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## U.S. Department of State

### Paraguay Country Report on Human Rights Practices for 1996

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#### PARAGUAY

Paraguay is a constitutional republic with a strong executive branch and an increasingly important bicameral legislature. The President is the head of government and cannot succeed himself. In 1993 Juan Carlos Wasmosy became the country's first freely elected civilian president. (Authoritarian regimes had ruled the country until 1989, when dictator Alfredo Stroessner was overthrown by General Andres Rodriguez, who was elected president later that year.) There are three major political parties and a number of smaller ones. The opposition's power has increased as a result of the changes brought about by the 1992 Constitution and the subsequent election of a civilian President and an opposition-controlled Congress. The Constitution provides for an independent judiciary, and the Supreme Court completely restaffed judicial and prosecutorial positions during the course of the year.

President Wasmosy has worked to consolidate the nation's democratic transition, and in April he resisted an attempted coup by the then-army commander. The military no longer plays an overt political role, and the national police force, under the overall authority of the Ministry of the Interior, has responsibility for maintaining internal security and public order. The civilian authorities maintain effective control of the security forces. The police committed some human rights abuses.

Paraguay has a market economy with a large informal sector. The formal economy is oriented towards services, with less than half of the \$8 billion gross domestic product resulting from agriculture and industry. Over 40 percent of the population is engaged in agricultural activity. Wealth continues to be concentrated, with both urban and rural areas supporting a large subsistence sector. Agricultural commodities (soybeans, cotton, lumber, and cattle) continue to be the most important export items. Due

to the lingering effects of a 1995 financial crisis, the economy grew 2 percent in 1996, down from an average of 3 to 3.5 percent over the previous 5 years. Annual per capita income is approximately \$1,500.

The Government's human rights record improved somewhat, but serious problems remain in certain areas. Principal human rights problems included instances of extrajudicial killings, torture and mistreatment of criminal suspects and prisoners, poor prison conditions, detention of suspects without judicial orders, lengthy pretrial detention, general weaknesses within the judiciary, infringements on citizens' privacy, and firings of labor organizers. Discrimination against women and indigenous people and violence against women are also problems. The Government used violent force to repress one general strike but acted with relative restraint during two others. The Government continued its efforts to convict and punish those who committed human rights abuses during the Stroessner era, bringing several cases to a successful conclusion.

## **RESPECT FOR HUMAN RIGHTS**

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

#### **a. Political and Other Extrajudicial Killing**

There were at least three politically related killings prior to the November 17 municipal elections. The authorities arrested the opposition Liberal party mayor of Lambare, Celso Cabral, in connection with the November 1 slaying of Agustin Veron Prieto, a member of the ruling Colorado party, during a late-night barroom argument over politics. Cabral has been charged and is to be tried for the killing. The police arrested policeman Teofilo Sanabria for fatally shooting Colorado party activist Raul Bittar November 5, when Sanabria was trying to break up a fracas between Colorado and Liberal party members. Sanabria claimed the shooting was accidental; by year's end the prosecutor had not yet decided whether to file charges. The authorities arrested Tiburcio Nunez, a Colorado party member, for the November 6 killing of Arnaldo Gonzalez, an Encuentro Nacional supporter shot during a political gathering in the town of Capitan Bado. Another killing that may have been politically motivated was the November 3 slaying of Ramon Alvarenga, a campaign manager for Encuentro Nacional, whom an unknown assailant shot twice outside his party office. The police were investigating this incident at year's end.

There were two instances of possible extrajudicial killings by law enforcement officials while performing their duties. On July 1, a guard shot in the back and killed Lourdes Estigarribia Velazquez, a pregnant inmate of the Buen Pastor women's prison, during an escape attempt. The prison guard who fired the shot claimed that it was a warning shot not aimed at the deceased. The case remained under judicial investigation at year's end. On November 2, police officer Oscar Raul Miranda Mazacote shot and killed Gilberto Ramon Diaz, a transvestite prostitute. Miranda, under arrest pending an investigation, said that the fatal round was a warning shot fired after Diaz and several other transvestites began throwing rocks at his police car.

