



U.S. DEPARTMENT of STATE

Paraguay

Country Reports on Human Rights Practices - [2006](#)

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Paraguay is a constitutional republic with a population of approximately 6.3 million. The president is the head of government and head of state. In 2003 voters elected Nicanor Duarte Frutos of the Colorado Party as president in generally free and fair elections. The country has a multiparty electoral system but has been governed by the Colorado Party for 60 years. The civilian authorities generally maintained effective control of the security forces.

Although the government generally respected the human rights of its citizens, there were serious problems in some areas. There were reports of killings by the police and military, which the government investigated. Convicted prisoners, other detainees, and conscripts were subject to abuse by government authorities. Prisons were routinely overcrowded and violent. In isolated cases, the civil rights of citizens were violated by arbitrary arrest and detention and lengthy pretrial detention. The judiciary remained inefficient and subject to corruption and political influence. Police occasionally used excessive force against illegal but generally peaceful demonstrations. Violence and discrimination against women remained a problem, as did trafficking in persons, discrimination against persons with disabilities and indigenous persons. Protections for worker rights and child labor were inadequately enforced.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

While the government or its agents did not commit any politically motivated killings, security forces were responsible for killings involving the use of unwarranted or excessive force. There were reports of police officers killing persons while acting outside the scope of their duties and of deaths in custody.

Members of the National Commission for Citizen Security (CONASEG), which was created by presidential decree to give citizens a role in supporting the National Police, were accused of killings, robbery, assault, harboring and protecting drug and arms traffickers in cities located in the Alto Parana Department such as Ciudad del Este, Presidente Franco, Minga Guazu, and Hernandarias. CONASEG units in these cities and two other jurisdictions were under investigation for killings; however, no CONASEG members had been prosecuted by year's end.

On July 11, CONASEG members in San Jose del Norte, San Pedro Department, allegedly killed Luis Martinez and injured Zacarias Vega, who managed to escape. Martinez and Vega were community activists who campaigned for peasants' rights and against the excessive use of agricultural pesticides. Family members received death threats and were warned not to pursue an investigation into the case. The case remained pending at year's end.

On November 26, Leoncio Piatti, a former member of CONASEG in Obrero (a neighborhood in Asuncion), killed Josais Adan Valiente Ovelar (12 years old) with a gun shot to the head. Piatti reportedly suffered from delirium. He had been expelled from CONASEG but continued his activities. An investigation remained pending at year's end.

On January 17, police in Arroyo Costa, Paraguari, allegedly tortured to death Agustin Cristaldo. Police reportedly stopped Cristaldo as he walked to a friend's home, beat and shot him in the legs, then took him to the police station where beating continued until he died. The case remained pending at year's end.

According to a congressional report, on January 9, six police officers in Iturbe, Guaira Department, beat and tortured to death Miguel Angel Benitez, whom they had detained for public drunkenness and making threats. On February 2, more than 200 residents of Iturbe marched to protest the killing. The attorney general's investigation remained pending at year's end.

On February 3, police officers Crispin Brizuela and Gabriel Ramon Duarte Lopez killed Alberto Escobar Silvero in Tavai, Caazapa Department, for allegedly driving his motorcycle directly at the officers. The Congressional Human Rights Commission reportedly heard evidence questioning the officers' account of the situation and suggesting that police used excessive force. The case remained pending at year's end.

An investigation continued in the case of police subcommissioner Francisco Ramon Rojas Aveiro who was detained in July 2005 on charges of ordering the killing of three persons in San Pedro in January 2005.

The case of a police officer, a cadet in the Military Academy, and two others arrested in August 2005 for killing Lucio Luis Vera remained pending at year's end.

In June 2005 police action to evict families from property claimed by a Brazilian settler in Tekojoja, Caaguazu Department, resulted in the deaths of Angel Cristaldo and Leopoldo Torres, who were members of the Agrarian and Popular Organization, and injuries to five others. Authorities arrested the settler, Ademar Aloisio Opperman, and several of his employees for their role in the killings. There were 25 suspects in the case, three of whom were in prison, and the case remained pending at year's end.

b. Disappearance

There were no reports of politically motivated disappearances.

Enrique Galeano, host of a news and music program on the Horqueta-based Radio Azotey, disappeared on February 4 while on his way home from work near the city of Yby Yau, Concepcion Department. On March 29, National Police Commandant Fidel Isasa Palacios put all police officials in Yby Yau as well as some officials from nearby Azotey on administrative leave pending the investigation and named a new lead investigator. Galeano had reported on and criticized powerful political figures for corruption and involvement in narcotics trafficking. At year's end, Galeano was still missing, and the investigation into his disappearance continued.

Political figures Juan Arrom and Anuncio Marti, members of the Patria Libre Party (PPL), accused of kidnapping Maria Edith Bordon de Debernardi in 2001, remained in Brazil, where authorities granted them political asylum in 2003. In June 2005 the lead prosecutor in the case stated that the same band of individuals involved in the Debernardi kidnapping was also responsible for the February 2005 killing of Cecilia Cubas, daughter of former president Raul Cubas, who had been kidnapped in 2004. In October 2005, after the attorney general filed formal charges, a judge indicted 15 suspects in the case, all of whom had ties to a militant faction of the PPL. Twelve of the 15 suspects were found guilty on November 28 and, on December 1, were sentenced to between five and 35 years' imprisonment. Several other PPL members fled to Argentina and Bolivia seeking asylum. Five fugitives in Argentina were in the custody of authorities there awaiting return to the country (a sixth fled to Bolivia after the others were arrested). Two who fled to Bolivia obtained refugee status on June 30 by virtue of a Bolivian Refugee Commission decision. While the Bolivian Supreme Court decided in August to revoke their refugee status, the two had not yet been returned to the country and were reportedly missing at year's end. Nine other suspects in the case remained at large.

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

Although the law prohibits such practices, there were reports that some government officials continued to employ them. The Paraguayan Human Rights Coordinating group (CODEHUPY)--comprising 37 nongovernmental organizations (NGOs), civic organizations, and trade unions--reported several cases of police torture and other abusive treatment of persons, including women and children, designed to extract confessions, punish escape attempts, or intimidate detainees.

