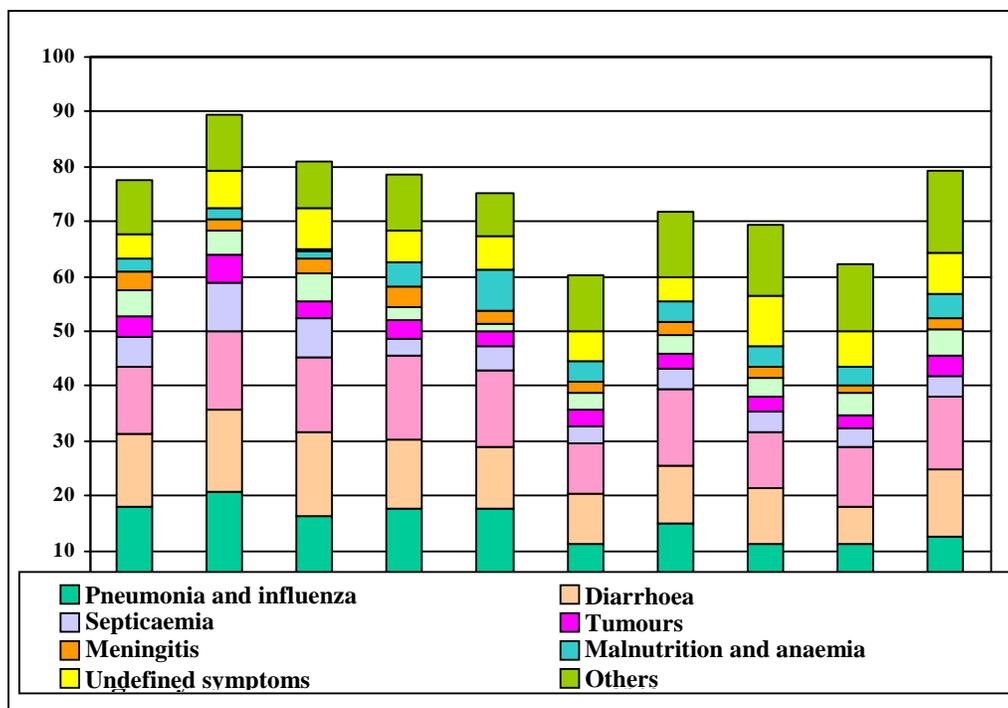


### Mortality indicators 2004

428. Neonatal deaths account for more than half of the deaths in the first twelve months of life. Lesions at birth, infections, premature birth and neonatal tetanus make up 73% of the causes and are considered to be highly avoidable.

### Mortality in the 1 to 4 age group according to causes, rate per 100,000 children in this age group, Paraguay 1996-2005

429. Diseases such as pneumonia and influenza, diarrhoea and tumours are the main cause of death among children in the 1 to 4 age group.



*Source:* Biostatistics Department, Ministry of Public Health and Social Welfare, Mortality Indicators.

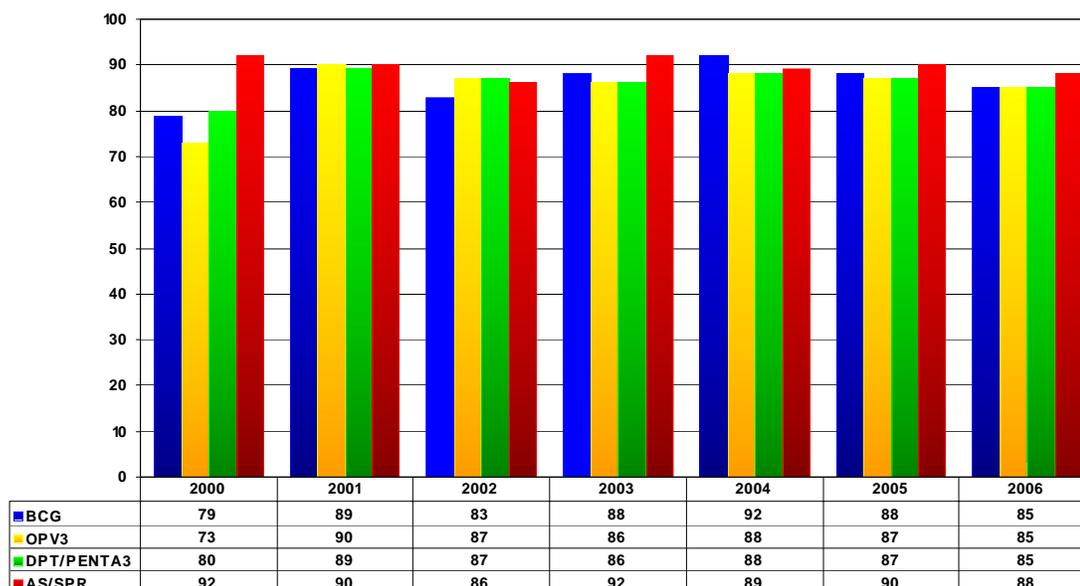
### Expanded immunization programme (PAI)

430. The programme's purpose is to reduce morbidity and mortality due to diseases which can be prevented by immunization by conducting regular vaccination and booster vaccination programmes and campaigns in order to reduce the burden of these diseases, especially among vulnerable population groups. The network of services available under the National Health System (consisting of the public, private and state sectors) are used to deploy a range of strategies designed to widen coverage in scattered rural areas and indigenous communities. A national average coverage rate of 80 to 90% has been achieved (although there are significant disparities between districts) and the programme is therefore approaching the target of 95%, at which point it becomes possible to control or eliminate immunopreventable diseases.

431. The Pan-American Health Organization (PAHO) awarded the Ministry of Public Health and Social Welfare a certificate of recognition for meeting the targets of successive national immunization campaigns and a certificate of recognition for meeting the target of the national immunization campaign for the eradication of rubella and congenital rubella syndrome (CRS) in 232 (100%) of the country's municipalities in 2005.

432. Poliomyelitis and measles have been eradicated in the country. There have been no reports or confirmed cases of rubella or CRS since the national immunization campaign.

### Vaccination coverage 2000-2006



*Source:* Directorate-General for Health Monitoring, Expanded immunization programme.

433. But as national coverage figures for 2007 show, the challenge is still to achieve the universal vaccination to which all children and young people are entitled and to which the Government of Paraguay is committed.

#### **The basic health care programme (PCSB)**

434. The programme was launched in February 2006, its aim being to ensure that pregnant women and children under the age of 5 have adequate, timely and free access to the most important kinds of health care. Under the programme, basic essential medicines to treat 13 common diseases are made available to women and children who are patients of the health services of the Ministry of Public Health and Social Welfare. Outsourced suppliers distribute and deliver packages of medicines to services, with external auditing for the sake of proper management and control. This programme has been revamped by the Inter-American Development bank using the remaining resources of the Primary Health Care Reform Program.

#### **Programme to prevent cystic fibrosis and mental retardation (by testing a blood sample taken from a baby's heel)**

435. The programme was introduced under Act No. 2138/03 and entrusted to the Ministry of Public Health and Social Welfare by Decree No. 2126/04. It has had its own budget since December 2004. It offers free diagnosis and treatment of congenital hypothyroidism and phenylketonuria and selective testing for cystic fibrosis. Some 30% of newborn babies are now covered through the network of hospitals run by the Ministry, the Paraguayan Red Cross and the San Lorenzo Maternity Centre (a teaching hospital of the National University of Asunción).

**Programme to prevent and treat malnutrition (INAN) and the Food and Nutrition Assistance Programme (PROAN)**

436. Together the two programmes result in a continuum of care by assessing the nutritional status of pregnant women, children under the age of 5 and schoolchildren, circulating food guides, checking micronutrient deficiency in National Health Service patients and providing nutritional assistance in the form of packages of food, vitamins and anti-parasitic drugs. By 2006, 27,061 children under the age of 5 and pregnant women (or 77.32%) out of an estimated 35,000 persons had benefited from the programme. It has been extended to 31 selected districts and gives 100% of the target population access to care.

**Maternal mortality**

437. In Paraguay, although not all cases of maternal mortality are recorded, it is known that women give birth at a very young age (a third of women between 15 and 24 years of age have one child or more). The rate of maternal mortality in 2002 was 182.1 per 100,000 live births and, according to a report of the United Nations, the mortality rate among adolescents is one of the highest in the region.

438. Measures to improve maternal health have proved to be inadequate in view of the high recorded rate of maternal mortality: 150.1 per 100,000 live births in 1990, 114.4 in 1999, 164 in 2000 and 174.1 in 2003.

439. The possibility must not be ruled out that this rise may be attributable to better monitoring which might have reduced the number of unrecorded deaths. Disaggregated data by area has existed since 1996. The figures show that in 2003 the rates were 174.4 per 100,000 live births in urban areas and 173.6 in rural areas. In 2004 the rate fell to 153.5 per 100,000 live births.

440. It must be said that the Ministry of Public Health and Social Welfare is striving to improve the level of registration and to eliminate the possible underreporting which exists in some fields, such as that of child mortality in the 1 to 4 age group.

441. To this end, the Biostatistics Department is working with various directorates and programmes in the sector to set up an adequate, reliable system able to supply disaggregated data on different variables. It is hoped that separate data on the situation of the indigenous population will be obtained.

442. The Government has undertaken to reduce the maternal mortality rate to 55 in 2011 and to 37.5 in 2015. To do so, it is relying on the National Sexual and Reproductive Health Plan (2003-2008) whose strategic objective is to “improve the sexual and reproductive health of the Paraguayan population through sustainable comprehensive policies, programmes and projects ensuring all-round care for the individual and the community with a focus on rights, quality, gender and fairness”.

443. One of the plan’s action lines is safe maternity which basically rests on measures in four separate fields:

(a) Family Planning with free counselling and contraceptives (guaranteed by a regular distribution system) in the services of the Ministry of Public Health and Social Welfare;

(b) Antenatal care, also free of charge and with the provision of essential medicines through the Basic Health Care Programme;

(c) Care by qualified birth attendants, for which all the services in the country provide “birth and caesarean kits” which contain basic medicines for normal and caesarean births;

(d) Essential obstetric and comprehensive neonatal care through the Basic Health Care Programme, with the provision of medicines and material for obstetric and neonatal emergencies.

444. Since 2005 miscarriages have been the chief cause of maternal mortality and a start has recently been made on issuing a kit for treating incomplete miscarriages.

445. The main causes of maternal mortality in 2005 were: miscarriages (27), haemorrhaging (22), toxæmia (20), sepsis (13) and other (19). The size of the problem is such that it is the fourth largest cause of death among women in the 15 to 49 age group and the main cause of death in the 25 to 29 age group.

446. As far as female morbidity is concerned, anaemia or miscarriage is the reason for the majority of medical consultations by women in the 15 to 19 age group. Among young men of the same age, most trips to the doctor are occasioned by accidents, anaemia and fractures, which shows that gender is a determining factor of illness. Most of the women visiting the doctor on account of a miscarriage are aged between 20 and 39.

447. In 2004, 74% of pregnant women received antenatal care. In rural areas the figure was lower at 60%, but in urban areas it rose to 92% (according to a joint survey conducted by the Paraguayan Centre for Population Studies and the Ministry of Public Health and Social Welfare).

#### **Factors related to maternal mortality**

448. The causes of death show that it is necessary to identify issues and adopt decisions making it possible to break the chain of events leading to death.

449. The proper, timely use of currently available means and remedies can prevent women's deaths. PAHO considers that preventive measures have a success rate of 90 to 95% thanks to modern technology (blood, anaesthetics, antibiotics and Guidelines for the Epidemiological Surveillance of Maternal and Neonatal Health, Morbidity and Mortality (VESMNN)).

450. In 2004, 74% of births were attended by specialized personnel. The rate in rural areas was lower, 60%, but higher in urban areas, 92%.

451. In recent years, various plans, such as the National Sexual and Reproductive Health Plan, have been implemented in order to reduce maternal morbidity. Act No. 2907 made provision for a budgetary appropriation for the purchase of contraceptives and birth and caesarean kits, which represents an increase in the real expenditure of the Ministry of Public Health and Social

Welfare. The National Commission for the Surveillance of Maternal and Neonatal Health and Mortality and regional commissions have also been set up to engage in the systematic monitoring and study of maternal mortality, so that a report can be drawn up and a local and regional action plan can be devised to prevent further deaths.

452. Pursuant to the policy on facilitating access to health services, the present Government has introduced:

(a) Free antenatal care and free care for children under the age of 5, with the provision of medicines through the Basic Health Care Programme which entered into force in 2005;

(b) The free supply of birth and caesarean kits in all the services of the Ministry of Health, the Paraguayan Red Cross and the Maternity Centre (of the university gynaecological and obstetrics department).

453. These measures have resulted in a 19% rise in the coverage of antenatal care and a 20% rise of births in hospital.

454. Programmes implemented on the basis of the Poverty Reduction Strategy include those providing women with basic health care. The emphasis is on closer linkage of state programmes so that they have a greater impact on families' quality of life.

455. Water and sanitation are also factors that greatly influence public health. In 2004 only 58% of the population had access to safe water. This percentage shrank to 33% in rural areas and to 2.5% in indigenous communities. It was estimated that 44% of the population had access to basic sanitation. In 2005 the health budget rose by 43.7% over 2003, with a 100% increase in appropriations for water and sanitation. But resources are still limited and do not make it possible to reach the most excluded groups, especially indigenous and poor rural communities.

456. One of the most important experiments conducted recently is that carried out jointly by UNICEF, local governments, indigenous organizations and NGOs, in which direct support was given to hundreds of families from 10 ethnic groups in 140 communities to improve health, nutrition, water, sanitation and children's education.

457. The Government advocates placing emphasis on preventive health care. Pupils play an active part in the range of projects forming part of the health education programmes being run in schools by the Ministry of Education and Culture with the support of the Ministries of Health and Labour, the FAO, PAHO, the Foundation of the First Lady's Office, municipalities, universities and the private sector:

(a) "Healthy schools" project;

(b) "Defence Committee of the School Consumer" pilot project;

(c) National Anti-Parasite Campaign;

(d) "For a Paraguay without vinchucas or kissing bugs". Scientific competition to prevent Chagas disease;

- (e) “Feeding the brain to combat hunger”;
- (f) HIV/AIDS;
- (g) “I love life” Programme – its aim is to prevent risk factors of non-transmissible chronic diseases by promoting healthy lifestyles;
- (h) Buccodental programme;
- (i) Road safety campaign.

458. In order to strengthen the mother and child health care system, the Ministry of Public Health and Social Welfare is running the following programmes:

- (a) Programme to reform primary health care;
- (b) Sexual and reproductive health programme;
- (c) National Programme of Insurance for Mothers and Children (PNAMI);
- (d) (currently being approved by parliament).

459. Despite recent progress, it is still necessary to consolidate primary health care programmes so that they meet the needs of children of various ages (promotion of breastfeeding, social and reproductive education<sup>2</sup>, HIV prevention, etc).

460. One of the Government’s central priorities is to maintain an inclusive approach in the social policies which it is implementing in order to narrow the gaps affecting indigenous groups. To this end, it is carrying out measures to eliminate shortcomings in indigenous children’s access to health care. For example it is working with indigenous organizations in Boquerón on health checks and preventive campaigns, but clearly more resources need to be funnelled to such activities.

461. The indigenous population’s many and various needs stemming from decades of social exclusion call for an intersectoral and interinstitutional approach, which the Government is taking with the help of international cooperation partners. In this context, in order to gain a complete picture of each group’s particular health needs, UNICEF has studied:

- (a) Child-rearing practices in indigenous communities in the Chaco;
- (b) Access to and cultural management of water in indigenous communities of Alto Paraguay;
- (c) Infant malnutrition in communities in the Central Chaco;
- (d) The carob bean’s nutritional potential;

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<sup>2</sup> Translator’s Note: Did the author mean sexual and reproductive education?

- (e) Traditional recipes of the Mbya people.

462. At the same time, municipalities, health regions, NGOs and indigenous organizations in the western and eastern region, with the support of UNICEF, have carried out demonstrative experiments making it possible to improve the health, nutrition, water, sanitation and children's education of 10 ethnic groups living in 140 communities.