There were numerous allegations of mistreatment of military recruits by noncommissioned and commissioned officers, and several conscripts died in unclear circumstances. Investigations into these incidents were still in progress at year's end. In February the Supreme Court of Military Justice sentenced a noncommissioned officer to 8 years in jail for murdering a conscript in 1994. The military formally charged another noncommissioned officer for the 1995 killing of a naval recruit.

Two of the three judges who were in the process of trying the sedition case against former army commander Lino Oviedo received death threats; there were also allegations of bribery. The tribunal ruled that Oviedo had not committed sedition, a decision very favorable to the defendant.

There were no major developments in the investigations into the 1995 killing of peasant protester Pedro Jimenez or the 1994 killings of peasant leaders Sebastian Larrosa and Esteban Balbuena.

#### b. Disappearance

There were no reports of politically motivated disappearances.

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

The Constitution prohibits torture, as well as cruel, inhuman or degrading punishment or treatment; however, torture and brutal and degrading treatment of convicted prisoners and other detainees continued. A human rights group, the Committee of Churches, reported several cases of torture and other abusive treatment of persons, including women and children, designed to extract confessions, punish escape attempts, or intimidate detainees.

The Public Ministry (Attorney General's office) and the Committee of Churches have filed several criminal complaints on behalf of prisoners, and these cases remained pending in the courts at year's end. The Justice and Labor Ministry suspended and commenced administrative disciplinary proceedings against four juvenile prison guards charged with mistreating detained minors. These cases were pending at year's end. Mistreatment of conscripts was also a problem, and several conscripts died under unclear circumstances (see Section 1.a.).

There were charges that the police used excessive force during the May 2-3 general strike, when 130 people were injured--including 15 policemen--and more than 20 persons were hospitalized. Police reportedly used truncheons against the demonstrators; none of the injuries were life-threatening.

Credible reports continued that landowners, many of them Brazilians living near the border in the Alto Parana, Canindeyu, and Amambay departments, acted without court orders and armed their employees for the purpose of removing squatters from their property. Some of the evictions reportedly were violent, and there were unsubstantiated reports of fatalities. However, the authorities undertook no effective action in response to these reports.

On December 31, the Supreme Court overturned the 1963 murder conviction of Captain Napoleon Ortigoza, who had been released from prison in 1988. The Court ruled that the conviction was based on a confession obtained under torture. Ortigoza, an opponent of dictator General Stroessner, was reportedly subjected to beatings, electroshocks, and 6 months' confinement in a 2-by-1 meter cell during his years in prison. A delegation from the Inter-American Human Rights Commission called the Court's decision "a very positive action that speaks well of the judicial branch."

Prison conditions are extremely poor. Overcrowding and unsanitary living conditions were the most serious problems affecting all prisoners. Mistreatment of prisoners is also a serious problem. Tacumbu prison, the largest in Asuncion, was built to hold 800 inmates but currently houses over 1,400. Similar cases of overcrowding exist at other facilities. At the prison in Encarnacion there is one latrine for 280 detainees.

President Wasmosy was shocked by conditions in the Panchito Lopez juvenile detention center during an October visit, and directed the prompt installation of roofing and a new sewage system, which was completed before the end of that month. In December the Supreme Court upheld a lower court decision that ordered the Ministry of Justice and Labor (responsible for prison operations) to report on the status of the criminal cases against, and the physical condition and needs of, each minor being held at Panchito

Lopez. The Ministry had sought to overturn the decision, which responded to a habeas corpus suit filed by Fundacion Tekojoja, a nongovernmental organization (NGO) dedicated to the protection of children's rights.

The Government permits independent monitoring of prison conditions by interested NGO's.