CODEHUPY noted increased overcrowding and violence and deterioration in food safety and medical care in the penal system, as well as a failure to separate prisoners (accused and convicted persons, women and men, and adults and children). CODEHUPY highlighted 52 deaths within the prison system during the year. CODEHUPY reported that torture and other inhumane acts remained a significant problem within prisons, acts for which police or prison guards enjoyed impunity.

The UN Special Rapporteur on Torture Manfred Nowak noted in a November 29 statement that torture was widely practiced during the first days of police custody. "In particular," he reported, "the use of torture to obtain confessions is a standard practice in Ciudad del Este and other regions, where the methods used include beatings, stripping detainees naked, placing plastic bags over their heads, and squeezing their testicles." The rapporteur cited "impunity" as one of the most important reasons for the continuing practice of torture and ill-treatment, noting that "there have been no convictions for torture, and very few prosecutions, if any, since the criminal code entered into force in 1999."

An investigation continued at year's end in the case of Marcial Martinez Amarilla, a member of the Popular Rural Campesino Organization, who stated that, in March 2005, police in Valle Pe, Guaira Department, entered his home, forcibly apprehended him without a warrant for his arrest, and tortured him for three hours on suspicion of cattle theft.

There were no known developments in the December 2005 case of Juan Carlos Silvero Medina in San Juan Nepomuceno, Caazapa Department, who was detained for more than 10 hours for allegedly disturbing the peace and severely beaten. An investigation remained pending at year's end.

There were several reports of members of the police harassing, and beating civilians, particularly while responding to land invasions and protests.

There were accusations of sexual misconduct and rape by senior military officials. On May 2, several female cadets claimed they had been sexually assaulted or raped by their superiors. The military released a preliminary report in August indicating that some of the allegations could not be substantiated. The allegations remained under investigation at year's end.

The law allows the human rights ombudsman to investigate and seek monetary compensation in cases of human rights abuses stemming from the 1954-89 Stroessner regime. Since his appointment in 2001, the ombudsman ruled that 1,198 of 2,122 victims who filed petitions were entitled to compensation and awards ranging from \$583 to \$17,500 (3.1 million to 94.5 million guaranies). More than 400 victims (or family members) either already received payments or were due to receive payments, according to the ombudsman. Since 1993, 3,583 human rights cases have been filed, predominantly stemming from the Stroessner era. Although the Truth and Justice Commission continued to investigate and document human rights abuses between 1954 and October 2004, a tight budget constrained its progress. On

October 4, the Truth and Justice Commission exhorted President Duarte to release Armed Forces files for the purpose of clearing up the mystery behind forced disappearances during the Stroessner dictatorship. Also in October the Inter-American Court on Human Rights found the government culpable and stated that it should pay the victims of Operation Condor who were tortured or killed under the Stroessner regime.

In his November 29 statement, the UN special rapporteur on torture noted that he had "received allegations about the beating of conscripts and degrading treatment, such as a form of hazing known as *descuereo*, which involves forcing individuals to carry out extreme forms of exercise as a method of punishment." The government distributed to all military units booklets that the UN resident representative prepared on human rights practices.

On June 20, Defense Minister Roberto Gonzalez, then commanding general of the Armed Forces Jose Kanazawa, and then foreign minister Leila Rachid officially apologized on behalf of the government for the deaths in 1989 and 1995 of two minors--Gerardo Vargas Areco and Victor Hugo Maciel--conscripted into the military.

Prison and Detention Center Conditions

Prison facilities were deficient, and prison conditions were extremely poor. Overcrowding, unsanitary living conditions, and mistreatment were the most serious problems affecting all prisoners.

In August a special Senate Committee on Prisons released a report on its investigation of abuse and conditions at the prisons. The study found that prisons remained in "deplorable" conditions, an assessment unchanged from the previous year. Most prisons were overcrowded, lacked sufficient infrastructure to accommodate the inmates, needed additional security guards, required maintenance, and raised serious health concerns. Former commission president Senator Ana Maria Mendoza de Acha also noted that guards forced female inmates of Buen Pastor into prostitution at the Tacumbu prison.

According to CODEHUPY, Tacumbu prison, the largest in Asuncion, was built to hold approximately 1,000 inmates but held more than 3,000 for most of the year, of whom approximately 2,400 were awaiting trial. Regional prisons generally held approximately three times more inmates than their intended capacity. The exception is the new prison facility in Coronel Oviedo, Caaaguazu Department, completed in late 2005, which has a capacity of 600 but held approximately 400 inmates.

Security was a problem throughout the prison system. There were only 540 prison guards for 6,530 inmates in the entire prison system, which consists of 17 penal institutions. The national ratio of one guard for 12 inmates was much higher at Tacumbu prison in Asuncion, Central Department, where there were approximately 40 guards for approximately 3,000 prisoners (or one guard for 75 inmates). Inmates frequently had weapons, particularly at the Emboscada prison in Minas, Cordillera Department. Escapes and escape attempts were frequent, while corruption among prison guards and judicial officials remained a problem.

On June 25, prisoners attempted an escape at Tacumbu prison, using a large amount of explosive material, which weakened the prison's exterior reinforced wall. The military deployed to restore order and did not allow the National Police or the prison guards to enter. It was widely believed that some guards were complicit and allowed the explosive material to be smuggled into the facility.

Sixteen prisoners escaped from Emboscada prison in Minas, Cordillera Department, on August 26, passing several guard stations along the way. Several prisoners were recaptured, but most remained at large at year's end. According to the investigation, the prisoners were able to escape after bribing some guards \$5,000 (26.5 million guaranies) to look the other way.

A makeshift maximum security facility, not designed as a prison or officially designated as a prison and known as the "black hole," held dangerous offenders or those considered high escape risks in solitary confinement. The UN special rapporteur found that poor detainees in the "black hole" were held in extremely overcrowded conditions without light, ventilation, or basic hygiene while facing the constant threat of being infected with tuberculosis.

Male and female prisoners generally were held separately. While some smaller institutions held prisoners of both sexes, it was government policy to hold them in separate wings, but this was not always done in practice.

Although juvenile prisoners generally were held separately from adults, adults and juvenile prisoners continued to be held together in smaller prisons outside the capital.

Convicted prisoners were usually not separated from pretrial detainees.

