

URGENT ACTION

PROTECT THE RIGHTS OF PREGNANT 10-YEAR-OLD GIRL Paraguay continues to deny the rights to health, life and physical and mental integrity to a girl who is pregnant as a result of rape, despite national and international outrage.

Following a judicial order, an interdisciplinary panel of experts (*junta médica interdisciplinaria*) finally met last week to assess the health and the integrity of the **10-year-old pregnant girl** and produced a report with recommendations. The findings of the report remain confidential to protect the right to privacy of the child as established by national legislation. To date, it is not clear whether the judge in this case has yet decided on the measures necessary to guarantee the girl's integrity and life. Therefore, her health and life remain at high-risk.

The pregnancy was detected almost a month ago on 21 April and a panel of experts was formed over 10 days ago. However, not all possible options have been made available to the girl. The Paraguayan authorities do not seem to recognize the urgency and seriousness of this case.

National and international organizations have urged the Paraguayan authorities to recognize all risks to the girl associated with her pregnancy. On 11 May a group of UN experts stated that Paraguay's decision not to provide the 10-year-old girl a therapeutic abortion in a timely manner results in grave violations of her rights to life, health, and physical and mental integrity, as well as her right to education, jeopardizing her economic and social opportunities.

The Paraguayan authorities have ignored more than 500,000 appeals sent by Amnesty International from around the world, urging them to provide all services and information needed, including the option of the termination of her pregnancy, to protect the human rights of the girl in the short, medium, and long-term.

The investigation into the sexual abuse, allegedly committed by the girl's stepfather, was initiated when her pregnancy was confirmed. The stepfather was arrested on 10 May. The girl's mother remains in prison, facing charges of failing in her duty of care and of being complicit in the abuse. A petition for her release on bail was rejected on 9 May. It has been reported that the mother's absence is affecting the physiological integrity of the girl.

Please write immediately in Spanish or your own language, urging the Paraguayan authorities to:

- Imminently make a decision to ensure the girl has access to all possible services, including the option of a safe abortion, and to guarantee her right to life, health, and physical and psychological integrity in the short, medium and long-term;
- Guarantee the best interest of the girl, which requires assessing the safety and integrity of the child at the current time and also the possibility of future risk and harm when making decisions that can affect her;
- Ensure a thorough and independent investigation into the sexual abuse and bring those responsible to justice.

PLEASE SEND APPEALS BEFORE 2 JULY 2015:

President of Paraguay
Sr. Horacio Cartes
Palacio de Gobierno
El Paraguay Independiente entre
O'leary y Ayolas. Asunción, Paraguay
Email:
secretariaprivada@presidencia.gov.py
Salutation: Dear President/ Estimado
Señor Presidente

Minister of Public Health and Welfare
Ministro de Salud Pública y Bienestar
Dr. Antonio Barrios
Pettirossi Esq. Brasil
Asunción, Paraguay
Fax: +595 21 207 328
Email: ministro@mspbs.gov.py
Salutation: Dear Minister/ Estimado
Ministro

Attorney General
Dr. Javier Díaz Verón
Chile c/ Ygatimí
Asunción, Paraguay
Fax: +595 21 415 6152
Email: fdiaz@ministeriopublico.gov.py
Salutation: Dear Attorney General/
Estimado Fiscal General

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 100/15. Further information:

www.amnesty.org/en/documents/AMR45/1554/2015/en/

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ADDITIONAL INFORMATION

The girl's 21-week pregnancy was detected at the Trinidad Maternity and Children's Hospital (Hospital Materno Infantil de Trinidad) on 21 April when the girl went to the hospital with her mother complaining of a stomach ache. She had been to different medical centres since January complaining of a stomach ache but the pregnancy went undetected. In addition, last year the girl's mother made a complaint about the sexual abuse of her daughter by her stepfather, but prosecutors did not investigate and did not provide protection measures as they considered her not to be at risk.

In Paraguay, according to article 109 of the Criminal Code, abortion is only permitted when the life of the women or girls is at risk. In any other circumstances, even if pregnancy is the result of rape, incest or when the foetus has a severe malformation, abortion is not permitted. This restrictive abortion law is in violation of international human rights law.

Article 3 of the Convention on the Rights of the Child states that "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration". The Committee on the Rights of the Child requires all State parties, including Paraguay, to ensure girls have access to abortion, at a minimum, when their health and life is in danger and in cases of rape and incest.

Name: 10-year-old girl (name withheld)

Gender m/f: f

Further information on UA: 100/15 Index: AMR 45/1694/2015 Issue Date: 21 May 2015