

Statement

UPR Pre-session of Paraguay (3rd cycle)

Geneva, 25-26 March 2021

On behalf of the Paraguayan Human Rights Coordinating Committee (Coordinadora de Derechos Humanos del Paraguay - CODEHUPY)

1- Presentation

This statement is made on behalf of the Paraguayan Human Rights Coordinating Committee (CODEHUPY), the national network that integrates 35 civil society organizations for the defense of human rights in Paraguay. CODEHUPY has taken part in the Universal Periodic Review (UPR) in the three cycles implemented until now.

2- Statement

a) National Human Rights Institutions (NHRIs) and obligations under international law

In the previous UPR, ten delegations –including France, Germany, Portugal, South Africa, Spain and Uruguay– expressed their concern about the expiration of the mandate of the Ombudsman’s office holder and its lack of adequacy to the Paris Principles. In its UPR mid-term report, Paraguay reported that in 2016 a new Ombudsman had been selected. However, that mandate has already expired again and in March 2019 the Sub-Committee on Accreditation of the Global Alliance for National Human Rights Institutions (GANHRI) recommended to confer a status B to the Ombudsman of Paraguay for the lack of independence in its appointment and fulfilment of its mandate.

Recommendations:

Establish, for the selection of the Ombudsman, a transparent and participatory procedure that guarantees pluralism, independence and selection based on a track record in the defense of human rights.

b) Justice and impunity

The Paraguayan State does not guarantee effective investigations of complaints of human rights violations, in accordance with its commitments assumed in the 2nd cycle in response to recommendations from Australia, Italy, Germany and the United States. Only 0.2% of the complaints about human rights violations result in a conviction. Of the 450 perpetrators of crimes against humanity during the dictatorship of Alfredo Stroessner (1954-1989) that were identified by the Paraguay’s Truth Commission, only eight have received convictions.

One obstacle in the fight against impunity is the lack of independence and impartiality of the judiciary.

Recommendations:

Ensure an effective, independent and impartial investigation of all human rights violations committed by public officials, including crimes against humanity occurred during the dictatorship (1954-1989).

Guarantee the independence of the judiciary, improving the transparency of judicial processes, accountability and limiting political influence in the appointment and dismissal of judges.

c) Human Rights Defenders

Paraguay does not adopt legal and public policy measures for the protection of Human Rights Defenders, for the investigation of the aggressions they suffer and for the dissemination of the Declaration on Human Rights Defenders, as committed in the previous UPR in response to recommendations from Austria, Italy, Norway, Sweden, Brazil, Costa Rica and the Netherlands.

Peasants' rights defenders, environmental defenders and LGBTI defenders are most at risk. Since the last UPR in 2016, four peasants' rights defenders were killed by parapolice groups in the context of land grabbing and land rights complaints, bringing to 124 the number of peasants' rights defenders killed in this context since 1989.

The State persists in the practice of using the criminal justice system to discourage peaceful actions by Human Rights Defenders.

Recommendations:

Guarantee the protection of Human Rights Defenders and ensure prompt and effective investigation of the attacks they suffer.

Recognize the legitimate role of Human Rights Defenders and refrain from harassing them for their peaceful actions to demand rights.