463. The experiments concerned:

- (a) Closer interinstitutional coordination when implementing measures incorporating a holistic, intercultural approach;

- (b) Training of health officials and adaptation of tools for suitable care with an intercultural approach making it possible to widen vaccination coverage and registration on the Civil Register;

- (c) Comprehensive care for indigenous children including assistance with a view to achieving universal vaccination and basic health treatment;

- (d) Establishment of oral rehydration units (ORU) in indigenous communities, with the provision of oral rehydration salts and a radio campaign in 14 indigenous languages on the need to treat children immediately;

- (e) Checking the height and weight of children and attending to cases of malnutrition and anaemia;

- (f) Recording and adapting traditional recipes, food education and support for schemes to increase the availability of food;

- (g) Improvement of water supply systems through the protection of springs, well improvement and the use of hand pumps;

- (h) Developing a system to catch rain water for family use (to ensure that indigenous families have safe drinking water during the long droughts that are a feature of their areas), installation of hand basins and a latrine in each home.

464. The Government is firmly committed to pursuing these experiments and intends to see to it that children in indigenous communities and the indigenous population in general can enjoy not only their right to health, but all their rights.

### **Children's mental health**

465. In December 2003, at the request of the NGO Mental Disability Rights International (MDRI) and the Center for Law and Justice International, the Inter-American Commission on Human Rights ordered the Paraguayan Government to take measures to protect the life and the physical, mental and moral integrity of patients in the psychiatric hospital of Asunción. This decision was prompted by the case of two young people who had been diagnosed as autistic and interned in the hospital in degrading conditions and it referred in general to all the other patients

there. In view of what had happened, the Mental Health Directorate and the hospital undertook to improve staffing levels and the quality of care and to make the treatment more humane.

466. In accordance with a resolution of the Ministry of Public Health and Social Welfare, a multidisciplinary technical commission was set up to further the reform of the mental health system as part of national mental health policy. A mental health bill is in the process of being approved and work is likewise proceeding on the project to reform the quality of mental health care and the manual on juvenile mental health standards.

467. An agreement has been signed with the Ministry of Education and Culture on the prevention of teenage suicide and a project aimed at children called "Therapeutic life" is in the pipeline.

### **1. Disabled children**

468. In 2002, Paraguay passed Act No. 1925 ratifying the Inter-American Convention on the Elimination of all Forms of Discrimination against Persons with Disabilities. The same year, the Ministry of Public Health and Social Welfare, with the assistance of PAHO, drafted a plan on comprehensive measures for the disabled.

469. The chief causes of disability, in addition to congenital conditions, are antenatal and perinatal conditions, diseases during pregnancy and infectious and parasitic diseases. Traffic, domestic or industrial accidents are the second cause of disability. According to article 58 of the 1992 Constitution, policies must be implemented for the "full social integration" of persons with special needs.

470. Most of the disabled live in rural areas. Disability is detected only when a child begins formal education. That is why the highest percentage of the disabled population is to be found in the 6 to 17 age group.

471. The Government has defined policies to promote the full social integration of persons with various disabilities. The biggest step forward for children with disabilities has been their enrolment in school and the provision of a range of teaching arrangements. Before the education reform they were placed in special schools, whereas now most of them, disability permitting, attend normal basic schooling.

472. Special education is offered through a variety of services.

#### **Formal education**

##### **Special schools**

473. These are institutions specifically catering for pupils with the special educational needs associated with fundamentally complex mental, sensory, motor or multiple disabilities.

474. The special classes and support services available in ordinary schools form part of this education and their activities are therefore included in its general planning.

**Special education. Basic education schools offering support  
and special classes**

Department	Teaching arrangement			
	Support class	Special class	Support and special class	Total
Asunción	23	2	1	26
Concepción	45		1	46
San Pedro	68	1	4	73
Cordillera	72	4	6	82
Guairá	72	4	6	82
Caaguazú	62	1	1	64
Caazapá	90		5	95
Itapúa	10	8	5	23
Misiones	12	2	3	17
Paraguarí	42	2	8	52
Alto Paraná	26	1	4	31
Central	19	8	4	31
Ñeembucú	7		2	9
Amambay	15	1		16
Canindeyú	14			14
Pres. Hayes	5			5
Boquerón	5			5
Total	587	34	50	671

*Source:* Directorate-General for Statistics, Surveys and Censuses, Yearbook 2006 –Ministry of Education and Culture.

### **Vocational training centres**

475. These train students in technical and vocational skills which foster their personal development and facilitate their future integration into society and the world of work. Their courses are based on normal training programmes with specific syllabuses for certain elementary tasks.

### **Informal education**

#### **Special services**

476. These are extramural services to provide support or remedial teaching for pupils with special needs. They are the responsibility of professional therapists who are trained to deal with particular disabilities.

### **Preventive care, intervention and temporary stimulation units (UPIETE)**

477. This is a service catering for the under-fives who run the risk of displaying, or who display, anomalies in their normal development. They promote and support the integration of these children in normal primary schools.

### **Guidance and evaluation unit**

478. This is a unit offering guidance and psychopedagogical assessment. It responds to applications from pupils with special needs by suggesting the most appropriate type of schooling. It assists in the prevention of learning difficulties and early detection of pupils' possible needs, participates in the adaptation of the curriculum and helps to arrange support activities with the classroom teacher, support teacher and other members of the educational community.

### **Psychomotor services**

479. These seek to develop the psychomotor skills of children between the ages of 6 and 12 who display difficulties in this area.

### **Phonoaudiological and audiometric services**

480. These cater for children between the ages of 2 and 12 who have speech defects. Programmes are worked out on an individual basis.

### **Artistic education service**

481. This service offers children with special needs programmes to develop their artistic aptitudes and skills.

### **Physical education service**

482. This service develops the sporting abilities of persons with special needs. It teaches swimming, artistic gymnastics, athletics and other kinds of sport.

### **Inclusive education projects in ordinary schools**

483. These are run at various levels and in different types of ordinary schools and ensure equal opportunities for children with special needs, either because they are disabled or because they are exceptionally gifted. They employ enhanced class management and teaching techniques in order to supply an appropriate response to the learning barriers faced by pupils.

484. As can be seen from the enclosed tables,<sup>3</sup> nearly all disabled pupils in the private education sector attend special schools. Although the majority of all the others attend special institutions, some do go to ordinary schools. The vast majority of mentally retarded children and children with learning difficulties in state education do not attend special schools.

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<sup>3</sup> Translator's Note: the author refers to "tables", but only one is included in the document.

### Pupils according to disability, sector and specialized institutions

Sector	Pupils with disability					
	Learning difficulty	Blind	Deaf	Mentally retarded	Motor disability	Total
State	591	331	549	1393	101	2,965
Private	120	0	24	347	202	693
Subsidized	632	222	1,826	279	47	3,006
Total	1,343	553	2,399	2,019	350	6,664

*Source:* Directorate-General for Statistics, Surveys and Censuses, Yearbook 2006 – Ministry of Education and Culture.

485. Although the supply of services has increased, this is true only of the metropolitan area of the capital. The Ministry of Education and Culture is endeavouring to achieve a sufficient number of specialized teachers.

486. The National Secretariat for Children and Adolescents has coordinated the drafting of the National Programme of Comprehensive Care for Disabled Children. Despite limited resources, some awareness-raising measures have been carried out. A directory of entities of and for persons with disabilities has been put together. Teaching aids have been produced for teachers and technical staff working with persons with special educational needs: 2,000 teaching manuals, 500 manuals on the second sign language module and 1,000 packs of sound material.

487. The Ministries of Education and Culture and Public Health and Social Welfare, together with the Santa Lucia Association and other NGOs, are trying to open more temporary stimulation clinics to treat children in the capital and elsewhere in the country. They are also working with municipalities on one of the most essential tasks, namely to facilitate the movement of persons with disabilities.

488. The National Coordinating Office for the Promotion of Persons with Disabilities (CONAPRODIS) is part of the National Coordinating Office for the Comprehensive Development of Very Young Children. It contributes analyses and defines alternatives for very young children with disabilities. Global Infancia, with the support of the AVINA Foundation, Save the Children Sweden and Escola de gente Brasil is seeking to strengthen the National Coordinating Office for the Promotion of Persons with Disabilities with a view to building an inclusive society and eliminating all forms of discrimination.

## 2. Adolescent health

489. 23.6% of the Paraguayan population is made up of adolescents who play an important role in the national development process as agents of cultural, social, economic and political change. The consolidation of democracy depends on their active participation. The quality of life depends on educational opportunities and the improvement of life, vocational and health skills.

490. The Ministry of Public Health and Social Welfare has a National Comprehensive Adolescent Health Programme with six services providing specialized care in two hospitals in the capital and four in the rest of the country. It is hoped that, in the short term, it will be possible to up the programme's budgetary appropriation so that it will be possible to supply wide-scale treatment and preventive care.

491. One of the risk factors jeopardizing adolescents' optimum development is teenage pregnancy which can lead to girls abandoning their studies and dropping out of school. This makes them even more vulnerable and places them at greater risk.

### **Adolescents' sexual and reproductive health**

492. Paraguay has one of the highest birth rates in Latin America. This constitutes a challenge for the public health sector.

### **Fertility**

493. According to findings published in the 2004 National Sexual and Reproductive Health Survey, more than 50% of adolescents have begun sexual activity before the age of 19 in both urban and rural areas and one in four women between the ages of 15 and 24 has had one or more pregnancies. 27.9% of these women are in the 15 to 19 age group.

494. Although the use of contraceptives has risen in the last decade, it is still lower than in other Latin American countries.

495. Girls between the ages of 15 and 19 and women with little education and low socio-economic status make least use of modern methods. The exercise of social and reproductive rights by young men and women is limited by the lack of a suitable infrastructure and trained human resources to deal with youngsters' problems, despite the existence of policies and programmes especially directed at this sector.

496. In order to provide a framework for action, the Ministry of Public Health and Social Welfare has implemented the National Plan for Comprehensive Health Care for Adolescents 2002-2006 and the National Sexual and Reproductive Health Plan.

497. According to data supplied by the Biostatistics Directorate of the Ministry of Public Health and Social Welfare, the following number of adolescent pregnancies was recorded:

### **Number of adolescent pregnancies per annum**

Year	Total number of pregnancies
2000	16,098
2001	15,454
2002	16,840
2003	15,120
2004	17,783

*Source:* Biostatistics Directorate of the Ministry of Public Health and Social Welfare.

498. Informed decisions are the best means of preventing adolescent pregnancies and properly exercising sexual and reproductive rights. The National Secretariat for Children and Adolescents, acting in coordination with the Ministry of Education and Culture, is implementing the “Learning to love” programme with a view to giving sexual education to children and adolescents. An initial pilot project was carried out satisfactorily in two departments and in the capital.

#### Other causes of death among adolescents

Causes	Percentage
Malignant tumours	8.7
Complications related to pregnancy, birth and puerperium	3.8
Septicaemia	2.9
Pneumonia and influenza	2.7
Diseases of the circulatory system	2.5

*Source:* Biostatistics Directorate of the Ministry of Public Health and Social Welfare.

#### Adolescent mortality

499. The main cause of mortality in this age group is violent death, 54% of which is due to accidents of all kinds and murders.

#### Adolescent deaths out of a total of maternal deaths at national level

Year	Total adolescent maternal deaths	Percentage
2001	16	12
2002	14	8.5
2003	24	16
2004	17	11
2005	15	11.19
2006	20	17.69

*Source:* Biostatistics Directorate of the Ministry of Public Health and Social Welfare.

500. Another problem affecting adolescent health is the consumption of alcohol, tobacco and illegal drugs.

501. Unfortunately, drug use is beginning at an earlier and earlier age. Among addicts 40% had begun to drink alcohol, 67% had started to smoke tobacco, 92% has begun to sniff solvents and other substances, 66% had started to smoke marihuana, 100% had experimented with hallucinogens and 57% had used barbiturates by the age of 14.

502. Eighteen per cent of young people between the ages of 15 and 19 say that they have consumed at least one drug. 31% say that they have consumed up to six drugs (the percentage goes up with the increased number of drugs). Inversely, in the 14 and under age group, 3% say

that they have consumed only one drug and 0.7% say that they have used six drugs. This suggests that the highest risk of consumption is among the over-fifteens.

503. The National Secretariat for Children and Adolescents, in coordination with government organizations and NGOs, is running the Tekove Poti national programme to protect children and young people from the consumption of alcohol, tobacco and other psychoactive substances. The programme seeks to prevent, assist and reintegrate victims of addiction.

504. Violence likewise undermines the mental and physical health of adolescents. Most youngsters affected by violence are victims, but some are aggressors who use their free time unproductively. Some campaigns have been mounted in order to offer these young people sport and cultural activities in their free time.

### **3. HIV/AIDS**

505. Epidemiological studies carried out in 2006 show that between 1985 and December 2006 the HIV/AIDS epidemic was concentrated in the most vulnerable sectors of the population.

506. According to preliminary data, rates among these sectors were: women who had just given birth 0.5%, female sex workers 1.8%, male sex workers 12.9%, injection drug users 9.1%, clients of sex workers 1.6% and military personnel 0.4%.

507. The National Programme to control HIV/AIDS of the Ministry of Public Health and Social Welfare is the main institutional response to the epidemic within the public system. Coordinated teamwork between governmental organizations, NGOs, civil society and people living with HIV/AIDS (PLWA) in the local health councils forming part of the national health system has promoted the inclusion of HIV/AIDS in local government agendas.

508. Official estimates of persons between the ages of 15 and 49 living with HIV/AIDS in 2005 put their number at approximately 17,500. These estimates might vary once the actual figures of studies are known at the end of the year.

509. Over the 21 years prior to December 2006, 1,679 cases of AIDS had been notified and 3,485 cases of infection with no signs of the disease had been recorded. There had been 53 cases without specific data. That brought the number of persons living with HIV/AIDS up to 5,217. Notified deaths amounted to 839. In total 6,056 persons had been registered.

510. There had been a 30% rise in the number of new PLWA over 2005 (642 new cases diagnosed, or a monthly average of 54) owing to better access to diagnosis. At present it is estimated that the level of underreporting is 70%. The number of recorded cases will rise as information gradually spreads to the main health regions and the notification system is improved.

511. In 2006 some 60% of cases were men, with a male to female rate of 1.5:1 (in other words 3 men for every 2 women). HIV is most frequently acquired by sexual transmission (80%). Although most recorded cases are in the Asunción, central and eastern border regions, all areas of the country have PLWA.

512. Children make up 5% of the total number of AIDS cases. The age group with the highest growth rate is that of the 15 to 24 year-olds of both sexes followed by the 25 to 29 age group.

Even allowing for unrecorded cases, greater attention must be paid to a rising incidence of infection among heterosexuals, women and children at an earlier and earlier age.

513. As part of the technical and financial assistance it provides for the implementation of the National Sexual and Reproductive Health Plan and the National Adolescent Health Plan, UNFPA Paraguay is supporting projects targeted on this age group which focus on providing information about HIV/AIDS and its consequences. Paraguay also participates actively in the United Nations Joint Programme on HIV/AIDS (UNAIDS) which combines the forces and resources of United Nations agencies to strengthen a general response to AIDS making it possible to:

- (a) Prevent the spread of AIDS;
- (b) Support people living with AIDS;
- (c) Reduce persons' and communities' vulnerability to HIV/AIDS;
- (d) Mitigate the socio-economic and human impact of the epidemic.

#### **Advances and achievements in curbing AIDS and sexually transmitted diseases**

514. The National Programme to Control HIV/AIDS and Sexually Transmitted Diseases (PRONASIDA) is carrying out a series of measures graduated according to areas, standards and functions within an operative plan to achieve the Millennium Development Goals. Mention should be made of the following:

- (a) 39% increase in the budget compared with 2005;
- (b) Access to antiretroviral drugs covering the needs of all PLWA;
- (c) 50% reduction in the price of antiretroviral drugs and reagents as a result of negotiations in Mercosur.

515. Paraguay has qualified as a beneficiary of the Global Fund to Fight AIDS, Tuberculosis and Malaria, since its project received technical and financial approval. It qualified for Category 1, (the highest category) and has been granted US\$ 9.1 million. This achievement means that it will be able to boost the national response to HIV/AIDS by doing more in the area of prevention to complement the current activities of the Ministry of Public Health and Social Welfare.

