

Paraguay: Children and the military

Main session

Submission to the Committee on the Rights of the Child on the
combined fifth and sixth periodic reports of Paraguay

December 2023

Summary

- **Deficient reporting.** Paraguay has yet to submit its initial report under OPAC, which is now 19 years overdue.
- **Child recruitment.** Despite the State party's OPAC declaration and national legislative provisions preventing military recruitment under the age of 18, evidence shows that the practice persists unseen and with impunity.
- **Military schools: ambiguous status of students.** It remains unclear whether students at Paraguay's state-operated military school, Acosta Ñu, are classified as members of the armed forces and could be mobilised in time of war.
- **Military schools: maltreatment.** There is evidence of abusive practices at the school, including the corporal punishment of students, which have not been duly reported to parents and guardians, and a lack of diversity in educational provision.
- **Targeting of children by military outreach.** Young children are targeted by official military promotional activities.
- **Alleged child sexual abuse by UN peacekeepers.** The State party's military personnel are alleged to have raped a child on a UN peacekeeping mission in 2016.
- **Suggested recommendations.** The submission concludes with suggested questions and recommendations for the State party.

Introduction

The Child Rights International Network (CRIN) and Conscience and Peace Tax International (CPTI) present these comments as part of their project to monitor progress made by states parties in implementing the Optional Protocol to the Convention on the Rights of the Child (CRC) on the involvement of children in armed conflict (OPAC).

Country situation

Population (2022):	6.78 million. ¹
Armed forces personnel (2022):	29,000. ²
Military service:	Compulsory for all citizens from age 18. ³ Enrollment is from age 17. ⁴ Military service lasts one year (two in the navy).
Conscientious objection:	Right protected under article 129 of the National Constitution and regulated by Law 4013/10. ⁵
OPAC ratified:	2002.
OPAC report:	Overdue (due 2004).
CRC reviews since OPAC report:	N/A.

Issues arising

Deficient reporting

Paraguay has yet to submit its initial report under OPAC, which was due in October 2004.

The State party was reminded of this by the Committee in the previous Concluding Observations in 2010.⁶ However, the State party has still failed to report under OPAC and has not mentioned any intention to do so in its report for the current review cycle, which provides little information on the relationship between its armed forces' and children.

Child recruitment

The minimum age of military recruitment in Paraguay appears to be concrete in domestic legislation, but not in practice as there are several accounts which demonstrate adolescents serving in the military.

Despite submitting reservations initially about the minimum age of military recruitment established in OPAC, Paraguay's binding OPAC declaration⁷ sets the minimum age at 18 years. This has also been set in domestic law.⁸

¹ [World Bank](#) (2023).

² [Statista](#) (2023).

³ [Law 569/75](#), article 1.

⁴ [Law 569/75](#), article 15.

⁵ [Aplicación Del Servicio Militar Obligatorio Y Objeción De Conciencia Para Ciudadanos Paraguayos Residentes En El Exterior.](#)

⁶ Paraguay State Party Report (2010) [CRC/C/PRY/CO/3](#), [81].

⁷ 'It has been decided to set the minimum age for recruitment into the Armed Forces at eighteen (18) years. The measures to be taken for recruitment shall be brought into line with the provisions of article 3, paragraph 3, of the aforementioned Optional Protocol.'

⁸ [Law 569/75, art. 56.](#)

Enlistment requires presentation of a valid birth certificate or identity card in order to verify age.⁹ The State party has also specified that any member of the armed forces who fails to obey this regulation will incur military, criminal and administrative responsibility.¹⁰

Evidence suggests that this standard is frequently disregarded in practice. In 2019, it was reported that 142 adolescent children were in the military.¹¹ The Alternative Report from the National Coalition of Civil Society Organisations of Paraguay, submitted in the present reporting cycle, also highlights several cases of *arreo*, a practice by which children are forcibly recruited.¹² Despite age verification standards, Paraguayan civil society has reported that children were recruited in 2016, 2018 and 2019.¹³ For further information, we encourage the committee to consult the Alternative Report from Civil Society Organisations.¹⁴

The former President of Paraguay, Mario Abdo Benítez, (2018-2023) sought to reinstate mandatory military service for children, and had stated that he had provided written consent for his son to join the navy at age 17. This was challenged in national courts, where there was found to be no violation of national law by the judge of the Court of Children and Adolescents despite being directly contradictory to national laws.¹⁵ To date, there have been no prosecutions brought against officials for breach of national laws regulating the prevention of underage military recruitment.¹⁶

In its evidence submitted under the current reporting cycle, the State party did not reference this evidence of recruitment of children, nor the case against the President's son.

Military schools

According to the State party report, there is one state-run military school, the **Acosta Ñu Military School**. Enrollment is voluntary - children must be between the age of 14-18 and have authorisation from their parent or legal guardian.¹⁷ The school is responsible for its own internal regulations, based on the Constitution, Act No. 1115/97 on the regulations governing military personnel, and the Code on Children and Adolescents.

No information on students' ages

Despite the State party asserting in 2010 that age-disaggregated data is collected on students at Acosta Ñu,¹⁸ civil society organisations report that they have been unable to access this data.¹⁹

Uncertain status of students

It remains unclear whether the children at Acosta Ñu are able to be mobilised into formal military activity during times of war.

