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## LIVING WITH THE ENEMY

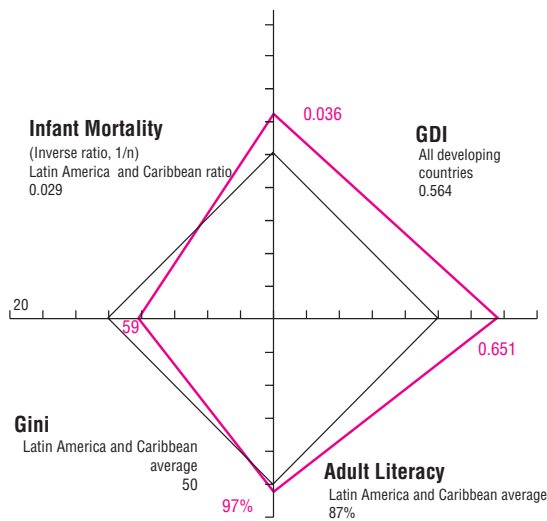
*establish a series of security measures ensuring the physical, psychological, sexual and economic integrity of women. This law is necessary because neither the old penal code nor the new one, which is about to go into effect, deal with the urgent nature of these cases.*

### SEXUAL AND REPRODUCTIVE RIGHTS

Family planning services in the country are few. Nearly 65% of maternal deaths are caused by poor attention before, during and after childbirth. 20% of births are assisted by persons who lack formal training and of these births, only 40% take place under minimum health conditions. Paraguay ranks fourth in the world in maternal mortality. According to the United Nations Fund for Population Activities (UNFPA), there are 300 maternal deaths per 100,000 births in Paraguay. Abortion and abortion-related complications are responsible for 35% of these deaths and therefore are the main cause. Maternal mortality affects mainly low-income, destitute and illiterate women who live in rural areas or in underprivileged conditions. Many of them are indigenous women or adolescents whose pregnancies were not planned.

In spite of this spine-chilling data, the government is not even considering a change of attitude. The former president Juan Carlos Wasmosy made a commitment to the Catholic Church to maintain his position against de-criminalising abortion and the new government has given no signs of advancing along a different path. Prohibitionist regulations on voluntary pregnancy interruption are established in the penal code. Hence cases continue to be recorded of persecution, detention and conviction of women who, in the exercise of their liberty, decide to abort.

Additional obstacles to adequate health care suited to women's needs are lack of political will at national and local levels to guarantee provision of services sensitive to gender inequity, and legislative gaps on health issues and sexual and reproductive rights of women.



*The Equity Diamond:* National values in terracotta compared to regional ones in blue.  
 Source: **Infant mortality:** UNICEF, *The State of the World's Children, 1998*; **Adult literacy:** UNICEF, *The State of the World's Children, 1998*; **GDI** (Gender Development index): UNDP, *Human Development Report 1998*; **GINI:** World Bank, *World Development indicators 1998*. (The regional average for this indicator was calculated by *Social Watch*).

*The Paraguayan Women's Coordination (Coordinación de Mujeres del Paraguay – CMP) launched a campaign this year for passage of a bill on domestic violence toward women that would provide urgent, effective regulation on domestic violence against women. The bill would*

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Lack of access to transportation, inadequate service hours, and poor distribution of health resources are factors limiting access to these services.

Sexual and reproductive health mean not only the absence of disease, but also full enjoyment of this health in relation to psychological, cultural and contextual aspects. To achieve this aim, State advice, information and support are required. Early sex education implies safer maternity, and the knowledge of sexuality itself is a component of human development and self-esteem.

## RAPE

According to data provided by the national police, the number boys and girls aged zero to nine who are victims of rape has doubled. **Child rape constituted 9% of total rapes in 1996 and 16% of rapes in 1997. While the number of boy rape victims was constant, the number of girls raped rose scandalously.** Most rape victims are women (91.13%). 34% of rapes are committed by acquaintances and 20% by neighbours. According to the Crime Policy and Criminology Office, 5,000 women a year in Asuncion do not report sex offenses (ranging from fondling to rape).

According to the Office of the Public Prosecutor for Minors, in cases of rape committed against minors forensic surgeons, often with complicity of the victims' mothers, prepare reports that do not reflect the truth. Very often a medical board has to be called on. In these cases, the victims undergo double distress—the rape itself and then the trauma of repeating what happened to medical staff, the police and the judge. 50% of complaints of mistreatment of children involve sexual abuse. For each recorded complaint there are six or seven that are not reported. 30% of the complaints regarding abuse concern girls aged 10 to 13 who are pregnant. The abusers are fathers and stepfathers. More girls are mistreated than boys, and the abuse is usually sexual. Boys suffer corporal and psychological aggression. There is a clear lack of national prevention programmes.

**The administration of justice is stuck in the past. Sentences handed down are discriminatory, full of stereotypes and with negative repercussions on women who are victims of crimes against their sexual anatomy.**

Some progress has been made regarding treatment of rape victims. Starting in August 1998, the police hospital takes care of all cases of rape recorded in the metropolitan area and the Central Department of Asuncion. This centralisation hastens medical diagnosis and relieves victims from disagreeable time spent on formalities required for medical prescription and legal action. It also relieves them of being exposed to more than one pre-diagnosis, as has been the case so far.

## DOMESTIC VIOLENCE

Women are most exposed to mistreatment in the home, and the State must establish serious policies to deal with this problem. According to statistics, 25% of all violent crimes take place in the home. Among such crimes, physical aggression against women

by the men with whom they live is notorious. 70% of the total number of complaints lodged in 1997 at the Complaints Office that reports to the Government Attorney's Office came from women who had been battered within the family. Many women refuse to lodge or to maintain complaints in public offices. All complaints lodged are followed up by the public criminal prosecutor, even when they are withdrawn, since once received they become public penal action crimes.

