

Paraguay

Country:

Paraguay

Year:

2016

Freedom Status:

Partly Free

Political Rights:

3

Civil Liberties:

3

Aggregate Score:

64

Freedom Rating:

3.0

Overview:

President Horacio Cartes of the Colorado Party vowed to root out corruption following his election in 2013, but little appeared to have changed in 2015. The drug trade continued to flourish, particularly in the border areas, and critical journalists were subject to violent retaliation. A major protest in October, led by campesinos, called for the president's resignation due to corruption and unfair land policies.

Cartes also drew international attention in 2015 for his handling of a high-profile case in which a 10-year-old girl became pregnant after being raped by her stepfather. Authorities refused to ease the country's strict abortion ban, and the girl was forced to give birth despite the high-risk nature of pregnancy in such a young child.

The government continued a military and publicity offensive against the Paraguayan People's Army (EPP), a nationalist guerrilla group that murdered three farmers and abducted and killed a German couple, among other attacks during the year.

Political Rights and Civil Liberties:

Political Rights: 27 / 40 [Key]

A. Electoral Process: 10 / 12

The 1992 constitution provides for a president, a vice president, and a bicameral Congress consisting of a 45-member Senate and an 80-member Chamber of Deputies, all elected for five-year terms. The president is elected by a simple majority vote, and reelection is prohibited. Congress is elected by proportional representation.

The 2013 presidential election brought Cartes to office with 46 percent of the vote, against 37 percent for his principal opponent, Efraín Alegre of the Authentic Radical Liberal Party (PLRA). In concurrent legislative elections, Cartes's Colorado Party captured 19 Senate seats and 44 seats in the Chamber of Deputies, while the PLRA won 12 and 27 seats in the respective bodies. Several small parties also hold a handful of seats. The elections were marred by allegations of vote buying.

B. Political Pluralism and Participation: 12 / 16

Paraguay's system is generally open to the rise and fall of different political parties, although before President Fernando Lugo and the Patriotic Alliance for Change (APC) came to power in 2008, the center-right Colorado Party had ruled Paraguay for over 60 years. The left-leaning Lugo was abruptly impeached by Congress in 2012, and the Colorados returned to power in 2013. The liberal PLRA is now the main opposition party and has the second-highest number of representatives in Congress. Smaller parties include the National Union of Ethical Citizens and the National Encounter Party. The constitution bans active-duty military personnel from engaging in politics.

Indigenous people and ethnic minorities are legally able to participate in politics, but in practice very few members of such groups hold positions in Congress or the administration.

C. Functioning of Government: 5 / 12

Although elected officials determine government policy, decision making and implementation are compromised by organized crime and widespread corruption. Corruption cases languish for years in the courts without resolution, and offenses often go unpunished due to political influence in the judiciary. During a July 2015 visit to Paraguay, Pope Francis specifically denounced these problems. Corruption is particularly acute in the eastern part of the country around Ciudad del Este, where politicians and government officials are accused of colluding with drug traffickers.

In 2014, Paraguay passed the Access to Public Information and Transparency Law, guaranteeing public access to the financial records of all branches of government and state-owned companies. The government issued implementing regulations for the law in September 2015. Paraguay was ranked 130 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index.

Civil Liberties: 37 / 60 (-1)

D. Freedom of Expression and Belief: 12 / 16

The constitution provides for freedoms of expression and the press, but these rights are undermined in practice. Direct pressure by criminal groups and corrupt authorities leads journalists to censor themselves, especially in remote border areas. Threats against journalists are common. The government does not restrict access to the internet.

Throughout 2015, journalists in Paraguay continued to work under dangerous conditions. In March, Paraguayan broadcast journalist Gerardo Ceferino Servían Coronel was killed on the Brazilian side of the two countries' border. Servían likely became a target because of his condemnation of corrupt politicians and drug traffickers. Perpetrators often enjoy impunity for such attacks.

The government generally respects freedom of religion and academic freedom. Citizens can for the most part engage in free and open private discussion, though the presence of armed groups in some areas may serve as a deterrent.

