



Plenary sitting

9.6.2015

B8-0586/2015

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Paraguay: the legal aspects related to the child pregnancy

(2015/2733(RSP))

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on behalf of the GUE/NGL Group

B8-0586/2015

European Parliament resolution on Paraguay: the legal aspects related to the child pregnancy

(2015/2733(RSP))

The European Parliament,

- having regard to the UN Convention on the Rights of the Child, adopted in New York on 20 November 1989
- having regard to the reports of the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
- having regard to the report on Progress on equality between women and men in the EU in 2013 voted the 10 of March 2015
- having regard to the 1992 Framework agreement for cooperation between the European Economic Community and the Republic of Paraguay, and in particular its preamble and Article 1 which make references to democratic principles and observance of human rights
- having regard the declaration of UNHCR of the 11 of May, *Human rights: Paraguay has failed to protect a 10-year old girl child who became pregnant after being raped, say UN experts*
- having regard to the Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979
- having regard to the recommendations of WHO on maternal mortality
- having regard to the fifth Millennium Development Goal: Improving maternal health
- having regard to the demand of the Committee on Economic, Social and Cultural Rights to review and modify its abortion legislation to ensure its compatibility with other rights such as health and life in Paraguay in March 2015
- having regard to Rule 135 (5) of its Rules of Procedure,

A. Whereas according to United Nations human rights experts, the Government of Paraguay has failed in its responsibility to act with due diligence in the case a 10-year old girl child, who has been sexually abused and pregnant by her stepfather; whereas the Paraguayan government has refused access to treatments to save her life and preserve her health, including safe and therapeutic abortion in a timely manner;

B. Whereas every years more than 600 teenagers are pregnant in Paraguay; whereas the Paraguayan authorities' decision results in grave violations of the rights to life, to health, and to physical and mental integrity of the girl as well as her right to education, jeopardising her economic and social opportunities;

C. Whereas the situation of human rights since the 2012 parliamentary coup against the constitutional president of Paraguay, Fernando Lugo, has deteriorated, in particular women's and girls' rights;

D. Whereas according to the World Health Organisation, child pregnancies are extremely dangerous for the health of the pregnant girl and may lead to complications and death in some cases;

E. Whereas abortion is penalized in all Latin America excepting Cuba, Uruguay and Guyana;

F. Whereas abortion law in Paraguay is restrictive and only authorises the termination of a pregnancy when the life of the woman or the girl is at serious risk, without any other exceptions, especially in cases of rape, incest or unviable foetus;

G. Whereas in Latin America, the risk of maternal death is four times higher among adolescents under 16 years old. 65% of cases of obstetric fistula occur in the pregnancies of adolescents, with serious consequences for their lives, resulting in severe health problems and social exclusion, whereas early pregnancies are also dangerous for the baby, with a mortality rate 50% higher;

H. Whereas in March 2015 the UN Committee on Economic, Social and Cultural Rights called on Paraguay to review and modify its abortion legislation to ensure its compatibility with other rights such as health and life;

1. Strongly condemns the government of Paraguay and especially its Minister of Health who has discarded the possibility of allowing the termination of this child's pregnancy;

2. Urges the Paraguayan authorities to save the life of this 10-year-old-girl, pregnant as a result of rape by her stepfather, by granting her the abortion her mother has requested;

3. Considers that forcing the ten-year-old to give birth could not only be a risk for her health, but could also fall under the cases which appear in the UN's Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ratified by Paraguay and all EU Member States;

4. Urges the authorities to carry out an independent an impartial investigation into the rape of the girl and to prosecute and convict those responsible for the abuse accountable;

5. Strongly regrets that the law submitted to Congress in 2012 to prevent, punish and eradicate sexual and gender violence is still pending according to NGOs;
6. Recalls the inalienable right of women and girls to control their own bodies including contraceptive, reproductive and abortion rights; highlight the fact that the restrictive abortion law in Paraguay is in violation of international law; urges the Paraguay government to fulfil its international obligations;
7. Reiterates its conviction that access to health for all, including contraceptives, choice in reproductive decision-making and abortion is a fundamental right and should be guarantee by each state as a free public service;
8. Stresses that women and girls must have control over their sexual and reproductive health and rights, not least by having ready access to contraception and abortion; supports, accordingly, measures and actions to improve women's access to sexual and reproductive health services and inform them more fully about their rights and the services available;
9. Instructs its President to forward this resolution to the Commission, the Council, the High Representative of the Union for Foreign Affairs and Security Policy, the President, Government and Parliament of Paraguay, the governments and parliaments of the Member States, the EU Agency for Fundamental Rights and the Council of Europe.