

Committee of Experts condemns institutional violence against an 11 year-old girl victim of rape in Argentina

The Committee of Experts of the of the Follow-up Mechanism to the [Belém do Pará Convention](#) (MESECVI) condemns the institutional violence perpetrated against an 11 year-old girl who was raped by her grandmother's partner in Tucumán, Argentina. Although both the girl and her mother had expressed their intention to access to a Legal Pregnancy Interruption, the procedure was delayed until she was 24 weeks pregnant.

The Committee highlights that Article 86 of the Argentinian Criminal Code decriminalizes abortion in cases of rape or threats to the health or life of the pregnant person. In the same way, the Protocol for Comprehensive Care of People with the Right to a Legal Pregnancy Interruption (2015) establishes that health care professionals are responsible for securing the right to terminate a pregnancy in the cases mentioned above. It also mentions that a risk to the woman's health must be understood within the concept of Comprehensive Health Care, including the physical, mental, emotional and social aspects.

Articles 7 and 9 of the [Belém do Pará Convention](#) establish that the States Party must adopt protective measures, and judicial and administrative mechanisms in order to guarantee that the victim has effective access to compensation, reparation of harm or other just and effective means of compensation, together with special considerations of the situation of vulnerability to violence the woman may suffer. In this case, a girl's vulnerability. Along these lines, the Committee, by means of the [Hemispheric Report on Sexual Violence and Child Pregnancy](#), has stated that pregnancies of girls younger than 14 years old must be always considered a product of sexual violence and States must guarantee access to pregnancy termination and related health services in safe conditions and with no discrimination.

This Committee highlights that this case in Tucumán is not unique or isolated. In January 2018, there was a case in Jujuy where a pregnant minor who had been raped requested a pregnancy termination and health authorities eventually performed a cesarean section that resulted in the death of the newborn and serious damage to the girl. As a consequence of all the above, this Committee urges the Argentinian State to intensify efforts to protect and guarantee the right to life, health, physical and psychological integrity of all women and girls, together with the adoption of protective measures so that the girl and her mother remain in a safe place, are treated by reliable

health professional, and the establishment of immediate compensation measures.

The [Committee of Experts](#) is the technical body of the MESECVI responsible for the analysis and evaluation of the implementation process of the Belém do Pará Convention. It is composed of independent experts, appointed by each of the States Party among its nationals, who exercise their functions in a personal capacity.