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**Committee on the Elimination of
Discrimination against Women**
Pre-session Working Group for the thirty-second session
10-28 January 2005

**List of issues and questions for the consideration
of periodic reports***

Paraguay

Prior to the session, after considering the combined third and fourth periodic reports and the fifth periodic report of Paraguay (CEDAW/C/PAR/3-4, CEDAW/C/PAR/5 and Corr.1), the pre-session working group prepared the following list of issues and questions.

Constitution, laws and national machinery

1. Please describe the process used to prepare the combined third and fourth periodic reports and the fifth periodic report. In particular, indicate who participated in, and contributed to the process and whether the reports were submitted to Parliament or approved by the Office of the President of the Republic.
2. The fifth report is inconsistent in its use of the terms “gender equity” and “equality”. Please explain the State party’s understanding of the difference between the two terms, if such a difference exists, and how the terms are applied. Also, the fifth report refers, on several occasions (e.g. on p. 11), to the “dichotomy of gender versus party”. Please explain.
3. Please inform the Committee as to whether the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments are part of national legislation and, if so, whether they may be invoked before the courts.

Political participation

4. The fifth report refers to the proposal of the Women’s Bureau of the Office of the President of the Republic and the Office of the Public Defender to reform the Electoral Code, with a view to ensuring women’s participation in the decision-

* The page references in this document are based on the English version of the combined third and fourth periodic reports and the fifth periodic report.

making bodies of the Republic by raising from 20 per cent to 50 per cent the minimum quota for participation by women in lists of electoral candidates and providing women with access to administrative posts (pp. 13-14). What progress has been made in this regard?

5. The fifth report states, on page 49, that “Women have won a significant proportion of second-tier posts, according to statistics from the Central Elections Commission: municipalities: 4.7 per cent of municipal mayors, 17.7 per cent of municipal councillors, and 14 per cent of departmental councillors”. The report further states (on pp. 21-22), that women’s participation is low, and that the obstacles to women’s political participation included lack of leadership by women, “women politicians’ lack of self-esteem vis-à-vis their male peers”, traditional sociocultural factors, the lack of support provided by the women’s movement to candidacies, and the lack of economic resources. What specific measures are planned to overcome these obstacles, particularly to implement the provisions of the Convention as obligations of the State party?

6. Pages 25 and 26 of the fifth report provide information concerning the international and regional forums attended by Paraguay’s women representatives. Please give information concerning women’s participation, over the past three years, in government delegations to regional and international forums that are not aimed exclusively at women, and please indicate the position and status of these women.

Education and stereotypes

7. In addressing article 5 of the Convention, the fifth report provides information concerning “family education”, but does not focus on the subject of stereotypes, how social and cultural patterns of behaviour discriminate against women, or how such patterns represent obstacles to the achievement of genuine equality for women. The fifth report also clearly indicates that stereotypes continue to constitute a significant barrier to the achievement of equality. Such references may be found on page 16 (on traditional culture reflected in sexist language, the inequitable distribution of roles within the family, etc.), on page 27 (on cultural patterns of behaviour in schools) and on page 37 (on women’s sole responsibility for the care and rearing of children), as well as on page 18 of the combined third and fourth report (on sexist attitudes in personnel selection). What measures and strategies have been planned, adopted or implemented by the Government to change social stereotypes, in particular among indigenous and rural populations?

8. Please provide statistics for enrolment and drop-out rates, by school grade, in percentage and absolute terms, broken down for each region of the country and for rural and urban areas, and including data on illiteracy and enrolment levels for indigenous women and women from rural areas, as well as data concerning the measures introduced to improve literacy. Please also indicate the initial results of the National Programme for Bilingual Education.

9. What plans have been made to overcome the current flaws in school syllabuses and ensure that the gender perspective is integrated into school curricula and into teacher training programmes? Are there plans to incorporate awareness of, and training in gender equality and human rights as an integral part of school curricula?

10. The fifth report states that progress has been made with respect to students who become pregnant and teachers who are single mothers, who “five years ago

would have been dismissed from school” (p. 19). Please indicate how this progress was achieved and whether the right of pregnant students to remain in educational institutions, whether public or private, is respected at the national level.

Employment and poverty

11. The fifth report states, on page 18, that “40 per cent of the population live in extreme poverty”, and yet, on page 39, it is stated that “15.5 per cent of the population live in extreme poverty”. Please explain this discrepancy and indicate the measures that will be taken to ensure that the gender perspective is included in the poverty-reduction policies being prepared by the Social Advisory Council.

12. The fifth report states that despite the introduction of laws guaranteeing equal pay (e.g. the ratification in 2001 of Convention No. 100 of the International Labour Organization on equal remuneration for equal work, of 2000), differences remain. Please provide information about the factors hampering the implementation of such laws, and about the measures planned in this regard.

13. What progress has been made to eliminate discriminatory practices from the Labour Code, such as the fact that the right to maternity leave does not extend to women who hold elected office, the fact that full benefits of allowances and pensions are not given to private-sector teachers or self-employed workers, and the lack of mechanisms to enable housewives to receive social security and pensions benefits? Please also explain why private companies continue to use pregnancy tests when hiring women workers.

