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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Paraguay

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document is being issued without formal editing.



1. Paraguay appreciates and welcomes the recommendations made during its third universal periodic review and reaffirms its commitment to this process, which it views not only as a peer review exercise, but also as an opportunity for reflection and self-reflection. With this in mind, it has embarked on a critical and exhaustive internal inter-institutional evaluation of the recommendations.
2. Paraguay's open and transparent collaboration with the review mechanism is epitomized by its sustained participation in the different cycles. It has accepted almost all the recommendations received during the first two cycles (2011 and 2016), because it considers them an important contribution to the ongoing and evolving process of improving human rights promotion and protection standards. Paraguay also participates actively in the reviews of other countries, making constructive recommendations.
3. Paraguay submitted a voluntary midterm report in 2019 and attended its third review on 5 May 2021 in good faith, presenting its main achievements in the field of human rights and reporting on progress made and challenges encountered in the implementation of the recommendations received during the previous cycle. This is part of a purposeful process of reforms and human rights-based legislative, institutional and public policy adjustments, which Paraguay is doing its utmost to implement. It is also taking responsibility for following up on the recommendations across the different cycles.
4. The national report was prepared using a participatory, inter-institutional approach and utilizing the national monitoring, implementation and reporting tool "SIMORE Plus". Thanks to its technology-based methodology, which complements the work of the human personnel engaged in the process, this tool has become essential for the systematic processing of follow-up reports in a context marked by the challenges of the health crisis resulting from the coronavirus disease (COVID-19) pandemic.
5. Paraguay is pleased to reiterate its appreciation to States for the interest shown by their participation in the dialogue with its delegation, despite the challenges imposed by the virtual setting. It appreciates, in particular, their observations and recommendations and hereby submits its views and responses.

Ratification of human rights instruments and cooperation with human rights mechanisms

6. Paraguay accepts recommendations 118.1 and 118.2. It continues to engage in consultations with the various government bodies on the possible ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and on how to apply it.
7. Bearing in mind the internal process of analysis, dialogue and exchange currently under way between the various stakeholders regarding the possible ratification of the Escazú Agreement, under the intersectoral approach preceding the parliamentary debate, Paraguay takes note of recommendations 118.3, 118.4 and 118.5, emphasizing that their effective implementation is subject to the outcome of the aforementioned internal process.
8. Paraguay accepts recommendations 118.6, 118.7, 118.8 and 118.9, given the significant progress made in the parliamentary discussions of the bill on ratification of the Convention against Discrimination in Education. It also accepts recommendations 118.10, 118.11 and 118.12.

National Human Rights Plan

9. Paraguay accepts recommendations 118.13, 118.14 and 118.15 in view of the fact that the third plan of action of the Human Rights Network of the Executive Branch is currently being drafted. Moreover, the Ministry of Justice, as coordinator of the Network, has now concluded a formal inter-institutional cooperation arrangement with the Technical Secretariat for Economic and Social Development Planning to advance the use of the Outcome-based Planning System for monitoring and follow-up of the National Human Rights Plan, which

will make it possible to evaluate compliance with the Plan and establish review and adjustment mechanisms with the participation of civil society.

Office of the Ombudsman

10. Paraguay accepts recommendations 118.16, 118.17, 118.18, 118.19, 118.20, 118.21, 118.22, 118.23, 118.24, 118.25, 118.26, 118.27, 118.28, 118.29 and 118.76.

Non-discrimination

11. Paraguay accepts recommendations 118.30, 118.31, 118.32, 118.33, 118.34, 118.35, 118.36, 118.37, 118.38, 118.39, 118.40, 118.41, 118.42, 118.43, 118.44, 118.45, 118.46, 118.47 and 118.166.

Environment and climate change

12. Bearing in mind that Paraguay has taken decisive action in the field of environmental protection and climate change by continuously adapting its legal and policy frameworks, it accepts recommendations 118.48, 118.49, 118.50, 118.51, 118.52 and 118.120.

Prison system

13. Paraguay accepts recommendations 118.53, 118.55, 118.56, 118.58, 118.60, 118.61, 118.62, 118.66 and 118.71, as they are consistent with the actions and measures taken by the State, with the involvement of all stakeholders in the prison system, under a strategic plan designed to reverse the root causes of problems in the prison system through comprehensive legislative, procedural and budgetary reforms.

Torture and other cruel, inhuman or degrading treatment or punishment, and the security forces

14. Paraguay accepts the following recommendations on the prevention and elimination of torture and other cruel, inhuman and degrading treatment or punishment: 118.54, 118.57, 118.59, 118.63, 118.65 and 118.70. Paraguay also accepts recommendation 118.67, while emphasizing that the Public Prosecution Service investigates, impartially and in its areas of competence, all allegations of offences involving bodily injury – torture, intentional homicide or other – committed by public officials in the course of their duties. The penalties applicable under the current legal framework are determined by the courts.

15. Paraguay partly accepts recommendation 118.69, insofar as it will “move forward without delay and in an impartial manner in the investigation of the murder of two 11-year-old Argentinean girls in the context of the Joint Task Force operation on 2 September 2020”. In fact, several investigations are currently being carried out by the competent authorities in accordance with the applicable laws and procedures; regular updates on these investigations are provided at the request of several mechanisms of the international protection system.

16. In addition, Paraguay takes note of the offer by Argentina in the same recommendation to “make available the experience of the Argentine Forensic Anthropology Team”, but considers that any proposed action in this regard must primarily respect Paraguay’s sovereignty and judicial authority.

Administration of justice

17. Paraguay accepts recommendations 118.64 and 118.68, as they align with Decision No. 1511/21 of the Supreme Court “emphasizing the need to use pretrial detention as an

exceptional measure”. Paraguay also accepts recommendations 118.72, 118.73, 118.74 and 118.75.

