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Paraguay

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I. Introduction

1. The Republic of Paraguay hereby submits its second national report under the universal periodic review (UPR), in which it provides a description of the main steps forward, the achievements made and challenges faced in promoting and protecting human rights in Paraguay. The report provides information on the follow-up to the recommendations received under the first reporting cycle (124 of which were received and accepted), in the light of which it is important to bear in mind the mid-term report submitted in September 2014, (recommendation No. 86.) which testified to the country's commitment to and confidence in this evaluation mechanism.

2. Paraguay is a State governed by the rule of law whose democracy is founded on recognition for human dignity. Government authority is exercised through the three branches of government located in Asunción, the capital of the Republic; its system of government is based on the separation of powers, a balance between them, coordination and mutual oversight, as established in the 1992 Constitution. The territory of Paraguay is subdivided into departments, municipalities and districts, all of which exercise political, administrative and legislative autonomy and are able independently to levy and invest their resources within the limits set by the Constitution and law. The Government is chosen by universal suffrage, which also elects the President of the Republic, deputies, senators, governors and mayors. Article 120 of the Constitution was amended by referendum to enable Paraguayans living abroad to vote, and they voted for the first time in the 2013 general elections.

3. Paraguay has a population of some 6,818,180;¹ the number of indigenous people is 117,150² and there are 514,635 people with a disability, 275,271 of whom are women and 239,364 men.³

II. Methodology and broad consultations

4. The methodology adopted followed the guidelines set out in Human Rights Council resolution 16/21. Coordination of the process was assured by the Ministry of Foreign Affairs and by a drafting team comprising representatives of the three branches of government.⁴

5. The participation of civil society organizations and of other national human rights institutions was organized through the Human Rights Network of the Executive Branch (RDDHHPE), under the coordination of the Ministry of Justice and with the assistance of the Ministry of Foreign Affairs. The overall process received support from the Paraguay country team of the Office of the United Nations High Commissioner for Human Rights (OHCHR).

6. Information on follow-up to the recommendations made under the first UPR reporting cycle was obtained through the Recommendations Monitoring System (SIMORE),⁵ an open, computerized tool that allows information to be systematized and consulted, which has been designed by Paraguay with the assistance of OHCHR. The Monitoring System provides a platform whereby civil society organizations may consult it.

III. Developments in the legislative and institutional system for the protection and promotion of human rights

A. Improvements to the national legislative framework. Laws and decisions adopted between 2011 and 2015 for the promotion and protection of human rights from

7. Act No. 4083/11, which established the Assistance and Protection Programme for Witnesses and Victims in Criminal Proceedings; Act No. 4313/11 to safeguard the budget for reproductive health programmes and ensure supplies of the childbirth kit provided by the Ministry of Public Health and Social Welfare; Act No. 4429/11 and its amending legislation, which extended the application of Act No. 4686/12, of 4 October 2011, regularizing the situation of undocumented foreign migrants; Act No. 4684/12, declaring 12 April as National Breast Cancer Day for a campaign to raise awareness of the importance of early detection; Act No. 4744/12, by which immunization against human papilloma virus was incorporated into the Ministry of Health's Expanded Programme on Immunization; Act No. 4758/12 — to establish the National Public Investment and Development Fund and the Fund for Excellence in Education and Research; Act No. 4788/12 Comprehensive Act to Combat Trafficking in Persons; Act No. 4633/12 to combat harassment in public and private educational establishments; Act No. 4614/12 amending articles 236 and 309 of Act No. 1160/97, Penal Code Act, to bring the classification of torture and enforced disappearance into line with international standards; Act No. 4616/12 to establish the list of places where accessibility for persons with a physical or motor disability is a priority; Act No. 5136/13 on inclusive education; Act No. 4962/13 introducing incentives for employers to encourage the employment of persons with disabilities in the private sector; Act No. 4934/13 on the accessibility of the physical environment for persons with disabilities; Act No. 5189/14, making it mandatory to provide information on the use of public resources for remuneration and other payments to civil servants in the Republic of Paraguay; Act No. 5347/14 establishing freedom of access for applicants of indigenous origin to approved grade three positions in both public and private universities; Act No. 5419/15 amending articles 17 and 20 of Act No. 1/92 partially reforming the Civil Code (to raise the age of consent to marriage; Decree No. 8309/12 adopting the national policy to prevent and combat trafficking in persons; Decree No. 10747/13 adopting the National Human Rights Plan; Decree No. 11324/13 partially amending the Annex to the National Human Rights Plan adopted by Decree No. 10747/13; Decree No. 3891/15 on regulations applicable to the Act on accessibility; Decree No. 2837/14 regulating Act No. 5136/13 on inclusive education; and Act No. 5446/15 on public policies on behalf of women in rural areas.

B. Setting up or strengthening institutions for the promotion of human rights

8. Act No. 4251/11, on languages, setting up the National Secretariat for Languages Policy; Act No. 4288/11 on the national mechanism for the prevention of torture and other cruel, inhuman or degrading treatment or punishment; Act No. 4423/11 Public Defence Service Organization Act; Act No. 4720/12 establishing the National Secretariat for the Human Rights of Persons with Disabilities (SENADIS); Act No. 4675/12 to upgrade the Secretariat for Women into a Ministry; Act No. 4989/13 establishing the National Secretariat for Information and Communication Technologies (SENATICs); Act No. 5115/13 establishing the Ministry of Labour, Employment and Social Security (MTESS); Decree No. 5619/10 establishing Inter-Agency Commission for the establishment of a network of sites of importance to the

history and conscience of the Republic of Paraguay; Decree No. 7101/11 to designate the national team to investigate, search for and identify detained, disappeared and extrajudicially executed persons (ENABI); Decree No. 10144/12 establishing the National Secretariat to Combat Corruption (SENAC); Decree No. 10449/12 restructuring the Inter-Agency Commission on the Enforcement of International Judgements (CICSI); Decree No. 262/13 establishing the National Youth Secretariat (SNJ); Decree No. 10514/13 regulating Act No. 4720/12 by which the National Secretariat for the Human Rights of Persons with Disabilities was set up, and which also set up the National Council on the Rights of Persons with Disabilities (CONADIS).⁶

IV. The overall human rights situation

A. International instruments⁷

9. The unceasing task of incorporating into national legislation the main human rights treaties, whether universal or regional, is part of a government policy that is consistent with Paraguayan foreign policy, and which seeks to support the promotion and protection of human rights internationally. The most recent developments in this respect have been:

(a) *Signature*: Optional Protocol to the Convention on the Rights of the Child on a communications procedure;

(b) *Under consideration before the National Congress*: amendment to article 20 of the Convention on the Elimination of All Forms of Discrimination against Women; bill on the implementation of the Rome Statute of the International Criminal Court; amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination;

(c) *Adoption into law*: Act No. 4819/12 ratifying the ILO Domestic Workers Convention, 2011 (No. 189); Act No. 4564/12 adopting the Convention on the Reduction of Statelessness; Act No. 5164/14 adopting the Convention relating to the Status of Stateless Persons; Act No. 5362/14 adopting the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled; Act No. 5398/15 adopting the Arms Trade Treaty.

B. Cooperation with international machinery⁸

10. Under its standing invitation, in recent years Paraguay has received visits from a number of experts.⁹ It is up to date with the submission of its reports to the treaty bodies.¹⁰

11. In conjunction with the Office of the United Nations High Commissioner for Human Rights, the following have been implemented in Paraguay: the National Plan for Human Rights Education (PLANEDH), the National Plan for Human Rights (PNDH) and the National Plan of Action for the Human Rights of Persons with Disabilities (PNDHPCD). Human rights indicators have been developed in respect of health and education¹¹ and fair trials,¹² and indicators for the rights of persons with disabilities are being developed.¹³ Work was carried out to incorporate the human rights focus into the National Poverty Eradication Strategy and development of the Secretariat for Social Action's protocol to cater for indigenous peoples, on the human rights capacity-building training manual and on poverty reduction strategies progressed.

