

Paraguay 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Paraguay during the year.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment by security forces; harsh and at times life-threatening prison conditions; arbitrary arrest and detention; serious problems with the independence of the judiciary; serious restrictions on freedom of expression and media freedom, including intimidation of journalists by politically and economically powerful actors; serious government corruption; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, femicide, and other forms of such violence; and the existence of the worst forms of child labor.

The government took credible steps to identify and punish low- and midranking officials who committed human rights abuses, but impunity for high-level politicians and officials in police and security forces was widely alleged.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or

Politically Motivated Killings

In contrast to 2022, there were no reports the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year. Nevertheless, media occasionally reported allegations of law enforcement officers inappropriately using lethal force in security operations.

In July 2022, three police officers in Ciudad del Este shot and killed Juan Daniel Ortigoza Ávalos, who they mistook for a murder suspect, when he failed to stop at a police checkpoint. On October 1, the officers were convicted of manslaughter, but in lieu of prison sentences placed on two years' probation because the court determined they acted "under extreme emotional duress."

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

The Paraguayan People's Army and its splinter groups allegedly continued to hold three captives: police officer Edelio Morínigo, missing since 2014; farmer Félix Urbieto, missing since 2016; and former Vice President Óscar Denis, missing since 2020. During the year authorities reported no additional information on the welfare or whereabouts of the three missing men.

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

The law prohibited such practices, but there were credible reports some government authorities employed them. Between January 1 and September 25, the Special Human Rights Unit of the Public Ministry (the Attorney General's Office) opened investigations into 134 allegations of torture and other human rights abuses. By year's end there were no convictions. Unlike other crimes, torture did not have a statute of limitations or a defined period within which charges, an investigation, or a trial had to be completed. As of October 3, the unit was investigating 847 cases, most of which dated from the Stroessner dictatorship era (1954-89). A representative of the unit stated it was unusual for a case to move to prosecution and sentencing in less than one year due to mandatory time-consuming procedural steps and a lack of investigative resources.

Impunity was a problem in the security forces. Authorities often transferred prison guards accused of torture or cruel and degrading treatment to other units without conducting credible investigations into abuse allegations. Corruption and politicization allegedly contributed to impunity. The Special Human Rights Unit and the semi-independent National Mechanism for the Prevention of Torture (NMPT) both continued to investigate alleged human rights abuses by security forces. Charges and prosecutions often took years of investigation and judicial processing.

Prison and Detention Center Conditions

Prison and detention center conditions were harsh and at times life-threatening due to inmate violence, mistreatment, overcrowding, poorly trained staff, poor infrastructure, and unsanitary living conditions.

Abusive Physical Conditions: According to the NMPT, prisons were overcrowded, with inmates at some facilities forced to share bunks, sleep on floors, and sleep in shifts. According to the Ministry of Justice, as of November 6, the Emboscada Penitentiary near Asuncion was at 330 percent of design prisoner occupancy capacity while the average rate nationally was 155 percent of capacity.

Prisons and juvenile detention facilities generally lacked adequate ventilation systems. Some prisons had inadequate lighting. At times prisoners were confined in cells for long periods without an opportunity for exercise. Some prisons lacked basic medical care. There were reports inmates paid bribes for basic services such as medical treatment.

Overcrowding and limited resources to control the prisons abetted criminal organizations and generated violent prisoner-on-prisoner confrontations. According to the NMPT, as of October 3, 71 percent of prisoners awaited trial or sentencing, a major factor in overcrowding, prisoner-on-prisoner violence, illegal activity, and inadequate basic services.

Government authorities reported inmate recruitment within prisons by

members of Brazilian gangs, including Primeiro Comando da Capital and Comando Vermelho, as well as domestic criminal organizations, including the Rotela Clan prison-based drug trafficking gang.

On September 7, a government delegation led by Minister of Justice Angel Barchini and Attorney General Emiliano Rolon visited Tacumbu Prison in Asuncion; however, threats by inmates who were members of Rotela Clan prevented delegation access to prisoner areas.

As of October 3, authorities were investigating an abuse case at the Ciudad del Este Prison involving the shooting with rubber bullets of a male inmate that resulted in the amputation of his finger.

