

FREEDOM OF THE PRESS

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Paraguay

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The constitution and other laws guarantee freedom of the press, and the government generally respects this right. However, in 2011, the legal environment in Paraguay was dominated by controversial changes to the Telecommunications Law, the continued use of defamation laws against the press, and renewed demand for an information access law. Congress overrode President Fernando Lugo's November 2010 veto of the Telecommunications Law, ratifying it in March 2011. The measure limits community radio stations' broadcasting power to 50 watts and prohibits them from carrying advertising. Freedom of expression organizations like the Association of Community Broadcasters and the Organization of American States' Office of the Special Rapporteur for Freedom of Expression have argued that the law violates international standards of freedom of expression and is a major step backward for human rights.

Paraguay is one of the few remaining countries in the Americas that lack legislation guaranteeing access to public information. A right to information bill failed to pass the Senate in 2006, but two courts of appeal have recognized the right, and an ongoing Supreme Court case, *Vargas Telles v. City of San Lorenzo*, provides the first opportunity for the highest court to set a binding precedent on the matter. In the absence of an access to information law, the Senate approved Resolution 519 in December 2011, which requires prior authorization from the Senate president before any Senate documents can be turned over to the press. Organizations such as the Access to Information Advocacy Group (GIAI) have criticized the resolution, calling it arbitrary and an attack on fundamental human rights. The newspaper *ABC Color* reported that when it tried to obtain a copy of a bill, authorities said the resolution prevented them from handing it over. In defense of the resolution, Senate president Jorge Oviedo Matto contended that the Senate is not a "neighborhood grocery store" where just anyone can request information.

Relations between the president and the media continued to deteriorate during 2011. The president had refused to hold press conferences since April 2010. In October the minister of communications announced that Lugo would resume the conferences, but the president continued to reject the idea, claiming that the media twist his words.

Paraguayan journalists faced ongoing legal harassment by public officials and others during the year. In August, journalist César Ferreira of Radio Yuty was ordered to go to trial after previously being absolved of defamation and slander against politician Benjamín Adaro Monzón. In October, an appeals court upheld a sentence against *ABC Color* publisher Aldo Zuccolillo, ordering him to pay roughly \$43,000 for a 2006 article that allegedly damaged the honor and reputation of a judge, Carmelo Castiglioni. Although some cases are ultimately dismissed, a consistent pattern of judicial harassment and abuse of the court system aimed at silencing the country's most influential media outlet continues to take a heavy toll on the resources, finances, and morale of the *ABC Color* staff. Two *ABC Color* journalists, Omar Acosta and Jorge Torres, were facing lawsuits for offending officials in 2011. However, in a sign of progress,

2012 SCORES

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Partly Free

PRESS FREEDOM SCORE

60

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journalist Sandra López, also of *ABC Color*, was acquitted in July 2011 of criminal defamation charges brought by politician and businesswoman Zunilda Verónica Castiñeira, who claimed she was harmed by the newspaper's reports linking her with corruption and drug trafficking. Castiñeira vowed to appeal and also verbally threatened López. In August, Channel 9 journalists Silvio Cuevas, Yolanda Park, and Adrés Caballero, along with former director Ismael Hadid, were acquitted of defamation, libel, and slander charges that had been brought by a lawyer accused of falsifying adoption documents.

In addition to legal harassment, Paraguayan journalists continued to confront threats and physical attacks, and several have been under constant police protection for years. Most notably, in March 2011, journalist Merardo Alejandro Romero of the community radio station La Voz de Ytakyry, in the city of the same name in the state of Alto Paraná, was shot to death in his house. Five days later, his colleague at the station, Rumilio Piris, quit after receiving death threats. Authorities believe Romero's killing was linked to his criticism of high-ranking officials in the Colorado Party. While three suspects in the killing were arrested, by the end of the year they still had not been charged, and one was freed on December 31. An arrest warrant was issued in April for José Valenzuela, an official in the Colorado Party believed to be connected to the crime. However, he remained at large. In another instance of intimidation, Javier Núñez, correspondent for the newspaper *Ultima Hora*, has been under police protection since receiving two death threats in July for reporting about a transportation company. As of the end of the year, the case remained unsolved. Also in July, an arson attack forced community station Radio Yuty FM off the air. No one was injured, and that case also remained unsolved. Such violence is exacerbated by the activities of the guerrilla Paraguayan People's Army (EPP), which has repeatedly threatened the press. The EPP was blamed for the January explosion of a homemade bomb at the headquarters of Channel 9 in the capital, Asunción. A letter from the EPP was given to the station, declaring that the press had become a military target by serving as the government's "accomplice and accessory."

The unstable "tri-border" area where Paraguay meets Brazil and Argentina remains a region of particular concern regarding journalists' safety and ability to report without violence and pressure from organized crime or politicians. The region's drug trafficking, organized crime, official corruption, and judicial impunity mean that journalists often practice self-censorship in order to avoid being targeted. Nevertheless, journalists in Ciudad del Este are occasionally censored, threatened, or fired as a result of pressure from government officials.

In Paraguay, most major newspapers, television stations, and radio stations are privately owned. The government owns and operates a public radio broadcaster, Radio Nacional del Paraguay, and a public television station, TV Pública Paraguay, launched in August 2011. The vast majority of the radio spectrum is controlled by either private or state stations, despite attempts by community stations to gain a bigger presence. The community radio organization Voces Paraguay alleges that seven business conglomerates dominate the country's media sector. Still, progress was made in 2011, as Paraguay's annual human rights report noted the creation of numerous indigenous community radio stations in the Western Chaco region. The report also praised the creation of the public television station as an education space for the citizenry and a medium for pluralistic content, though it faced structural and budgetary weaknesses.

Approximately 24 percent of the population used the internet in 2011, and there were no reports of government restrictions on access. Ease of access has dramatically increased over the past several years.

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