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FREEDOM OF THE PRESS

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Paraguay

[Paraguay](#)[Freedom of the Press 2013](#)

Status change explanation: Paraguay's status declined from Partly Free to Not Free due to negative effects on the media environment after the parliament's controversial ouster of President Fernando Lugo in June 2012. Under new president Federico Franco, a number of journalists lost their jobs at state-owned outlets, and there were attempts to influence certain outlets' editorial content.

In 2012, incidents of media intimidation increased along with the general level of tension in the country following President Fernando Lugo's controversial impeachment by the legislature in June. Paraguay's constitution and other laws guarantee freedom of the press. As in the previous year, legal developments for the media in 2012 centered on threats of lawsuits against journalists, renewed demands for an access to information law, and the impact of the controversial new Telecommunications Law. Defamation is a criminal offense. In September, Nilza Ferreira, a reporter with the daily *La Nación*, was threatened with a lawsuit by new president Federico Franco's brother, Senator Julio César Franco, when she questioned him about his maid's presence on a superior court payroll. In October,

President Franco threatened legal action against newspaper *ABC Color* following a series of articles that linked his wife, lower house member Emilia Alfaro, to irregularities in the awarding of transportation contracts.

The constitution is vague with respect to the right of access to information, and the country is one of the few in the Americas that still lack statutory legislation guaranteeing such access. 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 high court to apply jurisprudence by the Inter-American Court of Human Rights and set a binding precedent on the issue. In the absence of an access to information law, the Senate approved Resolution 519 in December 2011, which requires prior authorization from the chamber's president before any Senate documents can be turned over to the press. Organizations such as the Access to Information Advocacy Group (GIAI) criticized the resolution, calling it arbitrary and an attack on fundamental human rights. *ABC Color* reported that month 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 body is not a "neighborhood grocery store" where just anyone can request information.

Congress ratified the Telecommunications Law in March 2011, overriding Lugo's November 2010 veto. The law limits community radio stations' broadcasting power to 50 watts and prohibits them from carrying advertising. It also recognizes the National Telecommunications Commission (CONATEL) as an independent entity empowered to grant or deny licenses, but fails to guarantee the agency's autonomy. Freedom of expression advocacy organizations like the World Association of Community Radio Broadcasters and the Organization of American States' Office of the Special Rapporteur for Freedom of Expression have argued that the law violates international standards for freedom of expression and is a step backward for human rights.

After Lugo's removal, relations between the new Franco government and the media deteriorated, and journalists faced ongoing harassment by public officials through the end of the year. Immediately after Lugo's ouster, there were reports that representatives of the new government attempted to censor state-owned TV Pública's reporting on the events, prompting the station's director, Marcelo Martinessi, to resign. In July, eight media workers were dismissed from state

outlets and the government-owned news agency, and in September an additional 27 TV Pública journalists who had openly opposed Lugo's removal from office were dismissed. The information minister cited the expiration of an agreement with funders for the dismissals, while the journalists alleged that the move was politically motivated. Later in September, the Radio Nacional program *Redpública* was suspended and journalist Carlos Goncalves's contract terminated; Radio Nacional's *Ape ha Pepe* and TV Pública's *Micrófono Abierto* were suspended as well.

Paraguayan journalists continued to confront physical threats and attacks in 2012, and several media workers have been under police protection for years. According to the Paraguayan Union of Journalists (SPP), the situation worsened with the approach of the 2013 elections. In February, unknown attackers damaged the antenna of radio station Babilonia in Paso Yobai, Guariá Department, temporarily forcing the station off the air. A similar attack in November 2011 had cost the station 20 million guarani (\$4,400). In October 2012, two bombs left by the Paraguayan People's Army (EPP) guerrilla group exploded in a radio station in Concepción Department. The attackers cited the station's critical coverage of EPP activities; press advocacy groups stated that the incident illustrated the need for greater protection for media workers reporting from unstable parts of the country. The "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 impunity mean that journalists often engage in self-censorship to avoid reprisals. In addition, journalists in the regional hub of Ciudad del Este are occasionally censored, threatened, or fired as a result of pressure from government officials.

The government owns and operates Radio Nacional and TV Pública, both launched in August 2011 following a campaign pledge by Lugo to create public media. TV Pública is the first public-service television station of its kind in Paraguay and had developed, according to Reporters Without Borders, "an independent and pluralistic editorial line" in its first year of operation, prior to the resignation of its director and the dismissal of many of its journalists. Radio remains the dominant medium, and the vast majority of the radio spectrum is controlled by either commercial or state-owned stations, despite attempts by community stations to increase their presence. Although some progress was made in 2011, with the creation of numerous indigenous community radio stations in the Western Chaco region, much remains to be done to diversify the airwaves.

Paraguay does not place legal limits on media concentration, and three privately owned media groups have significant market share: Editorial Azeta S.A., which publishes the influential daily *ABC Color*; Grupo Vierci, whose holdings include the newspaper *Ultima Hora*, television's Telefuturo (Canal 4), and TV and Radio Monumental; and the Holding de Radio company, which owns the popular Radio Ñandutí, among others. According to a 2012 report by Transparency International, these outlets tend to set the national media agenda.

Approximately 27 percent of the population used the internet in 2012, and there were no reports of government restrictions on access. Ease of access has dramatically increased over the past several years. While use of social media is growing, only about 7 percent of Paraguayans were active on such platforms in 2012.

2013 SCORES

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Not Free

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