

## PRESS RELEASE FROM OHCHR

### From rape to lost childhood: Guatemala found responsible for forcing girl survivor into unwanted pregnancy and motherhood, UN committee says

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**GENEVA** – The [UN Human Rights Committee](#) has found that Guatemala violated the rights of a girl who became pregnant as a result of rape by forcing her to continue the pregnancy and into motherhood. According to the Committee, this amounted to a breach of her right to live with dignity and reproductive autonomy, and subjected her to treatment comparable to torture.

The Committee published today its decision against Guatemala in a case involving a 14-year-old girl who was raped on multiple occasions, denied access to legal abortion, and compelled to assume parental responsibilities under coercive circumstances.

“This is the fourth case the Committee has recently examined on terrible similar situations involving other States in the sub-region,” said Committee member Hélène Tigroudja. “No girl should be forced to carry the child of her rapist. Doing so robs her of her dignity, her future, and her most basic rights,” she said, adding that “This is not just a violation of reproductive autonomy — it is a profound act of cruelty.”

Fátima\* was 14 when she became pregnant after being raped by an ex-director of a public day-care centre that she attended as a child. The rapes occurred after she had left the institution. Her aggressor had maintained contact with the family after Fátima left the institution and earned their trust by providing financial support. When her mother learned about the abuses, she reported them and then was bribed and threatened by the perpetrator, his wife and their family.

Despite nine years of criminal proceedings, during which the perpetrator continuously pressured Fátima and her family to drop the case, he escaped justice. Guatemala did not properly investigate the rape, nor did it take effective action to prosecute the perpetrator. Since then, Fátima has been stigmatized as a girl who became sexually active at an early age.

As it was impossible to obtain justice and effective remedies in Guatemala, Fátima brought her case to the Committee, claiming her rights under the [International Covenant on Civil and Political Rights](#) (ICCPR) were violated.

Guatemala is one of the Latin American countries with the highest rates of both forced motherhood and systematic impunity for sexual violence. Although the Guatemalan Criminal Code allows abortion in specific situations to avoid a threat to the life of the mother, access to legal abortion is almost impossible in practice.

Despite her very young age and the foreseeable risks of pregnancy and delivery, Fátima was forced to carry out her pregnancy. After a traumatic and almost fatal delivery, Fátima was forced to breastfeed the child despite her expressed wish not to see him or be involved in his care. The sexual violence and forced pregnancy caused Fátima severe suffering, resulting in two suicide attempts as the only way to escape from her future forced motherhood. Nine years later, the child born out of rape is living with Fátima’s mother, but she is the one struggling to help cover his food, clothing and schooling expenses.

The Committee concluded that the State party had violated her right to life under Article 6 of the ICCPR, recalling that the right to life also refers to the right to enjoy life in dignity and requires States to adopt positive measures towards the full realization of everyone's right to sexual and reproductive health.

"Silence and inaction by the State are not neutral; they are not only violation by omissions but also factors of revictimization. Forcing a child into motherhood through neglect is a grave human rights abuse," Tigroudja said.

The Committee also found that Guatemala had violated Article 7 of the ICCPR, which prohibits torture, cruel, inhuman, or degrading treatment or punishment as the Covenant refers not only to physical pain but also to moral suffering.

"In addition to the trauma of the rapes, the pregnancy and forced motherhood, she suffered a high level of distress caused by a combination of acts and omissions attributable to the State party", Tigroudja said.

The Committee also concluded that it is a case of intersectional discrimination. "This case reveals how gender, age, and poverty intersect to silence the most vulnerable," said Tigroudja.

The Committee called on the State party to establish a system to record and monitor cases of sexual violence, pregnancy and forced motherhood among girls and adolescents and to work towards its eradication. It also asked the State party to take measures to remedy the damage incurred by the forced pregnancy and forced motherhood on Fátima's life plans, by enabling her to complete higher education and pursue extracurricular areas that will empower her to advance her life goals.

Guatemala is also requested to make a public acknowledgement of responsibility and to guarantee access to education and psychological care for her child born out of rape.

The full document is [available here](#).

\* Pseudonym to protect the identity of the victim

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## **Background**

The UN [Human Rights Committee](#) monitors States parties' adherence to the [International Covenant on Civil and Political Rights](#), which to date has been ratified by [174 States parties](#). The Committee is made up of [18 members](#) who are independent human rights experts drawn from around the world, who serve in their personal capacity and not as representatives of States parties. The [Optional Protocol to the International Covenant on Civil and Political Rights](#) allows individuals to file complaints against the [116 States parties](#) to the Optional Protocol for violations of their rights enshrined in the Covenant. The Optional Protocol imposes on States parties the international legal obligation to comply in good faith with the Committee's views. More information on the [Complaints Procedures](#) is available online.