

PARAGUAY 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Paraguay is a multi-party, constitutional republic. In April 2013 Horacio Cartes of the Colorado Party, also known as the National Republican Association (ANR), won the presidency in elections recognized as free and fair. Authorities maintained effective control over the security forces.

The principal human rights problems were impunity in the judicial sector, together with lengthy pretrial detention and trial delays; harsh and at times life-threatening prison conditions; and police involvement in criminal activities including unlawful killings by persons associated with police and the military.

Other human rights problems included the killing and intimidation of journalists by organized-crime groups; corruption, discrimination, and violence against women and indigenous persons, persons with disabilities, and lesbian, gay, bisexual, and transgender (LGBT) persons; and trafficking in persons. Problems with child labor and violations of worker rights occurred often.

The government took steps to prosecute and punish officials who committed abuses, but general impunity for officials in the security forces and elsewhere in government was prevalent.

The Paraguayan People's Army (EPP) and the Armed Peasant Association (ACA), a small armed group that separated from the EPP during the year, are guerilla movements that killed security forces and civilians, robbed civilians, kidnapped and held civilians for ransom, stole property, and recruited children to participate in their operations. Authorities investigated EPP and ACA attacks, and prosecuted and convicted some members.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were allegations that some members of the security forces committed arbitrary or unlawful killings.

On January 18, Angel Arias Cubilla was abducted in San Juan Nepomuceno, Caazapa, according to testimony from witnesses who saw his car being intercepted

by two other vehicles. His body was discovered five days later tied to a tree and with signs of torture. Authorities arrested police officer Hector Mendoza Lopez and his brother Rolando in connection with the killing. Relatives of the victim alleged local authorities tried to cover up the case. The Attorney General's Office opened an investigation; the case was pending at year's end.

On September 5, military forces raided a house in Kurusu de Hierro, Concepcion, based on intelligence of an EPP meeting was taking place. The ensuing confrontation led to the deaths of Marcos and Hermenegildo Ovelar and injury to Maria Gloria Gonzalez, all of whom were relatives of EPP guerilla, Noel Adalberto Ovelar. Relatives alleged the shooting was not justified and that the arms and uniforms police collected as evidence were planted. The National Mechanism to Prevent Torture (NMPT) reported that a representative of the Attorney General's Office, who routinely deploys with the military on operations, was not present during the operation, as required by law. The Attorney General's Office initiated an investigation; the case was pending at year's end.

There were reports of killings of peasant leaders. The nongovernmental organization (NGO) Coordinator of Human Rights in Paraguay (CODEHUPY), consisting of 33 NGOs and civic organizations, Peace and Justice Service (SERPAJ), and several NGOs and associations advocating for land reform alleged rogue rural landowners opposed to the peasant leaders ordered the killings. Media outlets reported sources saying the EPP, ACA, or local drug traffickers could have ordered the killings. CODEHUPY alleged that between 1989 and 2013, landowners were responsible, with the complicity of local authorities and security forces, for the deaths of 115 peasant leaders and land reform activists. According to CODEHUPY, only eight gunmen were convicted for these deaths, but no one was convicted for ordering the killings.

On February 2, peasant leader Nery Benitez Galeano was killed in Guayabi, San Pedro, after participating in a soybean growers' protest against deforestation. On March 12, two unknown individuals killed land reform activist Eusebio Torres in Ytakyry, Alto Parana. Torres was the president of the Santa Lucia neighborhood commission and facilitated the government's effort to resettle landless peasants onto government-owned property that soybean farmers illegally occupied. The Attorney General's Office opened investigations; the cases were pending at year's end.

Judicial proceedings remained pending against 13 protesters charged in the case involving the 2012 deaths of six police officers at Curuguay. On April 12, Judge

Benito Ramon Gonzalez approved house arrest for five of the accused after they went on a month-long hunger strike. On April 14, Attorney General Javier Diaz Veron met with the victims' families and members of the human rights community and promised to assemble a team to review the Curuguaty file for irregularities. CODEHUPY complained a 17-year-old protester was being tried as an adult, despite the fact that by law she should have been charged as a minor. The Attorney General's Office review continued at year's end.

Because the shootings occurred after protesters invaded the Marina Cue property in Curuguaty, the defendants also faced charges for squatting and trespassing. The defendant's lawyers requested the trial be postponed until ownership of the land could be determined. On June 23, a judge postponed a hearing for the protesters until November 17, and the case remained open at year's end.

On June 14, Amnesty International issued a statement asking for an independent and impartial investigation into the Curuguaty incident and for the Prosecutor's Office to investigate the responsibility and actions of police involved in the deaths of 11 squatters during the incident. The statement noted there were allegations of disproportionate use of force by police--such as torture, mistreatment, and arbitrary detention--and that witness testimony suggested some of the peasants were shot under suspicious circumstances, after the main violence had subsided.

Armed guerilla groups continued to kill civilians and government agents. During the year the EPP killed four civilians, no police officers, and three military personnel. There were no reported killings by ACA members.

b. Disappearance

There were no reports of politically motivated abductions. There were press and government reports of short-term "express kidnappings" for ransom.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and the government generally respected these provisions. There were credible reports, however, that some government officials employed such practices. The Attorney General's Human Rights Unit opened 10 torture investigation cases during the year. There were no convictions, however, and the investigations were pending at year's end. Lawyers associations claimed that defense attorneys, judges, and prosecutors at times stalled cases for four years,

the point at which they were dismissed on procedural grounds. Lawyers associations alleged stalling involved complicity between accused parties and corrupt prosecutors, but by law torture charges do not have a statute of limitations.

On September 26, the UN Committee against Forced Disappearances asked the government to investigate and judge those responsible for torture and forced disappearances during the Alfredo Stroessner dictatorship (1954-89). The report observed that very few alleged perpetrators were disciplined or tried in court and that investigations were still pending.

On August 30, an association of victims of torture identified 18 police officers whom they accused of being responsible for torture and crimes against humanity during the Stroessner dictatorship. The victims' association filed a lawsuit in Argentina and a complaint against Paraguay to the Working Group on Forced Disappearances and Torture of the United Nations.

Prison and Detention Center Conditions

Prison and detention center conditions continued to fall short of international standards. Conditions were harsh and at times life threatening due to inmate violence, mistreatment, overcrowding, poorly trained staff, deteriorating infrastructure, and unsanitary living conditions.

Physical Conditions: According to a Ministry of Justice report in March, the country's 16 penitentiaries held 10,843 inmates, 63 percent more than their design capacity of 6,637. The prison in Ciudad del Este, designed to hold 450 inmates, held 1,182, and the prison in Tacumbu, designed to hold 1,687 inmates, held 2,611. Conditions in the Tacumbu, Ciudad del Este, and several other prisons were inadequate, with widespread overcrowding and unsanitary living conditions. In an effort to address this situation, the government stopped putting new prisoners in Tacumbu and Ciudad del Este prisons and transferred existing prisoners to less crowded prisons. The ministry reported the prison population included 124 prisoners with diagnosed mental illness, 102 with tuberculosis, and 44 with HIV. Only the Padre Juan A. de la Vega prison, opened in 2012, was built with adequate temperature controls and reasonable accommodations (such as ramps) for prisoners with physical disabilities. The remaining 15 penitentiaries did not have adequate accommodations for inmates with physical disabilities.

Of the 10,843 inmates, 2,704 inmates (24.9 percent) had been convicted, while 8,139 inmates (75.1 percent) were in pretrial detention. Pretrial detainees were

held with convicted prisoners in all but the Emboscada, Granja Ita Pora, and Granja Koe Pyahu prisons. Authorities did not separate nonviolent offenders from violent ones. Women represented 7 percent of the total prison population, with 776 inmates at nine prisons. Of these, 207 female inmates (27 percent) were convicted and 569 (73 percent) were pretrial detainees. Prison conditions for men and women were comparable. The women's prison in Asuncion (one of the only two in the country) has a capacity of 200 inmates but held 473 inmates, according to the ministry report. Authorities permitted nursing mothers to live with their infants inside a special area, separated from the rest of the prison population, in the Buen Pastor Women's Prison in Asuncion. Women were imprisoned alongside men in penitentiaries in Encarnacion, Misiones, Concepcion, Coronel Oviedo, San Pedro, Villarrica, and Pedro Juan Caballero, although they were usually held in separate pavilions.

The Justice Ministry's Directorate for the Care of Convicted Juveniles assigned minors convicted of juvenile crimes to one of nine youth correctional facilities in the country, one of which was dedicated for women. Some juvenile offenders served their sentences in separate sections of adult prisons, specifically the Encarnacion and the women's Ciudad del Este penitentiaries. The ministry reported there were approximately 360 minors incarcerated for criminal offenses, of which 10.5 percent were convicted and the remainder in pretrial detention. The youth correctional facility in Itagua housed 157 juveniles in a facility designed to hold 120 juveniles.

Hundreds of National Police stations and regional headquarters had holding cells for the temporary custody and transfer of detained or arrested persons. There were no statistics available on the number of detainees held. According to the government's NMPT reports, the physical conditions of holding cells varied; some reported were overcrowded and unsanitary, especially the National Police central holding cell in Asuncion, due to the temporary closing of the Tacumbu prison in January.

Food was adequate in most prisons, and inmates had access to potable water. The Justice Ministry reported theft by prison officials and misuse of food supplies in some prisons. On September 8, ministry inspectors discovered prison guards in the Itagua juvenile correctional facility serving officers' mess leftover food and bones to inmates. The ministry dismissed Itagua Director Blas Martinez and opened an internal investigation. According to the ministry, inmates in the Tacumbu prison preferred to buy their own food from private kitchens operated by other inmates due to the scarcity and poor quality of food provided by prison authorities.

Tacumbu and Ciudad del Este prisons and the Emboscada, Coronel Oviedo, and Itagua juvenile facilities lacked adequate temperature control systems, particularly during the hot summer months. Some prisons, especially Tacumbu and Ciudad del Este, had cells with inadequate lighting in which prisoners were confined for long periods without an opportunity for exercise. Most prisoners had access to showers and sanitary facilities, and the Ciudad del Este prison built several bathrooms during the year. Sanitation and medical care were adequate, but some prisons lacked sufficient medical personnel for all shifts. Adherence to fire prevention norms was lacking, and several prisons, especially Tacumbu and Ciudad del Este, were at risk for fires caused by electrical short circuits due to inmates overloading electric installations with personal appliances.