516. In the field of all-round care, outpatient treatment has been improved. The recruitment of medical personnel and changes in infrastructure have increased access to medication by 64% compared with 2005. In two health regions (Ciudad del Este and Encarnación) treatment, covering diagnosis, confirmatory test, counselling, medical treatment and the supply of antiretroviral drugs, has started to be decentralized.

517. There are plans to set up diagnosis and follow-up teams in the above-mentioned regions. The PRONASIDA reference laboratory received 2,814 more voluntary samples than the previous year. The laboratory offers counselling and diagnosis of HIV and syphilis and

follow-up tests for PLWA. At present 112 children and adolescents are registered with the Comprehensive Treatment Department.

518. Underreporting of cases has dropped from 80 to 70% over the past year. This fall is due to better training of human resources in the detection of the disease. Six studies of behaviour and the transmission of HIV and syphilis have been conducted among select population groups: women who have just given birth, clients of sexual workers, injection drug users, military personnel and sex workers.

519. A national census of commercial sex workers was conducted earlier. Surveys were also carried out to determine HIV prevalence among tuberculosis sufferers and HIV genotyping among PLWA. All these studies received international technical assistance and funding. The information obtained might provide a fuller picture of the epidemic.

520. Requests for counselling before and after PRONASIDA tests have gone up by 8% over 2005. This increase is related to a 60% increase in trained staff working in programmes to prevent mother to baby transmission in the 45 mother and baby centres in regional administrative centres and Asunción.

521. Forty-five new centres have been included in the programme to prevent the transmission from mother to child of HIV and syphilis. As from this year they have been offering counselling and rapid HIV testing for women of child-bearing age and pregnant women. These services have carried out 38,000 rapid HIV tests and 36,762 tests for venereal disease on pregnant women. 176 women were found to have HIV (Western blots) and 1,884 to have syphilis. At present 30 newborn babies are being monitored. Four of them are confirmed cases of HIV. Among pregnant women there has been a 38% increase in the diagnosis of HIV and a 31% increase in confirmed cases of syphilis.

522. Another achievement has been the inclusion of measures to prevent the transmission of HIV from mother to child in a project on HIV/AIDS and sexually transmitted diseases in six health regions of Paraguay. The project, which sets some important five-year targets, receives funding from the Global Fund. Its activities encompass diagnosis, counselling, improving infrastructure and human resources, preparation and publication of educational material, mass media campaigns, comprehensive treatment and monitoring of children born of mothers with HIV.

523. A model sexual and reproductive health project being carried out in two districts of Caaguazú and Paraguari is aimed at prevention and outreach. It has achieved a coverage rate of children, parents and health personnel that is 221% above the target.

524. This project has succeeded in obtaining the widespread participation of various national, regional and local actors through the setting up of committees. In addition, private business has joined a project to prevent HIV/AIDS in the workplace. Twenty-one cooperatives have become associated with the project which means that the target has been completely reached.

525. The mass media and outreach campaigns have achieved 75% of their target.

526. Another aspect which deserves to be emphasized is that there has been a 42% increase in the supply of condoms and educational material on HIV prevention to the most exposed sectors of the population compared with 2005.

527. The implementation of the Mercosur project to prevent drug abuse and HIV/AIDS in Paraguay, especially in border regions and Asunción, has resulted in 240 people from various government organizations and NGOs receiving training in the prevention of HIV and the administration of drugs to reduce the economic damage resulting from the disease.

### Children and adolescents with HIV/AIDS

Year	Age group and sex							
	0-4		5-9		10-14		15-19	
	M	F	M	F	M	F	M	F
2000	2	9	1	0	0	0	9	18
2001	2	7	2	2	0	3	7	13
2002	3	13	1	2	0	1	11	16
2003	2	18	1	1	0	2	15	10
2004	7	7	2	2	0	0	6	9
2005	3	5	2	5	1	2	4	11
2006	6	9	6	2	6	0	12	27

Source: Monitoring Department, PRONASIDA, March 2007.

### Children and adolescents with HIV/AIDS

Year	Age group and sex									
	0-4		5-9		10-14		15-19			
	M	F	M	F	M	F	M	F	M	F
2000	2	9	1	0	0	0	9	18	12	27
2001	2	7	2	2	0	3	7	13	11	25
2002	3	13	1	2	0	1	11	16	15	32
2003	2	18	1	1	0	2	15	10	18	31
2004	7	7	2	2	0	0	6	9	15	19
2005	3	5	2	5	1	2	4	11	10	23
2006 up to Oct.	7	7	2	2	1		6	22	16	31

Source: Monitoring Department of PRONASIDA, March 2007.

528. The National Secretariat for Children and Adolescents and PRONASIDA, together with the Ombudsman's Office, the NGO Corazones Abiertos, Plan Paraguay, UNICEF, the Paraguayan Red Cross and other civil society organizations, churches, volunteers and the media, form a national coalition which has run a national campaign to provide information about HIV/AIDS called "I love life". It tries to create an awareness and advocate the effective implementation of the right of children living with HIV/AIDS to receive comprehensive treatment.

529. In 2006 and 2007, the campaign mobilized more than 25,000 young people all over the country in an attempt to prevent HIV. A television channel and various youth organizations held a song competition on the subject of life values, in which information about HIV and non-discrimination was disseminated. According to UNICEF this campaign was so successful that there are plans to repeat it every year. Workshops for adolescents and young people were also organized around the song competition. Likewise a project called "1 x 100 – prevention of HIV/AIDS among adolescents on the Paraguayan side of the triple-border" was carried out in Alto Paraná, Misiones, Concepción, Paraguari and Cordillera. Protection networks were set up in each of these departments to promote the linkage and coordination of measures among the institutions and organizations of the various communities.

#### 4. Social security and child-minding facilities

530. 82.5% of under-fives have no kind of social security coverage or medical insurance.

#### 0 to 17 age group according to area of residence and type of medical insurance

In possession of medical insurance	Total	Urban areas	Rural areas
	2,495,817	1,348,600	1,147,217
Social security institute	11.7	16.8	5.6
Individual private insurance	0.3	0.6	0.1
Worker's private insurance	0.1	0.2	0.0
Family private insurance	6.2	9.7	2.1
Military health insurance	0.4	0.8	0.0
Police health insurance	0.4	0.7	0.0
Local insurance	0.2	0.4	-
Non-local insurance	0.1	0.1	0.1
No insurance	80.6	70.8	92.1

Source: Directorate-General for Statistics, Surveys and Censuses, Permanent Household Survey 2005.

531. The Permanent Household Survey 2004 shows that some 17% of children and adolescents have medical insurance. Most beneficiaries live in urban areas, where 26 out of 100 youngsters are insured compared with 6 out of 100 in rural areas.

532. Children whose parents have social security coverage or private medical insurance are generally included in their parents' policy. But the unemployed and underemployed do not have any insurance and many children are therefore likewise deprived of this right.

533. The big challenge is to find a way of offering social security to the parents of the most excluded children and publicly subsidized insurance for the most vulnerable groups (children under the age of 5 and women of child-bearing age) with a view ultimately to increasing the number of beneficiaries in other age groups. The National Programme of Insurance for Mothers and Children is to be rolled out in 10 health regions with the highest incidence of poverty with funding for the first five years from a 22-million-dollar loan from the World Bank.

534. The execution of these plans will be furthered by the gradual consolidation of the national programme of the Ministry of Public Health and Social Welfare. At present, the allocation of the loan is awaiting parliament's approval, but the situation is also difficult for middle and lower class children.

535. Task forces of the Ministry of Public Health and Social Welfare are trying to identify the best strategies with the greatest impact on improving access to health insurance.

536. In order to implement public policies on comprehensive care for children and adolescents, the National Secretariat for Children and Adolescents, pursuant to article 41 of the Children's Code, has issued Resolution No, 25/06 approving the application of rules on the approval and functioning of children's homes in the special protection system.

537. In order to guarantee the high-quality care and good treatment that children should receive in accordance with the above-mentioned rules, the National Secretariat for Children and Adolescents has set up a technical supervision team.

#### **Activities of the technical supervision team**

538. The technical supervision team has:

(a) Examined 56 files submitted to the National Secretariat for Children and Adolescents;

(b) Given 28 homes technical assistance;

(c) Visited and inspected 12 homes;

(d) Designed and updated a database on the legal situation of the youngsters in the homes;

(e) Formulated the project for the comprehensive care of children and adolescents in the María Reina home.

539. Sixty-eight homes and child-minding institutions have been identified, but there are not enough homes for disabled children. The programmes being run in this field are:

(a) A shelter and care centre programme for street children, which offers temporary board and lodging for youngsters in the 4 to 14 age group who have been abandoned or who are at social risk;

(b) A canteen programme for children and adolescents of families who live in the extremely poor neighbourhoods of Greater Asunción. They focus their attention on meeting the needs of schoolchildren by offering daily lunch;

(c) An adolescent and youth programme which promotes leisure activities at community level: adventure activities, training courses and teamwork to further the youngsters' personal development and maturity;

(d) A programme to assess and diagnose the nutritional status of children and adults who are being looked after by the social services responding to the Social Welfare Institute – supervision and monitoring of compliance with their personal nutrition plan, checks on the quality and quantity of food received, support for anti-parasitic measures and constant quality and quantity of food received, support for anti-parasitic measures and constant counselling.

540. The mission of the Social Welfare Institute of the Ministry of Public Health and Social Welfare is to provide individuals, groups and communities with social services which prevent and eliminate the causes of social exclusion and promote social inclusion and participation.

541. Its activities between 2001 and 2006 may be summarized as follows:

(a) A national programme of welfare centres for children and the family, which offers all-round care for the under-fives attending these centres and for children up to the age of 13 who are in residential homes. The two groups totalled 2,500 in 2001, 2,428 in 2002, 2,800 in 2003, 2,130 in 2004, 2,050 in 2005 and 2,530 in 2006;

(b) A shelter and care centre programme for street children, which offers temporary board and lodging for youngsters in the 4 to 14 age group who have been abandoned or who are at social risk. The programme promotes family and social integration in addition to providing psychological, health and dental treatment and training to improve the social skills of parents and programme specialists;

(c) Community canteens for children and adolescents of families who live in the extremely poor neighbourhoods of Greater Asunción. They focus their attention on meeting the needs of schoolchildren by offering daily lunch. Their action is directed at reducing social risk factors by supporting families through the provision of daily lunch.

542. In 2006, the Institute had a budget of 9,967,172,409 guaraníes (US\$ 1,633,962.690) which enabled it to extend its cover to 2,530 children in welfare centres for children and the family and 360 adults who received all-round care in centres and community canteens located in extremely poor neighbourhoods.

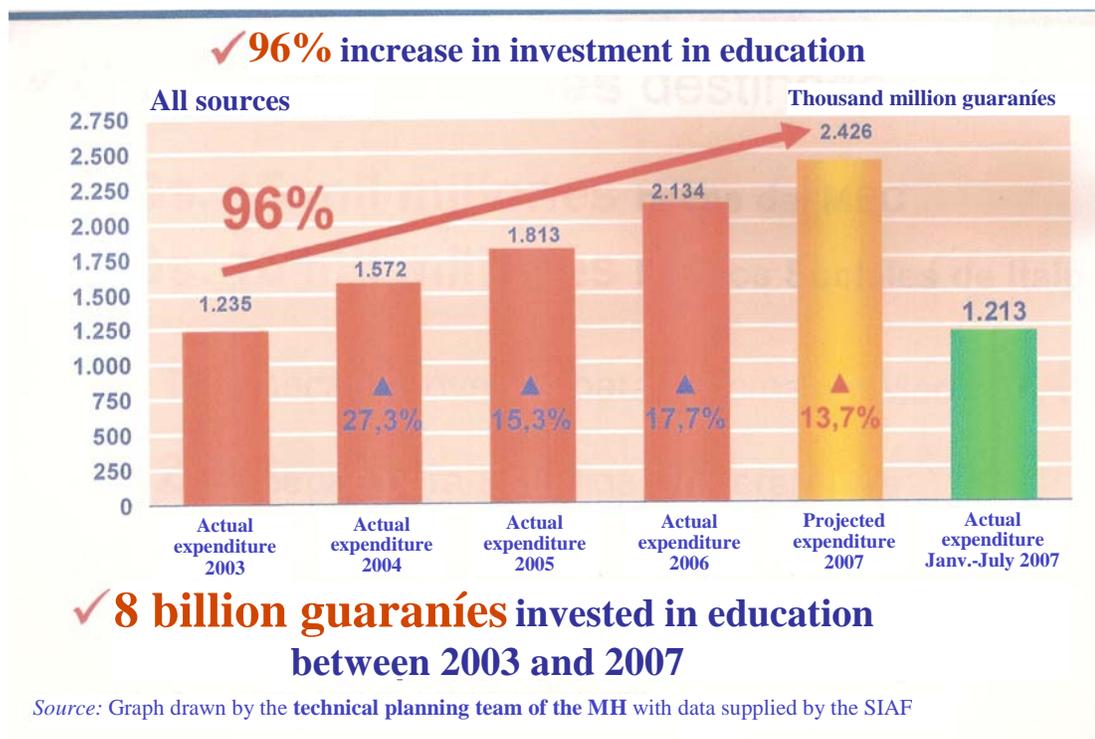
543. The Institute is also responsible for the Teko Pyahu centre for the prevention of domestic violence.

544. The National Shelter Service (SENAA) was set up by a resolution of the Ministry of Justice and Labour. Sheltering a child consists in placing him or her in a unit where he or she will be protected and cared for. It is an exceptional and temporary measure and is ordered only when it is needed prior to placing the child or young person in a foster family or residential home.

### G. Education, leisure and cultural activities

545. State investment in children had grown steadily since 2004, the bulk of it going to education. The Ministry of Education and Culture plays a fundamental role in promoting and implementing educational and cultural policies and programmes. It also participates actively in various coordinating bodies in order to support the work of other governmental organizations and NGOs.

546. The priority given to social investment has resulted in broader coverage in recent years; in 2006 this increase meant that 42% of the national budget was earmarked for social investment, 76% of which went to education. In 2007, 45% was allocated to social investment, 96% of which was spent on education.



547. Plans being carried out in order to meet targets in this sector include the:

- (a) Paraguay Strategic Plan 2020 (1994-2020);
- (b) National Initial Education Plan (2002-2012);
- (c) National Literacy Plan (2004-2008), and the
- (d) National Education for All Plan – Ñanduti Plan (2003-2015).

548. The significant increase in the public education budget is furthering the implementation of educational reform.

549. Strategies are being used to enhance the ability of educational actors to participate in work on school buildings, thus making it possible to use financial resources more efficiently (cost reduction). For example financial contributions are made to school cooperatives for the improvement of school buildings. In 2006, 2,609,000,000 guaraníes were granted to school cooperatives in 14 departments for the improvement of 342 schools providing basic education.

550. Agreements have been signed between state entities and private enterprise (Itaipú, Yacretá and private banks) for work on school buildings. The Spanish Government has converted debt into educational investment so that projects furthering the application of educational policies can be carried out.

551. One of the main aims has been to mainstream a gender perspective into the educational agenda through the National Programme on Equal Opportunities for Women in Education (PRIOME) which is being executed jointly by the Ministry of Education and Culture and the Secretariat for Women.

552. Another aim is to eliminate disparity in terms of enrolment in basic and intermediate schooling, although the Governments realizes that this is not enough and that equality of enrolment needs to be combined with better quality education.