According to the latest National Demographic and Reproductive Health Survey, 13% of Paraguayan women have at some time in their lives been mistreated. The percentage increases with age and drops with years of schooling. Many (21.7%) stated that they had heard or seen their parents mistreat each other when they were children or adolescents. According to complaints lodged in Asuncion alone, 8,545 women (between January 1996 and December 1997) were victims of domestic violence.

People continue to think that domestic violence occurs primarily in underprivileged and poor families. To break out of this stereotype, it is enough to read the newspapers and to see cases such as that of a city councilman from Guairá who was accused of inflicting corporal wounds on his wife. Judging from the response to this case, such acts of violence against women are not considered relevant: this councilman is visited in the prison by his fellow councilmen and, so far, neither the municipal council nor his political party have made a statement.

## SEX WORK

A bill for regulation of sex workers, male and female, has been presented in Asuncion. The bill would also regulate the authorisation of brothels, motels and nightclubs. The bill was discussed by the municipal council, and collaboration was requested from associations working on the subject and neighbourhood defense associations. For the moment, discussion on the bill has been suspended.

**According to associations of sex workers, parts of the bill violate basic rights.** First, by establishing that sex workers may locate themselves only in specific areas ("red light zones"), the bill violates various rights such as the freedom and right to transit, and it is a clear case of discrimination *vis-à-vis* other professions.

Secondly, as regards brothels and places where this profession is exercised, the bill does not take into account the fact that female and male workers are often exploited and therefore themselves the victims of violations of constitutional prohibitions against slavery and other forms of servitude. Before dealing with the conditions of these premises, their legality should be considered.

Thirdly, the bill would require that workers be authorised by the municipality to exercise their profession. For this purpose, they would have to undergo a medical examination that is renewed every two weeks. Carriers of HIV would not be allowed to exercise this profession. This regulation is discriminatory *vis-à-vis* other workers who do not need such authorisation. Furthermore, having to declare something confidential and personal would go against individual privacy and the proposed system of identity cards would

stigmatize the individual.

**According to UNICEF, 75% of sex workers are minors and 42% are under 16 years of age.** Poverty has been identified as a main cause of lack of protection, exclusion, family de-structuring and prostitution. Prostitution of children and adolescents occurs

in a context of psychological, economic and social violence. Therefore, any regulation of sex work should consider the context in which it is taking place.

- **Coordinación de Mujeres del Paraguay.**

## A BROKEN COUNTRY

Following the period of euphoria in the first post-authoritarian years, there is now a general perception by citizens that, beyond the liberties, too many links with the past still remain. These links are not only political. Socially and economically, the power elites did not envisage substantial social and economic reforms. The distance between opulence—in many cases a product of wealth obtained with impunity—and poverty and misery only increases.

«The richest 20% in rural areas receives incomes 71 times that of the poorest 20%.... This does not only mean that poverty affects rural areas to a greater extent, but also that it is in rural areas where there is greater inequality of income distribution.» (CPES—Centro Paraguayo de Estudios Sociológicos—Paraguayan Centre of Sociologic Studies, 1996: p.17). The minimum wage has fallen by 30% since 1989. About 50% of urban workers receive less than the minimum wage. Under-employment affects at least 20% of the population and open unemployment grew by 63% between 1995 and 1997, from 5.3% to 8.2%. This evolution of the labour market is a result of stagnation of the economy, which grew by only 1.4% in 1996.

The informal sector continues to be the social buffer. Paraguay ranks third among Latin American countries in growth of informal labour for 1990–1995 with an annual rate of 7.2%, behind Venezuela and Panama. Furthermore, according to the Economic Commission for Latin America and the Caribbean (ECLAC), in the five years mentioned above, the countries where income disparity increased most were Colombia, Mexico, Paraguay and Venezuela. Paraguay is also one of the countries with the lowest average growth of its GDP—barely 3%. Given the high rate of population growth, this is equal to stagnation. Per capita GDP is among the lowest in Latin America, outranking only Ecuador and Bolivia, and is barely 56% of the average for the region.

A mere 29% of Paraguay's population has secondary education, ranking it only above Peru. Only 18% of the population have social security assistance. 64% of the homes have at least one unsatisfied basic need. 25% of national territory is in the hands of 51 landowners.

To finish this picture of a socially failed country, rampant corruption, a product of unceasing impunity, accounts for 20% of the public sector's budget according to the 1996 Report by the General Comptroller of the Republic. No case of major corruption has ended with those responsible being sentenced by justice. To this jigsaw puzzle of democracy's gray zones, we must add the real increase of common offenses accompanied by violence. This is leading to the concept of liberty being associated with citizen insecurity.

Less than 10% of the population believes in the judiciary. The same holds for the legislature. Seventy-five percent of Paraguayan people do not believe that corruption is being fought. The main problem perceived is employment (34%), followed by education (18%); corruption has started appearing in polls (11%). (Catholic University, 1997).

Unless measures are taken within the next ten years to implement a strategy for reformulation of the development model, and unless decisive and effective action is taken against corruption, the country will be immersed in «low-quality democracy» surrounded by an ocean of exclusion with impunity for cleptocracy (government of thieves). It would be a democracy that in the best case would fulfil formal requisites of the rule of law, but would be totally empty of social content and public ethics.

Extracted from Carlos Martini, «Análisis de coyuntura; transición inconclusa o la inercia de la continuidad» in *Human rights in Paraguay 1997*. Paraguay: 1997.