On October 10, inmates – mostly members of Rotela Clan – at Tacumbu Prison rioted in response to the minister of justice’s announcement of his intention “to regain power in the penitentiary centers” and his accusation that Rotela Clan was responsible for an inmate murder. Gang members demanded the minister’s removal from office. They set fires inside the prison and took hostage 22 prison staff. One inmate was killed, and two prison staff injured. The president ended the 15-hour standoff by providing some concessions to inmates but did not remove the justice minister.

Administration: Authorities conducted some investigations of credible allegations of mistreatment, but the NMPT reported authorities often failed to conduct adequate investigations, particularly regarding prison directors accused of mistreatment.

Independent Monitoring: The government granted access to prisons for media, international monitoring bodies, independent civil society groups, and diplomatic representatives. Officials sometimes barred access to investigative journalists.

d. Arbitrary Arrest or Detention

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of his or her arrest or detention in court, but the government did not always observe these requirements.

Arrest Procedures and Treatment of Detainees

The law provided for police to arrest individuals with a warrant or with reasonable cause, although in some cases, police allegedly made arrests without judicial authorization or reasonable cause. Following arrest, the law required police to notify the Public Ministry within six hours, and thereafter the ministry was required to charge a defendant and notify a judge of its intention to prosecute within 24 hours. The government generally respected these rights. The law allowed judges to use measures such as house arrest and bail in felony cases. According to civil society representatives and legal experts, in misdemeanor cases, judges frequently set bail too high for many poor defendants to post bond, while politically connected or wealthy defendants paid minimal or no bail or received other concessions, including house arrest.

The law granted defendants the right to hire counsel, and the government provided public defenders for those unable to afford counsel. Detainees had access to family members.

Arbitrary Arrest: Media and nongovernmental organizations (NGOs) reported several cases of arbitrary arrest and detention occurred during the year that were not officially reported to authorities. In some cases, police ignored requirements for a warrant by citing obsolete provisions that allowed detention if individuals were unable to present personal identification upon demand.

Pretrial Detention: Lengthy pretrial detention was a problem. The law permitted detention without trial for a period equivalent to the minimum sentence associated with the alleged crime, a period that could range from six months to five years. Some detainees were held in pretrial detention beyond the maximum allowed time.

e. Denial of Fair Public Trial

The constitution provided for an independent judiciary; however, courts were inefficient and subject to corruption and outside influence. The National Republican Association (ANR) party and the Liberal Party politicized the Supreme Court, lower courts, and the selection and disciplining of judges and prosecutors. The Council of Magistrates was responsible for selecting candidates for attorney general, judges, prosecutors, and public

defenders throughout the judicial system. This process, combined with similarly politicized five-year career renewal appointments and a parallel qualifications examination, contributed to influence and lack of judicial independence.

NGOs and government officials alleged some judges and prosecutors solicited or received bribes to drop or modify charges against defendants. Interested parties, including politicians, routinely attempted to influence investigations and pressure judges and prosecutors. Judicial selection and disciplinary review board processes were often politicized.

Trial Procedures

The constitution provided for the right to a fair and public trial, which the judiciary nominally provided. Defense attorneys, along with complicit judges and prosecutors, however, regularly manipulated the judicial process to reach the statute of limitations before trials concluded. Defense tactics to remove or suspend judges and prosecutors exacerbated the lengthy trial process.

Criminal defendants had the right to promptly receive information on the charges against them, but some defendants received notification only upon arrest or seizure of their property. Defendants had the right to a trial without undue delay, but trials were often protracted.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

Not applicable.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

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

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent press and a functioning democratic political system combined to promote freedom of expression, including, for

the most part, for media members, although widespread corruption in the judiciary hindered protections in court.

Violence and Harassment: On August 23, authorities ordered major newspapers *ABC Color* and *Ultima Hora* to reveal the names of the authors of three articles written in 2022 regarding allegations of money laundering by former President Horacio Cartes. Civil society and newspaper editors stated the order constituted harassment and intimidation that undermined freedom of the press.