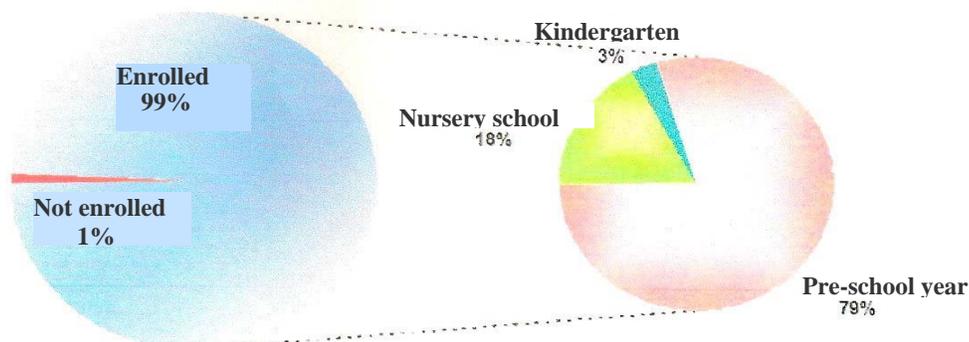
553. One fundamental aspect of work in this sector has been to impress on the educational community that pregnant teenagers must not be prevented from continuing their studies by discriminatory school rules. Yet there are still cases of girls dropping out, because there are no arrangements enabling them to remain in school. Many of them are forced to leave school by social pressure, the need to work or to perform domestic duties. 77.6% of pregnant teenagers do not interrupt their studies, 4% interrupt their studies and then go back to school, but 18.5% never return to school.

554. In order to achieve the Millennium Goal of **universal access to basic education**, there are plans to raise the gross enrolment rate in initial education (especially preschool education) in order to ensure that all children have the possibility of completing the first two cycles of basic education and to boost the gross enrolment rate in intermediate education. The following tables illustrate education levels in 2006. The information has been supplied by the Ministry of Education and Culture.

## Initial education

**99** per cent of the 151,063 children in this age group are enrolled in educational institutions. **79** per cent attend the pre-school year, **18** per cent attend kindergartens and **3** per cent attend nursery schools.

**Table 1. Initial education. Distribution of enrolment**



At the national level, 119,128 children are enrolled in pre-school instruction. Central and Alto Paraná have the highest enrolment rates and Alto Paraguay, Boquerón and Ñeembucú the lowest.

78.5 per cent (93,537) of the children enrolled in pre-school instruction attend state institutions in all departments apart from Boquerón, where most of the preschoolers attend subsidized private institutions.

There is no significant difference in enrolment rates in urban or rural areas. 52.5 per cent (62,585) of all the children enrolled live in urban areas.

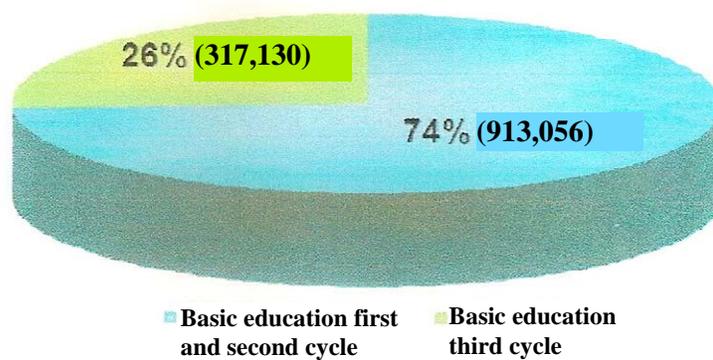
**Preschool education: Enrolment according to sector,  
area, sex and department**

Department	Sector			Area		Sex		Total
	State	Private	Sub. Private	Urban	Rural	Male	Female	
Asunción	3,489	3,165	3,382	10,036	-	5,069	4,967	<b>10,036</b>
Concepción	4,154	29	985	2,046	3,122	2,657	2,511	<b>5,168</b>
San Pedro	8,498	99	245	1,452	7,390	4,494	4,348	<b>8,842</b>
Cordillera	4,929	60	501	2,238	3,252	2,876	2,614	<b>5,490</b>
Guairá	3,763	48	354	1,333	2,832	2,090	2,075	<b>4,165</b>
Caaguazú	10,457	137	780	3,421	7,953	5,853	5,521	<b>11,374</b>
Caazapá	3,719	21	126	660	3,206	1,980	1,886	<b>3,866</b>
Itapúa	7,191	465	712	3,449	4,919	4,290	4,078	<b>8,368</b>
Misiones	2,035	137	201	1,368	1,005	1,219	1,154	<b>2,373</b>
Paraguarí	3,915	54	344	1,424	2,889	2,273	2,040	<b>4,313</b>
Alto Paraná	11,710	1,979	933	9,378	5,244	7,384	7,238	<b>14,622</b>
Central	21,729	4,295	4,264	21,978	8,310	15,474	14,814	<b>30,288</b>
Neembucú	852	33	194	800	279	540	539	<b>1,079</b>
Amambay	1,356	223	284	1,364	499	916	947	<b>1,863</b>
Canindeyú	3,612	116	83	503	3,308	1,956	1,855	<b>3,811</b>
Pdte Hayes	1,607	144	487	723	1,515	1,122	1,116	<b>2,238</b>
Boquerón	149	248	428	264	561	417	408	<b>825</b>
Alto Paraguay	372	30	5	148	259	215	192	<b>407</b>
<b>Total</b>	<b>93,537</b>	<b>11,283</b>	<b>14,308</b>	<b>62,585</b>	<b>56,543</b>	<b>60,825</b>	<b>58,303</b>	<b>119,128</b>

## Basic Education

Basic education is compulsory and it is free in state schools. It comprises three three-class cycles for children between the ages of 6 and 14. 1,230,186 pupils are enrolled at this level, 74% of whom are enrolled in the first two cycles.

Table 6: Basic Education: Enrolments per cycle



The distribution of enrolment in the first and second cycles shows that 83.3% of pupils attend state schools. Disaggregation according to area and sex does not reveal any significant differences with only slightly more pupils in rural areas (50.7%) and slightly more boys (51.6%).

**Basic education first and second cycles: Enrolments according to sector, area, sex and department**

Department	Sector			Area		Sex		Total
	State	Private	Sub. Private	Urban	Rural	Male	Female	
Asunción	3,489	3,165	3,382	10,036	-	5,069	4,967	<b>10,036</b>
Concepción	4,154	29	985	2,046	3,122	2,657	2,511	<b>5,168</b>
San Pedro	8,498	99	245	1,452	7,390	4,494	4,348	<b>8,842</b>
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Itapúa	7,191	465	712	3,449	4,919	4,290	4,078	<b>8,368</b>
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Canindeyú	3,612	116	83	503	3,308	1,956	1,855	<b>3,811</b>
Pdte Hayes	1,607	144	487	723	1,515	1,122	1,116	<b>2,238</b>
Boquerón	149	248	428	264	561	417	408	<b>825</b>
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<b>Total</b>	<b>93,537</b>	<b>11,283</b>	<b>14,308</b>	<b>62,585</b>	<b>56,543</b>	<b>60,825</b>	<b>58,303</b>	<b>119,128</b>

317,130 pupils throughout the country are enrolled in the third cycle of basic education. Approximately 50 per cent of these children live in the Central and Alto Paraná departments and the capital.

At the national level, most of the pupils in this cycle attend state schools in urban areas. There are no differences in enrolment levels between the sexes.

**Basic education third cycle: Enrolments according to sector,  
area, sex and department**

Department	Sector			Area		Sex		Total
	State	Private	Sub. Private	Urban	Rural	Male	Female	
Asunción	19,179	8,468	8,394	36,041	-	17,742	18,299	<b>36,041</b>
Concepción	10,370	-	2,261	6,045	6,586	6,264	6,367	<b>12,631</b>
San Pedro	19,723	91	1,233	5,463	15,584	10,705	10,342	<b>21,047</b>
Cordillera	13,929	129	1,002	8,247	6,813	7,633	7,427	<b>15,060</b>
Guairá	9,125	32	1,204	5,054	5,307	5,191	5,170	<b>10,361</b>
Caaguazú	26,448	267	1,917	11,888	16,744	14,537	14,095	<b>28,632</b>
Caazapá	8,852	40	288	2,267	6,913	4,745	4,435	<b>9,180</b>
Itapúa	19,887	884	1,909	12,030	10,650	11,441	11,239	<b>22,680</b>
Misiones	6,004	43	459	4,210	2,296	3,303	3,203	<b>6,506</b>
Paraguarí	12,492	118	1,179	6,423	7,366	7,124	6,665	<b>13,789</b>
Alto Paraná	29,109	4,045	2,897	25,469	10,582	17,943	18,108	<b>36,051</b>
Central	63,355	7,338	10,522	64,876	16,339	40,432	40,783	<b>81,215</b>
Neembucú	3,307	-	748	3,133	922	2,027	2,028	<b>4,055</b>
Amambay	4,391	282	484	4,365	792	2,464	2,693	<b>5,157</b>
Canindeyú	7,837	101	262	1,804	6,396	4,187	4,013	<b>8,200</b>
Pdte Hayes	2,895	251	937	1,891	2,192	2,035	2,048	<b>4,083</b>
Boquerón	181	786	914	627	1,254	935	946	<b>1,881</b>
Alto Paraguay	561	-	-	269	292	261	300	<b>561</b>
<b>Total</b>	<b>257,645</b>	<b>22,875</b>	<b>36,610</b>	<b>200,102</b>	<b>117,028</b>	<b>158,969</b>	<b>158,161</b>	<b>317,130</b>

## Secondary education

210,623 pupils are enrolled in secondary education, 60% of whom live in Central, Asunción, Alto Paraná and Caaguazú. 77.2% attend state schools. 72.8% attend state schools in urban areas.

There are no significant differences in the number of girls and boys enrolled at secondary level apart from in San Pedro and Caazapá where the enrolment of boys is 6 to 7 percentage points higher and in Amambay where the enrolment of girls is 16 percentage points higher. (Tables 27 and 28)

**Table 27. Secondary education: Enrolments according to sector, area, sex and department**

Department	Sector			Area		Sex		Total
	State	Private	Sub. Private	Urban	Rural	Male	Female	
Asunción	21,624	10,200	3,571	35,395	-	16,932	18,463	<b>35,395</b>
Concepción	6,048	16	1,651	4,308	3,407	3,852	3,863	<b>7,715</b>
San Pedro	11,329	148	1,071	4,673	7,875	6,660	5,888	<b>12,548</b>
Cordillera	9,413	206	235	6,097	3,757	5,012	4,842	<b>9,854</b>
Guairá	5,883	103	1,112	4,346	2,752	3,567	3,531	<b>7,098</b>
Caaguazú	15,348	550	1,388	8,874	8,412	8,885	8,401	<b>17,286</b>
Caazapá	5,188	36	158	1,611	3,771	2,892	2,490	<b>5,382</b>
Itapúa	10,598	887	1,194	8,573	4,106	6,092	6,587	<b>12,679</b>
Misiones	4,466	48	494	3,379	1,629	2,610	2,498	<b>5,008</b>
Paraguarí	8,822	252	691	5,311	4,454	5,087	4,678	<b>9,765</b>
Alto Paraná	15,057	4549	1,317	16,219	4,704	10,162	10,761	<b>20,923</b>
Central	37,877	12884	2,517	45,972	7,306	25,624	27,654	<b>53,278</b>
Neembucú	2,450	48	614	2,516	596	1,472	1,640	<b>3,112</b>
Amambay	3,073	318	-	3,052	339	1,422	1,969	<b>3,391</b>
Canindeyú	3,384	217	85	1,246	2,440	1,930	1,756	<b>3,686</b>
Pdte Hayes	1,627	250	388	1,220	1,045	1,135	1,130	<b>3,265</b>
Boquerón	108	453	402	401	562	478	485	<b>963</b>
Alto Paraguay	275	-	-	158	117	141	134	<b>275</b>
<b>Total</b>	<b>162,570</b>	<b>31165</b>	<b>16,888</b>	<b>153,351</b>	<b>57,272</b>	<b>103,853</b>	<b>106,770</b>	<b>210,623</b>

555. The National Secretariat for Children and Adolescents identifies early childhood as a priority in the National Policy on Childhood and Adolescence, and it works closely with the Ministry of Education and Culture. The National Coordinating Office for the Comprehensive Development of Very Young Children was set up within the National Secretariat in 2003. It comprises civil society organizations and NGOs and its goal is to create favourable conditions for the biopsychosocial development of very young children.

556. The National Coordinating Office for the Comprehensive Development of Very Young Children bases its work on the principles of mutual support, pooling of resources and democracy. It focuses on human rights, especially those of very young children and sets out to implement joint measures resting on the concept of social responsibility to improve the health and education of infants from conception to the age of five, but with priority going to the first three years of life.

557. Executive Decree No. 21.918/03 recognizes the National Coordinating Office for the Comprehensive Development of Very Young Children as the advisory body of the National Secretariat for Children and Adolescents and the National Council for the Rights of Children and Adolescents. It works with the National Secretariat for Children and Adolescents and UNICEF to achieve three aims:

- (a) To make citizens aware of the importance of providing comprehensive care for the under-fives;
- (b) To advertise the supply of public and private services for very young children;
- (c) To promote public policies which guarantee a healthy start to life by respecting all the rights of all Paraguayan children everywhere at all times (universality).

558. The National Coordinating Office for the Comprehensive Development of Very Young Children endeavours to mainstream the issues of very young children into all the programmes and projects of the National Secretariat for Children and Adolescents and to institutionalize the values underpinning them.

559. At present its members comprise the Vida Plena, DEQUENI, CONIN Paraguay and CEDAI foundations, the NGO Global Infancia, the Infant Expression Workshop, Adventist Development and Relief Agency (ADRA) Paraguay, La Leche League, Urgencias sin Fronteras, Pastoral del Niño, the Paraguayan Paediatric Society, Plan Paraguay, the Institute of Health Sciences Research of Asunción University, the Centre for the Development of Intelligence (CDI), the Governor's Office of the Central department, the National Food and Nutrition Institute, the Ministries of Public Health and Social Welfare and Education and Culture and it relies on the participation of the National Secretariat for Children and Adolescents, the Coordinating Office for the Rights of Children and Adolescents, the Coordinating Office for the Eradication of Child Labour and UNICEF.

560. Measures to assist very young children take place within the framework of:

- (a) The National Comprehensive Health Plan (2005-2009), in tandem with the Ministry of Public Health and Social Welfare, to improve the health and the quality of life of the under-fives;
- (b) The National Initial Education Plan 2002-2012, in tandem with the Ministry of Education and Culture, for children up to the age of 6;
- (c) The provision of informal care for the under-fours in tandem with the Ministry of Education and Culture. It meets at the office of the National Secretariat for Children and Adolescents.

561. Within the overall framework of the National Action Plan for Children and Adolescents (2003-2008), a programme is being carried out to improve the fourth component of initial and preschool education, i.e. the informal care of very young children. Various national and regional forums on the comprehensive care of very young children have been held. They have made it possible to build local capacity and to formulate and implement public policies on very young children.

562. Gross enrolment is rising at all levels of education - initial (especially the preschool year), basic and intermediate.

563. The best level of attendance (95%) is scored in the first and second cycles of basic education. There are no substantial differences in the rates of male and female attendance. The lowest percentage is to be found in the preschool year and in intermediate education. These figures highlight the absence of the poorest sections of the population from the classroom.

**Population in the 5 to 17 age group broken down according to years of study, place of residence and age group**

Place of residence and age groups	Total	Years of schooling							
		None	1 to 3	4 to 6	7 to 9	10 to 12	13 to 15	16 to 18	NA
<b>Total</b>	<b>2,516,972</b>	4.2	17.9	43.2	12.5	14.7	3.6	3.8	0.0
0-4	<b>337,971</b>	2.9	10.4	34.4	15.1	23.9	6.9	6.4	-
5-9	<b>388,434</b>	3.3	12.8	37.6	15.0	20.3	5.3	5.6	-
10-14	<b>396,614</b>	2.6	13.1	36.6	16.0	20.5	4.6	6.5	-
15-17	<b>247,082</b>	1.9	12.6	36.4	12.7	23.1	5.2	8.1	0.1
<b>Urban areas</b>	<b>1,370,101</b>	2.7	12.3	36.3	14.9	21.8	5.5	6.5	0.0
0-4	<b>282,805</b>	5.4	19.4	54.1	10.4	8.7	1.6	0.5	-
5-9	<b>328,140</b>	6.5	24.8	50.2	10.1	5.8	1.9	0.5	0.1
10-14	<b>353,157</b>	5.9	26.5	52.0	9.1	4.9	1.0	0.6	0.1
15-17	<b>182,769</b>	6.4	28.6	48.7	8.9	6.2	1.1		0.1
<b>Rural areas</b>	<b>1,146,871</b>	6.0	24.6	51.5	9.7	6.3	1.4	0.5	0.1
0-4	<b>620,776</b>	4.0	14.5	43.3	13.0	17.0	4.5	3.7	-
5-9	<b>716,574</b>	4.8	18.3	43.4	12.8	13.7	3.7	3.2	0.1
10-14	<b>749,771</b>	4.2	19.4	43.8	12.8	13.2	2.9	3.7	0.0
15-17	<b>429,851</b>	3.8	19.4	41.6	11.1	15.9	3.4	4.7	0.1

Source: Directorate-General for Statistics, Surveys and Censuses, Permanent Household Survey 2006.