12. Under the EUROsociAL II programme for Latin America, a protocol on access to justice via video conference for adults deprived of their liberty was developed in conjunction with the Ministry of Justice (2013), together with a protocol on access to justice for persons with a psychosocial disability. In conjunction with the Public Defence Service, a computerized management model for its activity was brought into service to optimize data recording.

C. Strengthening institutions¹⁴

13. The following initiatives were taken by the Human Rights Network of the Executive Branch:¹⁵ a draft national human rights plan of the Executive Branch (2011) and a first national human rights plan (Decreets Nos. 10747 and 11324/13)¹⁶ whose implementation it is coordinating.¹⁷ It also produced human rights indicators in respect of health and education (2012 and 2013).

14. The executive branch is currently considering a bill to establish a ministry of justice and of human rights which will reinforce the institutional framework and have an impact on government policies and strategies to promote and protect human rights nationwide. In June 2015, both state institutions and civil society organizations were consulted about the bill.

15. In 2013 the Inter-Agency Commission on the Enforcement of International Judgements was reorganized; it is currently presided over by the Office of the Vice President of Paraguay and its coordination is assured by the Ministry of Justice. While the Commission was initially charged with enforcing international judgements and agreements, it currently also monitors international recommendations.

16. The Human Rights Directorate of the Supreme Court has drawn up indicators in respect of the right to a fair trial; these quantitative and qualitative indicators are broken down into categories showing the different population groups and provide detailed information on access to the administration of justice to help design and implement judicial policies.

17. The process of selecting candidates for the office of Ombudsman and Deputy Ombudsman began in 2015. The public call for candidates and public hearings are now complete and lists containing three candidates are now being drawn up.

D. Indigenous peoples¹⁸

18. With the assistance of the National Institute for Indigenous Affairs (INDI), indigenous peoples and their organizations have agreed on the draft protocol for consultation and free, prior and informed consent. A project to set up a national secretariat for indigenous peoples is under consideration (SENAPI).

19. Indigenous peoples' organizations are encouraged to take part in national development via activities such as the establishment of the inter-agency round table for the protection of the biosphere reserve, the creation of an inter-agency commission on food and nutritional security, an alliance between the Itaipú binational entity and the joint national programme involving the United Nations collaborative initiative on Reducing Emissions from Deforestation and forest Degradation (REDD) and indigenous organizations for capacity-building to ensure the visibility and participation of indigenous communities. The national programme on communication and indigenous peoples with their own voice involves a total of 10 community radio stations in both regions (2012 to 2014).

20. In conjunction with the Federation for the Self-determination of Indigenous Peoples, the Human Rights Directorate of the Supreme Court has held training workshops on cross-cultural dialogue, judicial pluralism and restorative justice with a focus on penal issues. A draft curriculum on indigenous rights for judicial officials is currently being approved by civil society and indigenous peoples' organizations. The Supreme Court has adopted the 100 Brasilia Regulations regarding Access to Justice for Vulnerable People,¹⁹ which include indigenous peoples.

21. In order to ensure that indigenous people receive a suitable education, the following specific items are allocated under the general state budget to the Ministry of Education and Culture: overall expenditure on teachers in approved indigenous educational establishments; school supplies for pupils enrolled in elementary, basic and intermediate schools; provision of school supplies for teachers and transfer of funds to State-run schools within the framework of free public education.

22. The illiteracy rate fell from 51 per cent in 2002 to 37.6 per cent in 2012.²⁰ According to figures provided by the Ministry of Education and Culture for 2014 and 2015, 1,983 pupils are enrolled in school in indigenous communities, there are 512 schools, 57 secondary schools and 91 permanent education centres covering the 19 indigenous peoples (a level of coverage of 70.5 per cent). The Escuela Viva II (Living School II) programme, developed 28 types of teaching aid for 15 peoples in Spanish and in indigenous languages which were distributed to 318 communities. Under the Agenda for Education 2013-2018, it is planned to provide suitable facilities for indigenous educational establishments thanks to major investments.²¹ Act No. 5347/14 on freedom of access for applicants of indigenous origin to approved grade three positions in both public and private universities has been adopted.

23. The National Council for Indigenous Education was set up in August 2015²² and tasked with drawing up educational policies for indigenous peoples. The National Institute for Indigenous Affairs offers higher education grants to 212 indigenous university students and built 9 classrooms in indigenous communities between 2010 and 2013.

24. The National Secretariat for Culture (SNC) works to strengthen the indigenous communities' own culture by organizing activities such as meetings of spiritual leaders, bringing the indigenous world view within the sphere of the National Cultural Council (CONCULTURA), organizing and recording traditional fiestas, assistance, transmission of traditional knowledge, dissemination of audiovisual material on indigenous topics, workshops to reproduce Guaraní pottery and build ceremonial sites.²³

25. Between 2010 and 2014, deeds to a total of 283,996 hectares were granted to indigenous communities. The National Institute for Indigenous Affairs has a register of indigenous communities with georeferenced satellite maps for existing properties. While there is no specific national mechanism for land claims, claims and complaints may be lodged by indigenous communities with the National Institute for Indigenous Affairs which, under article 32 of Act No. 904/81²⁴ works in coordination with the other State institutions to answer those claims.

26. The legislative branch is examining a bill to punish offences against the property of or intended for the settlement of indigenous communities as a means of ensuring protection for their territories.

27. Social programmes for access to housing include the following: (a) programmes for aboriginal peoples under which 383 dwellings have been distributed or are under construction in different departments of Paraguay's two regions (as of 2012); (b) 459 subsidies were awarded in 2012 and 602 in 2014 under level 4 of the National

Housing Fund to build homes for aboriginal people; (c) the CHE TAPYI project: 300 dwellings were built in 2014 in Oriental region with funds donated by China.

28. The following judgements of the Inter-American Court of Human Rights have been enforced: (1) *Sawhoyamaxa indigenous community*: the ancestral land concerned by the claim was expropriated on behalf of the community by Act No. 5194/14. On two occasions the Supreme Court rejected challenges against the constitutionality of the Act; (2) *Yakye Axa indigenous community*: the deed for the purchase of alternative land is currently being drawn up together with a right of way on account of the lack of access to the lands in question; (3) *Xákmok Kásek indigenous community*: the State is still negotiating with the owners of the farms concerned by the claim with a view to concluding the purchase of real estate covering 7,701 hectares; the total area whose return is requested is 12,200 hectares.

E. Migrants and refugees²⁵

29. The legislative branch has adopted Act No. 4815/12 establishing the standing fund for refugees and Act No. 4457/12 for micro, small and medium-sized firms, which provides for a category of migrant of Paraguayan nationality and establishes the Vice-Ministry for micro, small and medium-sized firms within the Ministry of Industry and Trade to channel the necessary procedures.

30. A new migratory policy is to be presented in 2014; it has been drafted through consultation and with a multi-sectoral approach and has involved 43 agencies of the three branches of government and representatives of civil society organizations as part of the project to strengthen the Paraguayan system for managing migrants. As part of the programme to regularize the situation of migrants (Act No. 3565/98 MERCOSUR Agreement on Residency), seven days during which it was possible for migrants to regularize their situation were organized in coordination with the Brazilian Consulate, during which 2,000 foreigners, most of them Brazilian, obtained residence permits. Three such days were organized in 2015, during which 960 permits were issued to Brazilian citizens.

31. Since 2013, with the support of the Office of the United Nations High Commissioner for Refugees, the National Refugee Commission has been implementing a joint workplan to strengthen machinery for the protection of asylum seekers, refugees and stateless persons in Paraguay. The Ministry of Justice has drafted a protocol for foreign persons deprived of their liberty.²⁶

F. Poverty reduction²⁷

32. Overall poverty has fallen for the eighth consecutive year and stands at 22.6 per cent. The level of extreme poverty is 10.5 per cent, (similar to 2013), and significantly below its level of 19 per cent during the period 1997 to 2011. The reduction of extreme poverty to 9.4 per cent by 2015 is the main goal of the Government.