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits detention without an arrest warrant signed by a judge and stipulates that any person arrested must appear before a judge within 48 hours to make a statement. The police can arrest persons without a warrant if they catch them in the act of committing a crime, but must bring them before a judge within 24 hours. However, the authorities often violated these provisions.

More than 95 percent of an estimated 3,052 prisoners are being held pending trial, many for months or years after their arrest. Only 4 of 224 jailed juveniles have been convicted. While the law encourages speedy trials, the Constitution permits detention without trial until the accused completes the minimum sentence for the alleged crime, which often occurs in practice. A bail system exists for most crimes, but does not apply to juveniles. Judges frequently set relatively high bail, and many accused are unable to post bond. The Supreme Court, the Public Ministry, and a judicial working group took steps to reduce the large number of detainees held without being sentenced or without cause, but achieved only modest results. The Supreme Court and many criminal court judges also make quarterly visits to the prisons to identify and release improperly held individuals.

The Constitution expressly prohibits employing exile as a punishment.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the nine-member Supreme Court is independent in practice.

There are four types of appellate tribunals: Civil and commercial, criminal, labor, and juvenile. Several minor courts and justices of the peace fall within these four functional areas. Based on recommendations from the Magistrates Council, the Supreme Court named some 215 lower court judges and magistrates. While judges traditionally have been subject to political and economic influence, the new Supreme Court acted promptly in several cases to investigate and sanction judges and prosecutors suspected of improper activity. It prosecuted three judges and four more are under investigation. The judicial system remains relatively inefficient, however, due to outdated penal and criminal procedure codes, insufficient resources, and delays as the new judicial officials learn their tasks.

The 1992 Constitution stipulates that all defendants have the right to an attorney, at public expense if necessary, but this right often is not respected in practice. Many destitute suspects receive little legal assistance, and few have access to an attorney sufficiently in advance of the trial to prepare a defense. There are only 31 public defenders available to assist the indigent. Moreover, the public defenders lack the resources to perform their jobs adequately. For example, it is reported that no public defender visited the Emboscada prison from January until September because none could obtain access to an official vehicle.

Trials are conducted almost exclusively by presentation of written documents to a judge who then renders a decision. A Public Ministry official is responsible in most cases for bringing charges against accused persons. Defendants and the Public Ministry can present written testimony of witnesses as well

as evidence. All interested parties have access to all documents reviewed by the judge, and defendants can rebut witnesses. Defendants enjoy a presumption of innocence. The judge alone determines guilt or innocence and decides punishment. During the pretrial phase, the judge receives and may request investigative reports. In this phase, the judge is also likely to make a personal inspection of the scene of the crime and of the available physical evidence. The accused often appears before the court only twice: To plead and to be sentenced. An appellate judge automatically reviews all verdicts, and the law provides for appeals to the Supreme Court. The military has its own judicial system.

A separate documentation center and repository holds the government archives discovered in December 1992, which document various human rights abuses and implicate many former government officials of the Stroessner regime. The appellate court affirmed the convictions for human rights abuses of five Stroessner-era officials (former police investigations director Pastor Coronel and police officers Lucilo Benitez Santacruz, Agustin Bellotto Vouga, Camilo Almada Morel, and Juan Aniceto Martinez), as well as their sentences from 9 to 25 years in prison.

There were no reports of political prisoners.

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

While the Government and its security forces generally did not interfere in the private lives of citizens, there were exceptions in which local officials and police officers abused their authority by entering homes or businesses without warrants and harassing private citizens. The Constitution provides that police may not enter private homes except to prevent a crime in progress or when the police possess a judicial warrant. There were allegations that the Government occasionally spied on individuals and monitored communications for political and security reasons. There also were credible allegations that some government agencies required or pressured their employees to join or campaign on behalf of the ruling Colorado party.

### **Section 2 Respect for Civil Liberties, Including:**

#### a. Freedom of Speech and Press

The Constitution provides for freedom of expression and the press, and the Government respects these rights in practice. The public and the press exercised these rights more freely than at any time in the nation's recent history.