564. As far as gender is concerned, boys' less favourable attendance rates are certainly associated with their early entry into the labour market. The attendance rates of boys and girls in rural areas also tend to be lower, because they drop out owing to a lack of resources and the need to work. The distance to school is also a decisive factor.

565. Young women say that they leave school because of family responsibilities and the distance between their home and their school. It is therefore clearly necessary to bear in mind patterns of sexual division of labour in the home, insecurity and violence against women when designing and implementing educational policy.

566. The following alternative forms of education have been suggested in the educational reform project as a means of reducing school drop-out, especially at the intermediate level:

(a) Open education: an alternative specially targeted on young people between the ages of 15 and 18 in rural areas, who have completed their basic education, but who cannot follow normal intermediate education because they have to work;

(b) Sustainable programme of grants: its purpose is to help young people from a vulnerable socio-economic family background to remain in intermediate education. There are 8,000 grant-holders in the departments in question.

567. Similarly there are programmes to encourage children to remain in basic education:

(a) School meals programme: this is designed to improve educational fairness by giving each child a daily nutritional supplement consisting of enriched milk and solid food. Beneficiaries of meals distributed through the Ministry of Education and Culture: 127,387 pupils;

(b) School kit: school kits are distributed to 40% of the children enrolled in basic schools. The criterion for selection is poverty;

(c) "Feeding the brain to combat hunger": this project tries to achieve an all-round improvement in education by combining high-quality education with equity in matters of food security. Beneficiaries: 37 educational communities, 9,847 pupils, 4,116 teachers and 2,148 families.

568. The government programme 2003-2008 has concentrated on increasing the average number of years of studies, since there is concern that only 4 out of every 10 Paraguayans between the ages of 15 and 18 are preparing for the baccalaureate.

569. There is a wide disparity in the average number of years of study between 15-year-olds in urban and rural areas. The difference is minimal between boys and girls. An attempt is therefore being made to ensure that teaching practices encourage children to lengthen their average years of schooling.

570. With regard to efficiency indicators, more children in rural areas have to repeat a year, but the difference is marginal.

571. Both boys and girls encounter obstacles, especially of an economic nature, to obtaining access to and remaining in the education system. This leads to their having to repeat a year or to their dropping out, which in turn leads to greater social exclusion. This situation is particularly serious in the case of rural indigenous children. Efforts to overcome this inequity have made it possible gradually to improve the number of children who remain in school. There is gender equality with regard to retaining children in school and success rates, with women being slightly higher achievers.

572. Work is continuing to sustain the significantly wider coverage and to tackle the other big challenge, that of improving the quality of education. For this purpose, the National System for the Assessment of the Education Process (SNEPE) of the Ministry of Education and Culture evaluates mathematical and language skills. In 2004 just under half of the pupils taking the tests passed them.

573. In order to improve the quality of instruction, the Ministry of Education and Culture is carrying out the following programmes with the assistance of UNESCO, IDB, IBRD, UNICEF, the Spanish International Cooperation Agency for Development (AECID) and other cooperation partners:

(a) A programme to achieve an all-round improvement of initial and preschool education for the under-sixes by widening coverage, enhancing quality and fairness, strengthening management and increasing the participation of families and the community;

(b) Provision of preschool education in the mother tongue of indigenous children in order to foster the biopsychosocial development of preschool indigenous children in the context of their culture and history. Beneficiaries: 40 indigenous schools in Presidente Hayes, Boquerón and Alto Paraguay;

(c) Mitä Roga programme: extramural initial education under the supervision and with the technical support of the Ministry of Education and Culture. This education is dispensed to under-fives in the children's home and the community centre;

(d) A programme to improve primary education was conducted for five years ending in 2000. It lent momentum to educational reform through the distribution of free textbooks to pupils in the first and second cycles of basic education. Teacher training colleges were set up and measures were taken to improve the quality of teaching.

(e) The Escuela Viva Hekokatúva programme to promote the reform of basic education seeks to improve the quality and fairness of basic education;

(f) A programme to encourage bilingual education: this ended in 2002, but now such education forms part of the normal curriculum of the Ministry of Education and Culture. It comprises four components: educational research, teacher training and retraining, information and social communication and the production of teaching aids with a view to expanding bilingual education as part of the reform of education;

(g) The inclusive schools project: aims to widen the coverage of children, adolescents and adults with special learning needs. Beneficiaries: 27,552 children, young people and adults in ordinary, special and integrated schools;

(h) The Escuela Activa Mita Irú programme: seeks to upgrade educational qualifications in rural areas by introducing innovative teaching practices. Beneficiaries: 238 schools, 27,512 children and 1,625 teachers and families;

(i) The doubling up project: its purpose is to improve the level and quality of education by teaching pupils more by lengthening the school day and expanding curricular content;

(j) A programme to improve secondary education: this programme was carried out between 1996 and 2001 and its aim was to improve the quality, efficiency and coverage of secondary education and build on the reform of the third cycle of basic education. 3,534 beneficiaries;

(k) An educational reform project with emphasis on intermediate education: this seeks to effect structural, institutional and cultural changes in order to boost efficiency;

(l) “Sounds, colours and voices of our region” art and communication competition designed to promote artistic opportunities for pupils in the third cycle of basic education and in intermediate education and to build on the successful experiments of teachers in initial education and the first cycle of basic education;

(m) A continuous education programme for young people and adults (PRODEPA KO'E PYAHU (Paraguay New Dawn Programme)): designed to give people over the age of 15 literacy training and basic educational qualifications. Beneficiaries: 185,000 people over a five-year period;

(n) A project to provide bilingual literacy training in Guaraní and Spanish on gender and community organization for production, health and education. Beneficiaries: 120 women, 80 men, 20 literacy teachers trained by the groups, 4 national experts;

(o) “Yo sí puedo” (Yes I can), a literacy programme on radio and television. Beneficiaries: 6,000 illiterate persons of 15 years of age and over;

(p) A distance learning programme to enable 3,534 high-school graduates who were school teachers in the first, second and third cycle of basic education to obtain professional qualifications;

(q) The second phase of the Ñañoaranduke distance learning project: qualification of 2,800 high-school graduates who are basic education teachers.

574. Endeavours are being made to eradicate violence in schools. This problem has arisen chiefly among adolescents in recent years. As a result of these endeavours, violence within schools has fallen, but it still occurs outside the classroom. Measures to foster a non-violent culture respectful of human rights have made it possible to create control mechanisms within schools.

575. The Ministry of Education, with the support of international partners, is striving to eliminate absolute illiteracy. To this end it has a National Literacy Plan 2004-2008 which aims to

eliminate illiteracy by 2008. Five hundred and twenty-two new literacy centres have been opened and 155,624 people are taking part in the programmes.

576. Steady progress has been made towards eradicating illiteracy. According to the 2003 Permanent Household Survey of the Directorate-General for Statistics, Surveys and Censuses, gender parity of 1.01 has been reached with respect to literacy. In this age group the population of literate women is equal to that of men<sup>4</sup>.

577. The basic aim of the National Literacy Plan is to stamp out illiteracy among people aged 15 and over.

578. According to UNICEF, every year of education received by a mother reduces the mortality rate among under-fives by between 5 and 10% and also influences the maternal mortality rate. In a sample of 1,000 women, every additional year of schooling prevents two deaths due to maternity.

579. Special attention must be paid to the education and culture of indigenous children and young people. For this reason, the Ministry of Education and Culture is working with the National Indigenous Institute and other organizations to improve their access to high-quality education which seeks to preserve their cultural legacy.

580. In 2002 the National Indigenous Census recorded 87,099 people belonging to indigenous groups making up 1.7% of the country's total population. 17 ethnic groups belong to five linguistic families of Guaraní: the Lengua-Maskoy, Matako, Guaicurú and Zamuco<sup>5</sup>. 76.5% of indigenous persons speak the language of their respective ethnic group.

581. 67% of the indigenous population has a local school. A qualified teacher is present in 63% of these schools and 48% of these teachers are indigenous. It is well known that the low level of education of this population group is due to the fact that, on average, children of 10 years of age and over have only 2.2 years of schooling (compared with a national average of 7 years). The Western Guarani group has the highest level of schooling with 5 years, and the Manjui has the lowest with 0.7 years.

582. Only 51 per cent of the indigenous population in the 5 to 17 age group attend school, with the highest attendance levels being among children in the 6 to 11 age group.

583. Illiteracy is another indicator of the poor level of formal education received by the indigenous population. The national rate is 7.1% in the 15 and over age group, but 51% among indigenous persons. The incidence of illiteracy is lower in the urban indigenous population (29.2%) than among country dwellers (53.3%).

584. The Pai Tavytera display the highest level of illiteracy (82%), while the Western Guarani are in a more favourable situation (12.2%).

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<sup>4</sup> Translator's Note: there appears to be a sentence missing in the original Spanish text.

<sup>5</sup> Translator's Note: the author talks about five linguistic families, but lists only four.

585. The Ministry of Education and Culture is stepping up measures to ensure that the right to education can be enjoyed by these communities in a fairer and more inclusive manner. To this end, it is trying to offer intercultural bilingual education by using various strategies that take into account ethnic origin and the language spoken at home. These efforts are aimed at meeting three challenges:

- (a) To build a learning process based on the children's mother tongue;
- (b) To devise a learning process in the two national languages in keeping with the pedagogical focus of the curriculum and the degree of bilingualism among the children in a school;
- (c) To use an intercultural model where the pupil's culture is determined not so much by the language spoken at home as by the ethnic group to which he or she belongs.

586. For this reason, since 2001 the Ministry of Education and Culture has been implementing the Escuela Viva Hekokatúva educational reform programme to improve the quality and fairness of Paraguayan basic education and thereby to contribute to social and economic development throughout the country. It has assisted 270 schools by transferring funds to them for the execution of the programme to improve learning conditions, 70 schools by providing funds to acquire a school library and 357 schools by distributing textbooks.

587. In 2001 and 2002 a project to promote preschool indigenous education in the mother tongue was carried out with the support of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Presidente Hayes, Boquerón and Alto Paraguay. It helped to raise awareness of indigenous culture by devising teaching aids for indigenous teachers and producing primers containing songs and stories for some ethnic groups such as the Enxet, Toba Qom and Ayoreaos in their mother tongue and Spanish, in order to strengthen and preserve their identity.

#### **H. Special protection measures**

588. The National Policy on Childhood and Adolescence 2003-2013, the National Plan of Action on Childhood and Adolescence 2003-2008 and sectoral plans have been formulated. The latter consist of the National Plan for the Prevention and Eradication of Child Labour and the Protection of Adolescent Labour and the National Plan for the Prevention and Eradication of the Sexual Exploitation of Children and Young People. The implementation of these plans has achieved notable results, thanks to the interinstitutional and intersectoral coordination which was adopted as a strategy for action and to the constant consolidation of processes to guarantee the monitoring of the rights of the child in Paraguay.

589. The Social Protection and Promotion Network and the Social Action Secretariat in the Office of the President operate through various entities which try, through coordinated action, to persuade society as a whole to help the most vulnerable groups.

590. The Social Protection and Promotion Network adopts a cross-cutting approach in all measures to combat poverty since, as the National Poverty Reduction Strategy notes, poverty is a multidimensional social fact and children and adolescents, especially those in the extremely poor section of the population, require protection from a huge range of dangers.

591. The basic principle of the Social Protection and Promotion Network is to obtain families' commitment to share responsibility for measures basically enabling them to improve their own skills so as to enable them to play the central role that is theirs as the prime protector of the life of children and adolescents.

592. The National Secretariat for Children and Adolescents, together with state organizations and NGOs and the support of international partners, has a range of programmes for tackling a variety of problems.

593. The National Secretariat for Children and Adolescents is responsible for coordinating the protective measures introduced after the tragic supermarket fire in Ycuá Bolaños on 1 August 2004, which killed more than 400 people, including many children. In order to cope with the emergency, a unit was set up to provide the psychosocial assistance required by many of the victims and to keep open channels of communication and support. It received the joint backing of the Ministry of Education and Culture, the Mental Health Directorate of the Ministry of Public Health and Social Welfare, the National Police, the Directorate for Social Welfare and Assistance, the Social Action Secretariat, the National Emergency Secretariat and UNICEF.

594. The "Retorno de la Alegria" (Return to joy) programme is likewise being implemented in order to give psychosocial treatment to 1,500 children in the affected area. This programme, which has been employed in emergencies in other countries, uses games to enable children who have been through a traumatic experience to confront their fears and rid themselves of a false sense of guilt by reconstructing events in order to understand and accept loss.

595. The National Secretariat is working with the management teams and boards of five schools in peripheral areas of Asunción that are liable to flooding in order to improve their risk-reduction capacity and their disaster-preparedness. This experiment will culminate in the approval of a school security and emergency plan and the setting up of five disaster-prevention and emergency teams. This project is being led by Global Infancia and has received input from Save the Children Sweden, UNICEF, the Ministries of Education and Culture and Public Health and Social Welfare, the National Police and the Voluntary Fire Brigade.

596. The practice of recruiting young people into the armed forces and the National Police was an obstacle to the protection of children and adolescents. Ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was crucial to ending this practice, because it meant that young people could no longer be recruited voluntarily or compulsorily, even though families are sometimes keen on their sons joining the armed forces.

597. Paraguay ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict by Act No. 1897 in May 2002. Pursuant to article 3 of this international instrument, States parties must see to it that no one under the age of 18 is compulsorily recruited into the armed forces. On ratifying the Optional Protocol, Paraguay made a reservation setting the minimum age for voluntary recruitment into the non-belligerent<sup>6</sup> armed

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<sup>6</sup> Translator's Note. The wording of the reservation makes no reference to non-belligerent armed forces.

forces at 16. This reservation has been withdrawn. A person may therefore enter the armed forces only on attaining majority.

598. The President of the Republic signed a declaration on 14 March 2006 to the effect that a person must have reached the age of 18 before he or she can perform compulsory or voluntary military service. The Commander in Chief of the armed forces issued Special Order No. 42 prohibiting the recruitment of persons under the age of 18 and stipulating that any members of the armed forces who disobey that order will incur military, criminal and administrative responsibility.

599. Another of the fundamental aims of the protective system is the social reintegration of street children. In March 2005, the Executive branch issued a decree approving the setting up of the National Committee for the Comprehensive Protection of Street Children (CONASICA) chaired by a representative of the National Secretariat for Children and Adolescents and consisting of representatives of the Secretariat for Women, the Social Action Secretariat, the Technical Planning Secretariat, the National Antidrug Secretariat, the National Directorate of Sport, the Ministries of Finance, the Interior, Education and Culture and Public Health and Social Welfare, the Departmental Council for the Rights of Children and Adolescents, the Paraguayan Network for Human Development (REPADEH), the Chamber of Industry, the Chamber of Commerce, three NGOs, the Directorate of Social Welfare and Assistance and town councils. The Committee is also assisted by the Inter-American Children's Institute, UNICEF and the ILO.

600. The aim of the Programme of Comprehensive Care for Street Children is to restore the violated rights of street children.

601. The programme has three phases: contact, treatment for drug addiction and reintegration in the family or placement in a home. Implementation of the programme has made it possible to offer better institutional care in four homes for juvenile drug addicts.

602. The National Secretariat for Children and Adolescents in cooperation with the Don Bosco Foundation runs a night hostel for street children in the Don Bosco Róga Home in the Cuatro Mojonés area. In 2006, 77 children decided to start school and gradually leave the streets.

603. A further contribution is being made by the Programme of Comprehensive Care for the Street Children of Asunción which is being implemented by the First Lady's Office and the Paraguayan Network for Human Development. The programme's objective is to provide comprehensive care and restore the rights of children, especially those in the 6 to 14 age group, who have been abandoned, or whose family links have been severed and who are living in the streets of Asunción.