Prisons lacked adequate security controls, especially at Tacumbu prison, where there were 241 prison guards, an insufficient number according to international prison standards to oversee 2,611 prisoners. Inmates frequently carried weapons and committed acts of violence, particularly against other inmates. There were reports of inmates raping other prisoners. Prison guards in the Juan Antonio de la Vega prison reportedly tasked inmates with the discipline of other prisoners.

On June 11, adjunct Ombudsman Edgar Villalba presented a complaint to the Human Rights Unit of the Attorney's General Office for abuses and torture allegedly committed against three female inmates at the Buen Pastor women's prison. On April 20, a male contractor guard, Luis Villagra, and two female guards, Elizabeth Ortiz and Olga Benitez, reportedly handcuffed and stripped naked a female inmate. A second inmate was handcuffed in a painful position, while a third inmate was kicked and handcuffed to a wall for several days. The ombudsman and the Ministry of Justice Human Rights Office visited the inmates to verify the stories, and ministry authorities opened an investigation, which was pending at year's end.

There were credible reports that criminal rings engaged in extortion and racketeering freely within the prison. Inmates, using smuggled cell phones, called car theft victims and demanded money for the return of their vehicles. There were reports of inmates also posing as EPP operatives, police chiefs, or hit men calling individuals and families of kidnapping victims and attempting to extort money. Authorities regularly confiscated cell phones and SIM cards from inmates but lacked sufficient funds to install cell phone-blocking equipment.

There were several prison riots during the year. On January 12, inmates at Tacumbu prison began fighting after guards refused to serve them food, resulting in the death of two inmates and injury of eight others, reportedly due to use of rubber bullets by riot police. During an April 21 riot at the Itagua Youth Correctional facility, guards Ignacio Fernandez and Juan Saucedo fired into the inmates' barracks, killing Francisco Insfran and Nestor Duarte, both age 16. At year's end the guards were awaiting trial for murder. On July 15, three riots broke out in the Buen Pastor women's prison over the removal of the prison director. On July 31 and August 1, additional riots occurred at the Itagua Youth Correctional facility in which two juveniles died while attempting to escape and 17 others were injured.

By October, 30 prison deaths had been reported, including four at the Itagua Youth Facility, seven in Tacumbu, and four in Ciudad del Este. Nationwide, inmate-on-inmate violence accounted for eight deaths, two were killed by guards, three inmates died during prison break attempts, two died in accidental electrocutions, one committed suicide, and natural causes accounted for the remaining 14 deaths.

Administration: Recordkeeping was insufficient, and files used in different penitentiaries followed different formats and data. Employees in the Ministry of Justice could not readily access inmate files, since there was no central digital archive of prisoner records or detailed census of inmates.

Penal and judicial authorities frequently used alternatives to incarceration for nonviolent or first-time offenders, such as for house arrest and suspended sentences. Authorities also employed alternatives for violent and repeat offenders.

Prison ombudsmen from the Justice Ministry's Human Rights Office reported challenges in improving prison conditions. Ombudsmen were receptive to complaints but reportedly encountered resistance from prison guards, authorities, and inmates.

Authorities allowed prisoners to observe their chosen religion. Tacumbu prison contained centers for different religious groups. Visitors reportedly needed to offer bribes to visit prisoners, hindering effective representation of inmates by public defenders. Prisoners have the right to submit complaints. In 2012 the Justice Ministry's Human Rights Office formally established permanent cell phone and landline hotlines for prisoners and their families, allowing for anonymous filing of inmate complaints. During the year the ministry's Internal Affairs Office began a series of random, unannounced visits of several prisons.

Authorities investigated credible allegations of inhuman conditions and took steps to alleviate them within the limitations of available resources.

Independent Monitoring: The government granted the media, independent civil society groups, and diplomatic representatives access to prisons with prior coordination. Representatives of the media, UN Commission Against Torture, the NMPT, Ombudsman's Office, and other NGOs conducted prison visits.

Improvements: On February 3, the Ministry of Justice in cooperation with the Ministry of Interior inaugurated an introductory training course for new prison guards. On June 17, the Justice Ministry inaugurated the Center for Penitentiary Studies to train prison guards to foster merit-based evaluations and advancement.

During the year the Ministry of Justice centralized prison food procurement to combat theft and resale of supplies by prison authorities. The ministry initiated a program to upgrade all prison kitchens to natural gas stoves. On April 15, the ministry opened a modern kitchen in Tacumbu prison.

From September to December, the ministry sent officials to the Dominican Republic and the United States to visit model prisons and study best practices in penitentiary management. Subsequently, ministry officials reported reorganizing Tacumbu prison, creating programs for assisting and rehabilitating inmates following their release, and carrying out training courses for prison guards and ministry staff on security, drug prevention, and methods on how to enforce discipline rules among inmates and implement best practices in prison organization and administration management.

d. Arbitrary Arrest or Detention

The law prohibits arrest and detention without an arrest warrant signed by a judge and stipulates that persons detained must appear before a judge within 24 hours for an initial hearing. Police may arrest a person apprehended in the act of committing a crime without a warrant and detain the suspect for up to six hours, and the Attorney General's Office may detain persons up to 24 hours. CODEHUPY reported several cases of arbitrary arrest and detention of persons without a warrant.

Police detained persons without a warrant or motive if they were not able to present their personal identification documents. Police cited legal provisions of the

derogated 1914 penal code, which some legal scholars stated is obsolete and contrary to constitutional protections. Police regularly established roadblocks to detain and review the identification documents of public transportation passengers and private drivers. Police usually released individuals without identification documents after establishing their identity and conducting a background search for any outstanding arrest warrants.

Role of the Police and Security Apparatus

The National Police, under the authority of the Interior Ministry, are responsible for preserving public order, protecting the rights and safety of persons and entities and their property, preventing and investigating crimes, and implementing orders given by the judiciary and public officials. The military forces, under the president's authority, are charged with guarding the country's territory and borders and defending authorities.

The law authorizes the president to mobilize military forces domestically against any "internal aggression" endangering the country's sovereignty, independence, and the integrity of its democratic constitutional order. The law requires the president to notify congress, within 48 hours, of a decision to deploy troops. By law deployment geographic location must be defined in the president's deployment order and may be subject to congressional scrutiny, but the law does require a time limit be set for deployments. In August 2013 the president deployed 400 military personnel to Concepcion, San Pedro, and Amambay departments without setting a time limit. At year's end these troops remained deployed, and on July 10, the president ordered the deployment of an additional 200 troops. CODEHUPY and some national legislators alleged abuses by security forces, including searching homes without warrants.

The Defense Ministry, also under the president's authority but outside the military's chain of command, handles some defense matters. The Defense Ministry is responsible for the logistical and administrative aspects of the armed forces, especially the development of defense policy. The law authorizes the National Anti-Narcotics Secretariat (SENAD) and the National Police's Counterterrorism and Anti-Narcotics Units, both under the president's authority, to enforce the law in matters related to narcotics trafficking and terrorism. Civilian authorities are in charge of the security forces, but there were cases of abuse by individual members of the military and police.

SENAD coordinates counternarcotic efforts and prevention of drug use. The law provides for SENAD to lead operations in coordination with the Attorney General's Office and judiciary. To legally arrest individuals or use force, SENAD must involve members of the National Police in its operations, but it often did do so without the presence of national police or prosecutors.

The Human Rights Unit of the Attorney General's Office and the Disciplinary Review Board of the National Police are responsible for determining whether police killings legitimately occurred in the line of duty. The military justice system has jurisdiction over active military personnel.

A special unit in the Attorney General's Office investigates and prosecutes human rights abuses. The unit, consisting of six prosecutors, investigated 77 cases of excessive use of force (compared with 97 in 2013), opened 10 cases of torture (compared with 14 in 2013), and investigated 9 cases of improper prosecution of innocents (compared with 20 in 2013). There was no information as to whether any of these cases resulted in convictions or sentences.

The 27,000-member National Police force struggled with inadequate training and funding and with widespread corruption. The government made efforts during the year to improve investigation and punishment of security force abuses and corruption. Although there were reports of police involvement in crimes, National Police authorities cracked down and began to investigate, punish, and discharge members involved in crimes and administrative violations.

From January to November, the tribunal discharged 79 police officers involved in a variety of criminal activities, including homicide, drug trafficking, robbery, rape, kidnapping, arms trafficking, dereliction of duty, and insubordination.

Several human rights NGOs and the media reported incidents of police involvement in homicides, rape, arms and narcotics trafficking, car theft, robbery, extortion, and kidnapping, with such abuses particularly widespread in Ciudad del Este and other locations on the border with Brazil.

On September 3, police authorities removed Alto Parana Police Chief Simeon Martinez, Police Chief Baldomero Jorgee, and Chief of Investigations and Police Chief Marildo Rojas from their positions and opened an investigation into their alleged involvement in the sale of 48 pounds of cocaine and three AK-47 machine guns. The Attorney General's Office also opened an investigation, which continued at year's end.

On June 30, senior police officers Jose Dolores Amarilla, Osvaldo Ayala, and Joni Diaz were sentenced to 15 years' imprisonment for extortion, robbery, kidnapping, aggravated assault, and money laundering in relation to a February 2013 armored truck robbery. Police officers Hernan Zelaya Meza, Pablo Diaz Cuevas, Antonio Alcaraz Barreto, Hugo Vigneaux Torres, and David Mereles Martinez were sentenced to 10 years in prison.

Some prosecutors reportedly conspired with police and criminal organizations to extort and blackmail individuals. On August 29, authorities detained Prosecutor Ruben Villalba for receiving a Gs. 46.23 million (\$10,400) bribe from lawyer Daniel Mitjans. Mitjans alleged Villalba extorted Gs. 92.46 million (\$20,800) and five luxury vehicles from him in exchange for dismissing charges in two fraud cases against Mitjans. The Attorney General's Office suspended Villalba for three months without pay, and the Magistrates Review Board (JEM) stripped Villalba of his immunity and opened an investigation. The Attorney General's Office charged Villalba with aggravated corruption; the case was in progress at year's end.