The government permitted independent monitoring of prison conditions by human rights organizations. Amnesty International and diplomatic representatives were granted access to prisons for announced and some unannounced visits. In his November 29 statement, the UN special rapporteur welcomed the prison inspections conducted by three inter-institutional commissions and the closures of the Panchito Lopez Juvenile facility and the Emboscada High Security Prison, which he stated "were both notorious for the use of torture and ill treatment." During sensitive periods following unrest in the prisons, some prison directors required the human rights and diplomatic representatives to obtain permission from the minister of justice and labor before discussing prison information.

d. Arbitrary Arrest or Detention

The law prohibits detention without an arrest warrant signed by a judge and stipulates that any person arrested must appear before a judge

within 24 hours to make a statement; however, arbitrary arrest and detention were problems. The police may arrest without a warrant persons apprehended in the act of committing a crime, but they must notify a prosecutor. In practice the authorities did not always comply with these provisions.

Role of the Police and Security Apparatus

The National Police, under the authority of the minister of interior, have responsibility for law enforcement and internal security. The police were inadequately funded, poorly trained, and generally corrupt. The government took steps to control and punish human rights violations committed by police officers; however, the police enjoyed impunity for many of their actions. Although the National Police incorporated classes on human rights into its training courses, there were reports of police involvement in homicide, arms and narcotics trafficking, car theft, robbery, extortion, and kidnapping. In August more than 120 police officers in Alto Parana Department were reassigned to various parts of the country due to allegations of their involvement in illegal activities. In addition, authorities fired 61 officers for involvement in criminal activities.

The 1996 presidential decree creating CONASEG gave its citizen members a role in supporting the National Police. Participants do not have arrest authorities or authorization to use weapons. According to the Ministry of Interior, the CONASEG in Presidente Franco assumed the functions of the police, particularly in the San Rafael neighborhood where its members allegedly killed two persons during the year (see section 1.a.). The ministry also indicated that CONASEG members in San Rafael carried out vehicular patrols, carried weapons, set up road blocks, and checked vehicle and personal identification documents, all of which are legally functions of the National Police. Some members of Congress called for dismantling CONASEG, while others conveyed support for CONASEG with a more carefully defined role.

On October 4, National Police Chief Fidel Isasa ordered all police officials on red alert to combat a perceived escalation of criminal activity in the country particularly those perpetrated by assailants using large caliber firearms. Police thereafter made arrests in a number of high-profile cases. The country's Antinarcotics Secretariat (SENAD) was effective in antinarcotics efforts.

Arrest and Detention

The law provides that, after making an arrest, police have up to six hours to notify the prosecutor's office, at which point the prosecutor's office has up to 24 hours to notify a judge whether it intends to prosecute the case.

The law provides a person in detention with the right to a prompt judicial determination regarding the legality of the detention, and authorities appeared to respect this right and to inform detainees promptly of the charges against them. The average time from arrest to trial was approximately 240 days. The law permits detention without trial until the accused completes the minimum sentence for the alleged crime, which often occurred in practice. The law allows judges to utilize "substitute measures," such as house arrest, in place of bail for most crimes; however, judges frequently set relatively high bail, and many accused persons were unable to post bond.

The law grants accused criminals the right to counsel, but the government lacked resources to provide counsel to poor defendants, and many went to trial without representation. The government permitted defendants to hire attorneys at their own expense. Inmates were allowed regular visits from family members, including conjugal visits.

Pretrial detainees constituted approximately 75 percent of the prison population. Supreme Court justices and staff and many criminal court judges made periodic visits to the prisons to identify and release improperly detained individuals.

e. Denial of Fair Public Trial

While the law provides for an independent judiciary, courts remained inefficient and subject to corruption and political influence. Politicians and other interested parties blocked or delayed investigations and often pressured judges, although the judiciary was not allied with any political group.

On March 9, the Supreme Court temporarily suspended the Superior Electoral Court (TSJE) ruling prohibiting President Nicanor Duarte Frutos from exercising the Colorado Party presidency, which he won in an election on February 19. The TSJE had based its interpretation on a constitutional provision that prohibits the country's president from discharging the responsibilities of another position. Many opposition leaders and political rivals accused the court's justices of yielding to presidential pressure.

On August 30, several Colorado senators discussed with Supreme Court Justice Raul Torres Kirmser the case against imprisoned coup leader former colonel Lino Oviedo, who was serving a 10-year prison sentence for his involvement in a 1996 coup attempt and who was also charged with the 1999 killing of Vice President Luis Argana. Justice Torres originally denied discussing Oviedo's case but later asserted that he only spoke of the case as an anecdote and not from a judicial viewpoint.

The nine-member Supreme Court appoints lower court judges and magistrates, based upon recommendations by the Magistrates' Council. There are five types of appellate tribunals: civil and commercial, criminal, labor, administrative, and juvenile. Minor courts and justices of the peace come within four functional areas: civil and commercial, criminal, labor, and juvenile. The military has its own judicial system, which is subordinate to the civilian justice system.

Trial Procedures

All trials are open to the public. The law stipulates that all defendants have the right to an attorney, at public expense if necessary; however,

this right often was not respected in practice. Many destitute suspects received little legal assistance, and few had access to an attorney sufficiently in advance of the trial to prepare a defense. The 148 public defenders in the country, including 44 in Asuncion, lacked the resources to perform their jobs adequately.

The law requires prosecutors to bring charges against accused persons within 180 days of arrest. Defendants enjoy a presumption of innocence, and defendants and the prosecutor may present the written testimony of witnesses as well as other evidence. Juries are not used; the judge alone determines guilt or innocence and decides punishment. A convicted defendant may appeal the sentence to an appeals court, and the Supreme Court has jurisdiction over constitutional questions.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

While the justice system provides for an independent civil and commercial judiciary, courts remained inefficient and subject to corruption and political influence. Politicians and other interested parties have considerable influence and often pressured judges. Citizens have access to the courts to bring lawsuits seeking damages for, or cessation of, a human rights violation.

Property Restitution

In August 2005 the government expropriated approximately 129,000 acres of land in Puerto Casado owned by Reverend Sun Myung Moon's Unification Church purportedly for distribution to local farmers. The government held that the land was not in productive use. Since then, Victoria, S.A., the company owned by the Unification Church, has not had access to the property. As of August, the land had not been redistributed to local farmers, but company property on the lot had been stolen. Victoria, S.A., offered more than 24,000 acres to avoid expropriation, and congress was considering the offer. The law requires compensation to the owners, but funding was not allocated by year's end.