Libel/Slander Laws: Libel, slander, and defamation were criminal offenses, and such laws were generally enforced. Individual authorities sometimes used these laws to restrict public discussion or retaliate against journalists or political opponents.

Nongovernmental Impact: Criminal groups sought to inhibit freedom of expression, including for members of the press. NGOs reported criminal groups often used threats of violence and harassment, especially in areas along the border with Brazil.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content.

b. Freedoms of Peaceful Assembly and Association

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

Freedom of Peaceful Assembly

Following the April 30 presidential elections, protesters demonstrated largely peacefully for four days in front of the Electoral Justice Supreme Court, claiming the presidential elections were fraudulent. Media alleged police used unnecessary force to disperse the demonstrators. According to police reports and civil society, 120 persons were arrested and 110 charged with illegally blocking roads, disturbing the public peace, and destruction of property.

c. Freedom of Religion

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

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these related rights.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government established a system for providing protection to refugees. The government did not assist in the safe, voluntary return to their home countries of those who were not granted refugee status; it relied on assistance from the Office of the UN Human Rights Commission to facilitate such returns.

Durable Solutions: Persons whose claims of asylum or refugee status were refused could seek other migration options, including obtaining legal permanent residency in the country.

Section 3. Freedom to Participate in the Political Process

The law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: National elections were widely reported to be fair and free of abuses and irregularities. In April the country held general elections to elect a president, vice president, department governors, and members of both houses of Congress. Santiago Peña of the ANR won the presidential election. Election observation missions from the Organization of American States and the EU characterized the elections as free and fair, albeit with recommendations to improve voting procedures. Although there were postelection protests claiming the elections were fraudulent, the Electoral Supreme Court found no evidence of fraud.

Section 4. Corruption in Government

The law provided criminal penalties for conviction of corruption by officials, but the government generally did not implement the law effectively. There were numerous reports of government corruption in all branches and at all levels of government. Investigative journalists and NGOs reported on hundreds of cases of embezzlement, tax evasion, illicit enrichment, breach of public confidence, falsification of documents, and criminal association.

Corruption: Impunity was endemic among former and sitting high-level government officials accused of crimes. NGOs and the press continued to report on several former government ministers, mayors, governors, and existing elected officials who avoided prosecution despite being accused of,

and indicted for, corruption and other crimes. Persons indicted for corruption were not held in pretrial detention. As of October 1, unresolved high-level corruption cases included criminal cases of illicit enrichment, bribery, breach of trust, and money laundering against officials such as former ministers, members of Congress, and governors, and a former attorney general and a former Supreme Court justice.

Public Ministry corruption investigations and indictments typically proceeded slowly and took several years to reach a verdict if the case was not dismissed. Taking advantage of a law that prohibited court cases from lasting longer than four years, politicians and influential individuals convicted in lower courts routinely avoided punishment by filing appeals and motions until reaching the statute of limitations or by successfully requesting the removal or suspension of judges and prosecutors working on their cases. Although indictments and convictions of low- and midlevel public officials for corruption occurred occasionally, most high-ranking public officials enjoyed a high degree of impunity. In addition politicization and corruption were pervasive throughout the judicial branch, particularly in the lower courts and regional offices, hampering the judiciary's effectiveness and undermining public trust.

For additional information regarding corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A number of domestic and international human rights groups generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials were generally cooperative but rarely acted in response to NGO reports or recommendations.

Retribution against Human Rights Defenders: Human rights organizations reported an increase in attacks and intimidation from conservative political activists who accused human rights defenders of polarizing and ideologizing the population, fomenting violence against the government, and destroying “traditional family values” by employing “leftist” and “globalized” rhetoric.

Government Human Rights Bodies: The human rights ombudsman generally operated with independence, focusing on the promotion of human rights, investigating human rights abuses by public officials, being a channel for citizen complaints, and protecting community interests. The ombudsman was ineffective. The recommendations of the NMPT, however, were not always acted upon.