Arrest Procedures and Treatment of Detainees

Police may arrest individuals when authorized by a warrant or when they discover a crime in progress. The law provides that after making an arrest, police have up to six hours to notify the Attorney General's Office, at which time that office has up to 24 hours to notify a judge if it intends to prosecute. The law provides detainees with the right to prompt judicial review of the legality of their detention, and authorities respected this right and generally informed detainees promptly of the charges against them.

The law allows judges to use measures such as house arrest and bail in felony cases. In misdemeanor cases judges frequently set bail too high for many poor defendants to post bond. At the same time, minimal or no bail was set for those with political connections or wealthy.

The law grants defendants the right to hire counsel, and the government provides public defenders to those who cannot afford counsel. According to CODEHUPY heavy caseloads adversely affected the quality of representation by public defenders. Detainees have access to family members. Defendants have the right to initiate habeas corpus, habeas data, and other court proceedings to decide the lawfulness of detention or otherwise obtain a court-ordered release.

Pursuant to the law establishing the Public Defender's Office, authorities strengthened the office by giving it legal, administrative, and budgetary autonomy within the judicial system. The office had 187 public defenders distributed in 41 regional and subregional units and observatory units on torture and penal conditions.

Defendants have the right to sue the state for unlawful detention.

Pretrial Detention: The law permits detention without trial for a period equivalent to the minimum sentence for the alleged crime. This period could range from six months to five years. Approximately 75 percent of prisoners were in pretrial detention. Detentions were frequently long, and some officials held detainees beyond the maximum time allowable. According to the NGO Center for Judicial Studies, lengthy legal procedures, inefficiency, and corruption in the judiciary caused significant trial delays and extended pretrial detention. According to the Center for Judicial Studies, only 29 percent of the population trusted the Judicial Branch in 2011.

There were cases of inmates released long after serving the maximum time allowable due to lack of administrative capacity, negligence, and corruption.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, undue external influence seriously compromised the judiciary's independence. Politicians and other interested parties routinely attempted to influence investigations and pressure judges and prosecutors. Judicial selection and disciplinary review board processes were highly politicized, with specific seats allocated by law to senators, deputies, presidential nominees, lawyer's unions, law professors, and Supreme Court justices. Courts were inefficient and subject to corruption. There were also accusations that judges and prosecutors solicited or received bribes to drop or modify charges against defendants. Authorities generally respected court orders.

Trial Procedures

The constitution provides for the right to a fair trial, which the judiciary nominally enforced through a lengthy trial process. A 2013 Center for Judicial Studies report revealed that only 46 percent of cases initiated in 2013 were resolved within one year. Wealthy or well-connected defendants conspired with judges by filing numerous motions that slowed legal progress until their cases reached the statute of

limitations. A 2012 law mandates a reduction in the processing time of court cases from four to three years; however, following protests from the Prosecutor's Association, Congress postponed the implementation until 2017.

The law provides for the use of three-judge tribunals in lieu of juries to rule on procedure, determine guilt or innocence, and decide sentences. At least two votes are required to convict. One judge presides over civil cases as well as misdemeanor cases with maximum punishments not exceeding two years in prison.

All trials are open to the public. The law requires prosecutors to indict or release accused persons within 180 days of arrest, although prosecutors and public defenders at the Attorney General's Office in several cases lacked the resources to perform their jobs adequately. Defendants enjoy a presumption of innocence and a right of appeal, and defendants and prosecutors may present written testimony from witnesses and other evidence. Defendants have the right to remain silent and may not be compelled to testify or confess guilt. Defendants have the right of access to state evidence relevant to their cases. Defendants may confront adverse witnesses except in cases involving domestic or international trafficking in persons, in which case victims may testify remotely or in the presence of the defendant's lawyers. Defendants have the right to be informed promptly and in detail of the charges they face, and free interpretation is provided. Defendants have the right to communicate with an attorney of their choice or one provided at public expense.

CODEHUPY, Amnesty International, and other NGOs questioned the fairness of trial procedures against 10 defendants in the 2012 killings in Curuguaty. On April 4, the international NGO Fundacion Baltasar Garzon filed an amicus curiae brief soliciting the suspension of the Curuguaty case, alleging the process was not fair and impartial because the initial search warrant was based on a false premise on the ownership of the land involved.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Citizens have access to the courts to file lawsuits seeking damages for, or cessation of, human rights violations. There are administrative and judicial remedies for alleged wrongs, and authorities generally granted them to citizens. The

government experienced problems enforcing court orders in this arena. The court may order civil remedies including fair compensation to the person injured. Cases involving violations of an individual's human rights may be submitted through petitions by individuals or organizations to the Inter-American Commission on Human Rights, which in turn may submit the case to the Inter-American Court of Human Rights.

Regional Human Rights Court Decisions

On June 11, the president signed a bill that restored 35,600 acres of ancestral land to the Sawhoyamaxa indigenous community in compliance with a 2006 Inter-American Court of Human Rights decision. Nevertheless, the Sawhoyamaxa tribe was unable to return to their restored ancestral lands because the previous owners of the land filed a constitutional challenge with the Supreme Court in June. Lawyers for the Sawhoyamaxa tribe and representatives of National Institute for Indigenous Affairs (INDI) were unable to gain access the details of the constitutional challenge. The case was pending at year's end.

The 2010 Inter-American Court of Human Rights Xakmok Kasek case remained pending at year's end. The government had not purchased land for the Xakmok Kasek indigenous community as ordered by the deadline of September 24.

In 2012 the government purchased sufficient land for the Yakye Axa indigenous community in compliance with a 2005 court ruling but did not fund community development or construction of suitable access roads. On May 6, Yakye Axa leaders demanded the government build the 22-mile road before December, otherwise they would abandon the property.

Property Restitution

The government generally enforced court orders with respect to seizure, restitution, or compensation for taking private property. Systemic inadequacies within the land registry system prevented the government from compiling a reliable inventory of its landholdings.

The ownership of disputed land at the center of the 2012 Curuguay confrontation (see section 1. a.) remained unresolved. On April 11, the Supreme Court remanded a claim of the Campos Morombi corporation to a lower court to determine ownership. On May 15, the president of the National Institute for Rural Development and Land, Justo Cardenas, stated the Marina Cue land

“categorically” belonged to the state. Lacking clarity on the ownership, a trial court postponed the hearing for the peasants involved in the 2012 confrontation that left 11 peasants and six police officers dead. The case was pending the lower court’s decision at year’s end.

On August 26, the institute arbitrated the restitution of 1,235 acres of land held by Bioenergy Corporation S.A. to 50 families in Mariscal Lopez, Caaguazu. The restitution marked the end of a 40-year conflict over land ownership.

According to media reports, on May 2, Luis Anibal Schupp, the mayor of San Carlos del Apa, Concepcion, used his influence to initiate the eviction of Vilmar and Joel Eisen from their 4,305-acre property in the city of Mayor Otano, Itapua. Schupp reportedly acted on behalf of Maria Magdalena Diaz, who had rented the property and returned it to the Eisen family in February after arrears on rental payments reached Gs. 3.77 billion (\$848,000). The Eisen family was soon able to return to their property due to a judge’s restitution order, but Schupp and Diaz appealed the decision. On July 28, appeals court judges validated the initial eviction, and on the same day police evicted the Eisen family. The family filed suit, claiming it held the valid land title, land registry, and supporting documentation. The land, reportedly valued at Gs. 78.59 billion (\$17.68 million), as of October was occupied by Ricardo Gonzalez Forcado, a cousin of Schupp. In the lawsuit the Eisen family accused National Deputy Mario Caceres and Vice President Juan Afara of providing political protection for the eviction. On October 22, Eisen family members were arrested after a lawsuit, filed by lawyers representing Vice President Afara and Luis Anibal Schupp, accused the Eisen family of money laundering and violating a law prohibiting foreigners from owning property near the border. The Eisen family claimed the property was registered under the name of Joel Eisen, Jr., a citizen of the country. The Eisen family reported receiving death threats. Their lawsuit was pending at year’s end.

According to the National Land Registry service, in 2012 there were more than 148 million acres of registered property, exceeding the country’s actual size of 100.3 million acres by 47.6 million acres. There were 47.7 million acres of redundant land titles and credible allegations of the complicity of judges and public officials to falsify land titles to usurp property from legitimate owners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected these prohibitions.

On October 25, the General Inspectorate of the Supreme Court opened an investigation into alleged misconduct of lawyer Kattya Gonzalez, an advocate for judicial branch reform, after she published an opinion column in a major daily newspaper accusing the Supreme Court justices of corruption. As part of its investigation, inspectorate officials took pictures of her private residence and attached them to her file. Gonzalez denounced this as an invasion of privacy and harassment. On November 11, the Supreme Court concluded its case against Gonzalez.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Abductions: There were several politically motivated abductions carried out by the EPP. On April 2, the EPP kidnapped 16-year-old Arlan Fick, reportedly using him as a human shield following a fatal shootout with police after robbing his family's residence on a farm they rented in Arroyito, Concepcion. The EPP demanded the family pay a Gs. 2.31 billion (\$520,000) ransom and distribute an equal amount of food and supplies to nearby communities. Although Fick's family complied, he was not released. The Attorney General's Office opened an investigation that remained pending at year's end.

On August 7, Jorge Isao Kawada was kidnapped in Pedro Juan Caballero by a group of armed individuals claiming to be members of the EPP and was released the same day after paying a ransom of Gs. 231 million (\$52,000). On August 12, authorities detained Oscar Coronel Riquelme in connection with the case. The Attorney General's Office opened an investigation, which was pending at year's end.

Child Soldiers: According to government and press statements, the EPP and ACA recruited children and adolescents to participate in military operations and serve in logistical and communication support roles. Videotapes of EPP and ACA guerillas released on April 3 and September 5 showed child soldiers participating in training activities and operations. On September 19, military forces killed three ACA members during an operation. One of the members was 14 years old. On September 24, Prosecutor Joel Casal stated the Attorney General's Office had evidence proving ACA had at least five child soldiers in its ranks.