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

The law prohibits police entry into private homes except to prevent a crime in progress or when the police possess a judicial warrant. While the government and its security forces generally did not interfere in the private lives of citizens, human rights activists credibly claimed that local officials and police officers abused their authority by entering homes and businesses without warrants and harassing private citizens. There were credible allegations that some government officials occasionally spied on individuals and monitored communications for partisan or personal reasons.

On May 26, government officials raided the home of Colonel Heriberto Galeano, former commander of the Presidential Escort Regiment and former commander of the First Infantry Division, as part of an investigation into his involvement in illegal telephone tapping operations from his home. The prosecutor claimed most of Galeano's communications equipment had been removed prior to the raid, indicating that he had been tipped off about the pending raid.

Norma Silva Centurion stated that police officers in Ciudad del Este raided her home on August 24 and stole money, electronics, and her car. Silva also claimed to have been assaulted by four of the men. The case remained under investigation at year's end.

There were no developments regarding the March 2005 complaint of Marcial Martinez Amarilla, a member of the Popular Rural Campesino Organization that police in Valle Pe, Guaira Department, entered his home and forcibly apprehended him without a warrant for his arrest (see section 1.c.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice. However, some government agents attempted to intimidate journalists.

The print and electronic media were independently owned; some media outlets were tied closely to political parties or business entities. Many media outlets clearly reflected personal business or political interests, and ethical and professional standards were low. The independent media frequently criticized the government and freely discussed opposition viewpoints without restriction.

Enrique Galeano, host of a morning news and music program on the Horqueta-based Radio Azotey, disappeared on February 4. Galeano had reported on and criticized powerful political figures for corruption and involvement in narcotics trafficking. The Yby Yau prosecutor was investigating a possible connection between Galeano's journalistic work and his disappearance (see section 1.b.).

Application of libel law was irregular. Judges were biased toward plaintiffs and frequently ruled in their favor regardless of the merits of a case. Political figures used police or private security officers to threaten or intimidate journalists. On December 28, 2005, the Supreme Court unanimously agreed that ABC Color, a leading publication, was guilty of defamation against Senator Juan Carlos Galaverna of the ruling

Colorado Party. The case stemmed from a series of reports ABC Color published in 1997 and 1998 that identified Galaverna as an "influential trafficker" and a "looter." In 2001 and 2002 lower courts found ABC Color guilty of defamation, calumny, and slander. On January 5, the Inter-American Press Association said the Supreme Court's decision "limits the ability of the press to independently investigate alleged wrongdoing by public officials."

On February 27, private security officers working for alleged drug traffickers in Itapua Department shot at (but did not injure) Juan Agosto Roa, an ABC Color correspondent, while Roa was investigating the alleged traffickers. On March 2, the Paraguayan Journalists Union issued a declaration holding central and Itapua government officials responsible for Roa's well-being. The government's investigation was pending at year's end.

On December 7, Colorado mayoral candidate and journalist Julio Benitez Ruiz Diaz was killed at his home in Pedro Juan Caballero. Benitez lost the mayoral election to Jose Acevedo, the brother of Amambay Department Governor Roberto Acevedo. The case remained under investigation at year's end.

On several occasions, politicians and prosecutors publicly threatened journalists who revealed embarrassing information about them, typically related to corruption. In February during a radio interview in Ciudad del Este, police officer Ever Cantero threatened reporters who had written articles critical of him.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chatrooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly and association, and the government generally respected these rights in practice. In some cases, police violently dispersed illegal protests or assemblies.

On November 29, workers from the health sector protested the proposed health budget and blocked the Senate entrance, effectively preventing senators from leaving the building for several hours. Protesters and media observers accused the police of use of excessive force in dispersing the crowd.

On December 5, a controversial court ruling in the case of the Ycua Bolanos supermarket fire of 2004 turned a largely peaceful assembly of victims or their families into immediate rage and rioting in Asuncion. The National Police responded with force using rubber bullets, batons, water canons and throwing stones. The riot resulted in injuries to 52 civilians and 16 police officers, as well as the arrest of approximately 80 individuals.

The law restricts demonstrations in Asuncion to certain times and places and specifically prohibits meetings or demonstrations in front of the presidential palace and outside military or police barracks. The law also requires that organizers notify the Asuncion police 24 hours before any rally downtown. In addition, the law prohibits public gatherings in the congressional plaza in Asuncion, the traditional focal point for many demonstrations, during daylight hours on workdays. The police may ban a demonstration but must provide written notification of the ban within 12 hours of receipt of the organizers' request. The law permits a police ban only if another party already has given notice of plans for a similar rally at the same place and time. This law does not apply to religious processions. The law prohibits closing roads as a form of protest, but demonstrators did so on many occasions during the year.

Several campesino organizations held demonstrations during the year. Members blocked several national highways, and campesinos invaded and occupied numerous rural properties, mainly calling on the government to expropriate farmland for redistribution.

Freedom of Association

The constitution provides for the right of citizens to free association, and the government generally respected this right in practice.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice. The government required all religious groups to register with the Ministry of Education and Culture but imposed no controls on these groups, and many unregistered churches existed.

Societal Abuses and Discrimination

Approximately 70 incidents of graffiti conveying messages or depicting symbols commonly associated with anti-Semitism and pro-Nazism occurred in Asuncion during January and February. Some of the graffiti was spray-painted on the private property of a well-known radio commentator of Jewish descent and at the home of the Jewish son-in-law of an ABC Color newspaper executive. The government investigated the incidents, but no arrests were made, and the case remained under investigation at year's end. There were approximately 350 Jewish families in the country.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

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

The law provides for these rights, and the government generally respected them in practice. Authorities frequently prohibited those accused of crimes from leaving the country and, on occasion, barred those convicted of crimes from traveling abroad after completing their sentences.

The law expressly prohibits forced exile, and the government did not use it.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against refoulement, the return of persons to a country where they feared persecution. The government provided protection and granted refugee status to Cubans and Lebanese, on a case-by-case basis.

On November 14, seven Cuban refugees, who were rescued at sea, requested and received asylum after reaching the country. The International Organization for Migration (IOM), the Committee of Churches, a local NGO, and the government all took part in relocating and resettling the refugees. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers.