The print and electronic media are independently owned. The media commonly criticized the Government and freely discussed opposition viewpoints. Although the authorities made several attempts to use the judicial system to silence the press, the courts dismissed them at the trial or appellate level. An appellate court reversed a lower court decision that found a columnist for the afternoon daily *Ultima Hora* guilty of libeling a prominent Colorado party politician in 1992. The appellate court ruling stated that, although a free press may at times offend, its overall value in democracy outweighs its costs. Vladimir Jara, a journalist for the ABC Color newspaper,

had his residence broken into and received death threats after he published reports on suspected law enforcement corruption.

The Government does not restrict academic freedom

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of all citizens to free association and peaceful assembly. A law regulating demonstrations in Asuncion limits the areas where and the hours when demonstrations may take place, and requires that organizers notify the Asuncion police 24 hours before any rally in the downtown area. The police may ban a protest but must provide written notification of such a ban within 12 hours of receipt of the organizers' request. The law permits a police ban only if a third party has already given notice of plans for a similar rally at the same place and time. In addition, the law prohibits public meetings or demonstrations in front of the Presidential Palace and outside military or police barracks.

Most political and social demonstrations and rallies occurred without major incidents, including the March 15 peasant march, and the March 28 and August 28 general strikes. However, there was violence during the May 2-3 general strike, which resulted in the arrest of several union leaders, 130 injuries, and charges of excessive use of force by the police (see Section 1.c.).

#### c. Freedom of Religion

The Constitution provides for freedom of conscience for all persons and recognizes no official religion; the Government continued to respect this freedom. Roman Catholicism is the predominant religion, but all denominations are free to worship as they choose. Adherence to a particular creed confers no legal advantage or disadvantage, and foreign and local missionaries proselytize freely. All religious groups must be registered with the Ministry of Education and Worship, but the Government imposes no controls on these groups.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

All citizens may travel freely within the country with virtually no restrictions, and there are no restrictions on foreign travel or emigration.

The Government cooperates with the office of the United Nations High Commissioner for Refugees and other humanitarian organizations in assisting refugees. There are no established provisions to grant asylum or refugee status; the Immigration Department determines each request on a case-by-case basis in consultation with the Ministries of Foreign Relations and the Interior and the Committee of Churches (an NGO that investigates claims to refugee status). The issue of the provision of first asylum has never arisen. There were no reports of the forced return of persons to countries where they feared persecution.

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

Citizens have the right and ability to change their government through democratic means. Multiple parties and candidates contest the nation's leadership positions. Four parties are represented in the Congress, and nine candidates ran for the presidency in 1993. The Constitution and the Electoral Code mandate general elections every 5 years, voting by secret ballot, and universal suffrage. The executive and legislative branches govern the country; opposition political parties control the Congress. Debate is free and frank. The Congress often rejects important government proposals and overrides presidential vetoes.

The Government survived a test in April, when army commander General Lino Oviedo threatened to remove President Wasmosy. Strong public reaction and prompt international condemnation convinced him to back down and accept appointment as Defense Minister, a post not in the chain of command. However, President Wasmosy rescinded that offer, in the face of continued public demonstrations, after Oviedo retired from the army.

Vestiges remain, however, of the Stroessner-era merging of the State, the armed forces, and the Colorado party. The press has reported the use of state resources, particularly vehicles, to support party political rallies. There were also credible reports of government officials requiring public employees to attend Colorado party functions and contribute to party coffers. Since the failure of the April coup attempt, military influence over political activity diminished markedly.

There are no formal legal impediments to women seeking to participate in government and politics. Voters elected 5 women to the Congress (3 of 45 Senators, 1 of whom died in October, and 2 of 80 national Deputies), and there is 1 woman, the Secretary for Women's Affairs, in the Cabinet. The new Electoral Code requires that, in their internal primaries, 20 percent of each party's candidates for elective office be women. Women are well-represented in the judicial system as judges and prosecutors.