According to a press report, a child soldier who escaped from the EPP reported abuse and harsh discipline and fled the country to live with relatives in Buenos Aires, Argentina. Most EPP child soldiers reportedly began in logistical support

roles, carrying supplies to EPP members in the field and serving as lookouts. The child soldiers, usually related to adult EPP members, were later incorporated as full-time combatants, usually at ages 14 to 16.

Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law and constitution provides for freedom of speech and press, and the government generally respected these rights.

Violence and Harassment: Journalists occasionally were subjected to harassment, intimidation, and violence, primarily from drug-trafficking gangs and criminal groups but also from politicians and police. The media and international NGOs reported several such incidents against journalists.

On February 3, Paulo Lopez Centurion, a journalist working for *E'a*, an independent digital newspaper, was reportedly detained, beaten, and robbed of his camera and notes while visiting a police station to inquire on the status of demonstrators arrested after protesting bus fare increases in Asuncion. Lopez Centurion alleged he was beaten by eight police officers and detained for two hours. He was released after Senator Esperanza Martinez visited the police station to inquire on his condition, but his equipment was not returned to him. Lopez filed a complaint against the police officers with the Attorney General Office's Human Rights Unit and the NMPT. CODEHUPY, SERPAJ, and other NGOs filed a lawsuit against five police officers, including Police Chief Edgar Galeano, for "torture and arbitrary detention." On March 17, the Attorney General's Office opened an investigation against Lopez Centurion, alleging he hit a police officer. The investigation was pending at year's end.

On October 16, two individuals shot and killed ABC Color journalist Pablo Medina and his assistant, Antonia Almada Chamorro, after intercepting Medina's car on a rural road in Villa Ygatimi, Canindeyu. Medina was well known for reporting on the area's drug trafficking and the involvement of local politicians in illicit activities. The mayor of Ypehu, Vilmar "Neneco" Acosta, a subject of Medina's reporting on narcotics trafficking, and his brother were the primary suspects in the killings but had not been located by year's end.

Censorship or Content Restriction: On July 30, Judge Patricia Gonzalez approved an injunction prohibiting seven television stations and nine newspapers from publishing videos or images of Senator Juan Carlos Galaverna without his consent. On July 31, the judge modified the injunction to prohibit three television stations and two newspapers from distributing a video with sexual content related to Galaverna. On July 31, the Judicial Discipline Board opened an inquiry into the case but shelved the inquiry against the advice of the board's legal advisor. Later the same day, the Prosecutor General ordered the request to be rescinded.

Libel Laws/National Security: Politicians sometimes responded to media criticism by invoking criminal libel and slander laws and suing the media to intimidate journalists and suppress further investigations. Defamation is punishable by up to three years' imprisonment and significant fines.

On October 21, Police Chief Sebastian Talavera invoked criminal libel and slander laws to sue journalist Anibal Gomez Caballero, working for America FM, for publicly accusing him of corruption via social media and radio. The suit was pending at year's end.

Nongovernmental Impact: There were reports that EPP guerillas in San Pedro and Concepcion and criminal gangs in Pedro Juan Caballero harassed and threatened journalists. For example, on May 16, two unknown assailants killed radio journalist Fausto Gabriel Alcaraz in Pedro Juan Caballero, Amambay. Press reports noted Alcaraz frequently targeted drug-trafficking organizations and local government officials in his reporting. Other journalists and Senator Roberto Acevedo, a relative of Alcaraz and owner of the radio station at which Alcaraz worked, asserted local drug traffickers were behind the killing.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without judicial oversight. On June 25, the Government's Telecommunications Regulatory body, the National Telecommunications Commission, issued regulations protecting consumer's access to the internet and fining companies that limited internet access.

The International Telecommunication Union (ITU) reported 37 percent of inhabitants used the internet in 2013 and 27 percent of households had access to

the internet. This did not reflect the existing and growing number of individuals who had access to the internet at work or through cell phones and smart phones. According to the ITU, there were 104 cell phones for every 100 citizens.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The law provides for the freedoms of assembly and association, and the government generally respected these rights.

Freedom of Assembly

On June 2, the LGBT NGO SOMOSGAY reported police used tear gas and physical force against demonstrators protesting near a convention center hosting an Organization of American States (OAS) general assembly meeting. SOMOSGAY asserted police beat protesters and journalists with batons, resulting in injuries to six protesters and four journalists. The NGO also accused police of discrimination; alleging police targeted the LGBT protest but did not take action against a simultaneous protest by abortion and same-sex marriage opponents. HispanTV and Canal 13 journalists Cristian Nunez, Enrique Davalos, Jorge Merlo, and Miguel Rodriguez filed a complaint with the Human Rights Unit of the Attorney General's Office against police officers from the National Police's Anti-Riot Unit for aggravated assault. The Attorney General's Office investigation was pending at year's end.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government's National Commission of Refugees cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian

organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. The NGO Committee of Churches for Emergency Aid acted as the UN's local legal representative.

In-country Movement: There were press reports of residents and businessmen from San Pedro and Concepcion departments who left the area due to EPP and ACA death threats or the lack of security. This included the family of former Tacuati mayor Lindstron, who was killed in May 2013 by persons claiming to belong to the EPP.

Foreign Travel: By law authorities may deny the issuance of passports to citizens who do not show proof they have met their tax obligations.

Protection of Refugees

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

As of November the National Commission on Refugees received 17 requests for asylum status and granted 10, all to Syrian citizens. A UNHCR report noted that since 2002, the country had received 136 refugees and one asylum seeker. The national commission reported, however, that from 2002 to November, the country accepted 120 refugees and 20 relocated refugees from other countries.

Durable Solutions: The government permitted persons refused asylum or refugee status to obtain legal permanent residency.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and laws provide citizens the right to change their government through free and fair elections, which they exercised through elections based on universal suffrage.

Elections and Political Participation

Recent Elections: In the April 2013 multi-party general elections, Horacio Manuel Cartes Jara of the Colorado Party won the presidency. International observers

from the EU, the OAS, and Union of South American Nations characterized the elections as free and fair.

The OAS and the EU electoral observation reports highlighted the high voter turnout and the peaceful and orderly conduct of the elections. The reports also noted the Supreme Electoral Court's (TSJE) professionalism and timely execution of the electoral calendar.

During the 2013 general elections, the TSJE collaborated with a local NGO Saraki Foundation to foster the participation of persons with disabilities. In anticipation of the 2015 municipal elections, the TSJE was promoting accessibility to provide for participation of persons with disabilities. These initiatives included voter registration and physical accessibility to polling stations and voting booths.

Political Parties and Political Participation: The ANR and the Liberal Party (PLRA) had long-standing control of the political process. The parties exercised strong influence over the Supreme Court, lower courts, and the selection and disciplining of judges and prosecutors. Both traditional parties had significant influence over the modification and creation of electoral laws through their congressional majorities. The supervisory unit of the electoral bodies, the TSJE, was governed by partisan representatives selected by both the ANR and PLRA, and to a lesser extent, other political parties.

New, small, and nontraditional political parties faced hurdles in securing sizable congressional representation due to seat allocation formulas in the electoral code, which favor larger parties.

The electoral code restricts voters to selecting slates of candidates in turn selected by party leaders, rather than individual candidates. Independent candidates face obstacles in setting up and running campaigns, since by law they must form a movement or political party and present a minimum number of candidates in a slate in order to compete.

The electoral subsidy and compensation system, which is established by law to finance political parties, rewards political parties by numbers of votes obtained, and the government annually transfers sizable sums of subsidies, mostly to the ANR and the PLRA.

Participation of Women and Minorities: The electoral code requires that at least 20 percent of each party's candidates in internal party primaries be women, and

parties followed the requirement. There were 20 women in congress (nine of 45 senators and 12 of 80 national deputies). Of 40 appeals court judges, 16 were women. In July 2013 a woman was selected as one of the three electoral judges overseeing the TSJE. Two women served on the nine-member Supreme Court and one as a departmental governor. Three additional women headed cabinet-level ministries, and seven women held positions of ministerial rank. The head of the country's largest political party, the ANR, was a woman.

In 2011 the Kuna Pyrenda (Platform of Women) party emerged with the aim of advocating for women's rights. Ultimately 250 prominent female leaders and activists signed its founding manifesto, including five who were then government ministers and one former deputy minister. None of the more than 500 female and male candidates of the Kuna Pyrenda party won in the April 2013 general elections.

Although there were no legal impediments to participation by minorities or indigenous persons in government, no indigenous persons or members of minorities served as a governor or in the cabinet, legislature, or Supreme Court.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government generally did not implement the law effectively. Numerous officials in all branches and at all levels of government frequently engaged in corrupt practices. Cases typically spent several years in the courts. Under a law that prohibits court cases from lasting longer than four years, politicians convicted in lower courts routinely avoided punishment by filing appeals and motions until the statute of limitations was reached. The World Bank's Worldwide Governance Indicators indicated corruption was a serious problem. In 2013 and during the year, several new laws, executive orders, and Supreme Court rulings enhanced transparency in the public sector.

Corruption: The Attorney General's Office had a dedicated unit of prosecutors to investigate and combat corruption. The Ministry of Justice worked closely with, and initiated many investigations on the request of, the General Accounting Office (GAO), which is responsible for auditing and inspecting the public finances, management, and operational procedures of government entities, department and municipal governments, state-owned companies, and other entities with government financial interests. The prosecutors' unit and the GAO generally collaborated with civil society, usually by following up on complaints of

corruption reported by the press. Both were well funded and generally operated effectively.

The executive branch auditor general cooperated with the GAO and the Attorney General's Office in the investigation of corruption cases. The Solicitor General's Office received reports from the auditor general, who filed civil lawsuits on behalf of the state to recover monetary damages. The National Integrity System, a program dependent on the executive branch, worked with dozens of internal transparency units in several ministries, Customs, and the National Directorate for Public Procurement.

By law the National Anticorruption Secretariat is responsible for coordinating and monitoring the application of public policies in matters of transparency and corruption. It also is responsible for formulating strategies to prevent, investigate, and denounce acts of corruption, in coordination with other government entities. The institution is a part of the executive branch.