⁹ [Law 569/75, art. 20.](#)

¹⁰ Paraguay State Party Report (2010) [CRC/C/PRY/CO/3](#), [598].

¹¹ ['Fuerzas Armadas detalla que 142 menores están en cuarteles'](#) (2019).

¹² Alternative Report from From the National Coalition of Civil Society Organisations of Paraguay (2023).

¹³ *ibid.*, [138].

¹⁴ *ibid.*

¹⁵ [Polémica por menores de 18 años en cuarteles: piden que Defensoría de Niñez intervenga](#) (2019).

¹⁶ [War Resisters International](#): Paraguay.

¹⁷ [State Party Report \(2023\) CRC/C/PRY/4-6](#) [236].

¹⁸ Paraguay State Party Report (2010) [CRC/C/PRY/CO/3](#), [598].

¹⁹ Alternative Report from From the National Coalition of Civil Society Organisations of Paraguay (2023).

Maltreatment

Paraguayan civil society reports that children in the military school are subject to 'excessive authoritarianism'.²⁰ News reports outline cases of physical abuse taking place at Acosta Ñu,²¹ with cadets being hit by a stick on the soles of their feet by senior students, and another case of a child being beaten by his superiors, which led to seizures and collapsing during training.²² These incidents were not duly reported to the victims' parents.²³

Educational standards

The State party report under the current cycle explains that the Ministry for Education and Science is responsible for the development of educational programmes used at the school, which include the same educational themes as other secondary schools.²⁴ Contrary to these assertions, civil society in Paraguay reports that educational provisions are dominated by military training.²⁵ This could represent a violation of article 29 of the Convention on the aims of education.

Risk of coercion

Civil society organisations have reported that there is no information about processes which ensure that children are not forced by their families to attend the school,²⁶ which raises concerns that there might be instances of parents forcing children to enrol at the school; previous reports from Paraguay have recognised that parents are often 'keen' for sons to join the armed forces.²⁷ More information can be found in the Alternative Report from Civil Society Organisations.²⁸

Military youth activities

The social media of the Paraguayan Army shows that events arranged for the *Día del Ejército Paraguayo* (Armed Forces Day) directly engaged younger children, teaching them 'discipline' and the 'military salute'.²⁹ Such activity may amount to the tacit targeting of children for later military recruitment.

Allegations of child sexual abuse by Paraguayan peacekeepers

In 2016, military personnel from the State party were alleged to have raped a child while deployed on the UN Stabilisation Mission in the Democratic Republic of the Congo - MONUSCO, according to the UN Conduct and Discipline Service.³⁰ At the time of writing, the outcome of the investigation is pending.

²⁰ Alternative Report from From the National Coalition of Civil Society Organisations of Paraguay (2023).

²¹ [Madres denuncian maltrato de cadetes - Nacionales - ABC Color](#).

²² [Madre de cadete denuncia nuevo caso de maltrato en liceo militar - Última Hora](#)

²³ [Ejército: investigarán lesión a cadetes - Nacionales - ABC Color](#).

²⁴ [State Party Report \(2023\) CRC/C/PRY/4-6](#) [236]

²⁵ Alternative Report from From the National Coalition of Civil Society Organisations of Paraguay (2023).

²⁶ *ibid.*

²⁷ Paraguay State Party Report (2010) [CRC/C/PRY/CO/3](#), [598].

²⁸ Alternative Report from From the National Coalition of Civil Society Organisations of Paraguay (2023).

²⁹ See [here](#).

³⁰ UN Conduct and Discipline Service, '[Sexual exploitation and abuse | Conduct in UN Field Missions](#), 2023 (click 'Victims' and scroll to 'Nationality of alleged perpetrators').

Suggested questions for the State party

1. When can the committee expect the State party's initial report under OPAC?
2. Has the State party investigated the multiple reported cases of child recruitment from recent years, what were the findings, and what has been done to prevent this in future?
3. Are students at the Acosta Ñu Military School classified as members of the armed forces and does legislation prohibit their mobilisation in time of war? Is corporal punishment permitted at the school? What proportion of the curriculum is military training?
4. Has the State party investigated and, as necessary, prosecuted the alleged sexual abuse of a child by its military personnel while on the UN Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO)?

Suggested recommendations for the State party

In addition to urging the State party to submit its initial report under OPAC, we suggest the following recommendations.

1. Ensure that children under the age of 18 cannot be recruited into the armed forces under any circumstances, and that all cases of underage recruitment are prosecuted in accordance with national laws.
 2. Ensure in legislation that children attending military schools are not classified as members of the armed forces and cannot be called into service during times of war.
 3. Ensure that all forms of discipline used in military schools are consistent with the rights and dignity of the child, and that educational provision fulfils the requirements of articles 28 and 29 of the Convention on the Rights of the Child.
 4. Cease the targeting of children with military activities intended to encourage them to enlist when they become eligible.
 5. Investigate and, as appropriate, prosecute all alleged sexual offences against children by armed forces personnel contributed by the State party to United Nations peacekeeping missions, provide full training for all peacekeeping personnel on the safeguarding of children on deployment, and strengthen the armed forces' policies and rules of engagement to minimise risk. We recommend the State party also increase the proportion of female personnel on peacekeeping missions.
-