Members of indigenous groups are entitled to vote, and the percentage of indigenous people who exercised this right grew dramatically in recent years. Nevertheless, the inhabitants of some indigenous communities report being threatened and inhibited from fully exercising their political rights.

#### **Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

Several human rights groups operate in Paraguay, including the Committee of Churches (an interdenominational group that monitors human rights and provides legal assistance), Prodemos (a group linked to the Catholic church), Tekojoja (a group dedicated to protection of children's rights), SERPAJ (a group that defends conscientious objectors), and the local chapter of the Association of Latin American Lawyers for the Defense of Human Rights. The Government did not restrict the activities of any human rights group.

The Director General of Human Rights, located in the Ministry of Justice and Labor, chairs the National Commission on Human Rights, which is drafting a national plan on human rights and sponsors seminars to promote human rights awareness. This office has access to congressional, executive, and judicial authorities. It does not have subpoena or prosecutorial powers, but may forward information concerning human rights abuses to the Attorney General for action. It also serves as a clearing house for information on human rights and has trained thousands of educators in human rights law.

#### **Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status**

Although the Constitution and other laws prohibit discrimination, certain groups faced significant discrimination in practice.

##### **Women**

Spousal abuse is common. In 1994 primary care centers treated over 5,000 women for injuries linked to domestic violence, and greater numbers are estimated for 1996. Official complaints are rarely filed, or when filed are soon withdrawn due to spousal reconciliation or family pressure. The Public Ministry is prosecuting just two cases of spousal abuse, both of which are pending before the courts. To date the courts have not yet convicted any perpetrators of domestic violence against women. The Secretariat of Women's Affairs chairs a national committee, made up of other government agencies and NGO's, that has developed a national plan to prevent and punish violence against women. Pursuant to the plan, an office of care and orientation receives reports on violence against women and coordinates responses with the National Police, primary health care units, the Attorney General's office, and NGO's. The Secretariat also conducts training courses for the police, health care workers, prosecutors, and others.

The law prohibits trafficking and sexual exploitation of women, but the authorities do not enforce it effectively. Exploitation of women, especially teenage prostitutes, remains a serious problem. Law enforcement officials regularly stage raids on houses of prostitution, and several brothel owners were being tried for employing minors, although there were no convictions in these cases by year's end.

The Secretary for Women's Affairs continued to sponsor programs intended to enable women to have free and equal access to employment, social security, housing, ownership of land, and business opportunities. However, sex-related job discrimination

continues to be common and widely tolerated. Some women complained that job promotions were conditioned upon their granting sexual favors.

Several groups work to improve conditions for women. One is SEFEM, which highlights such issues as women and public policy, women and social policy, participation of women in local development, and women in the Americas. Other groups include Sumando, an NGO promoting educational reform policy and voter participation in elections, and Women for Democracy, which is active in civic and electoral education. These groups are effective advocates for change.

## Children

The Constitution protects certain children's rights, and stipulates that parents and the State should care for, feed, educate, and support children. Boys and girls are entitled to equal treatment in education and health care.

There is no societal pattern of abuse of children. However, approximately 26,000 children work in urban areas as street vendors or as prostitutes. The majority of these children suffer from malnutrition, lack of access to education, and disease. The employers of some young girls working as domestic servants or nannies deny them access to education and mistreat them. Employers sometimes falsely charge those who seek to leave domestic jobs with robbery and turn them over to the police.

Baby trafficking continued to be a serious problem, as foreign adoptive parents were willing to pay from \$20,000 to \$40,000 in adoption fees and costs to adopt a healthy baby. In order to develop new legislation to address the problem, in 1995 the Government suspended international adoptions for 1 year; Congress extended this suspension for an additional 6 months in September.