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

The law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. The law mandates general elections every five years with voting by secret ballot.

Elections and Political Participation

In the April 2003 multiparty general elections, Nicanor Duarte Frutos of the Colorado Party won the presidency. Observers from the Organization of American States characterized the elections as generally free and fair. There were no reports of systematic nationwide irregularities, although the NGO Transparency Paraguay cited irregularities at several polling stations.

There are no legal impediments to women's participation in government and politics. There were 12 women in congress (four of 45 senators and eight of 80 national deputies), one woman on the Supreme Court, one woman elected as a departmental governor, one woman heading a cabinet ministry, and six additional women holding ministerial rank and heading secretariats. The Electoral Code requires that 20 percent of each party's candidates in their internal primaries for elective office be women. On May 6, the Authentic Radical Liberal Party approved a requirement that 33 percent of its candidates be women.

Although there were no legal impediments to minority groups' participation in government and politics, there were no indigenous members of the legislature. An estimated 50 percent of the approximately 40,000 indigenous persons eligible to vote did so in the 2003 general elections, but members of some indigenous communities reported that they were threatened and prohibited from fully exercising their political rights, and indigenous persons continued to hold rallies protesting limits on their political and human rights.

In December the TSJE's director of technical information, responsible for overseeing administration of electronic balloting and voter's lists, was fired in response to pressure brought to bear by Colorado Senator Juan Carlos Galaverna.

Government Corruption and Transparency

There was a widespread public perception of corruption in government. The NGO Transparency International reported that corruption remained a "serious" problem but showed some improvement during the year. Congress was perceived to be the most corrupt institution followed closely by the judiciary. The government maintained working relationships with civil society organizations to promote transparency in the public sector.

In December the University of Asuncion released a comprehensive analysis of the fate of economic crime and corruption cases between 2001 and 2005 that revealed extraordinarily long delays at every step of the process, which in many instances greatly exceeded timeframes set by law. The analysis found that approximately 77 percent of the cases merely expired under the statute of limitations, indicating that wealthy or well-connected defendants often simply played "beat the clock," filing motions that prevented legal progress and led to legalized impunity.

On July 23, Colorado Party Deputy Magdaleno Silva sought to lift a SENAD roadblock, which targeted drug traffickers in Concepcion. Silva allegedly had links to drug traffickers in the Departments of Concepcion and Amambay and interfered in judicial proceedings.

On June 5, a court sentenced former president Luis Angel Gonzalez Macchi to six years in prison for his involvement in the illegal transfer of \$16 million from the liquidated Oriental Bank in 2000. The decision was overturned on appeal and was pending a final ruling by the Supreme Court at year's end. In a separate case, a court on December 4 sentenced Gonzalez Macchi to eight years in prison for illegal enrichment and providing false documents; that case remained under appeal, and Gonzalez Macchi remained under house arrest at year's end.

Government prosecutors opened a number of high-profile corruption cases including one against Colorado Deputy Victor Bogado, the president of the House of Deputies. In October Colorado Party deputies rejected a motion to lift Bogado's congressional immunity, effectively obstructing prosecution in the case.

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

Nearly 50 domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative with domestic and international NGOs; however, their response to the views and recommendations of the human rights groups was mixed.

Local NGO human rights groups included the Committee of Churches (an interdenominational group that monitored human rights, investigated refugee claims, and provided legal assistance), Grupo Luna Nueva (a group dedicated to the protection of children's rights), and Peace and Justice Service (SERPAJ), a group that defended conscientious objectors and provided legal assistance to those with grievances arising from military service. Transparency Paraguay, the local affiliate of Transparency International, monitored public perceptions regarding corruption. The CODEHUPY produced an annual report that highlighted abuses of police authority and other government agents or entities and mistreatment of military recruits.

The IOM developed reports on various migration problems including trafficking in persons. The International Labor Organization (ILO) produced reports on union labor activities, child labor, and indigenous labor issues. The UN Children's Fund (UNICEF) developed reports on children's health, education, labor, and living conditions.

Ombudsman Manuel Paez Monges remained the country's human rights advocate. The ombudsman's office operated generally without government interference; however, severe budgetary constraints hindered its operations and occasionally resulted in months-long delays in paying employees.

The director general of human rights, located in the Ministry of Justice and Labor, chaired the National Commission on Human Rights. The commission sponsored seminars to promote human rights awareness. The director general's office has access to the congressional, executive, and judicial authorities. It does not have subpoena or prosecutorial power, but the commission may forward information concerning human rights abuses to the attorney general for action. It served as a clearing house for information on human rights.

The Foreign Ministry's human rights office organized an inter-ministerial roundtable on human rights that met periodically throughout the year. It served as a forum for human rights officials from various ministries and secretariats to coordinate their efforts and focused principally on combating trafficking in persons. Domestic and international NGOs also participated in the roundtable.

In November 2005 the Truth and Justice Commission issued a report holding the Stroessner regime accountable for 60 instances of human rights violations. Investigations continued into the more than 8,000 cases submitted, although resource constraints restricted the commission's effectiveness. The commission released its preliminary findings in December and projected issuing its final report in 2007.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

While the law prohibits discrimination based on race, gender, disability, language, or social status, certain groups, such as indigenous persons, faced significant discrimination in practice.

Women

The most pervasive violations of women's rights involved sexual and domestic abuse. Spousal abuse was common. The Attorney General's Office reported that there were 12 domestic violence convictions during the year and many others in process. Although the law criminalizes spousal abuse, it stipulates that the abuse must be habitual before being recognized as criminal and then is punishable by a fine. Thousands of women were treated for injuries sustained in violent domestic altercations. Between January and August, the Secretariat of Women's Affairs recorded 1,004 cases of domestic violence. Despite an apparent trend toward increased reporting of complaints, such complaints were often withdrawn soon after filing due to spousal reconciliation or family pressure, including from the attacker who is often the spouse. According to the Attorney General's Office, in 13 years there have been only four cases prosecuted where the wife continued with the case. In addition, the courts allow mediation of some family violence cases, although not provided for in the law. The Secretariat of Women's Affairs' 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 NGOs. Although these services were available only in Asuncion, the secretariat partnered with several NGOs in other cities to assist in the protection of victims. The NGOs provided health and psychological assistance, including shelter, to victims and communicated with the authorities on behalf of the victims. The secretariat also conducted training courses for the police, health care workers, prosecutors, and others in assisting victims of trafficking and domestic violence. In August the secretariat organized a conference attended by 248 police officers on protecting victims of domestic violence.