604. Between September and the time of writing this report, according to the programme's latest report: 6,245 street children had been interviewed, 914 children had received meals in the canteen, 277 children had been sheltered for short stays, 345 children had been sheltered for long stays and 178 children had been rehabilitated, along with other members of their family and returned to their biological families.

## 1. Economic exploitation

605. Paraguay has ratified ILO Convention No. 138, concerning Minimum Age for Admission to Employment (which set this age at 14) and ILO Convention No. 182, concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and has brought into force a list of dangerous forms of child labour.

606. This list is the fruit of a participative process headed by the National Commission for the Prevention and Eradication of Child Labour and the Protection of Adolescent Labour (CONAETI) which involved workers' and employers' organizations, government institutions, specialists, NGOs, national community leaders, children and adolescents who determined by consensus that there were 26 activities in the country which should be described as dangerous.

607. National laws contain a number of provisions establishing special protection for young workers. These laws are:

(a) Act No. 1680/01, the Children's Code, which in article 25 embodies the right to protection against all forms of exploitation and which, in other articles, refers to the protection of adolescent workers;

(b) The Labour Code (Acts Nos. 213 and 496) containing articles on guarantees of work, a chapter on the work of minors and women (to which derogations have been introduced by the Children's Code) and articles 384, 386 and 389 laying down sanctions;

(c) The Criminal Code and its articles on the exposure of certain persons to danger to life and physical integrity, punishable acts against freedom, punishable acts against sexual autonomy and punishable acts against the security of persons in the face of collective risks.

608. Paraguay recognizes that the effective implementation of legislation depends on the mechanisms and procedures used, but fundamentally the problem is linked to poverty.

609. On 8 June 1998 a memorandum of understanding was signed between the Government and the ILO according to which Paraguay, along with Chile, Peru and Colombia, joined the International Programme on the Elimination of Child Labour (IPEC) with a view to progressively putting an end to child labour.

610. On 30 September 2002, the Executive branch promulgated Decree No. 18.835 creating the National Commission for the Prevention and Eradication of Child Labour and the Protection of Adolescent Labour and thus fulfilling the country's commitments. The National Commission coordinates and implements a range of activities on behalf of government institutions and civil society organizations with a view to curbing the exploitation of child labour.

611. Decree No. 2616/04 of 31 May 2004 declared activities to commemorate World Day Against Child Labour to be in the national interest and called on citizens to reflect on and agree to ways of progressively preventing and eliminating child labour in Paraguay. The Ministry of Education and Culture, in Resolution No. 3631/04, included this date (12 June) in its academic calendar and urged education bodies to organize activities to draw attention to the problems of child labour and the need to take steps gradually to prevent and eradicate it.

612. Article 50(e) of the Children's Code makes Municipal Advisory Boards for the Rights of Children and Adolescents responsible for registering adolescent workers with a view to setting up programmes to protect and support families. These boards are therefore responsible at the local level for informing children and adolescents about their rights.

613. Employers of adolescent workers must keep a register of them. Article 61 prohibits labour and wage discrimination against adolescents with special needs. All this information is publicized through mass education campaigns and it forms part of the basic education curriculum.

614. As a member of the National Commission for the Prevention and Eradication of Child Labour and the Protection of Adolescent Labour, the National Secretariat for Children and Adolescents collaborated actively in deciding on the items of data to be recorded in the Adolescent Workers Register in accordance with the precepts of articles 55 to 57 of Act No. 1680/2001 and in training members of the Municipal Advisory Boards for the Rights of Children and Adolescents in how to keep the register.

615. The Ministry of Justice and Labour approved the format and design of the special register of adolescent workers in Resolution No. 701. It made the use of the register obligatory and stipulated that it must be kept by the Municipal Advisory Boards for the Rights of Children and Adolescents under the supervision of the Ministry of Justice and Labour.

616. Within the framework of the ILO/IPEC programme, the National Secretariat for Children and Adolescents took part in research into child labour in the agriculture and livestock sector in Canindeyú and helped to disseminate the findings of this research.

617. In December 2003 the National Council for the Rights of Children and Adolescents approved the National Plan for the Prevention and Eradication of Child Labour and the Protection of Adolescent Labour. The plan was subsequently promulgated by the Executive branch by Decree No. 2645 of 8 June 2004. Similarly, Decree No. 4951 of 22 March 2005 brought Act No. 1657/01 into effect by issuing enabling rules and approved the list of dangerous forms of child labour.

## **2. Sexual exploitation and trafficking**

618. Paraguay has incorporated various international treaties into its domestic law and has passed laws to combat and eradicate the commercial sexual exploitation of children, trafficking in children and transnational organized crime. Various organizations are working in this field in Paraguay, for example the Interinstitutional Roundtable to prevent and combat the trafficking of persons in Paraguay, the Human Rights Unit of the [Supreme] Court [of Justice], the National Secretariat for Children and Adolescents, ILO/IPEC and UNICEF, women's organizations, the Secretariat for Women, the Attorney General's Office, the National Police and NGOs.

619. According to the Special Rapporteur on the sale of children, child prostitution and child pornography, Juan Miguel Petit, who visited the country in February 2004, two out of every three sex workers in Paraguay are underage and most begin working between the ages of 12 and 13.

620. The Criminal Code (Act No. 1169/97) makes the sexual exploitation of children and adolescents a criminal offence. Chapter VI of the Code lists punishable acts against minors. They include offences such as physical ill-treatment, sexual abuse, coercion to engage in sexual acts, pornographic publications, exhibitionist acts, incest, rape and acts against the sexual autonomy and freedom of persons.

621. In 2006, the National Secretariat for Children and Adolescents, with the support of Global Infancia, piloted the adoption of Act No. 2861 which penalizes the crime of child pornography and punishes trade in and the commercial and non-commercial distribution of pornographic material using the picture or other representation of minors or legally incompetent persons.

622. In order to tackle this problem, the Paraguayan Government gave an undertaking at the First World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, that it would formulate national plans to prevent and eradicate the sexual exploitation of children and adolescents. In 2001 it set up the Tripartite Roundtable against the sexual exploitation of children comprising representatives of the Government, civil society and international partners, since it was necessary to join forces and follow up on national and international undertakings and to facilitate intersectoral and interinstitutional cooperation.

623. The National Plan for the Eradication of the Sexual Exploitation of Children was drawn up. After that, in December 2003, the National Council for the Rights of Children and Adolescents adopted the National Plan for the Prevention and Eradication of the Sexual Exploitation of Children which was then approved by the Executive branch in Decree No. 4269 of 6 December 2004.

624. The Regional Office to Combat the Commercial Sexual Exploitation of Children on the Triple Border (Ciudad del Este) was set up in April 2005 and since then it has formed a network of government institutions and NGOs from the region to fight the commercial sexual exploitation of children.

625. Using this network as a base, it has coordinated actions and strategies with the Juvenile Guardianship Council and the Paraguayan Consulate in Foz de Iguazú in order to supply assistance and care for child and adolescent victims of commercial sexual exploitation and for street children in the environs of the Friendship Bridge and the centre of the town.

626. As a member of the Binational Health Plan sponsored by Itaipú, the Council carries out joint measures to improve health care in Brazil and Paraguay. It likewise participates in the coordination of the Trinational Health Plan (Argentina, Brazil and Paraguay) aimed at meeting the care needs and making the appropriate referrals of children's cases in the triple-border region. Furthermore it has joined the Binational Committee set up at the prompting of the consulates of Brazil and Paraguay to delineate strategies for combating smuggling, piracy, the exploitation of child labour, the sexual exploitation of children and people smuggling.

627. In 2008, a start was made in 14 border towns on the implementation of the Regional Strategy to Combat the Trafficking and Smuggling of Children for Sexual Exploitation in Mercosur. The strategy will encompass preventive activities, care and defence which will

operate through the mobilization, organization, strengthening and integration of local networks and services.

628. Paraguay takes part in a project focusing on the problems of Ciudad del Este and its twin Foz do Iguacú in Brazil, whose purpose is to improve the living conditions of children and adolescents and to protect their rights through cooperation and agreement. The project is being implemented in cooperation with the Inter-American Development Bank.

629. The Project to Prevent and Eradicate the Sexual Exploitation of Children in Encarnación (the town on the border opposite Posadas in Argentina) is carrying out measures to prevent and eradicate this scourge with the support of the International Organization for Migration (IOM), the ILO and funds from the binational company Yacyreta.

630. The binational company Itaipú, as part of its corporate social responsibility programme, supports the non-governmental care centre for children and adolescents in order that it can staff a helpline offering protection to victims of people smuggling in Ciudad del Este.

631. In November 2006 a seminar on the legal framework for fighting the trafficking of persons in the triple-border region was held for government legal officers and other people dealing with the subject from Brazil, Paraguay and Argentina. The event was organized by the IOM and coordinated by the Regional Human Rights Unit of the Supreme Court of Justice of Paraguay.

632. The National Secretariat for Children and Adolescents finances with a national budget programmes conducted by the Centre for the Care and Counselling of Children and Adolescents (CEAPRA) in Ciudad del Este, the capital of Alto Paraná. These programmes are designed to prevent and eradicate the sexual exploitation of children and adolescents by stopping the commercial sexual exploitation of 85 children and preventing the sexual exploitation of 170 youngsters by offering them alternative sources of income as well as access to education and other services. At present 131 children and adolescents are being looked after.

633. The Departmental Coordinating Office of Educational Oversight in Alto Paraná appointed the Supervisory Unit for Technical Teaching Support in Region 1 – Ciudad del Este to carry out activities with teaching staff in order to prevent and eliminate the sexual exploitation of children and adolescents, since schools are the best place for making young people aware of the problem. The experiment encompassed in the following action:

(a) There are 127 state schools in Ciudad del Este, 8 private subsidized schools and 97 private schools. All these schools, 1,147 teachers, 200 mothers, 115 fathers and 52,000 pupils were trained in the prevention and elimination of the commercial sexual exploitation of children and adolescents;

(b) Training sessions for parents which adopted a cross-cutting approach to sexual education, reproductive health, domestic violence and sexual violence;

(c) Creation of communication channels between teachers and the competent authorities, mainly juvenile judges, Public Prosecutor's Offices and the Centre for the Care and Counselling of Children and Adolescents;

(d) Inclusion of children and adolescents who had been sexually exploited in psychosocial support programmes and their reintegration in the formal education system;

(e) Dissemination in schools of the National Plan for the Prevention and Eradication of the Sexual Exploitation of Children.

634. The National Secretariat for Children and Adolescents, acting in coordination with the Ministry of the Interior, the National Police and the ILO, held a training session for more than 400 police officers from Asunción and two border towns to inform them about the role of the National Police in combating the commercial sexual exploitation of children.

635. The National Tourism Secretariat, the ILO and the National Secretariat for Children and Adolescents jointly mounted an awareness raising campaign about child sex tourism.

### **3. Administration of justice**

636. Act No. 1680/01, the Children's Code, makes provision for a special juvenile justice system to handle cases concerning children and adolescents. The system consists of a hierarchy formed by the Supreme Court of Justice and judges, prosecutors and defence lawyers working in juvenile courts.

637. Paraguay has brought its legislation and juvenile justice system into line with the principles of the Convention and the Children's Code and with the comprehensive protection doctrine. This system provides for special treatment of juvenile offenders under criminal law that guarantees an approach in keeping with their rights.

638. Nevertheless the Government realizes that further work needs to be done on capacity building, enhancing mechanisms and infrastructure and boosting the resources required for strict compliance with the comprehensive protection doctrine.

639. Representatives of the Adolescent Offenders Welfare Service have pointed out that one of the weaknesses of the juvenile justice system is shared with the judicial system in general, namely a shortage of human resources to deal with cases in a timely fashion which means that government legal officers are swamped with cases and demands that they take on even more duties.

640. In recent years more resources have been devoted to capacity building at various levels (including schemes carried out by the Adolescent Offenders Welfare Service of the Ministry of Justice and Labour), but the rotation of personnel sometimes prevents qualified staff from remaining in their posts. It has not proved possible to appoint specialized judges in all areas and although interdisciplinary teams have been set up to assist judges, it has not been possible to attach them to all courts throughout the country.

641. The move to update Paraguayan legislation has resulted in the establishment of a catalogue of measures which are imposed for a specified time, the most severe being imprisonment. These measures range from a warning or caution to open prison regimes or detention in a specialized institution. Deprivation of liberty is an exceptional measure applied for the shortest requisite period as punishment for the commission of a serious offence.

642. Under Resolution No. 394/01 the Ministry of Justice and Labour set up the Adolescent Offenders Welfare Service within the ministry, as the entity responsible for formulating and applying public policies on juvenile crime prevention and on the treatment and social reintegration of juvenile delinquents or young persons in conflict with the law. One of the purposes for which the service was created was to explore crime prevention methods and to promote the realization of schemes to help adolescents to reintegrate into society and return to their families when they leave educational centres, once they have served the custodial sentence handed down by the court.

643. The Adolescent Offenders Welfare Service acquired the status of a Directorate-General under Decree No. 21006 of 2 May 2003 establishing its organization and structure. Under the above-mentioned ministry resolution, adolescent prisoners were transferred from the competence of the Directorate-General of Penal Institutions to that of the new non-penitentiary body.

644. The Adolescent Offenders Welfare Service is responsible for ensuring compliance with national and international human rights standards and the rights of the child in the juvenile justice system. It may call on public or private bodies or NGOs to execute its projects.

645. One very important step forward was the setting up of an interinstitutional commission to visit and monitor detention centres in Paraguay in order to check whether they comply with the Standard Minimum Rules for the Administration of Juvenile Justice. The commission members are drawn from government organizations, NGOs and international cooperation partners.

646. This body came into being in 2001 after the terrible fire in the Coronel Panchito López Juvenile Re-education Institute on 11 February of that year.

647. The commission's findings in a study based on its regular visits to detention centres are set out in the following paragraph.

648. It recorded 172 male adolescents (90.5%) and 9 female adolescents (9.5%), 18% of whom were aged between 14 and 15, the majority (82%) being aged between 16 and 18:

(a) With regard to their family situation, 85.7% lived with their mother, but only 57.1% lived with their father. Two salient factors were the deterioration in family relations and a low educational level;

(b) The crimes with which they were charged were mostly property offences: theft 66%, homicide 25% and bodily harm 9%;

(c) As for recovery, the study notes that the young people are ill-treated during their detention and, of the nine new centres visited, three had a specific regime for minors in keeping with legislation and international guidelines on the matter, while the others were in the process of adapting to the required conditions.

649. On the basis of these findings, the Government decided to grant more resources for upgrading premises and training security staff.

650. The infrastructure and the type of work done in these centres have been improved, but the challenge is to establish such centres in other departments. In recent years the Centro Virgen del

Fátima, Centro Educativo de Itauguá and the Centro La Esperanza detention centres have been upgraded.

651. Socio-educational measures are applied in preference to detention. When this is done, judges, public prosecutors, interdisciplinary teams and the persons responsible for implementing and monitoring these measures take steps to ensure dignified treatment in accordance with human rights.

652. The juvenile justice system has developed new methods for furthering the rehabilitation of the offender:

(a) Counselling and guidance for adolescent prisoners on how to get along with other people in everyday situations, with an emphasis on schooling and vocational training in closed centres;

(b) Counselling and guidance for adolescent prisoners while they are gradually introduced to everyday situations in a community and to schooling with an emphasis on vocational training in semi-open centres;

(c) Supervision and counselling of adolescent prisoners in the juvenile sections of regional prisons;

(d) Promotion and monitoring of the process of gradually integrating the youngsters into family life;

(e) Promotion and monitoring of the process of gradually integrating the youngsters into educational activities and work outside detention centres;

(f) Promotion and monitoring of the process of gradually integrating the youngsters into community life.

653. Effect was given to the undertaking to improve the juvenile justice system with the creation of educational detention centres for adolescents.

654. The educational centre of Itauguá is based on a socio-communitarian model which offers an alternative to the prison model for adolescents who have been placed in an institution on account of problems with the law. The model rests on organized, participative, harmonious co-existence where the rights of adolescents who have forfeited their right to liberty are respected. In short, the underlying idea is that the duration of the measure imposed by the court should be used to benefit the inmate by establishing a climate of human respect, where living under the same roof as others becomes one of the main factors of acquiring social competence.