President Wasmosy and the armed forces chief of staff have ordered all officers responsible for recruiting to ensure that all conscripts meet the constitutionally mandated minimum age of 17 years for military service. There were several reported violations, including allegations of military recruiters forcing underage recruits to join units. The military took no significant disciplinary action against those responsible for underage recruits.

## People with Disabilities

The 1992 Constitution provides for equal opportunity for people with disabilities and mandates that the State provide them with health care, education, recreation, and professional training. It further requires that the State formulate a policy for the treatment, rehabilitation, and integration into society of people with disabilities. Congress has never enacted, however, legislation to establish such programs. Many people with disabilities face significant discrimination in employment; others are unable to seek employment because of a lack of accessible public transportation. Accessibility for the disabled has not yet been mandated through law; the vast majority of the nation's buildings, both public and private, are

inaccessible to people with disabilities.

## Indigenous People

The unassimilated and neglected indigenous population is estimated at 75,000 to 100,000. Weak organization and lack of financial resources limit access by indigenous people to the political and economic system. Indigenous groups relied primarily upon parliamentary commissions to promote their particular interests, notwithstanding the fact that the Constitution provides indigenous people with the right to participate in the economic, social, political, and cultural life of the nation. The Constitution also protects their property interests, but these rights are still not fully codified. The Constitution provides that Public Ministry officials may represent indigenous people in matters involving the protection of life and property. The Public Ministry has charged landowners with exploiting and killing Indians on their estates. These cases remained under judicial investigation at year's end.

The Government's National Indigenous Institute has the authority to purchase land on behalf of indigenous communities and to expropriate private property under certain conditions to establish tribal homelands. However, many indigenous people find it difficult to travel to the capital to solicit land titles or process the required documentation associated with land ownership.

The main problems facing the indigenous population are lack of education, malnutrition, lack of medical care, and economic displacement resulting from development and modernization. Scarce resources and limited government attention resulted in little progress in dealing with these problems.

## Section 6 Worker Rights

### a. The Right of Association

The Constitution allows both private and public sector workers (with the exception of the armed forces and the police) to form and join unions without government interference. The Constitution contains several provisions that protect fundamental worker rights, including an antidiscrimination clause, provisions for employment tenure, severance pay for unjustified firings, collective bargaining, and the right to strike. Approximately 10 percent (150,000) of workers are organized.

In general, unions are independent of the Government and political parties. However, one of the nation's three labor centrals, the Confederation of Paraguayan Workers (CPT), has traditionally been closely aligned with the ruling Colorado party. These ties appear to be loosening, as the CPT supported all three general strikes.

All unions must be registered with the Ministry of Justice and Labor. The registration process is cumbersome and can take several months. Employers who wish to oppose the formation of a union can further delay union recognition by filing a writ opposing it. However, virtually all unions that request recognition eventually receive it, and the Ministry recognized 29 new unions through October. The Constitution provides for the right to strike, bans binding arbitration, and prohibits retribution against strikers and leaders carrying out routine union business, a prohibition often violated by employers. Voluntary arbitration decisions are enforceable by the courts, but this mechanism is still rarely employed. High-level labor ministry officials are available to mediate disputes, and helped resolve over 50 cases.

The International Labor Organization (ILO) Committee on Freedom of Association criticized the Government for failing to protect worker rights in five cases dealing with minimum-wage fixing

machinery, the right to organize, abolition of forced labor, discrimination in employment and occupation, and employment policy.

Unions are free to form and join federations or confederations and affiliate with and participate in international labor bodies.

#### b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining, and many collective contracts were successfully concluded. The number of negotiated collective contracts continued to grow; however, they were still the exception rather than the norm in labor-management relations and typically reaffirmed minimum standards established by law. When wages are not set in free negotiations between unions and employers, they are made a condition of individual offers of employment made to employees.