As of October JEM removed five judges and prosecutors, reprimanded six others, and cancelled no proceedings due to magistrate resignations. In 2013 JEM removed eight judges and prosecutors and sanctioned 10 others, and three magistrates resigned before the completion of proceedings against them. As a result of 94 audits of government agencies completed during the year, the GAO submitted 80 reports to the Solicitor General's Office to initiate civil actions aimed at recovering ill-gotten assets amounting to approximately Gs. 24.5 billion (\$5.5 million). GAO also submitted 33 reports to the Attorney General's Office for possible criminal investigation and prosecution of alleged corruption, representing approximately Gs. 12 billion (\$2.7 million).

On April 14, the Attorney General's Office charged Senator Enzo Cardozo and Rody Godoy, former ministers of the Ministry of Agriculture and Livestock, and 25 other former and current ministry employees with fraud and breach of trust. The indictment alleged the defendants misappropriated Gs. 3.7 billion (\$832,000) allocated to two ministry programs to combat poverty and promote the raising of livestock. On September 6, the Attorney General's Office charged Cardozo and Godoy again with breach of trust and fraud in connection with the alleged theft of Gs. 68 billion (\$15.3 million), allegedly transferred illegally by ministry officials to the National Federation of Fruit Producers. On April 3 and September 4, the Senate twice approved the lifting of Cardozo's congressional immunity, permitting the Attorney General's Office investigation to continue, which was pending at year's end.

On May 2, the Prosecutor's Office charged physician Perla Paredes Acosta, daughter of National Deputy Perla de Vazquez, with multiple cases of unlawful receipt of honorariums and fraudulent use, creation, and dissemination of employment documentation. Although medical doctors are allowed by law to hold multiple positions, the Attorney General's Office alleged Paredes received salaries from five different government institutions without showing up for work. The Attorney General's Office reported Paredes Acosta illegally received salary payments of Gs. 424 million (\$95,400) from the Lambare District Hospital, Lambare district court, National Institute of Social Security, Chamber of Deputies, and Itaipu Binational Dam. On July 14, a judge found Paredes guilty and gave her to a two-year suspended prison sentence.

During the year the Ministry of Finance's Taxation Unit exposed a Gs. 355 billion (\$79.9 million) income tax fraud scheme. Former technical staff members of the ministry allegedly established ghost companies to sell fraudulent invoices to private companies, which in turn used these invoices for tax deductions. More than 200 private companies, including large import firms, participated in the scheme. The Taxation Unit filed criminal charges with the Attorney General's Office, authorities detained the scheme's mastermind, and the investigation continued at year's end.

Financial Disclosure: The constitution requires all public employees, including elected officials and employees of independent government entities, to disclose their income and assets within 15 days after taking office or being appointed and again within 15 days after finishing their term or assignment. As of January public employees must also disclose assets and income of spouses and dependent children.

The law mandates the GAO to monitor and verify disclosures, but the law does not allow these to be made available to the public. The office may make public income and asset disclosures only at the request of the executive branch, Congress, the Attorney General's Office, or judicial authorities. The Attorney General's Office occasionally opened investigations for inconsistencies in the disclosures.

The law bars public employees from government positions for up to 10 years for failure to comply with financial disclosures and imposes monetary fines of up to Gs. 19.1 million (\$4,300). The law obligates the GAO to monitor all disclosures. As of 2013 approximately 70,000 asset statements were filed at the GAO. The GAO established a General Directorate for Assets Disclosure and launched an

online system for filing asset statements. Filings often were late, incomplete, or misleading. In addition many simply did not disclose their finances. Legislators were known to ignore the law with impunity, using political immunity to avoid investigation or prosecution.

Pursuant to a 2010 ministerial directive, all police officers must file reports of net worth every three years and when they are eligible for promotion. There were no reports on compliance with this directive.

Following the inauguration of the government, the president, vice president, the 10 ministers of the executive branch and 22 other cabinet-level and high-ranking employees filed their financial disclosure forms in compliance with the constitution.

Public Access to Information: The constitution provides for overall public access to government information. Citizens and noncitizens, including foreign media, had access to government information. On September 18, the president signed a law that implements the constitutional provision. The law establishes a legal framework regarding processing times, fees, criminal or administrative sanctions for noncompliance, appeals mechanisms for reviews of disclosure denials, and lists of exceptions outlining the grounds for nondisclosure. On September 21, the Ministry of Justice inaugurated the Directorate for Access to Public Information.

The judicial branch, the presidency, and almost all government ministries disclosed information on their public employees and their salaries, bonuses, and extraordinary compensation. On May 20, the president signed law 5189, which mandates the disclosure of all government payroll information. By September, 40 government institutions, including ministries, state-owned companies, and local and state entities, had disclosed the names of their employees and their salaries.

On April 4, the Ministry of Finance launched the Reporting and Information System, which was available on its website and allowed public access to financial reports, performance indicators, public salaries, expenditures, and budget execution.

On July 18, the Ministry of Education launched an open data site that allowed the public to access information regarding educational services, the number of teachers and students per institution, descriptions of school facilities, as well as salaries and qualifications of all personnel.

On November 4, the Ministry of Planning launched a web-based portal enabling the public to track the government's progress on the National Open Governance Plan.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

More than 50 domestic and international human rights groups, including the International Organization for Migration, International Labor Organization, and UN Children's Fund (UNICEF), operated generally without government restriction, investigating and publishing their findings on human rights cases. Major local NGO umbrella organizations representing many local human rights NGOs operated independently.

Government officials cooperated with domestic NGOs and met with domestic NGO monitors but often did not take action in response to their reports or recommendations. The government generally cooperated with international human rights groups, humanitarian NGOs, and international governmental organizations and regularly permitted visits by their representatives.

Government Human Rights Bodies: Although the term of Ombudsman Manuel Paez Monges, the country's primary human rights advocate, expired in 2006, he continued to serve because the Chamber of Deputies had yet to vote for a replacement. The ombudsman employed approximately 163 lawyers and support personnel. Human rights organizations, victims of the Stroessner dictatorship, and several congressional members strongly criticized the ombudsman for what they considered ineffective and negligent handling of more than 20,000 backlogged compensation cases for victims of the Stroessner dictatorship. On November 8, the Solicitor General's Office announced the beginning of an investigation into alleged irregularities in the ombudsman's disbursement since 2004 of Gs. 462.3 billion (\$104 million) to 6,528 victims of the Stroessner dictatorship. His office lacked independence and initiative, published no reports during the year, and had not issued an annual report on human rights to Congress since 2005.

The Senate and Chamber of Deputies Committees on Human Rights made frequent fact-finding trips within the country, including visits to several prisons, and issued reports in July. The Chamber of Deputies Committee on Human Rights held 32 meetings, ruled on 34 legislative proposals pertaining to human rights, held four public hearings on human rights topics, and received approximately 100 visitors each week to discuss human rights issues.

The NMPT, created pursuant to the country's commitments under the International Convention Against Torture, has the legal prerogative to visit and inspect, without judicial authorization, any prison, police station, military installation, children's shelter, and retirement home. NMPT commissioners are selected by an interinstitutional commission composed of representatives from the three government branches and civil society. During the year the NMPT visited several jails, prisons and correctional institutions, and military bases. It participated in several public hearings on hazing against cadets.

Several government ministries had human rights offices to monitor compliance with human rights legislation. By law the Justice Ministry's Human Rights Office is the primary unit of the Human Rights Network of the executive branch, which coordinates with all human rights offices and is responsible for the implementation of the National Plan for Human Rights. During the year ministry authorities restructured the Human Rights Office, re-assigning and reducing its staff and available resources. Several NGOs protested these changes.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, or social status, but it was not effectively enforced. Women, LGBT persons, indigenous persons, and persons of African ancestry also faced discrimination. The country has no comprehensive law against discrimination, which undermined enforcement of the constitutional clause against discrimination and the protection and restitution for victims of discrimination and societal abuses.

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and provides penalties of up to 10 years in prison for rape or sexual assault. If the victim is a minor under age 18, the sentences range from three years to 15 years in prison. According to the Attorney General's Office, rape continued to be a significant and pervasive problem, including reports of the gang rape of drugged minors. The government generally prosecuted rape allegations and sometimes obtained convictions; however, many rapes went unreported due to fear of stigma or retribution. The Attorney General's Office lacked a specialized unit for cases of gender violence and abuse of children and adolescents. The specialized unit for human trafficking and commercial sexual exploitation of children of the Attorney General's Office was at times assigned cases, but it lacked sufficient resources.

Police were responsive but generally did not put high priority on rape reports. Police received only 453 rape allegations in 2013; however, the Attorney General's Office reported 903 cases of rape, 346 cases of attempted rape, and an additional 476 cases of rapes against minors.

On June 13, the Attorney General's Office charged Cordillera Department Police Chief Ramon Aguero Sosa with the rape and attempted murder of a female employee of the police department in Caacupe. According to the victim's complaint, Aguero Sosa abducted her at gunpoint and took her to a hotel, where he raped and beat her. The victim later reported to the press that he and several other police officers threatened her to pressure her into dropping the charges. Although the Attorney General's Office ordered the police chief's detention, at year's end he had not been arrested.

Although the law criminalizes domestic violence, including psychological abuse, and stipulates a penalty of two years in prison or a fine if convicted, it requires the abuse be habitual and the aggressor and victim be "cohabitating or lodging together." Judges typically fined those convicted but began sentencing offenders to jail to provide for the safety of the victim. Despite increased reports of domestic violence, individuals often withdrew complaints soon after filing due to spousal reconciliation or family pressure. In some cases the courts mediated domestic violence cases. Domestic violence was common, and thousands of women received treatment for injuries sustained in domestic altercations.

No official statistics accurately tracked the number of reported cases of domestic violence. In 2013 the Attorney General's Office registered 6,823 cases of domestic violence. Women were identified as victims in three-quarters of these cases. In 2013 the National Police registered 1,197 complaints of domestic violence.

The Ministry of Women's Affairs took actions to combat the problem, including promoting the national 24-hour telephone hotline for victims of domestic violence. The hotline received 13,646 calls in 2013; as of September 30, it had received more than 9,000.