E. Associational and Organizational Rights: 8 / 12

The constitution guarantees freedoms of association and assembly, and these rights are respected in practice. While some nongovernmental organizations involved in human rights work have faced harassment and threats, there are few formal restrictions on such activity. In September 2015, the National Federation of Campesinos protested the Cartes government's land distribution policies, which the organization criticized for benefitting agribusiness rather than workers. Also that month, students launched a protest against corruption at the Universidad Nacional de Asunción, leading to an extended occupation of the president's office. Cartes supported the students, despite the fact that many of the university administrators were members of his Colorado Party.

There are a number of trade unions operating in the country, and they are legally permitted to bargain collectively and strike. However, registration procedures are cumbersome, and the government often fails to protect workers from antiunion retaliation and other abuses by employers. The Cartes administration has generally been hostile to unions; after a bus company fired workers who attempted form a union in June, the Labor Ministry backed the employer's right to do so. At a related August protest by union members, more than two dozen protesters were injured in clashes with police.

F. Rule of Law: 7 / 16

The judiciary is nominally independent, but in practice corruption contributes to trial delays and extended pretrial detention. Illegal detention by police and torture during incarceration still occur, particularly in rural areas. Overcrowding, unsanitary conditions, and mistreatment of inmates are serious problems in the country's prisons.

The trial of a dozen campesinos for their alleged role in a deadly 2012 clash with police continued to encounter delays in 2015. The landless farmers had been occupying private land when they were confronted by police; six officers and 11 campesinos were killed. While the defendants were charged with the police deaths, authorities never investigated the deaths of the protesting farmers.

Paraguay is a regional hub for money laundering, drug trafficking, and organized crime. The government continued to clash with the EPP—an armed leftist guerilla group—in 2015. Over the past two years, the EPP has killed at least 25 people and used tactics such as kidnapping and attacks on electrical towers. Meanwhile, the government has deployed a task force of police officers and soldiers to counter the group.

In March 2015, the UN Subcommittee on Prevention of Torture expressed concern about human rights violations taking place in Paraguay, particularly with respect to the task force's tactics against the EPP. Cartes subsequently fired the head of the task force, Ramón Benitez. The subcommittee also criticized the case of three minors who had been accused of terrorism, arrested, and held for six months without trial.

The constitution provides Paraguay's more than 100,000 indigenous people with the right to participate in the economic, social, and political life of the country. In 2014, after a 20-year legal battle, Cartes signed a law that returned more than 55 square miles of land to the traditionally marginalized Sawhoyamaza people. The Supreme Court upheld the law in June 2015, after a

challenge by a company using the land for cattle grazing. Despite these advances, a UN report released in August noted that while Paraguay has a “solid legal framework” to ensure the rights of indigenous peoples, in practice they often lack control over their land and resources, as well as access to justice and adequate social services.

While same-sex sexual activity is legal, members of the LGBT (lesbian, gay, bisexual, and transgender) community face legal and de facto discrimination. However, the LGBT organization SomosGay participated in a July 2015 meeting between Pope Francis and representatives from various civil society organizations. Many in the community hoped the meeting might spur renewed efforts to pass an antidiscrimination law that addresses sexual orientation and gender identity. Violence against the LGBT community continues to be high.

G. Personal Autonomy and Individual Rights: 10 / 16 (-1)

The law protects freedoms of movement and travel, which are generally respected in practice. Although there are few major restrictions on private business activity and property rights, land disputes—often involving wealthy landowners, corporations, or the government on the one hand and local residents, campesinos, or indigenous people on the other—remain a problem. False or overlapping land titles are reportedly common.

Sexual and domestic abuse of women continues to be a serious problem. The country’s strict legal ban on abortion—which is allowed only when the mother’s life is at risk—drew criticism in 2015 when a 10-year-old girl was impregnated by her stepfather. International organizations called on Paraguay to amend its abortion laws and for the girl to be granted access to the procedure as requested by her mother. However, the government refused, and the baby was born in August. The government’s stance contravened the positions of UN agencies and the Inter-American Commission on Human Rights.

The Paraguayan government has worked to combat the worst forms of child labor, but children continue to work in agriculture, domestic service, and other fields. Children, women, and indigenous people are especially vulnerable to human trafficking and sexual or labor exploitation. Corrupt government officials reportedly abet human trafficking.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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