The Public Ministry maintained a special human rights unit that investigated

allegations of human rights abuse on behalf of the government. Several other government ministries had human rights offices to monitor compliance with human rights legislation. According to NGOs and civil society, however, there was no central point of contact within the government to coordinate human rights matters.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalized rape of women or men, including spousal and domestic or intimate partner rape and other forms of domestic and sexual violence, including so-called corrective rape of lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons; and provided penalties for conviction of rape or sexual assault of up to 10 years' imprisonment. If the survivor was a child, sentences ranged from three to 15 years' imprisonment.

The government generally charged and prosecuted persons accused of rape and sometimes obtained convictions. Prosecutors reported difficulties obtaining convictions due to survivors' reluctance to testify or submit to medical examinations. Due to the slow judicial system, cases often reached the statute of limitations before trial.

According to the Ministry of Women's Affairs and media sources, rape continued to be a significant and pervasive problem, with many rapes

unreported due to social stigma, survivors' fears of retaliation, and inaction due to lack of training of law enforcement officers.

Although the law criminalized domestic violence, including psychological abuse, conviction required proof abuse was habitual and the aggressor and survivor were "cohabitating." Judges typically issued fines, but in some cases imprisoned convicted offenders to protect the survivor. In some instances, courts mediated instead of taking domestic violence cases to trial.

According to NGOs and the Ministry of Women's Affairs, domestic violence was widespread. The National Police reported registering more than 11,000 complaints of domestic violence between January and August. In many instances survivors asked prosecutors to drop cases against their attackers due to fear of reprisals, allowing their attackers' crimes to go unpunished and potentially for the violence to continue.

The Ministry of Women's Affairs promoted a national 24-hour telephone hotline for survivors. The ministry also operated a shelter and coordinated survivor assistance efforts, public outreach campaigns, and training. The ministry's Woman City in Asunción, an integrated service center for women, focused on prevention of domestic violence and on reproductive health, economic empowerment, and education. According to Ministry of Women's Affairs and the Special Human Rights Unit of the Public Ministry, all police officers received training in handling domestic violence complaints. Each National Police departmental jurisdiction had one specialized four-officer

unit and Asuncion had three four-officer units dedicated exclusively to responding to domestic violence situations.

Other Forms of Gender-based Violence or Harassment: Femicide remained a serious problem. The law criminalized femicide and conviction mandated a sentence of between 10- and 30-years' imprisonment. Officials generally enforced the law and prosecuted femicide cases, but impunity in these cases remained high. From January to September, media reported 26 femicides and 29 attempted femicides. The judiciary often failed to adequately protect survivors, and police failed to enforce restraining orders against perpetrators already under house arrest or with pending arrest warrants. On August 27, a man under house arrest for violence against his former partner stalked and killed her.

Indigenous girls who lived on the streets were often a target for sexual abusers. The Public Ministry reported several investigations; however, the difficulty of identifying the attackers was an obstacle to obtaining arrest warrants and apprehension.

Discrimination: The constitution and law provided for the same legal status and rights for women as for men, but there was no comprehensive law against discrimination. The government did not effectively act on complaints of discrimination. There was a law specifically against workplace discrimination based on gender, but it was rarely enforced. Gender-based discrimination persisted, and employers were sometimes reluctant to hire

women who might require maternity leave as set forth in the labor code.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Reproductive health services were concentrated in cities; rural areas faced significant gaps in coverage.

The government provided access to sexual and reproductive health services, including for survivors of sexual violence. A Ministry of Health protocol for survivors of sexual violence, which included provision of reproductive health services, applied to all health-care institutions. Emergency contraception was available as part of clinical management of rape. Follow-up psychiatric care and legal referrals were also available for survivors. Health-care institutions did not consistently provide access to reproductive health services. Occasionally, doctors denied such services to sexual violence survivors based on their personal religious beliefs or due to social stigma and survivor-blaming surrounding sexual violence.

Women's rights advocates reported cases of doctors at public hospitals refusing to perform tubal ligation procedures on childless women younger than age 30, or without spousal consent. This practice was not based on law or Ministry of Health guidance but on the doctors' personal (often conservative or religious) beliefs.

While menstrual-period stigma was not sufficiently strong to prevent

women and girls from participating in society, lack of sexual education and limited access to hygiene products might have dissuaded some students from going to class during their periods. Additionally, women's rights advocates reported some pregnant adolescents were barred from attending private schools.