The National Police oversaw domestic violence units throughout the country, staffed with approximately 120 police officers and administered from existing police stations in Asuncion (three units), Encarnacion, and Villarrica. Five more units were inaugurated during the year. From January to September, the units

received 3,744 complaints. As of September the Ministry of Women's Affairs received and monitored 1,311 complaints of domestic abuse--including 247 for beatings, 501 for psychological abuse, 36 for sexual abuse, and 254 for failure to provide economic support--compared with a total of 3,256 domestic abuse complaints in 2013. Each individual may file more than one type of domestic abuse complaint. As of September there were 1,623 individuals who filed complaints and received assistance from received by the ministry, of which 575 were filed during the year and 670 were continuing cases from previous years. The ministry offers domestic violence victims information, counseling, and psychological and legal support.

On August 27, Lucia Sandoval was acquitted and released after three years' imprisonment awaiting trial for the alleged 2011 murder of her husband, Huber Martinez Villasboa. Sandoval was reportedly a victim of domestic abuse. When she succeeded in obtaining a restraining order against her husband, the court informed her it lacked funds to deliver the order and suggested she deliver it instead. Sandoval personally delivered the order to her husband, who reportedly threatened her with a weapon and, in an ensuing struggle, he alleged accidentally shot himself. The court dismissed the case for lack of evidence and ordered Sandoval's release.

The Ministry of Women's Affairs operated a shelter for female victims of trafficking or domestic violence in Asuncion, which hosted 28 women and 37 children as of September. The ministry also coordinated victim assistance efforts, public outreach campaigns, and training with the National Police and health-care units. The Women's Affairs Ministry, the Attorney General's Office, and women's NGOs provided health and psychological assistance, including shelter, to victims. The ministry also provided victim assistance courses for police, health-care workers, and prosecutors. As of September the ministry-organized workshops on domestic and gender violence reached 2,104 persons, compared with 1,835 persons in 2013.

Female Genital Mutilation/Cutting (FGM/C): There is no law that prohibits FGM/C, and the practice was virtually nonexistent in the country.

Sexual Harassment: The law prohibits sexual harassment and stipulates a penalty of two years in prison or a fine; however, sexual harassment remained a widespread problem for many women, especially in workplace environments. Prosecutors found sexual harassment and abuse claims difficult to prove because of victims' fear of workplace retaliation and societal pressures against victims, many

of whom dropped their complaints or were unwilling to continue cooperating with prosecutors.

On August 27, model Gabriela Wolscham filed a formal complaint in the Supreme Court against family court Judge Guillermo Pereira for sexual harassment. Wolscham alleged Pereira harassed her with pictures and text messages sent to her cell phone over the course of two months while overseeing Wolscham's child support petition. The Supreme Court immediately suspended Pereira, and JEM opened an investigation. The press reported Pereira harassed and asked for sexual favors from two other women, who alleged Pereira threatened to rule against them in their cases if they did not accede to his demands. On September 1, Pereira resigned in order to avoid an investigation by JEM and Supreme Court. On September 2, JEM concluded its investigation of Pereira but prohibited him from serving again as a judge.

Some complaints were settled privately without involving prosecutors. In 2013 the Attorney General's Office registered 114 cases of sexual harassment and three cases of attempted sexual harassment.

Reproductive Rights: Couples and individuals have the right to decide freely the number, spacing, and timing of having children, and they had the information and means to do so, free from discrimination. The latest UN statistics estimated the maternal mortality rate at 110 deaths per 100,000 live births, with approximately 85 percent of births attended by skilled health personnel. A 2013 UNICEF report stated the high maternal mortality rate was attributable in part to lack of information on the necessity of early prenatal care, lack of education in detecting early warning signs of complications, lack of ambulances and medical supplies in rural areas, and long distances to the nearest health center. Reproductive health services were concentrated in cities, and rural areas faced significant gaps in coverage.

Adolescent pregnancy continued to be a problem. The UN Population Fund reported 20 percent of all pregnancies occurred between the ages of 10 and 14. It also reported approximately 2 percent of all maternal deaths corresponded to that age group.

Discrimination: Women generally enjoyed the same legal status and rights as men, including a law mandating equal pay for equal work; however, gender-related discrimination was widespread. Women experienced more difficulty than men did in employment and occupation (see section 7.d.). Women generally obtained

employment as domestic workers, secretaries, sales staff, and customer service representatives. The Ministry of Women's Affairs promoted the rights of women and sponsored programs intended to give women equal access to employment, social security, housing, credit, ownership of land, and business opportunities.

The government's General Directorate of Statistics, Surveys, and Censuses (DGEEC) reported unemployment levels of approximately 10 percent for women and 6 percent for men. DGEEC statistics from 2013, the most recent available, indicated women in the private sector earned, on average, 91 percent of the monthly pay of their male counterparts for similar jobs. According to the same DGEEC statistics, women in the public sector earned, on average, 83 percent of the monthly pay of their male counterparts for similar jobs. On the other hand, the World Economic Forum's *2013 Competitiveness Report* indicated that on average women earned 55 percent of men's wages for comparable work.

Children

Birth Registration: Nationality is derived by birth within the country's territory, by birth to government employees in service abroad, or by birth to a citizen residing temporarily outside the country. Citizenship conveys to all nationals who attain the age of 18 as well as to older persons when they are naturalized. Birth certificates and national identity documents are a prerequisite to access government services, including obtaining a passport. There were reports of high levels of false birth certificates, which in turn led to the production of other false identity documents.

Education: Education is free, compulsory, and universal from kindergarten through secondary school. According to the government, girls from rural families tended to leave school at a younger age than did boys. Government-funded or subsidized school buses or other public transportation were scarce in rural areas. Approximately 10 percent of children from poor families did not have access to schooling, due to a lack of funds or early entrance into the workforce.

Child Abuse: The Coalition for the Rights of Children and Adolescents and the Secretariat of Children and Adolescents (SNNA) stated violence against children was widespread and equally prevalent among rural and urban families. Authorities often did not act on complaints of child abuse. In 2013 the National Police received 19 complaints of child abuse, of which 17 were resolved. In 2013 the Attorney General's Office reported 954 cases of child abuse.

There were no government shelters for abused children. Local Catholic charities operated several children's homes and orphanages. In many cities the municipal council for children's rights assisted abused and neglected children, but many municipal councils suffered from inadequate funds and a lack of trained and experienced professionals.

According to the SNNA and the NMPT, there were approximately 60 children's shelters, which housed more than 2,000 children. The SNNA worked with UNICEF to strengthen the child protection system and improve government receptiveness to claims of abuse.

Early and Forced Marriage: The minimum legal age for marriage is 16, and parental consent is required for those ages 14 to 16. Marriage for those younger than age 14 is permitted only with judicial authorization under exceptional circumstances. According to the National Civil Registry, less than 1 percent of all women who married in 2012 did so before age 18. Unions for those younger than 18 were more common in indigenous and rural populations. There were no reports of forced marriage.

Female Genital Mutilation/Cutting (FGM/C): There is no law that prohibits FGM/C, and the practice was virtually nonexistent in the country.

Sexual Exploitation of Children: Sexual exploitation of children, principally in prostitution, was a serious problem. According to the SNNA, many children were forced into prostitution or domestic service to survive. The law provides penalties of up to six years' imprisonment for prostitution of victims between the ages of 14 and 17 and eight years' imprisonment for victims younger than 14.

The minimum age of consent is 14 when married and 16 when not married. While there is a statutory rape law for those under 14, the maximum penalty is a fine for opposite-sex partners and prison for same-sex partners. Enforcement was not vigorous. The penal code prohibits the production, distribution, and possession of pornography involving children or adolescents younger than age 18. Production of pornographic images of children may result in a fine or up to three years in prison. Authorities may increase this penalty to 10 years in prison depending on the age of the child and the child's relationship to the abuser.

In 2013 the Attorney General's Office reported 1,829 cases of sexual abuse against children and 141 cases of attempted sexual abuse against children.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see the Department of State's report at travel.state.gov/content/childabduction/english/country/paraguay.html.

Anti-Semitism

The Jewish community has fewer than 1,000 members. There were isolated reports of anti-Semitic acts, such as graffiti.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law nominally prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, public transportation, access to health care, or the provision of other state services. The law generally does not mandate accessibility for persons with disabilities, and most of the country's buildings remained inaccessible.

In 2011 the municipality of Asuncion approved an ordinance establishing architectural requirements for accessibility to buildings and on sidewalks, as well as fines for lack of compliance. Subsequently, Asuncion, San Lorenzo, and the National University of Asuncion began to improve accessibility to public sidewalks and in public buildings. In 2012 the National Directorate for Public Procurement modified its bidding terms to include clauses for public construction projects to provide accessibility to persons with disabilities. In 2013 the Municipality of Asuncion inaugurated some public buildings with ramps and bathrooms accessible to persons with disabilities. The municipality began including ramps in some sidewalks, and traffic police fined drivers whose cars blocked access to them. In 2013 the executive branch signed into law the Physical Accessibility Law.

Many persons with disabilities faced significant discrimination in employment; others were unable to seek employment because of a lack of accessible public transportation. The law mandates the allocation of 5 percent of all available public employee positions, approximately 10,000 positions, to persons with disabilities.

As of 2013 government employees with disabilities constituted less than 1 percent of public sector employees, or approximately 1,000 employees. A 2013 law provides a tax incentive for private companies to hire persons with disabilities.

The Ministry of Education estimated at least half of all children with disabilities did not attend school because public buses could not accommodate them. In 2013 the executive branch signed into a law that mandates inclusion of students with disabilities in both the public and private education systems.

The preliminary results of the DGEEC 2012 national census indicated that 12 percent of the population had some form of disability, a significant increase from 1 percent in previous censuses.

The National Secretariat for the Rights of Persons with Disabilities is responsible for certifying disability status. No laws provide for access to information and communications.

National/Racial/Ethnic Minorities

CODEHUPY noted minorities of African ancestry, “Afro-Paraguayans,” faced discrimination and racism, especially in access to employment (see section 7.d.). A 2007 study financed by the Inter-American Foundation, the most recent information available, estimated the Afro-Paraguyan population at 7,640 persons.

Indigenous People

The law provides indigenous persons the right to participate in the economic, social, political, and cultural life of the country; however, the government did not always effectively protect these rights. Discrimination coupled with a lack of access to employment, education, health care, shelter, and sufficient land hindered the ability of indigenous persons to progress economically while maintaining their cultural identity (see section 7.d.). Guarani, the most commonly spoken traditional indigenous language, is recognized as the country’s second official language and is spoken by approximately 76 percent of the population, according to the 2002 census. The law protecting the property interests of indigenous persons was not always respected.