655. La Esperanza semi-open educational centre is a custodial centre with a semi-open regime using a much more advanced socio-communitarian model than that employed in Itaugua. The atmosphere is more that of a therapeutic community where inmates are gradually introduced to the educational, labour and health services and recreation opportunities of the surrounding community as they progressively integrate into society in preparation for a future life without crime.

656. Its establishment represents a bit step forward in terms of the quality of care given to juvenile delinquents and is indicative of the political determination to offer alternative forms of treatment to juvenile offenders in keeping with the recommendations and principles set forth in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and national legislation on the subject, basically Act No. 57/90 ratifying the United Nations Convention on the Rights of the Child and Act No. 1680/01, the Children's Code.

657. The educational centre of Concepción is based on a socio-communitarian model. It has signed a cooperation agreement with the binational company Itaipú for the construction and equipping of new premises meeting the infrastructure requirements of such a centre.

658. The Virgen de Fátima educational centre is the first educational centre for female adolescent offenders. At present it has eight inmates held in what are recognized to be good conditions.

659. The construction, equipping and fitting out of the educational centre of Villarrica, with a capacity to accommodate 30 youngsters should be completed in 2008.

660. The construction of the educational centre of Ciudad del Este is scheduled to start in 2008. A financial and technical cooperation agreement has been signed for this purpose with UNICEF.

661. The training of officials working at different levels of the justice system, including those in charge of rehabilitation centres, is extremely important.

662. The process of upgrading the system is continuing with advances which guide the work of the Adolescent Offenders Welfare Service. It has been possible to increase the number of young people who have access to education; whereas 6% of inmates throughout the country had access to the educational system in 2002, that number had risen to 21% in 2003 and 80% in 2005. In 2006, the system fulfilled its educational mandate, training was carried out, health programmes were promoted, links with the youngsters' original families were strengthened and 325 young persons' cases were rapidly processed.

### **I. Ratification of optional protocols**

663. Paraguay has already notified its acceptance of and agreement to the amendment of article 43 of the Convention.

664. The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was ratified by Paraguay by Act No. 2134 of 2003.

665. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was ratified by the Paraguayan Government by Act No. 1897 of 27 May 2002.

## **J. Dissemination of the report**

666. Paraguay admits that the dissemination of the second periodic report and the written replies to the Committee was limited. Although documents were supplied to anyone on request, no strategy was worked out to permit their wider circulation.

667. The directors and technical experts of the National Secretariat for Children and Adolescents took part in seminars. The first seminar, which was brilliantly led by our compatriot and Committee member Ms. Rosa María Ortíz, was concerned with the scope of the Convention, its implications, its approach and the complex agenda required for its adequate implementation. It looked at the paths taken and future avenues for gathering the ideas, perceptions, expectations, concerns and complaints of the participants in the workshops which were held in preparation for drafting the third report on national compliance with the Convention on the Rights of the Child and who would serve as facilitators of working groups.

668. Five regional workshops were held in the process of drawing up this report:

(a) Venue 1- Asunción, held on Monday, 24 November 2006, United Nations Auditorium, Mcal. López y Saravi and attended by judges, defence lawyers and public prosecutors from juvenile courts, officers of the National Police, educational leaders, directors of children's homes, health workers, representatives of NGOs, indigenous associations, youth organizations, the Office of the Ombudsman and departmental secretariats for children and adolescents, advisers from Municipal Advisory Boards for the Rights of Children and Adolescents, technical experts and directors from the Human Rights Directorate of the Ministries of Justice and Labour and External Relations, representatives of the Supreme Court of Justice, from the capital and the Chaco (Presidente Hayes, Alto Paraguay, Central, Cordillera and Paraguari);

(b) Venue 2 – Encarnación, held on Wednesday, 29 November 2006, at the Office of the Governor of Itapúa, and attended by judges, defence lawyers and public prosecutors from juvenile courts, officers of the National Police, educational leaders, directors of children's homes, health workers, representatives of NGOs, indigenous associations, youth organizations and departmental secretariats for children and adolescents, advisers from Municipal Advisory Boards for the Rights of Children and Adolescents and Civil Registry officials from Itapúa and Ñeembucú;

(c) Venue 3 – Coronel Oviedo, held on Friday, 1 December 2006, at the Office of the Governor of Caaguazú and attended by judges, defence lawyers, and public prosecutors from juvenile courts, officers of the National Police, educational leaders, directors of children's homes, health workers, representatives of NGOs, indigenous associations, youth organizations, Civic Audit Offices and departmental secretariats for children and adolescents, advisers from Municipal Advisory Boards for the Rights of Children and Adolescents and Civil Registry officials from Caaguazú, Guairá, Caazapá, Alto Paraná and San Pedro;

(d) Venue 4- Pedro Juan Caballero, held on Monday, 4 December 2006, at the Office of the Governor of Amambay and attended by judges, defence lawyers and public prosecutors from juvenile courts, officers of the National Police, educational leaders, health workers, representatives of NGOs, indigenous associations, Civic Audit Offices and departmental

secretariats for children and adolescents, advisers from Municipal Advisory Boards for the Rights of Children and Adolescents and Civil Registry officials from Canindeyú and Amambay;

(e) Venue 5 – Filadelfia, held on Friday, 15 December 2006, at the Office of the Governor of Boquerón and attended by judges, defence lawyers, and public prosecutors from juvenile courts, officers of the National Police, educational leaders, health workers, representatives of NGOs, indigenous associations and departmental secretariats for children and adolescents, advisers from Municipal Advisory Boards for the Rights of Children and Adolescents and Civil Registry officials from Boquerón, Alto Paraguay and Concepción.

669. Strategic meetings were held with:

(a) Representatives of youth organizations and pupils in the third cycle of basic education and intermediate education and indigenous representatives from Asunción, Central and Presidente Hayes, on Friday, 19 December 2006, at the National Secretariat for Children and Adolescents;

(b) The Special Consultative Roundtable with the participation of Committee member Ms. Rosa María Ortíz and representatives of the Ministries of Foreign Affairs, Education and Culture, Justice and Labour, Public Health and Social Welfare, the Directorate-General for Statistics, Surveys and Censuses, NGOs, Global Infancia, Community Educational Support Base, a member of the National Council for the Rights of Children and Adolescents, the Paraguayan chapter of Transparency International and directors and technical experts of the National Secretariat for Children and Adolescents, on 18 December 2006, at the National Secretariat for Children and Adolescents;

(c) The Departmental Secretariats for Children and Adolescents of Alto Paraná, Canindeyú, Itapúa, Guairá, Misiones, Amambay and Central, on Tuesday 19 December 2006, at the Hotel Santo Domingo;

(d) Representatives of youth organizations and pupils of the third cycle of basic education and intermediate education from Asunción, Central and Boquerón, on Friday, 29 December 2006;

(e) Components of the National Comprehensive Protection System: judges, prosecutors and defence lawyers working in juvenile courts, members of the National Council for the Rights of Children and Adolescents, representatives of the Ministries of Education and Culture, Public Health and Social Welfare and Justice and Labour, the Secretariat for Women, the Social Action Secretariat, the Directorate for Social Welfare and Assistance, the National Indigenous Institute and representatives of universities, on Thursday, 15 February 2007, at the National Secretariat for Children and Adolescents;

(f) Directors General of programmes, planning and statistics of the Ministries of Education and Culture, Public Health and Social Welfare, Justice and Labour, representatives of the Social Action Secretariat and the Secretariats for Returnees, Women and the Environment, the Office of the Ombudsman and the Civic Audit Office, on Thursday, 22 February 2007, at the National Secretariat for Children and Adolescents.

670. The meetings were an opportunity to publicize the Committee's recommendations following the second report and to gather information, experiences, expectations, challenges and suggestions for the drafting of this report.

671. The purpose of the meetings was to prompt a constructive debate in order to identify, advances, setbacks and the steps that need to be taken to improve the situation of children in Paraguay.

672. It must be mentioned that UNICEF facilitated access to these documents as reproduction costs are high.

673. In this context the National Secretariat for Children and Adolescents submitted an application to UNICEF for help with the financing of the circulation of this report to the representatives of various communities, institutions and organizations. This activity was included in the Annual Operative Plan for 2008 of the National Secretariat for Children and Adolescents.

674. This report was also presented for prior consideration by the National Council for the Rights of Children and Adolescents at its meeting on 18 December 2007 and its third Extraordinary Session.

#### **K. Next report**

675. The next report will meet the deadlines set by the Committee and will include the monitoring and evaluation data on sections of the report which the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents can collect, bearing in mind the significant headway made with the registration of data and implementation of plans and programmes.

676. The reflection and analysis of the components of the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents, the Paraguayan authorities and institutions, NGOs active in this sector, youth organizations, professional associations, churches and representatives of universities has contributed and will contribute to the devising of the requisite policies, plans and programmes for ensuring the effective exercise of the rights of all children and adolescents in Paraguay.

#### **L. Assessments**

677. Although the institutional framework for giving effect to the comprehensive protection doctrine has been consolidated in Paraguay, structural weaknesses still exist owing to organizations' needs for greater resources. The outlook is, however, more optimistic because of the constant increase in social investment by the State and because of the implementation of the National Poverty Reduction Strategy whose new social policy focus is relevant to the development requirements of the Paraguayan people.

678. An important aspect is the greater length of time children and young people stay in the education system, the higher average number of years of study and the reduction of illiteracy, although the following significant challenges must still be met:

- (a) Make preschool and the third cycle of basic education universal;
- (b) Continuously widen the coverage of intermediate education;
- (c) Reduce the number of children repeating a year, especially in the first cycle of basic education;
- (d) Curb the drop-out rate in the third cycle of basic education and in intermediate education;
- (e) Increase the number of pupils staying on at school and the success rate;
- (f) Give all-round support to indigenous schools;
- (g) Improve the quality, efficiency and equity of the education supplied at all levels.

679. Emphasis must be given to the prospects opened up by macro-educational targets:

- (a) That all five-year-olds are enrolled in preschool classes by 2010 (National Initial Education Plan);
- (b) That universal basic education is achieved (Millennium Development Goal);
- (c) That all children complete nine years of schooling by 2020 (Paraguay Strategic Plan 2020);
- (d) That 75% of young people have access to intermediate education by 2010 (Paraguay Strategic Plan 2020, Part 2);
- (e) That illiteracy is eradicated by 2008 (the Education for All target is to reduce the number of illiterate people by 50% by 2015).

680. We propose that in Paraguay by 2020:

- (a) No citizen under the age of 50 should have less than 10 years' schooling (average of 12 years of study);
- (b) 100% of pupils should complete compulsory basic education (9th grade);
- (c) 100% of young people should enter secondary school and 70% should complete it;
- (d) The Paraguayan population over the age of 15 should achieve on average level 3 in reading comprehension on the international monitoring scale;
- (e) 100% of Paraguayan schools at all levels should have:
  - (i) A school library containing at least 3,000 books;
  - (ii) Classroom libraries in every classroom with at least 10 books per pupil;

(f) 100% of intermediate schools should have a science and technology laboratory with a computer and Internet access;

(g) Schools should ensure that 100% of pupils completing intermediate education are skilled in using new information and communication technologies as a working tool and means of accessing information and new knowledge.

681. A further advance is recognition of the fact that children and adolescents must play a more proactive role. But if this is to be done in a coherent manner, it is necessary to step up efforts to publicize the general principles of the Convention. The participation of children and young people will acquire greater force if it takes place within the favourable context of the comprehensive protection doctrine, to which they can not only contribute, but where they can be reared in a manner that takes account of their development needs.

682. The gist of this report is that better organized systems for gathering, monitoring and defining indicators of the situation of children and adolescents now pinpoint and make it easier to diagnose the specific needs of highly vulnerable sectors of the population.

683. It is vital to have reliable information making it possible to take the right decisions on policies and programmes for safeguarding the rights of the child. Its usefulness as a feedback tool is plain on perusing each of the sections of this report.

684. Expanding employment opportunities, widening the coverage and enhancing the quality of basic social services and promoting the formal economy are essential means of permitting the implementation of the Convention on the Rights of the Child.

685. It is necessary to have a long-term development model with programmes and projects accompanied by monitoring and evaluation mechanisms, the appropriate budgets and well-qualified specialists.

686. One major aspect requiring improvement is the forging of strategic alliances. The limited resources available make it essential to strengthen coordination in order to achieve broader coverage and ensure that efforts are not frittered away.

687. For this reason, the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents must be strengthened by the logical linkage of all its components, from the grass roots to local, departmental and national authorities. Cases of exploitation, violence or abuse need to be tackled by the community at large through a holistic approach. Hence suitable care can be provided only by the timely strengthening of the working capacity of networks at various levels.

688. On the other hand, it is necessary to press on with targeted programmes to improve the living conditions of the most vulnerable sectors of the population and this is indeed the aim of the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents. At the same time, it is necessary to cater for the needs of the whole population of children and adolescents and in this respect it is vital to put in place interdisciplinary measures which are formulated, planned, implemented and evaluated from an all-inclusive standpoint that regards families as central to the whole process.

689. Progress with implementing the Convention was not always as speedy as it should have been, although it was substantial and there was no standing still, let alone backsliding. Civil society and the State are proving increasingly capable of dealing with the extremely complex situations that arise from breaches of children's rights.

690. The country must meet the challenge of economic growth which means not only upping tax revenue to finance social investment, but also securing sustainable growth making for employment, impartiality and respect for human rights with fairness, in other words growth of benefit to the whole population, especially the sections which have been excluded.

691. Below we list the recent achievements of the National Secretariat for Children and Adolescents:

(a) The functioning of the National Council for the Rights of Children and Adolescents permits the adoption of plans, programmes and projects to be carried out in Paraguay;

(b) Permanent sessions of the Executive Board of the Adoptions Centre to process the files of children awaiting reintegration in their biological family or, in the final resort, adoption;

(c) Increase in the number of institutions protecting children and adolescents at departmental and municipal level:

(i) 100% of the Departmental Councils for the Rights of Children and Adolescents have been set up;

(ii) 17 Departmental Secretariats for Children and Adolescents have received training to familiarize them with the notions of comprehensive protection and the best interests of the child;

(iii) 188 municipalities now have Municipal Advisory Boards for the Rights of Children and Adolescents;

(d) Stronger strategic alliances to coordinate processes with government bodies, NGOs, churches, private enterprise and international cooperation partners;

(e) Informing and raising the awareness of components of the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents about youth issues;

(f) Coordination of activities with public prosecutors, defence lawyers and judges working in juvenile courts in order to speed up proceedings in the best interest of the child;

(g) The operation of the telephone helpline 147, which can be dialled free of charge anywhere in the country by children who are being subjected to ill-treatment, has been transferred from the Community Educational Support Base to the National Secretariat for Children and Adolescents which has a multidisciplinary team on hand to answer calls. The scheme receives the financial support of Plan Paraguay and UNICEF;

(h) Establishment of child protection networks in Alto Paraná, Concepción, Misiones, Cordillera and Paraguari to prepare 25,520 young volunteers to pass on information about rights, values, responsibilities, sexual education and reproduction under the 1x100 scheme;

(i) Implementation of the “Paseo de los Derechos” (Rights Bridge) together with Global Infancia and funds from PETROBRAS in Villa Elisa and Mariano R. Alonso in the Central department, Coronel Oviedo in Caaguazú, Encarnación in Itapúa and in Ciudad del Este and Concepción in Alto Paraná for the benefit of 12,725 children;

(j) Forums on very early childhood in Amambey, Guairá, Itapúa and Boquerón and inclusion of the topic on the agenda of Mercosur and its member States;

(k) Workshop on the international recovery of minors in order to give effect to the Hague Convention on the Civil Aspects of International Child Abduction, with the participation of judges, prosecutors and defence lawyers working in juvenile courts, members of Municipal Advisory Boards for the Rights of Children and Adolescents, the National Police and the National Council for the Rights of Children and Adolescents and representatives of NGOs;

(l) First meeting with NGOs who are members of the Coordinating Office for the Rights of Children and Adolescents;