Corruption

18. In line with the efforts and progress it has made in combating corruption and promoting transparency and accountability, especially under the recently adopted National Integrity, Transparency and Anti-corruption Plan for 2021–2025, Paraguay accepts recommendations 118.77, 118.78 and 118.79.

Freedom of expression, protection of journalists and human rights defenders

19. With regard to the protection of journalists and human rights defenders, Paraguay accepts recommendations 118.80, 118.81, 118.82, 118.83, 118.84, 118.86, 118.87, 118.88, 118.89, 118.90, 118.91, 118.92, 118.93, 118.94, 118.95, 118.96, 118.97 and 118.98.

Combating trafficking in persons

20. Paraguay accepts all the recommendations on combating trafficking in persons: 118.99, 118.100, 118.101, 118.102, 118.103, 118.104, 118.105, 118.106 and 118.107, bearing in mind that the recommended actions are part of the Government’s ongoing efforts in this field.

Family protection

21. Paraguay also accepts recommendation 118.108.

Labour rights

22. Drawing on the provisions of the Constitution and the Labour Code, Paraguay accepts recommendation 118.85 – in this connection, it points out that trade unions enjoy full freedom in Paraguay – and recommendations 118.109, 118.110, 118.111 and 118.112.

Social protection, combating poverty and development

23. Given the importance Paraguay attaches to social protection and poverty reduction, as reflected in its implementation of a strategy to integrate inter-institutional efforts aimed at enhancing the long-term impact of social policies under the Strategic Framework of Objectives and Actions of the Social Protection System for 2019–2023, it accepts recommendations 118.113, 118.114, 118.115, 118.116, 118.118 and 118.119.

24. In the same vein, Paraguay accepts recommendation 118.117, while clarifying that the National Economic Team has approved the update of the National Development Plan 2030, which has already entered into force and was used in the preparation of the 2022 National General Budget due to be released shortly.

Right to health

25. Paraguay accepts recommendations 118.121, 118.122, 118.123, 118.124, 118.125, 118.126, 118.127, 118.128, 118.129, 118.130, 118.131, 118.132, 118.137, 118.138, 118.139, 118.140 and 118.141.

26. Paraguay takes note of recommendations 118.133, 118.135 and 118.136, which are incompatible with the constitutional provisions in force that guarantee the right to life.

27. For the reasons set out above, Paraguay partly accepts recommendation 118.134, namely the recommendation to “take all necessary measures to promote women’s rights and fight against gender-based violence” and to “guarantee access to sexual and reproductive rights and health”.

Right to education

28. Paraguay accepts recommendations 118.142, 118.143, 118.144, 118.145, 118.146, 118.147, 118.148, 118.149, 118.150, 118.151, 118.152, 118.153 and 118.154.

Women’s participation, gender equality and violence

29. In the framework of existing policies, which include strategies to create the conditions for achieving substantive equality between men and women in various fields, Paraguay accepts recommendations 118.155, 118.156, 118.157, 118.158, 118.159, 118.160, 118.161, 118.164, 118.165, 118.168, 118.169, 118.170 and 118.171.

30. Paraguay also accepts recommendations 118.162, 118.163, 118.172, 118.173, 118.174, 118.175, 118.176, 118.178, 118.179, 118.180, 118.181, 118.182, 118.183, 118.184, 118.185 and 118.186, which will help boost the regulatory and policy measures currently being implemented in the country.

Rights of children and adolescents

31. Paraguay accepts recommendations 118.167, 118.177, 118.187, 118.188, 118.189, 118.190, 118.191, 118.192, 118.193, 118.194 and 118.195.

Rights of indigenous peoples

32. Paraguay accepts recommendations 118.196, 118.197, 118.198, 118.199, 118.200, 118.201, 118.202, 118.203, 118.204, 118.205, 118.206 and 118.207.

Rights of persons with disabilities

33. Paraguay accepts recommendations 118.208, 118.209 and 118.210.

Voluntary commitments

34. Paraguay reaffirms the voluntary commitments undertaken during the previous review cycles. As stated in its latest national report, many of them have been duly fulfilled.

35. With regard to those that remain pending or that are in the process of being implemented, Paraguay pledges to continue doing its utmost to follow them up, together with the recommendations accepted this time, and reaffirms their value as drivers of initiatives and actions aimed at the continual improvement of human rights promotion and protection standards, in line with the country’s international obligations.

36. Paraguay pledges, in particular:

- To continue participating constructively in the universal periodic review process and to keep strengthening collaboration with treaty bodies, and to maintain standing invitations to the special procedures
- To focus its efforts on the implementation of obligations contracted under international human rights instruments, mainstreaming them in line with the 2030 Agenda for Sustainable Development

- To enhance the implementation of social protection and poverty reduction policies aimed at improving the quality of life and well-being of all citizens, with special emphasis on the most vulnerable
- To continue working to strengthen human rights institutions and to enhance the development and implementation of rights-based policies, plans and programmes
- To continue strengthening the national implementation, reporting and follow-up mechanism “SIMORE Plus” in order to enhance the impact of government action on the ground, and to keep sharing experiences through technical cooperation
- To consolidate the mechanisms for dialogue and cooperation with civil society and non-governmental organizations in order to promote public policies that guarantee human rights
- To continue working to prevent and combat trafficking in persons and violence against women and children
- To continue promoting a culture of proactive transparency, access to public information, accountability and citizen participation as an effective means to combat corruption

37. Lastly, Paraguay reaffirms its conviction that the universal periodic review is one of the most important follow-up and review mechanisms in the international system. Its value derives from its methodology of open, constructive and transparent dialogue that facilitates and contributes to the improvement of the human rights situation in each country and around the world and therefore deserves every support and commitment.