According to a DGEEC census of indigenous population published in July 2013, the indigenous population numbered 115,944, spanning 17 different indigenous groups in 531 communities, 241 villages, and 54 family nuclei. A 2008 census

estimated 39 percent of the indigenous population over age 15 were illiterate and 48 percent were unemployed. According to the DGEEC, the average monthly income of the indigenous population in 2008 was approximately half that of the nonindigenous population. According to the UN High Commissioner for Human Rights, although indigenous persons constituted only 2 percent of the population, the majority of the population was partly of indigenous descent.

Indigenous populations made up a more significant percentage of the population within the Chaco region, and communities there often had a more difficult time accessing government and judicial services and often faced political and economic exclusion.

Indigenous workers engaged as laborers on ranches earned low wages, worked long hours, were paid infrequently or not at all, and lacked medical or retirement benefits. This situation was particularly severe for indigenous persons engaged as laborers on ranches and estates in the Chaco region.

INDI, the Attorney General's Office, Ministry of Justice, Ministry of Labor, and Ombudsman's Office are responsible for protecting and promoting indigenous rights. INDI lacked funding to purchase land on behalf of indigenous persons and required them to register for land at its office in distant Asuncion.

The law authorizes indigenous persons to determine how to use their land, leading many of them to transfer or rent their land to nonindigenous persons, some of whom illegally harvested fish or deforested lands to cultivate fields of soybeans and other cash crops. There were also several reported cases of indigenous lands being illegally deforested to produce charcoal. There were insufficient police and judicial protections from encroachments on indigenous lands, and few indigenous communities held title to their ancestral lands. This often resulted in conflict between indigenous communities and large landowners in rural areas, which at times led to violence.

In her 2011 visit to the country, UN Deputy High Commissioner for Human Rights Kyung-wha Kang called for passage of legislation to clearly define land rights and distribute land to the indigenous population. She also recommended implementing a prior consultation process so indigenous communities would be properly consulted before the development of extractive and national development projects, such as hydroelectric dams. The UN Committee on the Elimination of Racial Discrimination called on the country in 2012 to protect indigenous people's rights, especially regarding land claims. On December 1, the UN special rapporteur on

the rights of indigenous peoples reiterated its concerns but noted the government had made progress.

CODEHUPY and other NGOs documented widespread trafficking in persons, rape, sexual harassment, and physical abuse among women in indigenous communities. Perpetrators were often neighboring workers and employers from ranches and farms.

On October 25, the Human Rights Unit of the Prosecutor's Office visited the 247,105-acre ranch of Antonella Saccarello to investigate allegations of human rights abuse against Enxet Indians living on the property. Indigenous leader Marciana Antonia Galeano alleged the ranch manager, Carlos Reinfeld, paid Gs. 1.5 million (\$337) to indigenous employees with identification documents but only Gs. 130,000 (\$30) per month to indigenous employees without identification documents. Galeano accused Reinfeld of blocking roads on the property and not allowing tribe members to leave. Galeano claimed the inability of tribe members to leave the property resulted in the death of four family members who could not access medical care. INDI officials alleged the ranch owners consistently refused access to census and social workers. The ranch manager and owner denied the allegations. The Prosecutor's Office opened an investigation, which was pending at year's end.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

No laws explicitly prohibit discrimination against LGBT persons in employment, housing, access to education, or health care, and all types of such discrimination, including societal discrimination, occurred frequently. Penalties for sex with a minor between ages 14 and 16 are more severe if the victim and perpetrator are of the same sex. Same-gender perpetrators are subject to up to two years in prison; the maximum penalty for opposite-gender perpetrators is a fine. CODEHUPY reported widespread police harassment and discrimination against LGBT persons (see section 7.d.).

The Attorney General's Office is responsible for investigating discrimination cases; however, government agents often condoned such discrimination, including discrimination based on sexual orientation or gender identity.

Panambi and other LGBT rights NGOs denounced the torture and killings of more than 50 transgender prostitutes between 1989 and 2013. Panambi reported 12

killings from 1989 to 1999 and 38 killings from 1999 to the present, with the most recent occurring in July 2013. There were no cases reported during the year. LGBT NGOs accused the Attorney General's Office of conducting cursory investigations that produced no tangible results.

On June 28, 200 advocates of LGBT rights in Asuncion marched in an International Day of LGBT Pride parade. There were no reports of harassment during the event. On September 27, 350 LGBT supporters marched in Asuncion in another parade in support of LGBT family rights.

On August 6, SOMOSGAY and the Committee for Prevention and Control of HIV/AIDS in the armed forces and National Police, an official committee of the military, signed a preliminary cooperation agreement stipulating that the NGO would carry out sexual health workshops, widespread HIV testing, and human rights training for armed forces and national police personnel.

HIV and AIDS Social Stigma

CODEHUPY noted that persons with HIV/AIDS faced discrimination as well as societal intimidation in health care, education, and employment. The Center for Complaints of HIV/AIDS and Human Rights reported that from January to June, it received 112 complaints of discrimination based on HIV/AIDSs, for a total of 750 complaints since the NGO began collecting data. The NGO specified the complaints corresponded to discrimination based on sexual orientation, serological state, demand for HIV testing, gender identity, violation of the right to intimacy, and abuse of authority. The NGO referred complaints to the Attorney General's Office and National Police for investigation. The center also established two hotlines to receive complaints.

The law prohibits discrimination based on HIV/AIDS serological state and protects the privacy of medical information. The law also specifically prohibits employers from discriminating or harassing employees based on their serological state. A 2009 Ministry of Labor regulation forbids employers from requiring HIV testing prior to employment, but many companies did so. As of November 4, the SOMOSGAY's health clinic tested and provided private counseling sessions to 2,316 men and 2,007 women, up from 650 individuals in 2013.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including related regulations and statutory instruments, provides for the right of workers to form and join independent unions (with the exception of the armed forces and police), bargain collectively, and conduct legal strikes. The law prohibits binding arbitration and retribution against union organizers and strikers. The law prohibits antiunion discrimination but does not require reinstatement of workers fired for union activity.

There are several restrictions on these rights. For instance, the law requires that industrial unions have a minimum of 300 members to register, a requirement considered excessive by international standards. All unions must register with the Ministry of Labor, a cumbersome process. Moreover, employers may file a writ opposing the registration, which may delay recognition. Workers may not be members of more than one union, even if they have more than one part-time employment contract. Strikes are limited to purposes directly linked to workers' occupations. Candidates for trade union office must work for a company and be active members of the union.

On January 1, the Ministry of Labor, Employment, and Social Security was created, which effectively split the Ministry of Justice and Labor into two separate entities. A minister of labor took office in January and was formally appointed on April 3. The ministry is responsible for enforcing labor rights, registering unions, mediating in disputes, and overseeing social security and retirement programs. As of November the ministry signed 33 interinstitutional cooperation agreements with other government agencies, international organizations, NGOs, and private organizations.

There were few effective and dissuasive penalties, fines, or remedies against antiunion discrimination. Inspections of antiunion discrimination to protect labor rights were rare, suffered from inadequate resources, and reportedly occurred only if requested by an aggrieved party. The ministry does not have jurisdiction to initiate or participate in antiunion litigation. Employers who fail to recognize or work collectively to bargain with a legally registered union face fines of only 50 days' wages, approximately Gs. 3.2 million (\$720). Employers who blacklist employees face fines of only 30 days' wages, or approximately Gs. 1.9 million (\$430). These penalties were not sufficient to deter violations.

The government did not always effectively enforce the law, often failing to prevent retaliation by employers who took action against strikers and union leaders. Penalties for violations included fines ranging from 10 days' to 30 days' wages, or

approximately Gs. 640,000 to Gs. 1.9 million (\$145-\$430) for each affected worker and were insufficient to deter violations. Administrative and judicial procedures were subject to lengthy delays, mishandling of cases, and corruption. The Labor Ministry often intervened, at the parties' request, as a voluntary arbiter in labor disputes.

Although the formal union registration process often took more than a year, the ministry typically issued provisional registrations within weeks of application to allow labor unions to operate. Unions with provisional registrations have the same rights and obligations as other unions.

Freedom of association and the right to collectively bargain were not always respected. Employers' associations heavily influenced some private sector unions. The leadership of several unions representing public sector employees had ties to political parties and the government. The government was able to dissuade several public sector unions from participating in a general strike in March.

Antiunion discrimination occurred. Union organizers experienced harassment and dismissal for union activities, and some workers chose not to protest due to fear of reprisal or expectations of government inaction.

On August 28, police injured several trade union leaders during a demonstration calling for better pay and the allocation of 7 percent of the gross domestic product to education in the government general expenditure budget. The International Trade Union Confederation denounced the violence in what it called a peaceful demonstration and urged the president to safeguard the health of injured trade union leaders.

While union workers from the steel and maritime industries were unionized and often received relevant legal protections, most workers, including farmers, ranchers, and informal sector employees, did not participate in labor unions. Many of these workers were members of campesino (farm worker) movements.

A general strike on March 26 comprised participants from several workers' unions, farmer's organizations, and other social movements. The strike was peaceful and there were no reports of violence. Workers called for further increases in the minimum wage and the repeal of the Public-Private Partnerships Law, among other demands. The Labor Ministry opened dialogue commissions with several unions. On February 28, the minimum wage was increased by 10 percent.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The government did not effectively enforce the law. The Ministry of Labor did not conduct inspections focused solely on forced labor and lacked adequate resources to carry them out, especially in remote areas where such labor was more prevalent. Penalties for violations include up to 20 years in prison. Minimal enforcement and penalties were insufficient to deter violations.

The government's Commission on Fundamental Rights at Work and the Prevention of Forced Labor held three formal meetings in Asuncion and organized three public hearings with indigenous communities in the Chaco and in Itapua to solicit feedback on its National Strategy to Combat Forced Labor. The commission signed an interinstitutional agreement with INDI and submitted a request to the Supreme Court for the creation of courts specializing in labor disputes in the Chaco. In 2013 the judicial branch created labor jurisdictions in Filadelfia and Villa Hayes in the Chaco, but court facilities had yet to be built in these cities.