(m) First meeting with international cooperation partners active in the country: European Union, IDB, IBRD, OEI, ILO, UNICEF and IOM;

(n) Drafting, approval and publication of the manual on the comprehensive care of ill-treated children;

(o) Strategic meetings with governors, mayors, municipal councils, health and education authorities, the National Police and judges, prosecutors and defence lawyers working in juvenile courts;

(p) Joint training sessions with members of Municipal Advisory Boards for the Rights of Children and Adolescents and Departmental Secretariats for Children and Adolescents to coordinate a protective agenda in each department, in agreement with the National Secretariat for Children and Adolescents, Global Infancia, the Community Educational Support Base, Plan Paraguay and UNICEF;

(q) Programme to improve the functioning of the home at the Adoption Centre of the National Secretariat for Children and Adolescents (equipment and specialized staff) with the support of the binational company Itaipú;

(r) Purchase of the building for the home at the Adoption Centre of the National Secretariat for Children and Adolescents with funds from the national budget;

(s) Approval of Mercosur’s inclusive youth scheme financed by the Structural Convergence Fund, under which centres to promote social integration skills among children at risk in border regions will assist 800 families in Asunción, Lambaré, Ciudad del Este, Hernandarias and Presidente Franco as from 2008;

(t) Approval of the Regional Strategy to Combat the Trafficking and Smuggling of Children and Adolescents for Sexual Exploitation in Mercosur, with the backing of the IDB which will be put into effect in Ciudad del Este, the capital of Alto Paraná;

(u) Implementation of the programme to combat and prevent the commercial sexual exploitation of children in Encarnación, in agreement with the local town council and with financing from the binational company Yacreta for the benefit of 86 children and young people;

(v) Ara Pyahu Mitaí scheme implemented under an agreement between the National Secretariat for Children and Adolescents as part of measures to give effect to the National Plan of Action. It assists 30 children whose family links have been severed, who suffer from various kinds of addiction and who are the victims of serial human rights violations in the capital;

(w) Introduction to working life - a programme run in agreement with the binational company Itaipú for 202 pupils in the last year of intermediate education in Asunción who will spend supervised training periods in 70 firms in the corporate social responsibility programme. In 2008 there are plans to offer such training to 310 young people;

(x) The programme sets out to develop basic skills in the use of technology and to enable trainees to maintain positive relationships with the public and employers. The trainees receive 60% of the minimum wage, training and social security coverage;

(y) Four members of the professional staff of the National Secretariat for Children and Adolescents went on a training course at the Instituto Asturiano de Infancia, Familia y Adolescencia in Oviedo, Spain;

(z) Paraguay joined the Latin American Missing Persons Network and set up the website [www.paraguayosdesaparecidos.org](http://www.paraguayosdesaparecidos.org) under a cooperation agreement between the Ministry of the Interior, Save the Children Sweden and the National Secretariat for Children and Adolescents;

(aa) The National Secretariat for Children and Adolescents gave an account of its work at a social, cultural and artistic event entitled “Mitânguera rehehápe” (For the children), which was held on 13 August 2007, in the Excelsior Hotel, with the support of the binational company Itaipú, to mark the seventeenth anniversary of the Convention on the Rights of the Child;

(bb) Establishment of the family reception network in the Adoption Centre with the Corazones por la Infancia and the ENFOQUENIÑEZ foundations;

(cc) Schemes related to the promotion, protection and restoration of children’s rights and the prevention of risks, financed from the national general expenditure budget, which the National Secretariat for Children and Adolescents has entrusted to NGOs:

- (i) **Project to establish, strengthen and monitor Municipal Councils and Municipal Advisory Boards for the Rights of Children and Adolescents – FORTALESER Foundation:** transfer of 400,000,000 guaraníes from the state budget to train and instruct members of the Municipal Advisory Boards for the Rights of Children and

Adolescents in Concepción, Alto Paraguay, Amambey, Alto Paraná, Canindeyú, Misiones, Itapúa, Ñeembucú, Central and the capital. The project seeks to disseminate more widely the principles of the Convention on the Rights of the Child, the Constitution, Act No. 1680/01, the Children's Code and the corresponding laws for the implementation of national policy, the National Plan of Action and sectoral plans;

- (ii) **Centre for the Care and Counselling of Children and Adolescents:** transfer of 350,000,000 guaraníes for the execution of the scheme to assist children and adolescents who are the victims of commercial sexual exploitation in Ciudad del Este, the main thrust of which is to restore these children's right to a life free of violence and their right to health, a family, education, recreation, identity and legal assistance through a multidisciplinary approach covering all these aspects;
- (iii) **Teresiana Foundation:** transfer of 150,000,000 guaraníes for a project to disseminate the rights of the child and promote the values of family life and comprehensive protection in order to reduce the number of street children in Asunción;
- (iv) **The Adventist Development and Relief Agency in Paraguay** received the sum of 140,000,000 guaraníes for the project entitled "Friendship in the street, heading in a new direction" which endeavours to achieve wider social inclusion of street children in the vicinity of the bus station of Asunción. It offers them recreation and sports activities, self-confidence workshops and sexual education. It warns them about the dangers of consuming alcohol and other toxic substances. It provides them with physical, emotional and health assistance and guidance in learning new, more valuable skills;
- (v) **Don Bosco Foundation:** transfer of 190,520,000 guaraníes for a scheme to assist socially vulnerable children and adolescents. Its aim is to improve the quality of life of 100 street children by affording them comprehensive protection and health care to generate physical, psychological and spiritual well-being and, above all, by giving them an education which makes them protagonists of their own learning process;
- (vi) **The Divino Niño Foundation** has received a transfer of 100,000,000 guaraníes for the "Colour of Hope" programme to reduce poverty in Encarnación. It assists 100 street children between the ages of 5 and 12 to exercise their right to health, education and the protection of a family and to develop skills appropriate to their life cycle;
- (vii) **Tekove Pyahu Rehabilitation Centre** received the sum of 150,000,000 guaraníes for a scheme to rehabilitate street children addicted to psychoactive substances. The money is used for the shelter, treatment and social reintegration of 30 young drug addicts;

- (viii) **Luna Nueva (New Moon) Group:** transfer of 150,000 million guaraníes for a project to reopen a shelter for children and adolescents who are escaping from commercial sexual exploitation and for their children. Its main objective is to promote the empowerment of 20 girls who have been sexually exploited and to help them to develop their own capabilities and individual and collective resources so that they can stand up for their rights and enjoy a better quality of life;
- (ix) **The Kuña Mimbi Foundation** received 50,000,000 guaraníes for the Kuña Mimbi Róga project to open a temporary shelter for girls who have been sexually abused or physically or mentally ill-treated. It offers psychological, social, legal and spiritual support and encourages them to return to formal education and attend educational workshops so as to develop their capabilities;
- (x) **The Esperanza home** run by the Anglican Church received a transfer of 50,000,000 guaraníes for the comprehensive protection of children living in the home. It provides psychological assistance, preventive health care, food, hygiene training and temporary stimulating activities for these children;
- (xi) **The Centre for Child and Youth Studies** received 100,000,000 guaraníes for the strengthening of 37 Municipal Advisory Boards for the Rights of Children and Adolescents (1 in Asunción, 19 in the Central department and 17 in Paraguari).

692. The National Secretariat for Children and Adolescents of the Office of the President presents Paraguay's third periodic report on the implementation of the Convention on the Rights of the Child which reflects the vision, mission and commitment of those who participated in workshops and strategic meetings to disseminate the principles of the Convention on the Rights of the Child and to take a hard look at the recommendations made by the Committee on the Rights of the Child after its consideration of earlier reports. This report draws attention to the advances made in strengthening the National System for the Comprehensive Protection and Advancement of the Rights of Children and Adolescents and to expectations, concerns, outlook and challenges with regard to further consolidation of the system.

693. We would like to thank UNICEF Paraguay for its substantial and constant cooperation in all endeavours to promote, disseminate and protect the rights of the child and ward off risks to them and in the drafting of this report on the implementation of the Convention on the Rights of the Child in Paraguay.

694. The purpose of this report is likewise to secure the effective exercise of the rights of the child and, in view of Paraguay's undertaking to inform citizens of the Convention's principles, to move towards an inclusive fair society with equal access to health, education and social protection in order to build a Paraguay fit for all children and young people.

## ANNEXES

### I. ABBREVIATIONS AND ACRONYMS

<b>ADRA</b>	Adventist Development and Relief Agency
<b>AIEPI</b>	Integrated treatment of common childhood diseases
<b>BECA</b>	Community Educational Support Base
<b>CCA</b>	Common Country Assessment
<b>CEPEP</b>	Paraguayan Centre for Population Studies
<b>CENIJU</b>	Centre for Child and Youth Studies
<b>CDIA</b>	Coordinating Office for the Rights of Children and Adolescents
<b>CIRD</b>	Development Information and Resources Centre
<b>CNA</b>	Children's Code
<b>CODENIs</b>	Municipal Advisory Boards for the Rights of Children and Adolescents
<b>CONADIPI</b>	National Coordinating Office for the Comprehensive Development of Very Young Children
<b>CONAETI</b>	National Commission for the Prevention and Eradication of Child Labour and the Protection of Adolescent Labour
<b>CONASICA</b>	National Committee for the Comprehensive Protection of Street Children .
<b>CONNATs</b>	National Coordinating Office of Child and Adolescent Workers
<b>DIPLANP</b>	Directorate for the National Strategic Plan to Combat Poverty
<b>DGEEC</b>	Directorate-General for Statistics, Surveys and Censuses
<b>ENDSSR</b>	National Demographic and Sexual and Reproductive Health Survey
<b>EPH</b>	Permanent Household Survey
<b>FES</b>	Social Equity Fund
<b>GPI</b>	Geographic Priority Index
<b>QLI</b>	Quality of life index
<b>INAN</b>	National Food and Nutrition Institute
<b>INDI</b>	National Indigenous Institute
<b>INECIP</b>	Institute for Comparative Studies in Criminal and Social Sciences
<b>INPRO</b>	National Institute for the Protection of Persons with Special Needs
<b>IPEC</b>	International Programme on the Elimination of Child Labour
<b>IPPF</b>	International Planned Parenthood Federation
<b>MAG</b>	Ministry of Agriculture and Livestock
<b>MEC</b>	Ministry of Education and Culture
<b>MICS</b>	Multiple Indicator Cluster Survey

<b>MIDRI</b>	Disability Rights Internacional
<b>MSPBS</b>	Ministry of Public Health and Social Welfare
<b>MJT</b>	Ministry of Justice and Labour
<b>MPDL</b>	Movement for Peace, Disarmament and Liberty
<b>UBS</b>	Unsatisfied basic needs
<b>OEI</b>	Organization of Ibero-American States
<b>IOM</b>	International Organization for Migration
<b>ILO</b>	International Labour Organization
<b>WHO</b>	World Health Organization
<b>NGO</b>	Non-governmental organization
<b>PAI</b>	Expanded immunization programme
<b>PNA</b>	National Plan of Action
<b>PNAMI</b>	National Programme of Insurance for Mothers and Children
<b>UNDP</b>	United Nations Development Programme
<b>POLNA</b>	National Policy on Childhood and Adolescence
<b>PRIOME</b>	National Programme on Equal Opportunities for Women in Education
<b>PROAN</b>	Food and Nutrition Assistance Programme
<b>REDNAMI</b>	National Network against Child Abuse
<b>RPPS</b>	Social Protection and Promotion Network
<b>SAS</b>	Social Action Secretariat
<b>SENAA</b>	National Shelter Service
<b>SENAAI</b>	Adolescent Offenders Welfare Service
<b>SET</b>	Subsecretariat of State for Taxation
<b>SNNA</b>	National Secretariat for Children and Adolescents
<b>STP</b>	Technical Secretariat for Planning
<b>UNA</b>	National University of Asunción
<b>UNFPA</b>	United Nations Population Fund
<b>UNICEF</b>	United Nations Children's Fund
<b>USAID</b>	United States Agency for International Development

## II. LIST OF PARTICIPATING ORGANIZATIONS

Adventist Development and Relief Agency (ADRA)

SOS Children's Villages

Community Educational Support Base (BECA)

Centre for Child and Youth Studies (CENIJU)

Centre for Multidisciplinary Development Research (CINDE)

Municipal Advisory Boards for the Rights of Children and Adolescents (CODENIs):

- Asunción
- Caazapá
- Coronel Oviedo
- Capitán Miranda
- San Alberto
- San Cosme y Damián
- La Paz
- Mcal. Estigarribia
- Pedro Juan Caballero
- San Estanislao
- Yby Yauí

National Council for the Rights of Children and Adolescents

Departmental Council for the Rights of Children and Adolescents (Cordillera)

Municipal Council for the Rights of Children and Adolescents of Coronel Oviedo (Caaguazú)

National Commission for the Prevention and Eradication of Child Labour and the Protection of Adolescent Labour (CONAETI)

National Coordinating Office of Child and Adolescent Workers (CONNATs)

National Coordinating Office for the Comprehensive Development of Very Young Children (CONADIPI)

Coordinating Office for the Rights of Children and Adolescents (CDIA)

Office of the Ombudsman

Directorate for Social Welfare and Assistance (DIBEN)

Faculty of Humanities and Educational Sciences (National University of Pilar)

United Nations Children's Fund (UNICEF)

Foundations:

- Piche Róga
- Teresiana
- Amor y Esperanza

Global Infancia

Offices of the Governors of:

- Boquerón
- Caaguazú
- Itapúa
- Amambay

Luna Nueva Group

Shelters:

- Oga Mimbi
- Don Bosco Róga
- Tekove Pyahu

Institute of Comparative Studies in Criminal and Social Sciences (INCECIP)

National Food and Nutrition Institute (INAN)

National Institute for the Protection of Persons with Special Needs (INPRO)

National Indigenous Institute (INDI)

“Dr. Raúl Peña” Higher Education Institute (ISE)

Junior Achievement Paraguay

Departmental Government of Boquerón

Town Council of Filadelfia

Town Council of Mariscal Estigarribia

Indigenous leaders of Presidente Hayes y Puerto Pinasco

Member of the Committee on the Rights of the Child – Ms. Rosa María Ortiz

Ministry of Agriculture and Livestock (MAG)

Ministry of Education and Culture (MEC):

- Projects Department
- Directorate of Special Education
- Directorate of Teacher Training
- Directorate-General of School Inspection
- School inspectors
- Head teachers and teachers

Ministry of Justice and Labour (MJT):

- Directorate-General of the Civil Registry
- Directorate-General of the National Shelters and Homes Service (SNAA)
- International Directorate
- Adolescent Offenders Welfare Service (SNAAI)

Ministry of External Relations (MRE)

- Human Rights Directorate

Ministry of Public Health and Social Welfare (MSPBS):

- Social Welfare Directorate
- Mental Health Directorate
- Directorate-General of Hospitals
- Directorate-General of Health and Comprehensive Care Programmes for Children and Adolescents

Attorney General's Office

Public Defender's Office

Movement for Peace, Disarmament and Liberty (MPDL)

International Labour Organization (ILO)

National Platform Of Youth Groups and Organizations in Paraguay

Judiciary:

- Appellate court judges
- Magistrates
- Human Rights Unit of the Supreme Court of Justice

National Police:

- Department of Family Affairs
- 911 emergency response system
- Identification Department
- International Criminal Police Organization (INTERPOL)

Programme of Comprehensive Care for the Street Children of Asunción (PRAINA)

Food and Nutrition Assistance Programme (PROAN)

National Programme to Control HIV/AIDS and Sexually Transmitted Diseases (PRONASIDA)

Rotary Club of Asunción

Social Action Secretariat (SAS)

National Sports Secretariat (SND)

Secretariat for Women (SM)

National Secretariat for Returnees (SNR)

National Anti-Drug Secretariat (SENAD)

Secretariats for Children and Adolescents of:

- Cordillera
- Guairá
- Central
- Boquerón
- Misiones
- Amambay
- Caaguazú
- Canindeyú
- Alto Paraná
- Itapúa

Technical Planning Secretariat (STP)

Love and Life Service (SEAVI)

Mennonite Social Service

Paraguayan Chapter of Transparency International

Higher Electoral Tribunal

Union of Indigenous Communities of the Yshir Nation (U.C.I.N.Y)

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