33. The executive branch has declared poverty reduction to be a priority for the Government.²⁸ The National Development Plan to 2030 has been adopted;²⁹ the document coordinates action by the different sectors of the executive branch, the different levels of government, civil society and the private sector, with poverty reduction and social development as one of its strategic lines of action. The general State budget has been harmonized with the National Development Plan to 2030 by aligning budget items with the strategic lines of action through results-based budgeting, with the 2016 general budget in mind.

34. The Sembrando Oportunidades (Sowing Opportunities) poverty reduction programme seeks to increase the income of vulnerable families and to improve their access to social services by coordinating the work of 18 institutions through the Technical Planning Secretariat for Economic and Social Development (STP). The programme recognizes that providing work is an essential tool in combatting poverty and it includes the construction of houses with running water, an electricity supply, a road network and improved primary health care services, primary education and programmes to provide family allowances and pensions for older persons, to which end it draws on the other social programmes of the Government.

35. The Enfoque de Precision (In Focus) approach makes it possible properly to identify the beneficiaries of government welfare programmes by classifying them into “extremely poor”, “moderately poor” and “not poor but at risk of falling into poverty” categories in order to keep in constant touch with the poor and vulnerable population. For the first time, welfare files are available, providing a detailed inter-agency information system on extremely poor and vulnerable families. As of August 2015, 150,000 families had been identified.

36. The simplified system for purchasing agricultural produce from family farming³⁰ is intended to consolidate the rural economy and to guarantee the right to food by organizing the sector, offering access to markets and improving the quality of life of the population. It also promotes mechanization and modernization of the sector so as to introduce precision agriculture and improve productivity. In 2015, technical assistance was provided to 108,476 small farmers.

37. Coverage of the welfare programmes of the Secretariat for Social Action has expanded systematically. In August 2015, 111,864 families with 559,320 members benefited from the Tekoporá³¹ conditional allowances programme; 76 per cent of those entitled to the allowances were female heads of household. The Tekoha³² programme to purchase buildings for urban settlements had bought 608 properties by June 2015 for the benefit of 17,964 families; 60 per cent of all the contracts signed were with female heads of households. By April 2015, the Tenondera³³ economic inclusion programme, which promotes income generation, especially for families leaving the Tekoporá programme, had helped 1,778 families. In 2014, the UNE-FOCEM³⁴ structural convergence programme was instrumental in bringing drinking water and basic sanitation to 1,116 families. The Merkaaguazu project is intended to provide premises and to set up a market to bolster the economy of 5,000 producer families in the department of Caaguazú. In 2014 the PROPAIS II programme (which is financed by the Inter-American Development Bank), attained full implementation in respect of 60 specific projects, 24 comprehensive social development plans and 4 district improvement projects, thereby benefiting 18,804 families with 75,216 family members in 59 districts in Paraguay. As of May 2015, the pension for extremely poor older persons was being paid to 143,816 people in 250 towns.

38. The Sembrando Oportunidades (Sowing Opportunities) programme comprises an element for aboriginal people whereby coordinated social services are provided in areas assigned priority in which indigenous communities live. Tekoporá included coverage for indigenous peoples and benefited 7,760 indigenous families (as of August 2015), and 11,264 indigenous children and adolescents (as of April 2015). Tenondera began a honey-production project involving 39 families in the Mistolar indigenous community in the Paraguayan Chaco; its aim is enable them to generate their own sustainable income. The programme to assist fishermen in Paraguay (PROAP-TN) also provides support to indigenous families in the form of a subsidy during the closed season for fishing. In 2014, a total of 1,553 families in 14 indigenous communities benefited from projects under the PROPAIS II programme. In 2015, a building belonging to the Tekoha programme was taken out of the programme

and assigned to the National Institute for Indigenous Affairs to relocate indigenous communities in urban areas.

39. Tekoporá promotes food, health and education for children and adolescents. In April 2015, out of a total of 554,970 persons benefiting from the programme, 250,876 were children and adolescents. In August 2015, the programme provided protection for 10,046 persons with disabilities. The programme also provides for indigenous families caring for a person with a disability. The Tekoha programme assigns priority to families with a person with a disability when it distributes plots of land.

40. The work of the Secretariat for the Environment (SEAM) includes the drafting of national social and economic development plans so as to ensure the sustainable use of natural resources and to improve the quality of life.

G. Prevention of torture³⁵

41. Act No. 4614/12 brought the definition of enforced disappearance and torture under criminal law into line with that of the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment. In successive rulings, the Supreme Court has held that criminal prosecution and proceedings concerning cases of torture during both the dictatorship (1954-1989) and the current democratic period are neither subject to statutory limitation nor time barred.

42. The Public Prosecution Service has a special unit for human rights offences,³⁶ with exclusive jurisdiction over this type of offence, and a human rights directorate.³⁷ The Service, which has budgetary autonomy, works to facilitate access to justice and to protect persons deprived of their liberty; its observatory of prisons and places of detention, which monitors the conditions and treatment of detainees is noteworthy. Whenever a person shows signs of having been tortured a complaint is lodged and the case is placed on record so that the proper investigation may be conducted.

43. As part of its programme to apply international human rights standards in policing and with the support of the Voluntary Fund of the Subcommittee on Prevention of Torture, the Ministry of the Interior has produced 2,000 registers for mandatory registration of detainees in police stations.³⁸ It promotes training for elite units of the National Police, in which respect for human rights when using force, arresting, detaining and carrying out searches is emphasized. There are several procedural protocols including a protocol on mass crowd-clearing and a protocol on policing conflicts arising from crop sowing, spraying or harvesting. In conjunction with the Public Prosecution Service, a joint plan of action has been drawn up to deal with unlawful occupation of property. The Handbook on the Use of Force has been introduced. For the sixth year running, the Ministry of the Interior and the International Committee of the Red Cross have provided human rights training for policemen and senior police officers. Work on human rights standards and on the use of force in dealing with demonstrations and trafficking in persons is being carried out in the framework of the Union of South American Nations (UNASUR).

44. The Ministry of Justice has a department which monitors prisons, a protocol for action in response to reports of alleged violations of the human rights of persons deprived of their liberty and a protocol for reports of acts of torture.³⁹

45. The national mechanism for the prevention of torture and other cruel, inhuman or degrading treatment or punishment was established by Act No. 4288/11. Activities to set up the mechanism were carried out as part of the National Plan for Human Rights, and it became operational in 2013; it is the first such mechanism to come into operation in accordance with the standards of the Optional Protocol to the Convention against Torture in the region.

H. National public safety strategy

46. The National Public Safety Strategy (ENSC) is the first such strategy to adopt a comprehensive human rights approach; it has been developed through multidisciplinary participation by different state agencies and civil society organizations. For its implementation in 2015, priority was assigned to the programme to adapt policing to human rights standards, thereby establishing human rights issues as a component of public policy.

47. The Public Prosecution Service has a unit that deals with offences against civic safety and harmonious relations (UESC), to improve safety for citizens and help to ensure that sporting events, concerts and other events run smoothly.

I. Prison system⁴⁰

48. The second national prison census was conducted as part of the comprehensive reform of the prison system being carried out by the Ministry of Justice to humanize prisons;⁴¹ this will make it possible to determine public policies in respect of crime, crime prevention and the social rehabilitation of persons deprived of their liberty.

49. As part of the reorganization of the Ministry of Justice in 2014, the Office of the Deputy Minister for Policy on Crime was established to develop measures and strategies for crime prevention and rehabilitation, prison policy, juvenile criminal justice and restorative justice. The Office is responsible for the Centre for Prison Studies which provides initial and further training for prison warders as part of their civil service career path.

