

# Paraguay 2017/2018

Indigenous Peoples continued to be denied their rights to land and to free, prior and informed consent on projects affecting them. A bill to eliminate all forms of discrimination was pending approval at the end of the year. There were reports that human rights defenders and journalists were persecuted amid violations of the right to freedom of expression, and that police used excessive force to repress demonstrations.

## Freedom of expression and assembly

In March, journalists Menchi Barriocanal and Oscar Acosta reported on a secret attempt by senators to amend the Constitution to allow presidential re-elections. Protests erupted on 31 March and 1 April, with some protesters setting fire to the Congress building.

President Cartes and ruling party representatives publicly accused the two journalists of inciting violence and threatened them with arrest. Other media workers critical of the government's reaction to the protests also reported being harassed by the authorities.

On 1 April, opposition activist Rodrigo Quintana was killed by police in the context of the protests. Dozens of people were injured, more than 200 were detained, and local organizations reported allegations of torture and other ill-treatment by security forces.

In June, in response to allegations that 23 journalists had been attacked by police during the protests in March, National Police adopted a security protocol for journalists at risk.

## International scrutiny

In September, the UN Committee against Torture issued concluding observations and recommendations on Paraguay, including to ensure that all persons deprived of their liberty enjoy all legal safeguards from the beginning of the detention, including the rights to access a lawyer of their choice, to be promptly examined by a doctor respecting their confidentiality and privacy, and to be given access to an independent medical practitioner if they so request.

The Committee also recommended prompt, impartial and effective investigations into all allegations of excessive use of force, arbitrary detention and acts of torture and other ill-treatment by law enforcement officials, including those reported during the demonstrations of 31 March and 1 April, and to ensure that the perpetrators are prosecuted and the victims receive adequate reparation.

In addition, the Committee recommended that an independent, effective, exhaustive and impartial investigation be conducted into allegations of disproportionate use of lethal force, torture and other ill-treatment during the confrontation in Curuguaty in 2012, as well as alleged violations of due process during the judicial proceedings against 11 *campesinos* (peasant farmers) related to this case.

On 16 August, Congress approved a law to implement the Rome Statute of the International Criminal Court (ICC) and ensure co-operation with the ICC. On 23 August the Executive sent to Congress for ratification the Kampala Amendments on the crime of aggression and on Article 8 of the Rome Statute.

## **Indigenous Peoples' rights**

Negotiations began between the government and representatives of the Ayoreo Totobiegosode Indigenous Peoples living in voluntary isolation, with a view to implementing the precautionary measures granted by the Inter-American Commission on Human Rights (IACHR) to protect these communities from third parties seeking to access their ancestral land, and to reach a friendly settlement in a case pending before the IACHR for the violation of their rights.

The Yakye Axa community remained without access to their lands despite a ruling from the Inter-American Court of Human Rights ordering the government to construct an access route. The case regarding the ownership of land expropriated from the Sawhoyamaya community, which has a similar ruling from the Inter-American Court in their favour, had also not been resolved by the government.

## **Right to housing and forced evictions**

In September, the Chamber of Deputies upheld the Executive's veto of a bill that would have expropriated 900 hectares of land from its current occupants to return it to the Guahary *campesino* community, who were forcibly evicted in 2016.

In October, human rights organizations reported that one year after the forced eviction of the Avá Guaraní de Sauce community in connection with the Itaipu hydroelectric dam, no progress had been made regarding the restitution of their lands. As a result, the community withdrew from dialogue with the authorities.

## **DETENTION**

In September, two boys held at a juvenile detention centre in Ciudad del Este died in a fire, and 12 others were injured. The National Mechanism for the Prevention of Torture had reported in 2016 the lack of fire protection and evacuation protocols in the centre.

## **Sexual and reproductive rights**

In July, President Cartes vetoed Bill No. 5833/2017, which aimed to establish a civil registry record of "deaths of conceived unborn children". In August, the Chamber of Deputies and the Senate rejected the veto and approved the bill, which was promulgated by the President at the end of the year. The bill was denounced by human rights organizations as introducing an almost absolute protection of the foetus, which could potentially take precedence over the rights to life, physical integrity and health of women and girls.

In October, the Ministry of Education and Science passed a resolution banning public education materials on “gender theory”, which in practice restricted materials related to gender equality, reproductive rights, sexuality and non-discrimination.