

COMMITTEE ON THE RIGHTS OF THE CHILD

PARAGUAY – OPAC

24.09.2013

Special Rapporteurs : Mr. NETO and Mr. CARDONA (co-Rapporteur)

- **Introductory statement by Carlos Zarate Fleitas (Minister-Executive Secretary, Ministry for Childhood and Adolescence):**

We have a constant contact with Interamerican mechanisms and UN mechanisms. We have an OHCHR office in the country. Paraguay recognizes international law.

OPAC: Paraguay reiterates its commitments to contribute to the protection of children. We are working on a bill to make sure that the most serious crimes against humanity don't remain unpunished. No citizen under 18 can enlist in armed forces. Military training academies provided information on the matter.

OPSC: We have been working with that national ministry for childhood and adolescents and have put the best interest of the child at the heart of our work. Childhood and adolescence = "one of the national priorities" (President said). Childhood front established; diminution of number of children in institutions. OPSC requires a different approach as laid out in the protocol. In 2012, national policy for protection of boys, girls and adolescents adopted, to make sure that they are protected when they no longer are within the family environment. And strategic plan 2011-2014. We are working with the national ministry for childhood and adolescents, and with the ombudsman. Special unit on trafficking of children tries to strengthen the framework of protective capacity. We try to provide psychological assistance of victims, with privacy. We must pay particular attention to victims of domestic violence.

National strategy to prevent child labour: we are committed to fight against the worst forms of child labour. President committed to this issue: he ensured that programmes would be extended to fight against this. Ministry of education is the competent authority. Children have been addressed as a key focus group. Technical support of OHCHR in Paraguay.

Public policy put in place, but challenges remain: e.g. amendments to criminal legislation, strengthening legislation regarding children.

- **Questions from Committee:**

- 1. Mr. Neto :**

I congratulate you for the positive responses (judicial and administrative measures in line with OPAC). However, there are some doubts we need to address:

- Is it possible for people to identify clearly what are the bodies responsible for the OPAC?
- Where can people turn to when violations of OPAC?
- Can people identify the relevant NGOs in this regard if violations of OPAC?
- Are governmental policies effective for full effective implementation of OPAC?
- International cooperation: what results are you planning to have?
- Measures needed regarding appropriate training for more awareness for members of armed forces.

- 2. Mr. Cardona:**

We would need complementary information regarding the schools that depend on the ministry of defense. "Acosta ñu military secondary school" = put as example, but is it the only one? Are students using weapons, where do they come from?

- Military centers: is there a real teaching regarding rights and peace? We are concerned because you had a long history of conflict with your neighboring countries.
- Is it a criminal offence to recruit a minor in the army? Is it in the criminal code?
- Concerned by the rehabilitation: beyond compensation, how do you reintegrate these children?

- 3. Ms. Oviedo:**

- Military secondary schools for under 18: are they private ones?
- Secondary school education: they allow army training very often, carrying out army practice. What do they teach them?
- War bands practice (military bands playing): it is worth being mindful. Are they necessary?

- 4. Mrs. Aidoo:**

Recruitment of children in the military service: do you make sure that there is no falsification of birth certificate?

- **Answers from Paraguay delegation:**

General measures for protecting children under the protocol: decentralized system in Paraguay, offices can receive complaints, there are under local authorities where the children live. To ensure that they become familiar with the OP, there is a proactive unit (discussions of their rights). All HR bodies can also receive complaints about this protocol.

Monitoring body: we have made steps forward through the law to prevent torture. Independent body that can institute a police or military proceedings; it monitors State's activity. Measures taken by State to make sure that no children are recruited by armed forces. And in case they do not comply with this requirement, there are consequences. We are examining this and envisaging amending legislation in this respect.

11 military training institutions: only 1 of them enlists children under 18. No such schools under private sector. Ministry for education very influential in administration of the institution. They receive theoretical military training until they are 18, they cannot hold weapons. The advantage for somebody attending this is that they are deemed to having done their military service when they have attended the school. Specific subject called HR and international humanitarian law is taught.

There is an organization for rehabilitation of victims of compulsory military service: they receive mental health support services. We are collecting information to identify the victims, to provide appropriate rehabilitation.

- **Mr. Cardona:**

My concern on peace studies education for children is that it is well known that in the past, there was a military approach on children and it still happens.

Access to health services: if in rural areas, do they have to go the hospitals or health centres?

- **Answers:**

We try to work at the community level. Services are provided by the Ministry of health. Mobile units health services are brought out to remote areas.

History does have a heavy weight. I don't think it is a military mentality. We want to be ready if we are attacked, because of our past: but how to change this? The military school has a good reputation for parents, because they see an opportunity for a good career.

- **Mr. Guràn:**

Regional aspect: do you have any system for supporting children victims of enlisting from neighboring countries?

- **Mr. Neto:**

Do you know if some children are working for members of the armed forces or military officers? If so, are you aware of sexual violence against children in domestic service?

- **Chairperson:**

If only theory taught in the military school, how can they be supposed to have done the military service? And what about the view of the child when the parents chose for them?

- **Answers:**

Falsification of birth certificates: massive campaign carried out for 18 months, then digitalization of birth registers records.

18 years of imprisonment = sanction if recruitment of children. We have free phone services if complaints regarding the right of the children.

The right of the child to be heard is an obligation: to opinion of the child is taken into account regarding the future career.