The NGO Women's November 25th Collective operated a reception center where female victims of violence received legal, psychological, and educational assistance. The NGO Kuna Aty also offered services to abused women. There were no shelters for battered and abused women outside of Asuncion. In April Asuncion's mayor opened the country's first municipal shelter to care for victims of domestic violence. The shelter has the capacity to provide housing, medical, social, and psychological support to 30 victims and their children.

The law criminalizes rape, including spousal rape, and provides penalties of up to six years in prison. According to the Office of the Attorney General, rape was a significant problem. During the year, there were more than 260 reported cases of rape in Asuncion and many more in the other departments. The government generally prosecuted rape allegations and often obtained convictions; however, many rapes went unreported because victims feared their attackers or were concerned that the law did not adequately respect their privacy.

The law prohibits the sexual exploitation of women, but the authorities did not enforce the prohibition effectively. Prostitution is legal for persons over the age of 18, and exploitation of women, particularly underage prostitutes, remained a serious problem (see section 5, Trafficking).

The law prohibits but does not criminalize sexual harassment, and it remained a problem for many women in the workplace. While there are no penalties specifically for harassment, related violations of the law are punishable by fines and up to three months' imprisonment. Claims of abuse may be filed with the courts and the Ministry of Justice and Labor, but harassment was difficult to prove, and most complaints were settled privately.

Although women generally enjoyed the same legal status and rights as men, gender-related job discrimination was widespread and widely tolerated. Women often were paid significantly less than men for the same work. The Secretariat of Women's Affairs occasionally sponsored programs intended to give women equal access to employment, social security, housing, ownership of land, and business opportunities. According to CODEHUPY, unemployment rates for women (15 percent) were nearly double those for men (8 percent). Women generally were employed as domestic workers, secretaries, and in other traditional roles.

Children

The law protects certain children's rights and stipulates that parents and the state should care for, feed, educate, and support children.

Public schooling was provided through the age of 17, and education was compulsory until the age of 14. According to the Ministry of Education and Culture, in 2005 the enrollment rate for children between the ages of six and 14 was 89 percent and 50 percent for those between the ages of 15 and 17. On July 19, the National Advisory Committee of Education and Culture reported that more than 230,000 adolescents between the ages of 15 and 17, or 60 percent of that age group, were not in school. The law entitles boys and girls to equal educational access; enrollment among girls at all ages was slightly greater than enrollment among boys. Rates of overall enrollment in urban areas were slightly higher than rates of enrollment in rural areas. Approximately 59 percent of indigenous children between the ages of six and 14 were enrolled in school. The national literacy rate was 92 percent.

According to UNICEF, 48 percent of children age 14 or younger lived in poverty (20 percent in extreme poverty), and 11 percent of those suffered from chronic malnutrition, with both figures trending upward. Boys and girls generally had equal access to state-provided medical care. The government provided free consultation for children under the age of five, but medical services must be paid by the parent or guardian.

Abuse and neglect of children was a serious problem. A local NGO attributed a rise in the number of complaints of mistreatment of children to the increased awareness of child abuse and neglect. The government has a National Plan to Prevent and Eradicate the Exploitation of Children. The Secretariat of Children and Adolescents is responsible for this five-year program, for identifying and providing assistance to abused and neglected children, and for educating the public to prevent abuse. According to the Institute of Comparative Studies in Punitive and Social Sciences and UNICEF, 2,573 children lived in 56 shelters largely because of poverty. Some children in these facilities were victims of sexual abuse.

Sexual exploitation of children also was a problem. UNICEF reported that two-thirds of sex industry workers were minors, the majority of whom began working between the ages of 12 and 13. In addition, UNICEF reported frequent sexual exploitation of the 40,000 criadas (domestic servants) between the ages of six and 12 (see section 6.d.). In April the ILO estimated that during 2005 more than 3,500 children between the ages of five and 17 years of age had been sexually exploited in Ciudad del Este and that there were 250 minor girl prostitutes in the city.

During the year the Secretariat of Children and Adolescents registered more than 25,000 children not previously included in the Civil Registry; the secretariat estimated that more than 600,000 children remained to be registered. The secretariat also participated in or organized programs related to combating trafficking in persons, abuse of children, and child labor issues, such as children who are domestic servants.

There were reports of trafficking in girls for the purpose of sexual exploitation (see section 5, Trafficking).

The government requires that all military officers responsible for recruiting ensure that all conscripts meet the legal minimum age of 18.

Child labor was a problem (see section 6.d.).

Trafficking in Persons

Although the law prohibits trafficking in persons, persons were trafficked from and within the country for sexual purposes.

Anecdotal evidence suggested that several hundred women and children were trafficked abroad annually. There were no estimates available on the extent of trafficking within the country because the government kept no relevant statistics, and the extent of international trafficking was unknown. The government reported there were 64 confirmed victims of international trafficking in 2005. According to the IOM, the trafficking of women and children in the country increased 27 percent in the last five years. On July 5, the country's ambassador to Spain announced that more than 1,500 Paraguayan prostitutes, many believed to have been trafficked, lived in Spain.

Most victims came from the rural interior of the country, particularly the departments of Alto Parana, Canindeyu, Caaguazu, and Itapua, which border Argentina and Brazil and where international organized crime groups had a heavy presence. The borders were very porous, and there were few border officials. Within the country, victims were trafficked primarily to the two largest cities, Asuncion and Ciudad del Este; the most significant foreign destinations were Argentina and Spain; smaller numbers of victims went to Brazil. Trafficking victims within the country worked in the sex industry. Underage girls reportedly also were forced to work as criadas, both domestically and in neighboring countries. According to the Secretariat for Children and Adolescents, many of these children were sexually abused. Government and NGO studies showed that most of the girls trafficked were working as street vendors when traffickers targeted them and that 70 percent of victims had drug addictions.