Forced labor occurred. NGOs, indigenous organizations, CUT-A (Central Unitaria de Trabajadores, a national union) and the International Labor Organization denounced cases of indigenous workers in the Chaco region working under forced labor or debt-bondage conditions. There were also reports drug trafficking organizations in Amambay Department recruited indigenous workers into forced labor processing marihuana leaves. Workers were either not paid, paid in kind with substandard food items, or left to purchase goods at debt-inducing prices at a company store.

As of September the Labor Ministry's regional office in the Chaco received 56 complaints for unjustified firing, nonpayment of the minimum wage, and other labor violations. A report from the ministry highlighted the effort of local judges in Irala Fernandez and Loma Plata to combat and prevent forced labor of indigenous laborers in the Chaco. The ministry did not confirm instances of debt bondage in the Chaco region but would not dismiss the possibility that it continued to exist. This situation was severe for women in domestic service, many of whom were not compensated for their work and faced abuse. There were some reports of forced child labor, particularly in domestic service (see section 7.c.).

A 2013 Walk Free Foundation report estimated there were 19,600 persons in the country living under conditions of modern slavery, defined by the NGO as “forced labor originating from debt, trafficked persons and forced marriages.”

Also see the Department of State’s annual *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for full-time employment is 18. Adolescents between the ages of 14 and 17 may work if they have a written authorization from their parents, attend school, do not work more than four hours a day, and do not work more than a maximum of 24 hours per week. Adolescents between the ages of 16 and 18 who do not attend school may work up to six hours a day, with a weekly ceiling of 36 hours. The law also permits “light work” for children between the ages of 12 and 14. The government had not adopted regulations governing the nature and conditions of the light work permitted for children.

The government did not effectively enforce laws protecting children from exploitation in the workplace. The Ministry of Labor is responsible for enforcing child labor laws, and the Attorney General’s Office for prosecuting violators. The Ombudsman’s Office and the Child Rights Committee receive complaints and refer them to the Attorney General’s Office. As of November 1, the committee in Asuncion and five neighboring cities registered 201 child worker complaints.

The maximum administrative penalty for employing a child under age 14 is Gs. 3.25 million (\$730). The law stipulates that employers who employ adolescents between ages 14 and 17 under hazardous conditions must pay the maximum administrative penalty. Penalties for employing persons in hazardous conditions or coercing persons to work range from three to five years in prison but were insufficient to deter violations.

The country’s National Commission for the Prevention and Eradication of the Exploitation of Children worked to eliminate exploitative child labor by increasing awareness, improving legal protections and public policy, and implementing monitoring systems; however, resource constraints limited the effectiveness of these efforts.

In the first six months of the year, the Ministry of Labor received 32 complaints from child and adolescent workers, of which four were from child workers ages 13

to 15 and 28 from child workers ages 16-17; 22 concerned boys, and 10 concerned girls. Most of these child workers worked as metalworkers or cashiers, in sales, helpers, and in other service jobs. Ninety percent of the alleged labor violations were regarding dismissal from work.

The National Secretariat of Children and Adolescents continued to administer the “Hug” program to assist families with children at risk of working in the streets, which as of November covered 11,288 children, including 2,316 children up to age five. The program covered 29 districts in 11 departments and included 41 service centers. The program also included monetary transfers for 12,666 children and in-kind food deliveries for another 7,406 children. Another 2,800 children received nutritional supplements and other types of assistance. The SNNA’s Summer Operation programs put 2,600 children of street workers into shelters when school was not in session.

The Secretariat for Social Action administered the Well-being (Tekopora) program that paid parents (including those of working children) a monthly stipend for their children’s schooling, vaccinations, and regular health checks. As of October, 81,741 families, for a total of 446,095 persons, were assisted by the program, including 203,498 children and adolescents.

The secretariat also operated another social program called Tekoha, which provided housing assistance for impoverished families and their children. As of October the program assisted 12,907 families in 44 districts in 12 departments and Asuncion.

Child labor was a problem, particularly in sugar, brick, and lime manufacturing, domestic service, and agricultural sectors. A 2011 study on child labor in the sugarcane sector estimated that children constituted more than 25 percent of the sugarcane workforce, and approximately one of four of those children suffered on average two injuries a year. In 2012 the SNNA released its findings from its first and latest national study on child labor, which covered the cities of Concepcion, Vallemi, and Tobati where child labor was most prevalent. The report concluded 62 percent of children in Vallemi began working between the ages of seven and 12, 55 percent of children in Concepcion began working between ages nine and 11, and 62 percent of children in Tobati began working between ages four and six.

Children, primarily boys, also worked in the manufacturing and agricultural sectors (including sugarcane, cotton, beans, soy, sesame, wheat, peanuts, and manioc production) and in the restaurant and other service industries. Children also

worked as vendors in markets. According to UNICEF and the SNNA, an estimated 46,000 children, primarily girls, worked as domestic servants and received no pay. In exchange for work, employers promised child domestic servants room, board, and financial support for school. Some of these children were victims of forced child labor, did not receive pay or the promised benefits in exchange for work, were sometimes subjected to sexual exploitation, and often lacked access to education.

The worst forms of child labor occurred where malnourished, abused, or neglected children worked in unhealthy and hazardous conditions selling goods or services on the street, working in factories, or harvesting crops. Children were used, procured, and offered to third parties for illicit activities, including commercial sexual exploitation (see also section 6, Children), sometimes with the knowledge of parents and guardians, who received remuneration. Some minors worked as drug smugglers along the border with Brazil as part of criminal syndicates.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment or Occupation

The labor code specifically prohibits discrimination based on race, color of skin, gender, religion, political affiliation, or social status. Other legislation prohibits discrimination based on disability and HIV status. Laws and regulations mandate that five percent of public employees be persons with disabilities. These laws and regulations were often not enforced. There is no legislation forbidding labor discrimination based on sexual orientation, language, or having a communicable disease.

Employment discrimination mostly occurred in regards to sex, race, disability, language, sexual orientation, HIV-positive status, and for pregnancy.

Discrimination in employment occurred with respect to women, indigenous groups, Afro-Paraguayans, and LGBT persons (see section 6). Testing and discrimination for contagious diseases and HIV was common.

Discrimination against domestic workers was common. Domestic workers had lesser legal protections and wages and poorer working conditions. Undocumented migrant workers from Brazil and other countries working in the service sector in Ciudad del Este suffered discrimination. Transvestite persons faced severe labor

discrimination, even from other LGBT individual persons, and many engaged in prostitution as a result.

e. Acceptable Conditions of Work

On February 28, the mandatory national minimum wage was increased to approximately Gs. 1.8 million (\$305) per month. According to DGEEC surveys, the per capita monthly income was approximately Gs. 970,000 (\$218). According to a 2011 DGEEC study, the latest available, the poverty income level was Gs. 438,954 (\$99) per month, and the extreme poverty income level was Gs. 284,088 (\$64) per month. The law discriminates against domestic workers, who are legally entitled to only 40 percent of the minimum wage, and mandates that housing and food count towards a domestic worker's salary.

The law provides for a standard legal workweek of 48 hours (42 hours for night work) with one day of rest. The law also mandates payment of at least one annual bonus of one month's salary and a minimum of 12 days' and a maximum of 30 days' vacation per year, depending on total years of service. The law requires payment for overtime. There are no prohibitions of, or exceptions for, excessive compulsory overtime. Domestic workers suffered discrimination, routinely worked 12-hour workdays, were not eligible for overtime pay, rested only one day per week, were not entitled to publicly provided retirement benefits, and did not attain job stability after 10 years, unlike other workers covered by the labor code. Domestic workers were eligible for medical care and prescription medicine through small payroll and employer contributions.

On August 25, the Ministry of Labor created the Directorate for the Promotion of Female Workers. Its Center for Attention of Domestic Workers collects statistics and provides services for domestic workers. As of September the center received 342 complaints from domestic workers against their employers and was able to resolve 119 of the complaints. The directorate took the lead in convoking the National Tripartite Committee for the Equality of Opportunities to Promote the Participation of Women at Work, largely inactive since its creation in 1998. On November 7, the tripartite commission held its first meeting with representatives of NGOs and unions.

The government sets appropriate occupational health and safety standards stipulating conditions of safety, hygiene, and comfort. Although these standards were current and appropriate for the principal industries, enforcement was inadequate.

The Ministry of Labor did not effectively enforce provisions for overtime pay, the minimum wage, or limitations on hours of work in the formal or the informal sector. The Ministry of Health did not enforce occupational safety and health regulations effectively.

The Labor Ministry employed only 28 labor inspectors in Asuncion and nine regional offices. According to the Ministry, 20 labor inspectors faced internal investigations for corruption, negligence, and other charges. In 2013 inspections were suspended until the inspections unit was reformed and restructured, resulting in a significant decrease in the number of inspections performed.

The ministry did not have sufficient vehicles to enforce labor laws in remote areas. The law stipulates a fine of 30 days' wages at the minimum wage rate for an employer who pays below minimum wage, but government actions to prevent violations were limited to information campaigns. The penalties were not sufficient to deter violations.

As of September the ministry's Department of Mediation of Private Conflicts received 6,262 labor complaints and mediation requests. Men filed 67 percent of the complaints. The majority of complaints were registered in January, with 973 complaints primarily involving the failure of employers to pay the legally mandated year's end one-month bonus (aguinaldo).

Employers are obligated to register workers with the Ministry of Labor. As of October, 2,693 employers registered 9,632 workers with the Ministry of Labor, with an average of 269 employers registering per month.

Workers in the informal economy did not receive labor law social protections. The DGEEC estimated the percentage of workers who received the minimum wage or more decreased from 72.3 percent in 2013 to 68.9 percent during the year. Many employers violated provisions requiring overtime pay, particularly in the food, agricultural, and domestic services. The UN Development Program's 2013 Human Development and Social Security study concluded that 81.3 percent of the labor force (2,370,677) worked in informal jobs and did not enjoy retirement or health benefits. According to a 2013 survey conducted by the DGEEC, there were approximately 107,243 domestic workers, most of them women.

Information on recent workplace fatalities or industrial accidents was not available.

Workers could remove themselves from situations that endangered their health and safety, but this could jeopardize their employment. Authorities sometimes intervened to protect employees in this situation.