50. The TEKOVE computer application is used to register and provide access to information on persons deprived of their liberty in real time. Internal guidelines for prison management have been drawn up in respect of living conditions and improvements have been made to the regional prisons in Concepción, Misiones, Coronel Oviedo and the Itauguá rehabilitation centre; a protocol on proper treatment of detained persons belonging to vulnerable groups has also been drawn up. Cards for registering the admission of persons deprived of their liberty have also been produced.

51. The Inter-Agency Commission, which visits and monitors rehabilitation centres for juvenile offenders, ensures that the juvenile penal system operates smoothly; it also puts forward proposals and takes measures to ensure that the rights of adolescents are fully respected.⁴²

J. Judicial system⁴³

52. As part of its effort to ensure institutional transparency, the judiciary has developed a system of management, performance and statistical indicators designed to provide as detailed a breakdown as possible and to generate reliable data for decision-making and for planning for potential situations.

53. The following developments marked significant institutional progress for the judicial system: the ratification of the 100 Brasilia Regulations;⁴⁴ the definition of guidelines for the placement in health facilities of children and adolescents in emergency situations as a precautionary protective measure;⁴⁵ procedure applicable to judicial measures carried out pursuant to Act No. 5282/14;⁴⁶ jurisdictional measures relating to access to public information; the creation of the department for transparency and access to public information, a body set up in application of Act No. 5282/14; the case law establishing the absence of any statutory limitation for torture;

ratification of the Lima Declaration on restorative juvenile justice;⁴⁷ strengthening the documentation centre and archives for the defence of human rights; creation of and appointments to judicial facilitator positions, some of which are held by indigenous people, and of their office; establishment of the technical commission in support of criminal justice;⁴⁸ adoption of the protocol on the inter-agency round table as an alternative means of access to justice for adults deprived of their liberty; introduction of on-line access to judicial formalities in court offices throughout Paraguay via the Electronic Procedures Platform⁴⁹ developed as part of the electronic court records project.

54. The National Commission to consider reform of the penal and prison system was set up by Act No. 5140/13. The purpose of the Commission is to revise the Criminal Code and the Code of Criminal Procedure. The purpose of Act No. 5162/14, the Penal Enforcement Code is to regulate the enforcement of criminal penalties and of protective measures in the sphere of criminal justice.

55. The Public Defence Service has a statistical office which centralizes all information on the number of persons deprived of their liberty who receive assistance classified by age, gender, type of offence, stage reached by the proceedings (on trial or convicted) etc.

K. Memory, truth, justice and reparation⁵⁰

56. The national team to investigate, search for and identify detained, disappeared and extrajudicially executed persons is coordinating search and identification activities concerning the 34 skeletons which have been exhumed since 2006 and which are being carried out by the Argentine Forensic Anthropology Team (EAAF) under an agreement signed by the Ministry of Justice and the Institute for Comparative Studies in Criminal and Social Sciences (INECIP — Paraguay).

57. Compensation for victims of the dictatorship is regulated by Act No. 838/96 and the amendments thereto and are handled by the Ombudsman's Office (DP), which collates evidence and processes files; it also involves the Office of the Counsel-General (PGR), which issues its opinion under the administrative procedure; that opinion is binding and precedes any ruling by the Ombudsman's Office. Between 2002 and 2012, a total of 10,794 opinions were issued, and between 2013 and June, 2015 4,045.

58. The Public Prosecution Service classifies and analyses the documentation submitted by the Ombudsman's Office in order precisely to determine the facts to be investigated, thereby avoiding duplication of cases.⁵¹

59. The Inter-Agency Commission for the establishment of a network of sites of importance to the history and conscience of the Republic of Paraguay has identified 8 historic memorial sites.

60. The Supreme Court has a museum dedicated to justice, a documentation centre and an archive for the defence of human rights which encourage citizens to recover their historical memory, and educate them about the values and development of the administration of justice.

L. Trafficking in persons⁵²

61. Paraguay has a national policy to prevent and combat trafficking in persons 2010-2019,⁵³ and Act No. 4788/12 concerns comprehensive efforts to combat trafficking in persons. On the basis of this Act, the inter-agency round table to prevent and combat trafficking in persons was set up to serve as an advisory body to the Government and to coordinate joint action by different departments. A national plan is under preparation.

62. Care for women victims of trafficking in persons is provided by the Ministry for Women (MINMUJER), via the Directorate-General to Combat Trafficking in Women, 4 referral centres and a temporary shelter for victims of trafficking in persons.

63. The National Secretariat for Children and Adolescents (SNNA) presides over the coordinating body for the protection of victims of trafficking and sexual exploitation of children and adolescents and for their care. Inter alia, the temporary shelters provide psychological care together with medical care and assistance with judicial formalities addressed to the Public Defender for Children and Adolescents. The Public Prosecution Service has a unit specialized in combating trafficking in persons and the sexual exploitation of children and adolescents. Its training centre also provides a training module on trafficking in persons. The following activities are currently under way: a virtual course on trafficking in persons; preparation of a manual on criminal investigation of cases of trafficking in persons, of a procedural manual and of a guide to services for the victims of trafficking and to diagnosis of the situation of trafficking in Paraguay, in particular as regards women and girls.

M. Combating corruption⁵⁴

64. The National Secretariat to Combat Corruption was set up in 2012 to bolster institutional efforts to combat corruption. The virtual platform of the executive branch's network to ensure transparency and combat corruption has been set up to foster an ethical culture and to provide citizens with access to timely information on the action of the Government and to the Government's open information portal.

65. Act No. 5189/14, making it mandatory to provide information on the use of public resources for remuneration and other payments to civil servants in the Republic of Paraguay has been promulgated. A significant precedent was decision and ruling No. 1306/13 of the Supreme Court which ruled on the human right of access to public information enshrined in article 28 of the Constitution. In 2014, the judicial branch also dealt with 1,200 files under its complaints and reports system within the framework of efforts to combat corruption and drug trafficking.

66. The Public Prosecution Service has a special unit to deal with financial crimes and corruption which in 2014 managed to recover 2,569,055,906 guaranies⁵⁵ for the State; between January and September the same year it secured 14 convictions, including that of a former judge who was sentenced to 2 years' and 2 months' prison for accepting a bribe. Plans to set up a unit specialized in money laundering are being prepared.

N. Rights of women⁵⁶

67. The Ministry for Women was organized by Act No. 4675/12,⁵⁷ which established it as the body responsible for directing, setting standards for and coordinating government policy to promote equal rights and opportunities for men and women and

for encouraging full participation by women in politics, the economy, society, culture and civil life within the framework of the third national plan for 2008 to 2017 to provide equal opportunities for men and women.

68. The plan determined three strategic lines of action for poverty reduction based on empowerment and social inclusion: a) design of models for action to incorporate the gender perspective into sectoral public policies and to improve the competitiveness of small-scale producers of stevia-ka'a he'e (*Stevia rebaudiana*) and to increase its exports, b) a social programme to empower women in peri-urban settlements, c) support for women entrepreneurs on family farms.

69. Act No. 5446/15 on public policies on behalf of rural women underpins efforts to promote the economic, political, social and cultural rights of women living in rural areas for their empowerment and advancement. A total of 2,711 women benefited from the project to encourage women's participation in the labour market in the departments of de San Pedro, Caazapá and Canindeyú and it has been extended to include the departments of Alto Paraguay, Paraguari and Misiones for the direct benefit of 1,686 women.

70. Steps have been taken to encourage women to stand as candidates for decision-making positions as part of the programme to improve women's capacity to participate in politics. Work is also under way to develop an agenda to further the political rights of women, to train women holding elected positions and to raise awareness among men. The legislative branch is examining a bill to amend article 32, paragraph r) of Act No. 834/96, on the Paraguayan Electoral Code in respect of the percentage of women in elected positions.

