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Freedom Of The Press - Paraguay (2011)

Status: Partly Free
Legal Environment: 19
Political Environment: 23
Economic Environment: 18
Total Score: 60

The constitution and the law guarantee freedom of the press, and the government generally respects this right. The press freedom atmosphere in Paraguay in 2010 was dominated by the introduction, debate, and approval of several reforms to the Telecommunications Law, which have been heavily criticized by local and international press freedom groups. The changes for community radio stations include limiting their broadcasting power to 50 watts, prohibiting them from carrying advertising, and empowering the attorney general's office to sanction broadcast violations with punishments including jail time. The Organization of American States' Office of the Special Rapporteur for Freedom of Expression sent a letter to the legislature indicating that most of the reforms violated international standards of freedom of expression in that they "unduly restrict community media" and "establish disproportionate procedures and sanctions" for those outlets. President Fernando Lugo vetoed the bill in November, but an override by Congress was still possible at the end of year.

Paraguay is one of the few countries in the Americas that lacks legislation guaranteeing freedom of 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.

Paraguayan journalists continued to be the target of persistent legal harassment by public officials and others. Almost all of those harassed were editors and reporters at *ABC Color*, one of the country's three major private dailies. There were at least eight instances of criminal defamation cases involving *ABC Color* staff in 2010, the most extreme of which was the ongoing case against reporters Mabel Rehnfeldt and Nacha Sánchez, who had published a series of articles uncovering alleged corrupt practices by President Juan Carlos Wasmosy's brother. President Wasmosy sued the pair for criminal defamation in 2004 and demanded \$10 million in damages. In May 2010, an appeals court rejected charges against *ABC Color* editor in chief Aldo Zuccolillo, who has been sued for criminal defamation more often than any other journalist in the entire hemisphere. The charges were brought by Hugo González Galeano, who had alleged that his honor was insulted after the paper published a photo showing him being arrested by police. In April, another judge declared a criminal defamation charge against Zuccolillo null and void after the plaintiff failed to show up in court. In June, Camilo Soares, Paraguay's minister of emergency preparedness, pressed charges against reporter Jorge Torres Romero, who had written articles denouncing alleged corruption by Soares. Although some cases end up being dismissed, a constant pattern of judicial harassment and

abuse of the court system aimed at silencing the country's most influential media outlet continues to take a very heavy toll on the resources, finances, and morale of the *ABC Color* staff.

In addition to legal harassment, Paraguayan journalists continued to confront threats and physical attacks in 2010. The most salient case was that of radio and print reporter Gabriel Bustamante, who suffered three attempts on his life by the same individuals. Argentina's Argentine Association of Journalistic Organizations reported that Francisco and Valentín Vera, brothers of Isidro Vera, head of the charity division of an energy company, had been identified as the alleged attackers. On July 22, Francisco Vera showed up at Bustamante's home and told him, "I am here to kill you." Only the intervention of Bustamante's neighbors saved his life. The following day, the same suspect confronted Bustamante at his radio station and told him he was there "to finish the job." The journalist was able to escape. On July 24, Valentín Vera entered the home of one of Bustamante's neighbors by mistake and was later arrested. The attacks stemmed from Bustamante's reports alleging corruption on the part of Isidro Vera. Francisco Vera has been indicted and is a fugitive of justice. Separately, after radio host Rosendo Duarte in August announced on his show the details of a demonstration to protest against the lack of public safety, he received a threatening on-air phone call warning him to "watch his mouth, and his daughter and family," according to the Paraguay Journalists' Syndicate.

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. Ninety-eight percent of the radio spectrum is controlled by either private or state stations, despite attempts by community stations to gain a bigger presence. There are also a number of unlicensed stations, particularly in the sometimes unstable "tri-border area" where Paraguay borders both Brazil and Argentina. Distribution of official advertising is a major concern. *ABC Color* reported that in 2009, the government had purchased ads on 51 community radio stations, which are not allowed to air nongovernment commercials, and that only three of these stations are operating with the proper permits. The communications minister acknowledged government support for several broadcasters that were in the process of getting permits, and claimed that such advertising amounted to less than \$100 a month per station. Approximately 24 percent of the population used the internet in 2010, and there were no reports of government restrictions on access.