According to the most recent UN estimates, in 2020 the adolescent birth rate remained high at 70 births per 1,000 girls and women between ages 15 and 19. Ministry of Childhood and Adolescence authorities attributed the high adolescent birth rate to a lack of adequate sexual education in schools, noting Roman Catholic and evangelical religious groups effectively quashed the ministry's 2020 attempt to improve sexual education in public schools.

Systemic Racial or Ethnic Violence and Discrimination

The law provided for the protection of members of racial and ethnic minorities or groups from violence and discrimination; however, the government did not enforce the law effectively. In 2022 Afro-Paraguayans became the first and only racial minority to receive legal protections. The Public Ministry was responsible for investigating crimes against ethnic minorities. NGOs also performed independent investigations.

Indigenous Peoples

The law provided Indigenous persons the right to participate in the economic, social, political, and cultural life of the country, but the law was

not effectively enforced. Discrimination, coupled with a lack of access to employment, education, health care, shelter, water, and land, hindered the ability of Indigenous persons to progress economically while maintaining their cultural identity. Indigenous workers engaged as laborers on ranches typically earned low wages, worked long hours, received pay infrequently, and lacked medical and retirement benefits. This situation was particularly severe in the Chaco region.

The National Institute for Indigenous Affairs (INDI), Public Ministry, Ministry of Justice, Labor Ministry, and Ombudsman's Office were responsible for protecting and promoting indigenous rights. The law mandated INDI negotiate, purchase, and register land on behalf of Indigenous communities that claimed a lack of access to their ancestral lands. Land rights activists reported INDI was unable to fulfill its mandate due to lack of government support. The Ombudsman's Office often failed to safeguard the rights of Indigenous communities.

Propertyless farmers and Indigenous groups used land invasions to claim unused land or land these groups believed to be rightfully theirs. NGOs and Indigenous rights groups characterized laws criminalizing land invasions as designed to protect politically powerful families who took possession of public land during the Stroessner dictatorship.

The law authorized Indigenous persons to determine how to use communal land. There were insufficient police and judicial protections from

encroachments on Indigenous lands. This often resulted in conflict and occasional violence between Indigenous communities and large landowners in rural areas. Indigenous rights NGO Tierraviva and media reported Indigenous communities were often victims of threats, intimidation, and violence from large agrobusinesses in land disputes, frequently resulting in forced displacement. Agrobusinesses often employed private security guards to intimidate Indigenous communities. Tierraviva and media reported law enforcement authorities failed to protect victims in such cases.

The NGO Paraguayan Human Rights Coordinator expressed concern regarding widespread rape, sexual harassment, and physical abuse of women in Indigenous communities. Perpetrators were often male members of the community, workers, or employees from neighboring ranches and farms. There were also credible reports of trafficking in persons in Indigenous communities. NGO representatives alleged agrobusiness operations exploited and violated the labor rights of Indigenous workers by undercompensating them. Security officials reported the Paraguayan People's Army actively recruited children from indigenous communities.

In contrast to 2022, the Ethnic Rights Office of the Public Ministry reported no cases of Indigenous communities being expelled from their lands during the year.

Children

Child Abuse: The law prohibited child physical abuse and child sexual abuse. Penalties for conviction ranged from one year in prison for physical abuse and four to 15 years in prison for child sexual abuse. The government frequently prosecuted child abuse cases and had a large but ineffective agency to combat child abuse.

The Ministry of Childhood and Adolescence received reports of physical and psychological child abuse through its child abuse hotline.

The government did not have a shelter exclusively for child survivors of sexual abuse; survivors were usually assigned to an extended family member or referred to general-purpose youth shelters. Several such shelters existed, including one comanaged by the government and a Roman Catholic organization. In many cities the municipal council for children's rights assisted abused and neglected children.

Child, Early, and Forced Marriage: The legal minimum age for marriage was 18, but the law permitted marriage for persons ages 16 to 17 with parental consent. For those younger than age 16, marriage was permitted only with judicial authorization and under exceptional circumstances. The government generally enforced the law.

