



# Communique Committee of Experts

## **The Committee of Experts of the Follow-up Mechanism of the Belém do Pará Convention expresses concern over cases of sexual violence and pregnancy in girls**

Washington DC, July 8, 2020. The [Committee of Experts](#) of the Follow-up Mechanism of the [Belém do Pará Convention \(MESECVI\)](#) expresses its concern over cases of sexual violence and pregnancy in girls in the region, especially during the last months, and which show an upward trend, as well as the concern that the existing public policies are not effectively ensuring the protection and guarantee of sexual and reproductive rights, as well as the life and integrity of this population group.

During the social isolation period following COVID-19, the Committee has had information on the increase of sexual violence against girls, through the different means of social communication, of the permanent monitoring from civil organizations that work for women and girls' rights, as well as by the National Authorities. Notably, the Committee has received precise information on the case of an 11-year-old girl in Paraguay, who would have become pregnant as a result of rape, and who is currently 35 weeks pregnant and also presents health problems due to pregnancy complications and respiratory symptoms possibly related to COVID-19.<sup>1</sup>

The Committee also received information on a case of sexual abuse and pregnancy of a 12-year-old girl in Uruguay in the city of Lascano, Department of Rocha. The minor's mother reportedly attended a healthcare center with her daughter, where they informed them that the girl would be almost six months pregnant. When faced with the diagnosis, the girl revealed that she had been the victim of sexual assault by her stepfather, for four years.<sup>2</sup> The confirmation of this diagnosis would take place after six months of gestation, even though, according to the mother's testimony, they had previously consulted with the health center because of the lack of the girl's menstrual period.

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<sup>1</sup> Misiones Online, Paraguay: niña de 11 años víctima de una violación quedó embarazada y su salud corre riesgo, June 26th 2020. Available at: <https://misionesonline.net/2020/06/26/paraguay-nina-de-11-anos-victima-de-una-violacion-queda-embarazada-y-su-salud-corre-riesgo/>

<sup>2</sup> Telenoche, *Indignación en Lascano por caso de niña de 12 años abusada y embarazada*, Uruguay, June 28th 2020. Available at: <https://www.telenoche.com.uy/nacionales/indignacion-en-lascano-por-caso-de-nina-de-12-anos-embarazada>

Another similar case was reported in Colombia on June 21st when a Dokabu indigenous girl was allegedly kidnapped and raped by seven army soldiers<sup>3</sup>. The minor would have been playing with other kids from the Santa Teresa community before going to collect fruit by herself, as was the custom. The men would have seen the girl and taken her to an isolated place where they would have sexually abused her.

In the Declaration on Violence against Women, Girls and Adolescents and their Sexual and Reproductive Rights, the Committee of Experts stated “that sexual and reproductive rights are part of the catalogue of human rights that are protected and defended by the universal and inter-American human rights systems,” and that therefore States must guarantee and protect these rights.<sup>4</sup> These rights include “the right not to be subjected to torture or ill-treatment, the right of all couples and individuals to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so and the right to make decisions concerning reproduction free of discrimination, coercion and violence and therefore to be free from sexual violence.”<sup>5</sup>

In the same report, the CEVI declared that “children of pregnant girls are two to seven times more likely to have low birth weight; the effects on girls can disrupt their health and growth; the cycle of poverty is perpetuated; school dropout increases; there is a greater risk that children suffer physical abuse, neglect or malnourishment<sup>6</sup>, and, generally, the right of girls to live free from violence and their right to grow and to be educated free from stereotyped patterns is directly affected.”<sup>7</sup>

Given this, the Experts remind States of their obligation to adapt their structures, processes, and procedures to the Belém do Pará Convention, to guarantee the protection of girls and adolescents against gender violence, by preventing, investigating and punishing all violent acts against them, and responding to the victims, ensuring simple and effective access to justice that also provides comprehensive reparation.

In addition, the Committee requests States to identify how the confinement measures during the COVID-19 pandemic increase the risks of sexual abuse of minors, increase their vulnerability and risk of pregnancy, and generate the necessary steps to that violence and that vulnerability.

Finally, the Committee of Experts emphasizes that Colombia, Uruguay, and Paraguay have ratified and are part of the Convention on the Rights of the Child and the Belém do Pará Convention, and that in the CEVI Final Report on the Implementation of Recommendations, the Committee recommended Uruguay to “ensure that pregnancies of girls under 14 years of age be considered of high risk.”<sup>8</sup>

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<sup>3</sup> Semana, *¡Qué dolor!*, June 28th 2020. Available at: <https://www.semana.com/nacion/articulo/violacion-de-nina-embera-la-historia-del-crimen-y-habla-comandante-que-denuncio/682623>

<sup>4</sup> OEA-MESECVI, *Declaration on Violence against Women, Girls and Adolescents and their Sexual and Reproductive Rights*, Montevideo, Uruguay, September 19<sup>th</sup> 2014. Available at: <http://www.oas.org/en/mesecevi/docs/CEVI11-Declaration-EN.pdf>

<sup>5</sup> OEA-MESECVI, *Declaration on Violence against Women, Girls and Adolescents and their Sexual and Reproductive Rights*, Montevideo, Uruguay, September 19<sup>th</sup> 2014. Available at: <http://www.oas.org/en/mesecevi/docs/CEVI11-Declaration-EN.pdf>

<sup>6</sup> UNFPA, 2016. State of the World Population 2016. Available at: <https://www.unfpa.org/swop>

<sup>7</sup> OEA-MESECVI, *Hemispheric Report on Child Pregnancy in the States Party to the Belém do Pará Convention*, Washington, DC, 2016. Available at: <https://www.oas.org/en/mesecevi/docs/MESECVI-EmbarazoInfantil-EN.pdf>

<sup>8</sup> OEA-MESECVI, *Uruguay Informe De Implementación De Las Recomendaciones Del Cevi Tercera Ronda*, Parr 77, Ciudad de Panamá, Panamá, August 24th 2017. Translated. Available at: <https://www.oas.org/es/mesecevi/docs/FinalReport2017-Uruguay.pdf>

In this sense, the CEVI requests the Member States, and especially Colombia, Uruguay, and Paraguay, that in addition to attending to the provisions of the preceding paragraphs, to consider the particular vulnerability that girls are currently in the context of this pandemic. Also, that they guarantee, following with international standards, all the necessary protections for the adequate respect of sexual and reproductive rights, and to the rights to life and physical integrity of girls. Moreover, they request applying the current national legislation following the conventionality principle with the Belém do Pará Convention to prevent, punish, and eradicate violence against girls. Likewise, the Committee requests that these facts be investigated, and that, if applicable, those responsible for the victimization and revictimization of these girls be punished.

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*The Committee of Experts is the technical body of the MESECVI that is responsible for the analysis and evaluation of the implementation process of the Belém do Pará Convention. It is made up of independent Experts, designated by each of the Member States among their nationals, who carry out their functions at a personal capacity.*