71. The Women's Support Service of the Ministry for Women provides comprehensive care, information and counselling to women victims of domestic, family and gender-based violence via mechanisms such as the Call 137 women's helpline⁵⁸ which had received some 42,000 calls at the time of writing. The Mercedes Sandoval shelter, the first for women victims of domestic and family violence, has also been approved. The following campaigns have been organized to raise awareness: "Let's Live for a Life without Violence", (2011), the "Campaign to Combat Sexual Harassment in the Civil Service", "Developing Rights in the Civil Service (2012)", "Neither me, nor you nor her" (2015) "Harassment in the Street is a Form of Violence against Women" (2014); the aim of the "Dating without Violence" workshops, in which more than 4,000 young people took part, was to detect and prevent violence as soon as couples start dating and to raise awareness among young people.⁵⁹

72. Act No. 5378/2014 amending article 229 of the Criminal Code relating to family violence, together with Act No. 1160/97 as amended by Act No. 4628/12, established a new definition of the crime of family violence which dispensed with the need for the violence to be habitual and for victim and perpetrator to be living together; they also increased the maximum penalty from three to six years imprisonment. The executive branch is considering a bill on comprehensive protection for women against all forms of violence.

73. The specialized unit for gender issues, children and adolescents within the Public Prosecution Service provides individualized care for women, child and adolescent victims of gender-based offences. It handles an average of 480 cases each year. A new set of instructions has been drawn up on procedural guidelines for criminal investigations into the offences of family violence and gender-based violence.⁶⁰

74. The executive branch's Documentation and Archive Centre has systematically classified complaints relating to violence lodged with the magistrates' courts, together with other data on the economic and social situation of women in Paraguay. The Justice and Gender Observatory of the Supreme Court has developed a range of

indicators portraying the administration of justice from the gender perspective in order to facilitate the adoption of decisions to improve it. The judicial branch has drafted objective criteria for recruiting staff by reviewing current selection, licensing and transfer procedures, in order to incorporate the gender perspective into the civil service's human resources management, using mechanisms to achieve a structural impact and develop practices based on human rights and the gender perspective.

75. The purpose of the work of the Secretariat for Gender Issues is to train civil servants at all administrative and judicial levels of the executive branch to provide effective responses to women seeking justice. The Secretariat works with users of judicial services, both professional and non-professional, by means of campaigns to raise awareness and publicize the gender perspective, a gender-based approach to justice and current international standards.

O. Rights of children and adolescents⁶¹

76. The twenty commitments assigned priority to strengthen the National System for Comprehensive Protection and Advancement of the Rights of Children and Adolescents (SNPPI)" were adopted in 2013. They include indicators on compliance and a commitment to present annual reports, two of which have been satisfactorily presented. The commitment gradually to increase the sector's budget to 7 per cent of GDP by 2018 has resulted in an increase to 4.4 per cent in 2013 and to 4.5 per cent in 2014. A charter of acceptance of the commitments has been signed by mayoral candidates in Paraguay.

77. The current National Policy on Childhood and Adolescence (POLNA) 2014-2024 is the second such policy exclusively to target children and adolescents in order to ensure they have access to universal policies, with priority for those who are underprivileged.

78. An effort is being made to ensure that the departmental and municipal councils of SNPPI operate effectively. Several of them have been reactivated and there are currently 17 departmental and 250 municipal councils. The network of secretariats for children and adolescents has been set up.⁶² In 2015, the "Look into My Eyes" campaign was launched as part of efforts to decentralize care for children and adolescents via the Municipal Advisory Services on the Rights of Children and Adolescents (CODENI).

79. A bill to decentralize the Abrazo programme and to finance SNPPI with funds available from the National Public Investment and Development Fund is currently being drafted in order to implement plans, programmes and projects benefiting this sector.

80. The National Commission to Prevent and Comprehensively Address Violence Affecting Children and Adolescents in Paraguay⁶³ has launched the "Decent Treatment for Boys and Girls" campaign, to encourage a positive approach to upbringing that eschews mental or physical punishment to discipline children. The meetings of the intersectoral round table to combat abuse and sexual exploitation of children and adolescents were revived; this body monitors the National Plan to Prevent and Eradicate the Sexual Exploitation of Children and Adolescents 2012-2017, in which connection is organized the one-week campaign "My Voice is Your Voice — Let's Denounce Sexual Violence".⁶⁴

81. The Abrazo programme and the Comprehensive Programme for Street Children and Adolescents in Asunción (PAINAC) programme, the former of which has expanded its scope to include other vulnerable sectors, continue to operate.⁶⁵ They provide food, refuge, hygiene and psychosocial support to facilitate family

reintegration as part of the effort to combat exploitation of children and adolescents. A total of 12,666 children and adolescents are enrolled in the conditional allowances programme, 7,406 in the basic food baskets programme, 7,767 are accommodated in the open centres, community centres and shelters while 2,600 benefit from remedial teaching, food supplements, recreational activities and sports, 200 receive health care and 5,971 assistance with obtaining identity documents.

82. The Abrazo programme has three types of care centre: 1) Centres offering protection for children aged 0-5 years; 2) open centres for children aged 6 to 14 years who work, and which are located in the vicinity of their workplaces, and 3) community centres for children aged 2 to 14, which are located in the community. The Programme also provides psychosocial support for the families concerned as well as ensuring food security for children aged from 0 to 8 years thanks to a monthly food kit worth approximately \$90 and a conditional allowance of some \$100.

83. The National Secretariat for Children and Adolescents directs its efforts towards promoting the interests of vulnerable children and adolescents in indigenous communities and ensuring they are able to participate and receive comprehensive protection; to this end, it reaches out to them in the street and in public spaces, identifies areas in which they are present, provides them with support in the face of threats, sets up protection networks, provides assistance in court and in hospital and ensures coordination should it be necessary for them to be admitted to detoxification centres. It has also established the “Tesai Reko Renda” centre and the “Kuarahy rese” shelter.

84. The Comprehensive Programme for Street Children and Adolescents in Asunción helps fully to safeguard the rights of street children thanks to its three centres: 1) the open shelter; 2) the temporary protection centre; and 3) the Ñemity centre for educational coexistence. The beneficiaries management system provides specific statistical data on child labour and on the services and protection provided by the programme.

85. The healthy snacks, healthy school lunches and healthy school canteens programmes are run by the Ministry of Education and Culture in Asunción, while in the departments they are the responsibility of the departmental and municipal authorities. The Ministry also works in conjunction with the Ministry of Public Health and Social Welfare on immunization, parasite-elimination, oral health and poor eyesight detection programmes pursuant to Act No. 1443/99.⁶⁶

86. Forced recruitment of minors was prohibited by Act No. 3360/2007. The army’s military training colleges command runs 11 military colleges 10 of which provide education and training and specialized training and admit only adults. The Acosta Ñu military school is the only one that admits minors under the age of 18 years; it is governed by a protocol with the Ministry of Education and Culture, which prohibits military training of and the use of weapons by minors under the age of 18 years. Paraguayan citizens over the age of 18 years may enlist in any military unit as cadets or privates.

87. During 2015, the Parliamentary Front for Children and Adolescents, which is made up of 26 parliamentarians, revised the legislative corpus and proposed new legislation such as the bill to protect children and adolescents against physical punishment and cruel and humiliating treatment.

P. Conscientious objection⁶⁷

88. Act No. 4013/10 regulates conscientious objection to compulsory military service and provides for civilian service as a substitute. Applications for recognition as a conscientious objector are dealt with by the Ombudsman. A bill allowing for derogation from articles 34 and 47 of Act No. 569/7 on compulsory military service would render any outdated and inapplicable provisions null and void. Citizens who are required to perform military or civilian service may apply for it to be postponed on justifiable grounds.

Q. Rights of persons with disabilities⁶⁸

89. The National Secretariat for the Human Rights of Persons with Disabilities was established by Act No. 4720/12. The Secretariat directs public policy for the sector and works to mainstream comprehensive action for persons with disabilities in state agencies and entities.