Sexual Exploitation of Children: The law prohibited the sale, grooming, or use of children for commercial sexual exploitation, including sex trafficking,

and child pornography or other forms of online child sexual exploitation and abuse. According to a Public Ministry report released in August, the ministry received a daily average of nine complaints sexual abuse of children. The law provided for a penalty of eight years' imprisonment for persons convicted of having pimped or brokered survivors younger than age 17. The government generally enforced the law.

The minimum age of consent was 14 if married and 16 if not married.

Antisemitism

The Jewish community numbered fewer than 1,000 members. There were no reports of antisemitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law did not criminalize consensual same-sex sexual conduct between adults, cross-dressing, or other sexual or gender characteristic-related behaviors. LGBTQI+ advocates reported police

sometimes applied laws on loitering disproportionately to LGBTQI+ persons to justify arbitrary arrest and targeted LGBTQI+ persons in public spaces for document verification.

Violence and Harassment: Although police or other government agents did not incite or perpetrate violence, LGBTQI+ advocates stated victims of such violence rarely reported it to authorities due to fear of retribution or lack of faith the judicial system would take their cases seriously. According to civil society, violence against transgender persons remained high throughout the country and was generally reported confidentially.

LGBTQI+ rights NGOs reported an increase in hateful or threatening rhetoric during the year made many activists afraid to publicly advocate for LGBTQI+ rights. In July Asuncion ANR councilman Javier Pintos submitted a “straight pride” resolution to the council opposing a LGBTQI+ Pride parade; human rights specialists condemned the resolution as homophobic.

Discrimination: The law did not explicitly prohibit discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics, nor did it recognize LGBTQI+ couples.

Many workers within the LGBTQI+ community preferred not to file complaints with the Labor Ministry due to the ministry’s ineffective enforcement of the law and due to fear of being dismissed. During the year many public officials and legislators engaged in anti-LGBTQI+ discrimination. In July ANR Senator Lizarella Valiente introduced a bill to ban the teaching of

“gender ideology” in schools and “penalize the indoctrination of homosexuality.”

Availability of Legal Gender Recognition: The law did not provide for individuals to change their or birth names, which might “cause confusion over the person’s sex,” and gender identity. As a result, transgender individuals did not obtain legal and government identification documents in alignment with their gender identity. LGBTQI+ rights activists reported not having accurate documents created difficulties for transgender individuals when accessing essential services, including denial of those services. On September 8, an appellate court overturned a decision of a first instance judge that would have allowed trans woman Mariana Sepulveda to legally change her name.

Involuntary or Coercive Medical or Psychological Practices: There were no reports of conversion therapy practices. LGBTQI+ advocates, however, reported a variety of nongovernmental institutions, including evangelical Christian churches, organized retreats for teenagers that emphasized the importance of “traditional” gender roles to stigmatize LGBTQI+ lifestyles and “scare straight” any LGBTQI+ participants. Medically unnecessary and irreversible “normalization” surgeries were performed on newborns. There were no reports of such surgeries performed on nonconsenting adult intersex persons.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no legal restrictions on public discussion of LGBTQI+ matters nor on the ability of LGBTQI+ organizations to legally register or convene events. Nonetheless, many who spoke out or participated in such events were met with hateful or otherwise intimidating responses, particularly on social media platforms.

Persons with Disabilities

The law prohibited discrimination against persons with physical, sensory, intellectual, and mental disabilities, but the law was generally not enforced. Discrimination was widespread, however, and most of the country's buildings, communications, public transportation, and health services were inaccessible to persons with disabilities.

Many persons with disabilities faced significant discrimination in employment. Some persons with disabilities were unable to seek employment because of a lack of accessible public transportation. The law mandated the allocation of 5 percent of all available civil servant positions to persons with disabilities; however, persons with disabilities occupied only 1 percent of civil service positions. As of September 2022, only 2,677 were filled of 16,900 positions allocated in 425 public institutions for persons with disabilities. Systemic barriers such as inadequate accessibility in education and logistical accessibility obstacles in public transport and infrastructure limited the numbers of persons with disabilities filling these roles.

