**Human rights of women and the LGBTI community: actions required by the State of Paraguay**

A Joint Stakeholder Submission by: Asociación Kuña Róga ; Centro de Investigación Multidisciplinaria para el Desarrollo - CIMDE; Organización Diversxs ; Presencia Joven; Sindicato de Trabajadoras Domésticas y Afines de Itapúa (Sintradi); Universitarias feministas de Itapúa and Red Internacional de Derechos Humanos (RIDH)

This document is a summary of the situation of the rights of women and the LGBTI community in Paraguay. Paraguay is a country with significant gaps between its citizens in terms of economic inequality, land distribution, gender equality and other aspects related to economy and opportunities. Despite the implementation of public policies in recent years, problems remain, especially for marginalised groups of people, such as women and the LGBTI community.

Paraguay is a country with a national government with decentralised administrations, which implies that there are local powers with their autonomy to define local policies. At the same time, a large part of the institutions responsible for human rights and mechanisms only exist in Asunción, without having a local presence beyond the capital. Additionally, the southern regions of the country are the most vulnerable regarding the economic conditions. Consequently, human rights violations are more frequent in this area.

**Main preoccupations:**

* **Violence against women and girls:** The Law 5777/16 was enacted to criminalise femicide. In 2017, 53 cases of femicide were registered by the Ministry of Women, 59 in 2018 and 17 in the first months of 2019, whereas only 6 cases were investigated for the fact of femicide since its enactment in 2016. Furthermore, the intra-family violence represents one of the most frequent punishable offence, whereas the Public Ministry has a single unit in the country specialised on the fight against this kind of violence.
* **Adolescent pregnancies, child-mothers:** At the national level statistics, there are two teenagersbetween 10 and 14 years who give birth every day. In most cases it’s the result of sexual abuse. Between January and April 2019, 975 child sexual abuses were registered. Annually, an average of 650 mothers is registered between the ages of 10 and 14 years and about 20 000 adolescents between 15 and 19 years give birth in Paraguay. These alarming figures are the result of an absence of the State in public policies for the prevention of adolescent pregnancy and sexual abuse, including the absence of a public policy of comprehensive sexuality education. Moreover, women, especially adolescents, do not have access to reproductive services equitably according to their state and region of origin.
* **Equality and non-discrimination against LGTBI people:** Since the adoption of the Constitution in 1992, there have not been any laws settled to respect and guarantee individual and collective rights to discriminatory acts. The State does not recognise individual rights or the various forms of families that make up society as illustrated by the case “Nota No. 5900 del 26 de septiembre de 2018” by the Mayor of Encarnación. In this case it is hard not to notice how the State has denied the right of people to the free expression of their personality; the right to build a family, freedom of expression and demonstration. Additionally, the LGBTI community was denied to use public space. Human rights defenders and people from the LGBTI community have been subject to harassment by the local authorities.
* **Discrimination against domestic workers, slavery and human trafficking:** 17.10% of Paraguayan women's main activity is paid domestic labour with a more significant presence in urban than rural areas. The average monthly income of a domestic worker is about $192 compared to $266 that men earn in the same occupation. Additionally, even if the Law 5407/15 regulates domestic labour, there is discrimination in terms of the minimum wage that represent 60% of the minimum legal wage. Women working in the informal economy are more vulnerable to precariousness, slavery and human trafficking.
* **Political participation of women:** In the last national elections of 2018, the total percentage of women elected was 18%. There are no women in the position of Governor out of the 17 departments of the country, and only 17% of women occupy seats in the “Juntas Departamentales”. In local governments, the national average of women in the *intendencia* represents around 10% and 20% of women in the “Juntas Municipales”. However, the average do not describe the specific situation: in the department of Misiones, there is no municipal intendant who are women out of 10 districts, in Ñeembucú there is 1 out of 14 districts (6%), and in Itapúa there are 5 out of 30 districts (16.5%). Women face an important number of formal barriers of the electoral system and non-formal ones (cultural prejudices and gender, violence, lack of access to financing) that prevent them from competing on equal terms. At this time, it does not exist in the legislation an effective mechanism to guarantee these constitutional principles.

**Recommandations**

1. Establish training and awareness programs to combat violence against women and girls. Concerning the Law 5777/16, it is required to adopt standards and guidelines for public officials, especially judges and attorneys.
2. Guarantee that public policies are adopted to ensure that sexual and reproductive health services and education programs are accessible to all women and adolescents.
3. Eradicate all forms of discrimination against the LGBTI community by adopting comprehensive anti-discrimination legislation, including protection against discrimination based on sexual orientation and gender identity with access to an impartial justice for victims. In particular, we urge local governments to guarantee full citizen participation of all people without discrimination.
4. Guarantee access to decent work for all people, in particular, domestic workers, in accordance with the requirements of the ILO and the previous recommendations of the UN. Prevent, combat and eliminate women’s trafficking through the implementation of policies.
5. Adopt special measures to promote the participation and equal representation of women in the political sphere and the private sector. Specifically, to adopt regulations at the local level, to ensure equal participation of women and men in the neighbourhood and social commissions at the district level.