The trafficking of women and children for sexual exploitation was a high-profit, low-risk activity for traffickers who moved easily across the borders with Argentina and Brazil. The traffickers took advantage of the poor who lived in the border departments, promising women, and in many cases young girls, jobs in the retail industry. In some cases, the parents were fully aware that their daughters planned to work in other cities or countries but were unaware of the conditions and actual job.

On several occasions, Spanish and Argentine police rescued Paraguayan women from brothels, where they had been forced to work as prostitutes. In June governmental authorities announced that Spanish police rescued 39 Paraguayan female trafficking victims. In May and June, Spanish police raids on clubs in four cities discovered 146 women working as prostitutes, many of whom were Paraguayan.

In July three victims returned from Argentina with the assistance of IOM. The women had been promised jobs as waitresses and hotel workers, but upon arrival in Buenos Aires they were informed they were to work as prostitutes. They later escaped with assistance from a local good samaritan.

The law punishes trafficking in persons with up to 10 years in prison; the law also forbids compelling anyone to travel outside the country or to enter the country for the purpose of prostitution or compelling a minor under 18 to work as a prostitute. At year's end, there were more than 50 transnational cases under investigation, 23 of which had entered judicial proceedings. There were 34 persons in prison on trafficking-related offenses; 11 of these individuals had been convicted of trafficking and associated crimes, 23 were charged with these crimes, and five were in restrictive custody. Others remained at-large and were still sought by authorities. The Secretariat of Women's Affairs noted it processed 53 female victims during the year, nine of whom were minors.

The Secretariats of Women's Affairs and Children and Adolescents were responsible for combating trafficking, and the Secretariat for Repatriations had a mandate to assist victims who were trafficked abroad; however, the secretariats' small budgets limited their effectiveness. Foreign governments and international organizations provided additional assistance.

On September 6, police arrested Bolivian citizen Jorge Antonio Cortes Villena for recruiting young girls to work in Santa Cruz, Bolivia, as prostitutes. Other members of Cortes' group who were arrested included Bolivian citizen Ramiro Noguera Garcia and Paraguayan citizens Juana Rocio Adorno Silguero and Jorge Kraufer Gimenez. The case remained pending at year's end.

On July 27, authorities arrested Claudia Lorena Martinez and Andres Eligio Ponce, both of Spanish descent, for trafficking children to Spain. Because of their Spanish ancestry, the couple had no trouble taking the children to Spain where they were to be adopted for \$6,000 to \$10,000 per child. The case remained pending at year's end.

The case of Carolina Maidana Duarte, who was extradited from Spain in July 2005 for her involvement in the trafficking of Lurde Resquin, was closed because the victim, whose testimony is required, left the country; Carolina Maidana Duarte was released from custody.

Resource constraints limited government assistance to trafficking victims. Victims received some legal, medical, and psychological support for limited periods of time. The government's primary focus in protecting victims was the repatriation of its own citizens. Provision for the physical and mental health of those repatriated, as well as for their transportation home, was limited. The lack of resources also prevented periodic follow-up after repatriation.

The Itaipu Binational Authority, a public utility company jointly owned by the country and Brazil, supported the NGO Children's and Adolescents' Care and Assistance Center, which operated a hot line and shelter for trafficking victims in Ciudad del Este.

Efforts to prevent trafficking included interministerial roundtables organized by the Ministry of Foreign Affairs to discuss trafficking in persons. A national communications campaign, organized by the Secretariat of Women's Affairs with foreign government and NGO support, sought to prevent women and girls from becoming victims of trafficking.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the

provision of other state services. Nonetheless, many persons with disabilities faced significant discrimination in employment; others were unable to seek employment because of a lack of accessible public transportation. The law does not mandate accessibility for persons with disabilities, and most of the country's buildings, public and private, were inaccessible.

The Ministry of Health noted that half of all children with disabilities did not attend school because public buses could not accommodate them. Many bus drivers reportedly refused boarding to persons with disabilities or required them to be accompanied.

Conditions for the more than 400 residents at the Neuropsychiatric Hospital in Asuncion remained substandard, and patients continued to have inadequate physical and mental health care. Parasitic and skin infections were widespread, and outbreaks were not treated effectively. Children continued to be housed in the institution, despite the government's pledge to move them to placements in the community. The government took minimal steps to implement reforms that it had committed to undertake in a March 2005 agreement with the NGOs Mental Disability Rights International (MDRI) and Center for Justice and International Law. According to MDRI, the government remodeled the hospital and increased its budget; however, patient treatment had not improved. In addition, the hospital remained severely overcrowded.

Indigenous People

The law provides indigenous people with the right to participate in the economic, social, political, and cultural life of the country; however, the indigenous population (officially estimated at more than 90,000) was unassimilated and neglected. Low wages, long work hours, infrequent payment (or nonpayment) of wages, job insecurity, lack of access to social security benefits, and racial discrimination were common. Weak organization and lack of financial resources limited access by indigenous persons to the political and economic system. The law protects the property interests of indigenous people, but these rights were not fully codified. The law allows public ministry officials to represent indigenous people in matters involving the protection of life and property.

Lack of access to sufficient land hindered the ability of indigenous groups to progress economically and maintain their cultural identity. In addition, there was insufficient police and judicial protection from persons encroaching on indigenous lands, and many indigenous people found it difficult to travel to the capital to solicit land titles.

Other significant problems facing the indigenous population included lack of shelter and medical care, economic displacement resulting from other groups' development and modernization, and malnutrition. Scarce resources and limited government attention slowed progress in dealing with these problems.

On June 30, leaders from the country's 10 indigenous nations founded a National Indigenous Movement with the goal of advancing their rights and working to gain political representation. In September the leaders presented candidates for the November municipal elections, but none of them were elected.

Section 6 Worker Rights

a. The Right of Association

The law 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, and workers exercised this right in practice. The law contains 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 121,000 (15 percent) of workers were organized in approximately 1,600 unions. These numbers excluded the informal sector, which represented a significant segment of the economy.

All unions must be registered with the Ministry of Justice and Labor. Although the official registration process was cumbersome and could take more than a year, the Ministry of Justice and Labor issued provisional registrations within weeks of application. Employers who opposed the formation of a union can delay union recognition by filing a writ, but almost all unions requesting recognition eventually received it.