14. No comparative data is provided concerning the proportions for men and women workers by sector, their wage levels, or sectoral trends, which the Committee requested following its consideration of the previous report of Paraguay. Please provide this information, if available.

15. The fifth report states, on page 29, that labour participation by individuals aged 12 and over had held steady at around 51 per cent. Please indicate whether this means that child labour is permitted and, if so, what percentage of children work.

Health

16. What specific measures are planned to prevent the main causes of female mortality, and how much access to health and medical services is provided for rural women, women who speak only Guaraní, women immigrants and women in society’s most vulnerable groups (the elderly, disabled persons, etc.)?

17. What progress has been achieved in implementing the National Reproductive Health Plan for the period from 1997 to 2001? The Committee would also like to know whether the National Reproductive Health Plan for the period from 2003 to 2008 has been approved, and whether there are plans to introduce sex information and education programmes, including information about family planning and contraceptives use, especially in rural areas and for the indigenous population, as well as for adolescents.

18. In the suggestions and recommendations contained in the report issuing from its fifteenth session, during which it considered the combined first and second reports of Paraguay (see A/51/38), the Committee stressed the urgency for the State party to take measures to deal with the high level of maternal mortality and illegal

abortions. The fifth report provides confirmation that abortion is still the leading cause of death among women. What urgent measures does the Government plan to adopt in this regard?

19. Please provide more information concerning the incidence of HIV/AIDS among indigenous women and women in rural areas. What measures are planned to prevent and/or combat HIV/AIDS among these population groups?

Rural women

20. After considering the combined first and second reports the Committee recommended, in its own report, that the State party increase its efforts to guarantee equality in land distribution and ownership (A/51/38). What measures have been taken to implement Law 1863/02 establishing the Agrarian Act, which promotes women's access to land ownership, guaranteeing tenure by establishing that they can hold title to land?

21. The fifth report states that approximately 25 per cent of households are headed by women and that, according to the 2002 census, the percentage is higher in rural areas. Please indicate whether programmes have been introduced to benefit this group of women, who "are the most vulnerable to falling deeper into poverty".

Trafficking in persons and the exploitation of prostitution

22. The fifth report refers to article 54 of the Constitution and to Law 1160 and article 139 of the Penal Code concerning the exploitation of prostitution and trafficking in persons. It makes no reference, however, to the number of women victims of trafficking, the number of traffickers detained, punished and sentenced, or the number of women victims of trafficking who have returned to their own countries of origin to resume their lives. Please provide this information.

23. Please describe the results of the efforts made by MERCOSUR, Chile and Bolivia to combat trafficking, the abuse of women and children, and sex tourism.

24. Among the main causes for concern identified by the Committee in its report on its fifteenth session, during which it considered the combined first and second reports of Paraguay, were the "legal and administrative errors in cases of adoption, which perpetuated the undesirable international traffic in girls and boys" (A/51/38, para. 125). Please indicate the measures taken to correct these errors with a view to preventing and eliminating trafficking in children.

Violence against women

25. Please indicate whether penalties other than economic penalties (fines) may be imposed on the aggressor under article 229 of Law 1.600 on domestic violence (see para. 10 of the combined third and fourth reports). Please also indicate whether the Law has been invoked before the national courts and, if so, please describe the number and type of cases submitted and the penalties imposed.

26. In view of the position of non-governmental organizations, which have criticized Law 1.600 for "excluding other forms of violence that are already defined in the Belém do Pará Convention, for the negative implications of the fact that the violence must be "habitual", and for the fact that the perpetrator is left at liberty to

take reprisals against the victim (p. 5), please inform the Committee of the measures planned to address this concern.

27. Please specify the penalties set forth in the Penal Code (Law 1160/97) for the sex offences mentioned on page 10 of the fifth report and explain why the penalties for sex crimes are reduced if the aggressor and the victim are related.

28. In its fifth report (p. 5), the State party refers to the statement of March 2004 published by women in the departments of Caaguazú, San Pedro and Caazapá, together with the Women's Secretariat of the National Campesino Federation (FNC), denouncing situations of "mistreatment, torture and extreme violence" against campesinos, and particularly against women from these departments. What measures have been adopted to eliminate violence against campesinos with respect to these complaints?

29. Please indicate any measures, whether already introduced or planned, to ensure respect for the human rights of women and adolescent prisoners, bearing in mind that chapter VIII, on women's rights, of the Third Report on the Situation of Human Rights in Paraguay, of the Inter-American Commission on Human Rights, describes various types of violence (i.e., subhuman disciplinary punishments, sexual abuse and rape, lack of medical care, provision of medicines (especially tranquilizers) without medical prescription, drug trafficking and prolonged preventive detention) and discrimination to which adult women and young women are subject in the Buen Pastor women's prison.

Equality before the law and equality in family relations

30. The combined third and fourth reports includes information about the implementation of the provisions of article 15 of the Convention, on equality with men before the law, and article 16, on equality in all matters relating to marriage and family relations. No information is given with respect to these articles in the fifth report. The guidelines on the form and content of the reports to be submitted to the Committee by States parties stipulate that if there is nothing new to report under any article, it should be so stated. Please indicate whether it is indeed the case that there has been nothing new to report under articles 15 and 16 since the combined third and fourth reports was prepared.