According to the 2022 UNESCO *Paraguay Overview on Profiles Enhancing Education Reviews*, only 36 percent of persons with disabilities between ages six and 18 attended educational institutions. Only 17 percent of students with disabilities completed elementary school, and only 2 percent of students with disabilities enrolled in higher education. Most children with disabilities who attended school were enrolled in the public school system. Some specialized schools served specific disabilities, such as deafness.

Other Societal Violence or Discrimination

The law specifically prohibited workplace discrimination based on race, skin color, sex, age, religion, political opinion, disability, HIV-positive status, or social origin. Labor Ministry regulations prohibited employers from requiring HIV testing prior to employment, but many companies reportedly did so. NGOs SOMOS GAY and Panambi stated LGBTQI+ persons with HIV or AIDS who sought access to health care and employment opportunities faced discrimination often due to their sexual orientation and gender identity.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including related regulations and statutory instruments, provided

for the right of workers (except for the armed forces and police) to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibited binding arbitration or retribution against union organizers and strikers.

There were several restrictions on these rights. The law required that industrial unions have a minimum of 20 members to register. All unions had to register with the Ministry of Labor, a process that often took more than a year. The ministry, typically within weeks of the application, issued provisional registrations that allowed labor unions to operate. Unions with provisional registrations had the same rights and obligations as fully registered unions. Workers were not authorized to be members of more than one union, even if they had more than one employer. Strikes had to be directly linked to workers' occupations. Candidates for office in trade unions had to work for a company and be active members of the union.

The government generally did not effectively enforce laws related to freedom of association, the right to bargain collectively, and the right to strike. The Labor Ministry was responsible for enforcing labor rights, registering unions, mediating disputes, and overseeing social security and retirement programs. Investigations to protect labor rights from antiunion discrimination were rare and reportedly occurred only if requested by an aggrieved party.

Employers who failed to recognize or to bargain collectively with a

registered union faced a fine, as did employers who blacklisted employees. These penalties were commensurate with penalties for workplace discrimination based on gender or race but were generally ineffective and were rarely applied against violators. The government did not prevent retaliation by employers who acted against strikers and union leaders. Administrative and judicial procedures were subject to lengthy delays, mishandling of cases, and corruption. Employer and professional associations had undue influence over some private sector unions.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at:

<https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's Findings on the Worst Forms of Child Labor

at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law did not provide for a national minimum

wage for all economic sectors, but a standard minimum wage applied to most sectors. Further, there were minimum wage standards stipulated for specific sectors, such as cattle raising. The standard minimum wage was above the official estimate for the poverty income level.

The law stipulated a maximum of eight hours per day. The law provided for a standard legal workweek of 48 hours (42 hours for night work with one and one-half days of rest) and required employers to pay higher wages for overtime hours depending on the time of day and day of the week the work was performed.

The Labor Ministry continued campaigns aimed at employers and workers to raise public awareness of labor laws and worker rights. Alleged violations of wage, hour, or overtime laws were common in cattle ranching, the textile industry, and for domestic workers. There were reports of employers making illegal wage deductions or not meeting minimum wage requirements due payment by commission.

Occupational Safety and Health: The government set appropriate occupational safety and health (OSH) standards stipulating conditions of safety, hygiene, and comfort. These standards were current and appropriate for the light manufacturing and construction industries but were rarely applied. OSH experts did not actively identify unsafe working conditions or respond to worker's OSH complaints. Workers were not able to remove themselves from unsafe conditions without jeopardizing their

employment. Violations were common in the construction, textile, and mining sectors.

Wage, Hour, and OSH Enforcement: The Labor Ministry was responsible for enforcement of wage, hour, and OSH laws. Inspectors had the authority to make unannounced inspections and to initiate sanctions. The number of labor inspectors was insufficient to enforce compliance. Penalties for OSH violations were commensurate with those for crimes such as negligence, but penalties for wage and hour violations, which were limited to fines, were not. Penalties were rarely applied against violators.

In 2021 the National Institute of Statistics estimated 64 percent of workers in nonagricultural sectors were active in the informal economy. Informal-sector workers were not covered by OSH laws or inspections.