

TECHNICAL INFORMATION SHEET
PETITION N° 1097-06 MIRIAM BEATRIZ RIQUELME RAMÍREZ
FRIENDLY SETTLEMENT REPORT N° 25/13
TOTAL COMPLIANCE
(PARAGUAY)

I. SUMMARY OF THE CASE

Victim (s): Miriam Beatriz Riquelme Rodríguez

Petitioner (s): Andrés Dejesús Ramírez

State: Paraguay

Report on Friendly Settlement Agreement No.: [25/13](#) published on March 20, 2013

Related Rapporteurship: Rapporteurship on the Rights of Women

Topics: Personal Liberty/ Rights of the child/ Ex post facto laws/ Judicial guarantees/ Equal protection/ Judicial protection

Facts: On October 10, 2006, the IACHR received a petition filed by Andrés De Jesús Ramírez on behalf of Mrs. Miriam Beatriz Riquelme Ramírez and her three minor children, M., P. and CME. The petition alleges the international responsibility of the State of Paraguay due to the fact that Mrs. Riquelme was arrested while breast-feeding her daughter, CME, who was 4 months old at the time, which, according to the petitioner, breached Paraguayan law in this regard. Additionally, the petitioner alleges that she reported the incident to the competent authorities and was unable to receive domestic judicial protection.

Rights Alleged: The petitioner requested that the State of Paraguay be held responsible for a violation of the rights enshrined in Articles 7 (right to personal liberty), 8 (right to a fair trial), 9 (freedom from ex post facto laws), 19 (rights of the child), 24 (right to equal protection) and 25 (right to judicial protection) of the American Convention, in conjunction with the obligations contained in Article 1.1 of the said instrument.

II. PROCEDURAL ACTIVITY

1. On August 4, 2011, the parties signed a Friendly Settlement Agreement.
2. On March 20, 2013, the IACHR approved the agreement signed by the parties in Report No. 25/13.

III. ANALYSIS OF COMPLIANCE WITH THE CLAUSES OF THE FRIENDLY SETTLEMENT AGREEMENT

Agreement Clause	Status of Compliance
ONE: ACKNOWLEDGEMENT OF RESPONSIBILITY	
The Paraguayan State acknowledges its international responsibility for the arbitrary	Total¹

¹ See IACHR, Annual Report 2014, Chapter II, Section D: Status of Compliance with Recommendations of the IACHR, paras. 1101-1105.

denial of freedom, at a detention center, of Miriam Beatriz Riquelme Ramírez during the breastfeeding of her daughter [...] CME (hereinafter “the child CME”), in contravention of Articles 7.2, 19, and 25 of the American Convention on Human Rights, to the detriment of both, and in breach of domestic law (Article 238 of the Criminal Code) expressly prohibiting such actions.	
TWO: PUBLIC RECOGNITION CEREMONY	
The Paraguayan State agrees to carry out a public recognition ceremony under the terms of the preceding article and to publicly seek the pardon of the family, with due recognition of the confidentiality of the identity of the child CME.	Total²
THREE: MEASURES FOR COMPREHENSIVE PRIMARY HEALTH CARE	
The State assumes the commitment of providing, free of charge and through the national health services, such treatment as may be required by the child [...] and Mr. Remberto Giménez, her grandfather and guardian.	Total³
FOUR: SOCIAL AND EDUCATIONAL MEASURES	
The State, through the Ministry of Education and Culture and the National Secretariat for Children and Adolescents, assumes the responsibility of guaranteeing the child CME free education, with professional assistance for the reestablishment and maintenance of ties with her mother.	Total⁴
SIX: OTHER REPARATION MEASURES [sic]	
The Paraguayan State, through the Ministry of Justice and Labor, undertakes to process, with the competent judicial body, the transfer of Ms. Miriam Beatriz Riquelme Ramírez from the penitentiary in the city of Villarrica to the Casa del Buen Pastor Women’s Prison to ensure the maintenance of ties with her daughter. In this same undertaking, Ms. Miriam Beatriz Riquelme Ramírez agrees to respect the prison’s administrative provisions governing internal discipline.	Total⁵
SEVEN: PUBLICATION	
The State agrees to publish the terms of this friendly settlement agreement in the Official Gazette and on the official websites of the Ministry of Foreign Affairs and Office of the President of the Republic.	Total⁶

IV. LEVEL OF COMPLIANCE OF THE CASE

3. The Commission declared total compliance with the case and ceased monitoring the friendly settlement agreement in its Annual Report 2014.

V. INDIVIDUAL AND STRUCTURAL OUTCOMES OF THE CASE

A. Individual outcomes of the case:

- The State of Paraguay acknowledged its international responsibility to Miriam Beatriz Riquelme Ramírez for her arbitrary detention in a penitentiary center during the breastfeeding of her daughter CME.
- The State of Paraguay, through the XVIII Sanitary Region of the capital, provides medical care to the girl, CME, in addition to providing the necessary medicines for her health.

² See IACHR, Annual Report 2014, Chapter II, Section D: Status of Compliance with Recommendations of the IACHR, paras. 1101-1105.

³ See IACHR, Annual Report 2014, Chapter II, Section D: Status of Compliance with Recommendations of the IACHR, paras. 1101-1105.

⁴ See IACHR, Annual Report 2014, Chapter II, Section D: Status of Compliance with Recommendations of the IACHR, paras. 1101-1105.

⁵ See IACHR, Annual Report 2014, Chapter II, Section D: Status of Compliance with Recommendations of the IACHR, paras. 1101-1105.

⁶ See IACHR, Annual Report 2014, Chapter II, Section D: Status of Compliance with Recommendations of the IACHR, paras. 1101-1105.

Medical care is also provided to CME's brothers and her grandfather, who was provided with the necessary medications.

- The State awarded a scholarship to the CME girl at Basic School No. 1040 "Our Lady of Perpetual Help"
- The State transferred Mrs. Miriam to the Regional Missions Penitentiary at her request.
- The State published in the Official Gazette and on the official websites of the Ministry of Foreign Affairs and Presidency of the Republic the terms of this Friendly Settlement Agreement.