90. The activity of the National Council on the Rights of Persons with Disabilities was regulated in 2012. In 2015, the Council adopted the framework for a national action plan for the rights of persons with disabilities. The plan was the result of a broad and participatory process and represents the first public policy exclusively for this sector. Indicators on the human rights of persons with disabilities are currently being developed on the basis of the plan's guidelines. The governmental mechanism, which comprises some 100 state entities, was also set up in 2015; its aim is to mainstream implementation of the Convention of the Rights of Persons with Disabilities.⁶⁹

91. The Secretariat for Information and Communication conducts training and outreach activities in respect of government policy on behalf of persons with disabilities to promote inclusive language and its proper use, to which end it has set up the Network of Inclusive Communicators.

92. Implementing regulations for Act No. 4934/13 on accessibility of the physical environment for persons with disabilities have been adopted;⁷⁰ the regulations will make it possible better to monitor the physical environment on the basis of universal accessibility criteria. Major changes have been made in order to ensure that voting is accessible to persons with a disability.

93. Monitoring of Act No. 2479/2004⁷¹ on the recruitment of persons with disabilities in public entities by the Civil Service Secretariat (SFP) has shown that in 2013 there were 1,403 such persons in public entities and in 2014, 2,024. In 2014 there were nine public entities that met their 5 per cent staff quota for persons with disabilities. It is planned to gradually improve these figures.

94. A joint study of public infrastructure has been carried out by the Ombudsman's Office and the Saraki Foundation with a view to identifying barriers and recommending the necessary adjustments. A compendium of information has been produced containing suggested terminology relating, inter alia, to each type of disability. Recommendations were made to state entities regarding alterations to their facilities and compliance with the quotas established by the law for persons with disabilities.

95. The Supreme Court periodically organizes training sessions for judges, judicial officials, court clerks and civil society organizations on topics such as accessibility, personal autonomy, proper treatment and the rights of persons with disabilities; the training focuses on national and international legislation and on the 100 Brasilia

Regulations. A standard course on sign language focuses on human rights. A policy on access to the courts for persons with disabilities and older persons is currently being drafted. Access to the courts is addressed in periodicals, a web page maintained by the Court and by leaflets which make an effort to use inclusive language. The Ministry of Justice has drawn up protocols on how to deal with persons with disabilities,⁷² and a protocol on access to the courts for persons with a psychosocial disability.⁷³

R. Education⁷⁴

96. The National Plan for Human Rights Education is currently being amended and a report on compliance with human rights indicators within the national education system is being prepared.

97. Students are encouraged to remain in and graduate from the education system by the Educación Media Abierta (Open Secondary School) programme of scholarships. The ANA and PROF.ANA national campaigns seek to strengthen the role of women and of the wider educational community in preventing all forms of violence against women.

98. Education policy, with its focus on human rights and the participation of all those involved, focuses on children, parents and teachers. It implements programmes that help to stimulate demand for education and timely admission to the different levels and types of education. A scholarship programme is available for young people who are socially and financially underprivileged.

99. The National Languages Plan is being rolled out in the 17 departments of Paraguay. The network to make the use of Guaraní standard practice is operating in departmental and municipal government offices and in public institutions. It includes training in everyday Guaraní for 300 civil servants. Bilingual education is being implemented, with the use of Spanish and Guaraní, which are taught as languages as well as being used to teach other subjects. The curricula are taught in all Paraguay's schools and teaching aids in both languages are available for basic education.

100. The Remedial Education Service operates throughout the year in educational environments provided in community and open centres, homes, shelters and hospital wards. The provision of school meals and of kits for pupils offers a valuable incentive to the family economy and ensures equality of access to the practical necessities for school attendance.

101. Basic and secondary education are free of charge. Students receive vouchers (cut-price tickets) for travel to school by public transport. School supplies are issued before pupils start school. The wages of teachers in the basic education system have been brought into line with the legal minimum wage for shift work throughout the education system.

102. In 2015 there are plans to set up 94 informal literacy circles in indigenous communities and rural areas. Most participants are women who, for a variety of reasons, have put off their education. The circles also provide initial vocational training. As a rule, women have a higher level of education than men and remain longer in formal education.

103. For four years, the Human Rights Directorate of the Supreme Court has been holding a university challenge involving oral trials, with an emphasis on human rights, in which ten universities and 100 students have taken part. The students receive training and acquire practical experience of strategic litigation and substantive human rights. The Department is also reinforcing the judicial training centre so as to mainstream human rights into its curricula.

S. Work⁷⁵

104. The legislative branch has adopted Act No. 5115/13 establishing the Ministry of Labour, Employment and Social Security (MTESS). The Ministry is responsible for safeguarding the rights of workers in respect of work, employment and social security, and is wholly independent of the Ministry of Justice.

105. The National Commission for the Eradication of Child Labour (CONAETI) has organized workshops throughout Paraguay on the concept and systematic practice of light work and the placement of children (*criadazgo*). The goals of the National Strategy for the Prevention and Eradication of Child Labour and for the Protection of Adolescent Workers 2010-2015 were also evaluated. Actions carried out in the limestone quarries in Vallemí — San Lázaro (Concepción), in response to complaints by children and adolescents working there, were coordinated. The Network to Combat Child Labour in Ciudad del Este was strengthened to enable it to extend its activity to child labour in the triple-border region where Argentina, Paraguay and Brazil meet.

106. The Centre for Domestic Employees operated by the Ministry of Labour, Employment and Social Security offers mediation and advice to domestic employees regarding their rights and obligations. Campaigns are organized to disseminate knowledge of and publicize the rights and obligations of working women. The Tripartite National Equal Opportunities Commission monitors compliance with article 134 of the Labour Code (nurseries in places of work) and carries out inspections of places of work to check, *inter alia*, payroll records and observance of equal rights regarding pay for men and women.

107. The Supreme Court has declared that its mandate extends to activities that are part of the campaign to eradicate child labour which have been approved by the National Commission for the Eradication of Child Labour. In collaboration with ILO, it has held workshops, designed outreach material and held discussions with representatives of the institutions concerned and with judicial officials on topics relating to child labour, placement of child domestic workers (*criadazgo*), forced labour, adolescent labour and trafficking in persons.

108. The National Career Development Service (SNPP) has provided training for a total of 1,792 women in the different geographical regions of Paraguay; the highest percentages were in Central (27 per cent) and Itapuá (17 per cent) departments (2014). In the same year, as part of its policy to ensure that at least 50 per cent of its trainees are women, the National Professional Skills and Training System (SINAFOCAL) held six courses for women in rural areas. In 2015, 58 courses are being organized.

T. Health⁷⁶

109. The National Health Policy (2015) was adopted.⁷⁷ The goal of the policy is to progress towards universal access to health and to achieve the highest possible level of universal coverage, while reducing inequalities in health and seeking to improve the quality of life of the population. The establishment of Family Health Units in the areas designated as “social territories” is organized by the Primary Health Care Network.

110. The legislative branch has adopted Act No. 5469/15 on indigenous health, which extends the National Health System to cover indigenous peoples and establishes the National Health Council for Indigenous Peoples. This measure sprang from an initiative of the indigenous peoples and received support from governmental entities.

111. The National Sexual and Reproductive Health Plan 2014-2018 (PNSR)⁷⁸ was adopted and Act No. 4313/11 to secure the budget of reproductive health programmes

and ensure supplies of consumables, medicines, childbirth kits and contraceptives remains in force. A manual on humanized post-abortion care has been introduced;⁷⁹ the committees to monitor health and maternal and neonatal morbidity and mortality nationwide have been strengthened and the maternal mortality ratio was reduced by 33.6 per cent in 2014.

112. Drafting continued of a bill to promote, protect and support breastfeeding, which provides for a number of innovations such as pre- and postnatal rest periods, paternity leave, 100 per cent social security coverage during a mothers rest period, job security during the period of breastfeeding, leave following premature birth, multiple childbirth and adoption, etc.