While the Constitution prohibits antiunion discrimination, the firing and harassment of some union organizers and leaders in the private sector continued. Fired union leaders can seek redress in the courts, but the labor tribunals have been slow to respond to complaints and typically favored business in disputes. The courts are not required to order the reinstatement of workers fired for union activities. As in previous years, in some cases where judges ordered reinstatement of discharged workers, the employers disregarded the court order with impunity. There are a number of cases in which trade union leaders, fired as long as 5 years ago, have not yet received a decision from the courts.

There were more than 30 strikes by unions affiliated with the Unitary Workers Central alone. The vast majority of these were directly related to the firing of union officials (over 100 cases reported), to management violations of a collective contract, to management efforts to prevent the free association of workers, or to demands for benefits such as payment of the minimum wage or contribution to the social security system. The failure to meet salary payments also frequently precipitated labor disputes. Principal problems included bottlenecks in the judicial system and the inability or unwillingness of the Government to enforce labor laws. There were also complaints of management creating parallel or "factory" unions to compete with independently formed unions. There were several cases of workers who chose not to protest because of fear of reprisal or anticipation of government inaction.

The major labor centrals and peasant organizations organized general strikes on March 15, May 2-3, and August 28. The strikes were relatively peaceful, with scattered incidents of violence, demonstrations, and vandalism, but no deaths or serious injuries were reported (see Section 1.c.). Police arrested several labor leaders during the May strike, but quickly released them.

#### c. Prohibition of Forced or Compulsory Labor

The law prohibits forced labor. However, cases of abuse of national service obligations occurred. There were several reports of conscripts forced to work as servants or construction workers for military officers in their residences or privately owned businesses. Apart from abusing national service obligations, the authorities appear to effectively enforce the law.

#### d. Minimum Age for Employment of Children

The Director General for the Protection of Minors in the Ministry of Justice and Labor is responsible for enforcing child labor laws. Minors between 15 and 18 years of age may be employed only with parental authorization and cannot be employed in dangerous or unhealthy conditions. Children between 12 and 15 years of age may be employed only in family enterprises, apprenticeships, or in agriculture. The

Labor Code prohibits work by children under 12 years of age, and all children are required to attend elementary school. In practice, however, many thousands of children, many of them younger than 12 years of age, may be found in urban areas engaged in informal employment such as selling newspapers and sundries, shining shoes, and cleaning car windows. In rural areas, it is not unusual for children as young as 10 years of age to work beside their parents in the field. Local human rights groups do not regard families harvesting the crop together as an abuse of child labor.

#### e. Acceptable Conditions of Work

The executive, through the Ministry of Justice and Labor, has established a private sector minimum wage sufficient to maintain a minimally adequate standard of living. The minimum salary is adjusted whenever annual inflation exceeds 10 percent and was \$240 per month (480,069 guaranies) at year's end. The Ministry is unable to enforce the minimum wage, however, and most analysts agree that from 50 to 70 percent of workers earn less than the decreed minimum.

The Labor Code allows for a standard legal workweek of 48 hours (42 hours for night work), with 1 day of rest. The law also provides for an annual bonus of 1 month's salary and a minimum of 6 vacation days a year. The law requires overtime payment for hours in excess of the standard, but there are no prohibitions on excessive compulsory overtime. Many employers violate these provisions. Workers in the transport sector routinely stage strikes to demand that their employers comply with the Labor Code's provisions on working hours, overtime, and minimum wage payments.

The Labor Code also stipulates conditions of safety, hygiene, and comfort. The Ministry of Justice and Labor and the Ministry of Health did not effectively enforce these provisions, due in part to a lack of inspectors and other resources. This led the labor movement to sponsor inspector training programs designed to ensure that unsafe or unhealthy conditions were registered. Workers have the right to remove themselves from situations that endanger health or safety without jeopardy to their continued employment, but may not do so until such conditions are formally recognized by the Ministries of Labor and Health. Although workers who file complaints about such conditions are protected by law, many employers reportedly took disciplinary action against them.

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