The law prohibits antiunion discrimination, but it was not always enforced. Harassment of some union organizers and leaders in the private sector continued. Fired union leaders may seek redress in the courts, but the labor tribunals were slow to respond to complaints. A number of cases involving union leaders fired as many as nine years ago remained pending in the courts. Although the courts typically favored employees in disputes, backlogs in the judicial system delayed cases for several years. As a result, most employees could not afford the time and expense of seeking judicial redress. The courts were not required to order the reinstatement of workers fired for union activities. In some cases, when judges ordered the reinstatement of discharged workers, employers continued to disregard the court order with impunity. The failure of employers to meet salary payments also frequently precipitated labor disputes.

There were also complaints that management created parallel or "factory" unions to compete with independently formed unions. In several cases, workers allegedly chose not to protest due to fear of reprisal or anticipation of government inaction.

b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining, and this provision generally was respected in practice. According to the Ministry of Justice and Labor, there were approximately 30 collective bargaining agreements in place, covering approximately 10 percent of private sector employees and 60 percent of public sector employees; however, the agreements typically did little more than reaffirm minimum standards established by law. When wages were not set in free negotiations between unions and employers, they were made a condition of individual offers of employment.

Although the law provides for the right to strike, bans binding arbitration, and prohibits retribution against strikers and leaders carrying out routine union business, employers often took action against strikers and union leaders. Voluntary arbitration decisions are enforceable by the courts, but this mechanism rarely was employed. Senior Ministry of Justice and Labor officials were available to mediate disputes.

There were numerous strikes by members of all three worker centrals and smaller unions. Many of the strikes were related to management violations of a collective contract, management efforts to prevent the free association of workers, or demands for benefits such as payment of the minimum wage or contribution to the social security system. Others were directed at broader economic problems.

There are no export processing zones. Factories that assemble imported parts for re-export (maquiladoras) operated in the eastern part of the country. The Mercosur trade association accepted the country's maquiladoras into its automotive regime. The country's labor laws apply to maquila operators.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see section 5). Unlike last year, there were no reports of conscripts forced to work for military officers in their private enterprises.

d. Prohibition of Child Labor and Minimum Age for Employment

The director general for the protection of minors in the Ministry of Justice and Labor is responsible for enforcing child labor laws. In practice the government did not enforce minimum working age regulations, and child labor was a problem in both the legal and illegal economy of the country.

Minors between 15 and 18 years of age may work only with parental authorization and may not be employed in dangerous or unhealthy conditions. Children between 14 and 15 years of age may work only in family enterprises, agriculture, or apprenticeships. The Labor Code prohibits work by children under age 14. On April 28, the ILO reported that more than 322,000 children participated in various economic activities and an additional 687,000 did domestic work, mostly in rural areas.

The 2001 census reported that 5 percent of the workforce was under the age of 14. According to the NGO Organization for the Eradication of Child Labor (COETI), 265,000 children, or 13.6 percent of those between the ages of five and 17, worked outside their homes, many in unsafe conditions. In supermarkets, boys as young as age seven bagged and carried groceries to customers' cars for tips. Thousands of children in urban areas (an estimated 15,000 in Asuncion alone) many of them younger than 12 years of age, were engaged in informal employment, such as selling newspapers and sundries and cleaning car windows. Many of the children who worked on the streets suffered from malnutrition and disease and lacked access to education. Despite new initiatives to combat child street labor, exploitation and abuse of children persisted.

According to the Secretariat for Children and Adolescents, many of 40,000 criadas were also sexually abused. Some employers of the estimated 11,500 young girls working as criadas in Asuncion denied them access to education and mistreated them. In rural areas, children as young as 10 years of age often worked beside their parents in the fields; according to COETI, 88 percent of rural children in the labor force worked at home or with family members. Local human rights groups did not regard families harvesting crops together as an abuse of child labor. UNICEF reported that 25 percent of children between the ages of 10 and 17 worked, of whom almost 50 percent were below age 15. Forty-seven percent worked on family farms, 22 percent in construction, 13 percent work in the street, and 11 percent operated machinery or were artisans. The children worked approximately five hours per day. According to the General Office of Statistics, Surveys, and Census, 2005 statistics indicated that economic participation by those ages 10 to 14 increased to 16.4 percent.

While the government took some steps in implementing its 2003 plan to eliminate child labor, including the worst forms of child labor, these efforts have not been accompanied by strong public institutions and programs nor translated into changes of social practices.

e. Acceptable Conditions of Work

The Ministry of Justice and Labor established a mandatory national private sector minimum wage, approximately \$221 per month (1.198 million guaranies), sufficient to maintain a minimally adequate standard of living for a worker and family. According to an analysis by the local economic think tank Foundation for Sustainable Development (FSD), the median wage in the formal economy was \$165.45 (893,430 guaranies) per month, reflecting lower public wages, but in the informal sector the median wage was \$36.36 (196,344 guaranies) per month, which is well below the mandated minimum. FSD estimated that 80 percent of workers were employed in the informal sector with urban poverty rates on the rise.

There was no public sector minimum wage. In practice most government agencies paid government workers on an hourly basis at a rate comparable to the private sector minimum wage. The minimum salary is adjusted whenever annual inflation exceeds 10 percent. However, the Ministry of Justice and Labor did not enforce the minimum wage and estimated that 50 percent of government workers earned less than the minimum wage, while 48 percent of private sector workers earned less. The law requires that domestic workers be paid at least 40 percent of the minimum wage and allows them to work up to a 12-hour day.

The law allows for a standard legal workweek of 48 hours (42 hours for night work), with one day of rest. The law also provides for an annual bonus of one month's salary and a minimum of six vacation days a year. The law requires overtime payment for hours in excess of the standard. However, many employers violated these provisions. There are no prohibitions on excessive compulsory overtime. Workers in the transport sector routinely staged strikes to demand that their employers comply with the law's provisions on working hours, overtime, and minimum wage payments.

The law also stipulates conditions of safety, hygiene, and comfort. The government did not allocate sufficient resources to enable the Ministry of Justice and Labor and the Ministry of Health to enforce these provisions effectively.

Workers have the right to remove themselves from situations that endanger their health or safety without jeopardy to their continued employment, but they may not do so until the Ministries of Justice and Labor and Health recognize such conditions formally. While there are laws intended to protect workers who file complaints about such conditions, many employers took disciplinary action against such workers.