



Plenary sitting

10.6.2015

B8-0546/2015 }
B8-0583/2015 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rules 135(5) and 123(4) of the Rules of Procedure

replacing the motions by the following groups:

PPE (B8-0546/2015)

ECR (B8-0583/2015)

on Paraguay: legal aspects related to child pregnancy
(2015/2733(RSP))

**Cristian Dan Preda, Giovanni La Via, Jiří Pospíšil, Lara Comi,
David McAllister, Bogdan Brunon Wenta, Dubravka Šuica, Kinga Gál,
Jarosław Wałęsa, Therese Comodini Cachia, Ramona Nicole Mănescu,
Luděk Niedermayer, Tomáš Zdechovský, József Nagy, Jeroen Lenaers,
Ivan Štefanec, Tunne Kelam, Thomas Mann, Róza Gräfin von Thun und
Hohenstein, Joachim Zeller, Jaromír Štětina, Roberta Metsola, Seán Kelly,
Elmar Brok, Stanislav Polčák**

on behalf of the PPE Group

Charles Tannock, Branislav Škripek, Ruža Tomašić

on behalf of the ECR Group

European Parliament resolution on Paraguay: legal aspects related to child pregnancy (2015/2733(RSP))

The European Parliament,

- having regard to the Universal Declaration of Human Rights of 10 December 1948,
 - having regard to the UN Convention on the Rights of the Child of 20 November 1989,
 - having regard to the UN Declaration on the Elimination of Violence against Women of 20 December 1993,
 - having regard to the Interregional Framework Cooperation Agreement between the EU and Mercosur of 1999,
 - having regard to Article 54 of the Constitution of Paraguay on the protection of the child,
 - having regard to the Paraguayan Penal Code (Law No 1160/97) of 26 November 1997,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the EU's relations with Latin American countries are based on common values and seek to develop ways of cooperation in the search for multilateral solutions to common global challenges such as sexual violence and the protection of women and girls;
- B. whereas early motherhood in Latin American countries is closely correlated with cultural standards, educational level and social standing;
- C. whereas according to the UN, the risk of maternal death in Latin America is four times higher among adolescents under the age of 16, with 65 % of cases of obstetric fistula occurring in the pregnancies of adolescents, and whereas early pregnancies are also dangerous for the babies, with a mortality rate 50 % higher than average;
- D. whereas according to Article 3 of the UN Convention on the Rights of the Child, the best interests of the child must be considered in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies;
- E. whereas violence against women and girls, whether physical, sexual or psychological, remains the most widespread violation of human rights, affecting all levels of society, but one of the least-reported crimes;
- F. whereas according to World Health Organisation data, the rate of sexual violence against women and children in Latin American countries is higher than the global average, in particular in Argentina, El Salvador, Nicaragua, Bolivia and Paraguay; whereas up to 40 % of women in the region have been victims of sexual violence;
- G. whereas there is major concern about the increasing number of women and children being killed in Argentina; whereas on 11 April 2015 a pregnant 14-year-old Argentinian girl was murdered by her 16-year-old boyfriend and buried with the help of his parents;

- H. whereas according to UNICEF, 9 out of 10 cases of sexual abuse of women in El Salvador concern girls aged 18 or under; whereas on 16 March 2015 a head teacher at a publicly run school in El Salvador sexually abused and raped female pupils;
- I. whereas Nicaragua's Police Unit for Women and Children received 1 862 reports of sexual violence during the first six months of 2014; whereas 1 048 of the victims were aged 14 or under and 80 % of all victims were aged 17 or under;
- J. whereas according to the Center for Human Rights and Humanitarian Law, almost 44 % of adolescent girls aged 15 to 19 in Bolivia have been victims of physical violence, at least 70 % of women in Bolivia have suffered sexual violence or other abuse, and only 0.5 % of men accused of sexual violence before a court of law have been found guilty of abuse;
- K. whereas on 21 April 2015 a 10-year-old girl was found to be in the 21st week of pregnancy after being raped in Asunción, Paraguay; whereas the girl's fugitive stepfather was arrested on 9 May 2015 and is accused of raping her; whereas according to recent UN data, 19 % of pregnant girls in Paraguay are minors, two births a day are to girls under the age of 14, and girls aged 10-14 make up 2.13 % of maternal deaths; whereas about 600 girls aged 14 or under become pregnant each year in Paraguay, a country of 6.8 million people, and whereas the child pregnancy rate is as much as 10 times higher in other countries in the region;
- L. whereas the girl's mother requested a voluntary termination of her daughter's pregnancy on account of her young age and the risk to her health and life; whereas the girl's mother has been detained on charges of failing in her duty of care and has therefore been imprisoned; whereas on 7 May 2015 an interdisciplinary panel of experts was set up to monitor the girl's condition;
- M. whereas the Paraguayan Penal Code explicitly allows a therapeutic interruption of pregnancy to be performed to save a woman's life; whereas it provides that members of the health profession shall be exempt from punishment if it can be demonstrated that an interruption of pregnancy was performed for the purpose of saving the life of a woman endangered by pregnancy or childbirth;
- N. whereas according to the survey of 19 May 2015 carried out in Paraguay, 87 % of the population is opposed to abortion;
- O. whereas at the EU level the formulation and implementation of policies on sexual and reproductive health is a competence of the Member States;
1. Condemns all circumstances which involve a violation of the rights of children;
 2. Stresses, therefore, the importance of ensuring that any action taken is always in the best interest of the child and in line with international conventions and national Constitutions which protect the rights of women and children; highlights, in this connection, the UN Convention on the Rights of the Child, the UN Convention on the Elimination of All Forms of Discrimination against Women and Article 54 of the Constitution of Paraguay regarding the protection of the child;
 3. Expresses its deep concerns about the high number of child sexual abuse cases and pregnancies in Latin American countries; urges the authorities of Latin American countries to meet their obligations and to protect the integrity, dignity and safety of women and

children by ensuring access to all possible information and to proper medical treatment and services, and by striving towards common frameworks based on the highest standards and improving the registration of abuse cases;

4. Urges the authorities to conduct an independent and impartial investigation into rape and violence against women and children in Latin American countries, in particular Argentina, El Salvador, Nicaragua, Bolivia and Paraguay, and to bring perpetrators to justice; welcomes the proposal by Paraguayan congressmen to raise the maximum prison sentence for the rape of a minor from 10 years to 30 years;
5. Regrets the lack of physiological support which has been provided so far to the 10-year-old girl and underlines that the provision of emotional and medical support following the traumatic event undergone by the child and affected family members must be prioritised;
6. Welcomes the fact that the perpetrator has been imprisoned, but stresses that the physiological trauma which remains for the child must also be addressed; calls, therefore, for appropriate support systems and counselling services to be provided;
7. Welcomes the creation of an interdisciplinary panel of experts to carry out a comprehensive evaluation of the girl's condition and to ensure respect for all her human rights, particularly the right to life, health and physical and psychological integrity;
8. Reaffirms its condemnation of all forms of abuse and violence against women and girls, especially the use of sexual violence in the context of domestic violence;
9. Invites the Government of Paraguay and other regional governments to set up countrywide programmes for the prevention of violence against women and girls, including information campaigns on the rights of women and girls and involving, among others, the police and judicial, healthcare and educational institutions;
10. Urges the European External Action Service to establish good practices for combating rape and sexual violence against women and girls in third countries, with a view to tackling the root causes of this problem;
11. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Office of the UN High Commissioner for Human Rights, the Euro-Latin Parliamentary Assembly, the Secretary-General of the Organisation of American States and the Governments of Argentina, El Salvador, Nicaragua, Bolivia and Paraguay.