U. Culture⁸⁰

113. The National Secretariat for Culture has drafted the National Plan for Culture 2014-2018, in which inclusion is an essential factor of public policy and cultural diversity a key element of sustainable diversity. A bill on cultural heritage has been prepared to mainstream the rights-based approach into, inter alia, actions to protect, safeguard, recover, restore and record the cultural heritage of Paraguay as a whole. The Paraguayan Chipa (a kind of baked roll) and the Aché people's festivals are in the process of being declared part of the country's intangible cultural heritage.

114. The National Cultural Council meets periodically with representatives of people of African descent and of civil society and LGBTI organizations and is holding prior consultations to designate representatives of indigenous peoples.

115. A number of initiatives have raised the profile of the indigenous peoples of Paraguay and of its population of African descent. They include audiovisual productions such as "Manga Ñembosarai" and "Los Guaraníes inventaron el Fútbol" (Football was invented by the Guaraní) and, with the collaboration of the indigenous peoples, the documentary "Tiempos Paralelos" (Parallel Times) and recording of the traditional Kamba Kuá festival of the community of African descent.

116. In 2015, some 18,000 people benefited from the different cultural activities organized free of charge by the National Secretariat for Culture to make cultural activities accessible to children and adults alike. A start was made on decentralizing cultural management by providing facilities for and ensuring coordination with the departmental authorities. Operational plans for culture have been drawn up at the departmental level to ensure better coordination of public cultural policy and 17 forums for dialogue between citizens have been established within the Cultural Round Table.

V. LGTBI persons⁸¹

117. The Ministry of Health has upgraded the care it provides for vulnerable people such as LGTBI persons.

118. The Ministry of Education and Culture has implemented a project to encourage pupils to complete basic education in Asunción and in Central department and a project to promote literacy and encourage completion of basic education among sexually diverse persons in Asunción. In the national curriculum (third cycle programmes), the competencies, skills and content relevant to the prevention of all types of discrimination have been mainstreamed into the system.

119. Training courses on human rights in education were provided for teachers, headmasters and pupils (1,040 teachers, 234 headmasters and 907 students)

nationwide, together with courses in the capital on educational programmes free from sexual bias. A project to combat bullying in schools began in 2011 and materials to support the project have been designed, such as a protocol to help educational establishments deal with cases of violence and bullying in schools, which has been issued to 94 per cent of schools, a teaching manual to prevent bullying and five guidebooks for teachers.

120. The Ministry of Justice has a protocol applicable to transgender person deprived of their liberty.

W. Abolition of the death penalty⁸²

121. The death penalty has been abolished by the Constitution; consequently any measure that runs counter to that provision is null and void. The Protocol to the American Convention on Human Rights to Abolish the Death Penalty and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-12&chapter=4&lang=en&clang=_en have been ratified.

V. Commitments and voluntary undertakings

- To promote a new bill to combat all forms of discrimination;
- To promote the appointment of a new Ombudsman and a Deputy Ombudsman;
- To submit the draft bill on the establishment of the Ministry of Justice and Human Rights;
- To adopt the protocol for consultation and free, prior and informed consent for indigenous peoples;
- To promote adoption of the bill relating to the implementation of the Rome Statute;
- To adopt the new national policy on migration;
- To adopt the National Plan to Prevent, Combat and Care for the Victims of Trafficking and to allocate a budget to the National Programme to Prevent, Combat and Care for the Victims of Trafficking in Persons from the National Investment Funds to Prevent and Care for the Victims of Trafficking in Persons provided for under Act No. 4788/12;
- To promote adoption of the bill on sexual and reproductive health;
- To promote adoption of the bill on comprehensive efforts to combat violence against women;
- To promote the establishment of an independent mechanism to ensure compliance with the Convention on the Rights of Persons with Disabilities;
- To adopt the National Plan of Action for the Human Rights of Persons with Disabilities;
- To promulgate Act No. 5508 on the promotion and protection of motherhood and support for breastfeeding.

VI. Conclusion

122. In recent years, Paraguay has focused its efforts on building and consolidating a democratic culture within Paraguayan society. Witness to this is the full respect shown for civil and political freedoms, political transition in government, freedom of expression and the broadening and development of legislation and of institutions charged with ensuring the full exercise of and respect for human rights. This report reflects the efforts and the achievements, as well as the challenges and hurdles that still lie ahead for Paraguay.

123. In the course of these four years, all the political parties currently represented in parliament have exercised executive authority and have taken part in the management of the State in order to draft and implement national public policies. Government policy has focused on strengthening democracy and the rule of law and on establishing favourable conditions for economic and social development so as to foster inclusion and overcome inequalities. One result of the improvement in the management of public affairs in recent years has been significant progress with efforts to combat poverty, a narrowing of the socioeconomic divide and an improvement of conditions in society.

124. The Government of Paraguay has demonstrated its vocation, political determination and commitment to fulfilling its international human rights obligations by developing a national system, the Recommendations Monitoring System, to follow up and monitor the recommendations made by the universal periodic review, the treaty bodies, the special procedures of the Human Rights Council and the decisions of Inter-American Court of Human Rights. Its commitment has been further deepened by its activity as a member of the Human Rights Council this year, during which it proposed, actively promoted and achieved the adoption without a vote of the resolution on promoting international cooperation to support national human rights follow-up systems and processes. As a result of this, Paraguay has been invited to cooperate and is providing technical assistance to other countries seeking to develop similar systems but which do not yet possess follow-up mechanisms, thus enabling Paraguay to demonstrate through action its commitment to and capacity for supporting cooperation to ensure that human rights hold sway internationally.

125. Paraguay sets store by this evaluation and, in keeping with its human rights policy, actively promotes follow-up to the recommendations and their dissemination, and is committed to this process, within a framework of active, constructive and open dialogue that furthers and helps to improve the human rights situation throughout the world.

Notes

¹ DGEEC, Encuesta Permanente de Hogares 2014.

² DGEEC, III Censo Indígena 2012. Los pueblos indígenas tuvieron activa participación en el proceso.

³ DGEEC, Datos preliminares del Censo Nacional 2012.

⁴ Equipo de Redacción: Ministerio de Justicia, Comisión de Derechos de Humanos de la Cámara de Diputados; Dirección de Derechos Humanos de la Corte Suprema de Justicia; Secretaría Nacional por los Derechos Humanos de las Personas con Discapacidad; Ministerio de Educación y Cultura; Secretaría de Acción Social; Ministerio Público.

⁵ Disponible en el sitio *web* oficial del MRE: www.mre.gov.py.

⁶ Instancia mixta (Estado y OSCs) de construcción de políticas públicas para las PcD.

⁷ Recomendación 85.4.

⁸ Recomendaciones: 84.10; 84.17, 84.18, 84.19, 85.14.

⁹ Kyung-wha Kang, Alta Comisionada Adjunta de Derechos Humanos (2011); Heiner Bielefeldt, Relator Especial sobre la Libertad de Religión y Otras Creencias (2011); María Magdalena

- Sepúlveda, Relatora Especial sobre Extrema Pobreza y Derechos Humanos,(2011); Victoria Tauli-Corpuz, Relatora Especial sobre los Derechos de los Pueblos Indígenas (2014); Dainius Pūras, Relator Especial sobre el derecho de toda persona al disfrute del más alto nivel posible de salud física y mental (2015); Catalina Devandas, Relatora Especial sobre los derechos de las Personas con Discapacidad (2015).
- ¹⁰ Se presentaron los informes al CERD, CED; próximamente CEDAW y CAT.
- ¹¹ Coordinados por la RDDHPE con el Ministerio de Salud Pública y Bienestar Social (MSPyBS) y el MEC.
- ¹² Coordinado por la CSJ. Dichos Indicadores fueron elaborados sobre la base de datos estructurales, de proceso y de resultado. Conforme a la información proveída en la aplicación de los indicadores, 229 Magistrados y funcionarios judiciales fueron capacitados en DD.HH (2014).
- ¹³ Coordinado por la SENADIS.
- ¹⁴ Recomendaciones: 84.4, 84.9, 84.24; 85.7.
- ¹⁵ La RDDHPE coordina el trabajo de las instancias del Poder Ejecutivo en la promoción y defensa de los derechos humanos, con la participación del Poder Legislativo, del Poder Judicial, Ministerio Público, Defensoría del Pueblo, Ministerio de la Defensa Pública, entre otros.
- ¹⁶ Resolución MJ 354/13 Por la cual se aprueba la Matriz de Indicadores y el Cronograma de Actividades, en el marco de la implementación del Plan Nacional de Derechos Humanos.
- ¹⁷ Resolución MJ 222/15 Designa a la Dirección General de Derechos Humanos del MJ la coordinación del Primer Informe Interinstitucional de avances relacionados a las líneas de acción enmarcadas en el PNDH y su Matriz.
- ¹⁸ Recomendaciones: 84.15; 84.16; 84.20; 84.42; 84.44; 84.45; 84.46; 85.25; 85.61; 85.62; 85.63; 85.64; 85.65; 85.66; 85.67; 85.68; 85.69; 85.70; 85.71; 85.72; 86.2; 86.5.
- ¹⁹ Acordada 633/11.
- ²⁰ DGEEC, III Censo Indígena 2012. Prevalencia del analfabetismo en zonas rurales y en la población femenina (42,7%). Aumento del promedio de años de estudio aprobados por la población indígena de 15 años y más de edad, de 3,3 años de estudio.
- ²¹ Intervención a 254 locales escolares indígenas, con los Fondos de Excelencia y una inversión de Gs.49.548.721.04.
- ²² Instancia integrada por representantes de los diversos pueblos indígenas, del Gobierno y de las OSC.
- ²³ 100 Artesanos indígenas beneficiados para participar en ferias nacionales, 8 comunidades apoyadas para la elaboración y presentación de materiales digitales e impresos de divulgación de sus actividades o posicionamiento de sus producciones. Asistencia técnica a comunidades Aché, Mbya Guaraní y Guaraní Ñandeva en elaboración de proyectos de desarrollo artesanal.
- ²⁴ Estatuto de las Comunidades Indígenas.
- ²⁵ Recomendación: 85.73.
- ²⁶ Resolución MJ 789 7/09/2015.
- ²⁷ Recomendaciones: 84.12; 84.13, 84.36; 84.37; 84.38; 85.56; 85.57.
- ²⁸ Decreto 291/13.
- ²⁹ Decreto 2794/14.
- ³⁰ Decreto 3.000/15.
- ³¹ “Buen vivir” en idioma guaraní.
- ³² “El lugar donde somos lo que somos” en idioma guaraní.
- ³³ “Para avanzar” en idioma guaraní.
- ³⁴ Fondo para la Convergencia Estructural del MERCOSUR.
- ³⁵ Recomendaciones: 85.28; 85.29; 85.30; 85.31; 85.32; 85.33; 85.40; 85.41, 85.5; 85.8.
- ³⁶ Resolución 52/11.
- ³⁷ Dicha Dirección fue fortalecida, asesora al Fiscal General del Estado (FGE) y a los Agentes Fiscales, realiza consultas, presta apoyo técnico y coordina acciones con otras dependencias.
- ³⁸ Los cuadernos asientan información relevante del procedimiento, como: motivo legal de la privación de libertad, hora de ingreso, identificación de la autoridad que la dispuso la detención, identidad de los funcionarios involucrados, etc.
- ³⁹ Resolución MJ 871 del 6/10/2015.
- ⁴⁰ Recomendaciones: 85.39, 85.40, 85.41, 85.41; 85.42.
- ⁴¹ Fueron censados 9.413 internos, distribuidos en 14 penitenciarias y 2 granjas de reinserción social.
- ⁴² Integrada por: MP, PJ, MSP y BS, MEC, SNNA, MI, DP, MDP, Fiscalía de Ejecución y la Coordinadora por los Derechos de la Infancia y la Adolescencia (CDIA).
- ⁴³ Recomendaciones: 85.52; 85.53.
- ⁴⁴ Acordada CSJ 633/11.
- ⁴⁵ Acordada CSJ 965/15.
- ⁴⁶ Acordada CSJ 1005/15 y Acuerdo y Sentencia 1306/13.

- ⁴⁷ Acordada CSJ 917/14.
- ⁴⁸ Resolución 3713/12 con base en la Acordada 270.
- ⁴⁹ Acordada 896.
- ⁵⁰ Recomendación 84.33, 84.34.
- ⁵¹ Primeramente se dictaminaron 50 legajos referidos a desaparición forzosa, que ha permitido la apertura de cuadernos de investigación fiscal por instrucción del FGE. Dichas causas han sido acumuladas para un mejor desarrollo del proceso penal.
- ⁵² Recomendaciones: 84.28; 84.29; 84.30; 85.47.
- ⁵³ Decreto 8309/2012.
- ⁵⁴ Recomendación 85.51.
- ⁵⁵ Aproximadamente US\$ 464.567.
- ⁵⁶ Recomendaciones: 84.13; 84.14; 84.15; 84.21; 84.22; 84.23; 84.28; 84.29; 84.30; 85.12; 85.14; 85.15; 85.16; 85.17; 85.18; 85.19; 85.20; 85.21; 85.22; 85.23; 85.24; 85.43; 85.44; 85.45; 85.46; 85.58; 86.4.
- ⁵⁷ Tiene como antecedente a la Secretaría de la Mujer que funcionó entre 1993 y 2012.
- ⁵⁸ Sistema Operativo de llamadas para mujeres en situación de violencia doméstica e intrafamiliar, las 24 horas del día durante los 365 días del año.
- ⁵⁹ <http://www.mujer.gov.py/campanas>.
- ⁶⁰ Instructivo General N° 9/11.
- ⁶¹ Recomendaciones: 84.5, 84.7, 84.11; 84.14, 84.15, 84.28, 84.29, 84.3, 84.30, 84.31, 84.32; 84.5, 84.6, 84.7, 85.10, 85.34, 85.35, 85.36, 85.37, 85.38, 85.46, 85.47, 85.48, 85.49, 85.50, 85.54, 85.6, 85.61, 85.9.
- ⁶² Creada por Resolución N° 01/14 del Consejo Nacional de la Niñez y la Adolescencia.
- ⁶³ Decreto 11.056.
- ⁶⁴ Participación de 314 NNA.
- ⁶⁵ Programa de Atención Integral a los Niños, Niñas y Adolescentes en Calle (PAINAC).
- ⁶⁶ Del Sistema de Complemento Nutricional.
- ⁶⁷ Recomendación 85.35.
- ⁶⁸ Recomendaciones: 84.1, 84.8, 85.13, 84.15, 84.26, 84.8, 85.11, 85.13.
- ⁶⁹ CRPD por sus siglas en inglés.
- ⁷⁰ Decreto 3891/15
- ⁷¹ *“Que establece la obligatoriedad de la incorporación de personas con discapacidad (pcd) en las instituciones públicas”.*
- ⁷² Resolución MJ 731 21/08/2015.
- ⁷³ Resolución 224 23/03/2015.
- ⁷⁴ Recomendaciones: 84.10; 84.16, 84.22, 84.26, 84.41, 84.42, 84.43, 85.17, 85.48, 85.59, 85.60, 85.61, 85.72.
- ⁷⁵ Recomendaciones: 84.31, 84.32, 85.12, 85.17, 85.19, 85.21, 85.22, 85.23, 85.24, 85.48, 85.49, 85.50, 85.55, 85.60.
- ⁷⁶ Recomendaciones 84.16, 84.40, 85.48, 85.58, 85.72, 86.4.
- ⁷⁷ Resolución MSP y BS N° 612 del 25/08/2015.
- ⁷⁸ Resolución MSPyBS 340/13.
- ⁷⁹ Resolución MSPyBs 146/12.
- ⁸⁰ Recomendaciones: 84.35, 85.25, 85.72.
- ⁸¹ Recomendaciones: 84.15, 84.2; 84.25, 85.26, 85.27; 85.3.
- ⁸² Recomendaciones 84.27.