

# PARAGUAY

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## Republic of Paraguay

Head of state and government: **Horacio Manuel Cartes Jara**

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**Despite some advances, Indigenous Peoples continued to be denied access to their traditional lands. Impunity for human rights violations persisted. Abortion continued to be criminalized in most cases.**

## INDIGENOUS PEOPLES' RIGHTS

Progress was made in resolving the land claims of some Indigenous communities, but others continued to be denied their traditional lands.

In June, an expropriation law was passed to return to the Sawhoyamaxa Indigenous community their traditional land. The community had lived in harsh conditions by the side of a busy road for more than 20 years.<sup>1</sup> In September a constitutional action to revoke the expropriation law was rejected by the Supreme Court.

By the end of the year the Yakye Axa community was still unable to resettle on their land - despite an agreement between the authorities and the landowner having been finalized in January 2012 - because road access to the land was not ready.

In May police officers raided the Y'apo Ava Guaraní community in Canindeyú department following a judicial eviction order. The community fled before the raid. There were reports of destruction of houses and sacred temples. In June, the community reported that private security guards further attempted to forcibly evict them; many members of the community were injured and one person carrying out the eviction died. Investigations into the event were ongoing at the end of the year. The community claimed that the area was part of their ancestral land. In 2001 a judicial decision had confirmed the possession of the land by the community;

however, in April 2014 a judicial action was filed by a company claiming ownership of the land. A judicial decision was still pending at the end of the year.

## IMPUNITY

Judicial proceedings continued against 12 *campesinos* (peasant farmers) at the end of the year for their alleged involvement in the killings of six police officers and other related crimes in the context of a 2012 land dispute in Curuguaty district. Eleven peasant farmers also died during the clashes; however, nobody has been charged for their deaths, raising concerns that the investigation was not impartial.<sup>2</sup>

In April the Aché National Federation filed in Argentina an additional criminal complaint to the one already presented in 2013 by victims of human rights violations committed during the regime of General Alfredo Stroessner (1954-1989), in view of the persistent reluctance of the Paraguayan authorities to investigate those crimes. The criminal complaint was subject to an investigation under universal jurisdiction.

## TORTURE AND OTHER ILL-TREATMENT

The newly established National Preventive Mechanism against Torture issued its first annual report in April. The report found that the lack of sanctions and investigations into allegations of torture and other ill-treatment was one of the main causes of torture in the country. The Mechanism was also seriously concerned about poor prison conditions, including overcrowding.

Investigations into allegations of torture of *campesinos* during the 2012 clashes in Curuguaty district were ongoing at the end of the year.

Four prison officials were under investigation in relation to the deaths of two adolescents and the injury of at least three other youths during riots in April and August at Itauguá Educational Centre juvenile detention facility.

## WOMEN'S AND GIRLS' RIGHTS

A law submitted to Congress in 2012 to prevent, punish and eradicate sexual and gender violence was still pending.

In August the Senate passed legislation to reform an article in the Criminal Code which only sanctions domestic violence if the assault happens regularly. The reform proposes to sanction the crime even if committed only once. The reform also increases the penalties under this article and was pending final approval by the Deputy Chamber at the end of the year.

In August, Lucía Sandoval was acquitted of killing her husband in 2011 in the context of domestic violence. She spent three years in detention pending trial. The court found that there was insufficient evidence to prove her involvement in the killing and released her. The case raised concerns about the lack of appropriate measures to protect women survivors of domestic violence in Paraguay. An appeal against the decision was pending at the end of the year.

Abortion remained criminalized in most circumstances, including in cases where the pregnancy was the result of rape or incest or where the foetus would be unable to survive outside the womb. Abortion was only permitted when the life or health of the woman or girl was at risk.

## DISCRIMINATION

In November, the Senate rejected legislation to prevent and combat discrimination on all grounds.

## ARMS TRADE

Legislation to ratify the Arms Trade Treaty was passed.

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1. Paraguay: Celebrations as law will return ancestral land to Indigenous community after two decades of destitution (NWS 11/109/2014)  
[www.amnesty.org/en/news/paraguay-celebrations-law-will-return-ancestral-land-indigenous-community-after-two-decades-des](http://www.amnesty.org/en/news/paraguay-celebrations-law-will-return-ancestral-land-indigenous-community-after-two-decades-des)

2. Paraguay: No justice for peasants in forced eviction killings (NWS 11/111/2014)

[www.amnesty.org/en/news/paraguay-no-justice-peasants-forced-eviction-killings-2014-06-15](http://www.amnesty.org/en/news/paraguay-no-justice-peasants-forced-eviction-killings-2014-06-15)

# PERU

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## Republic of Peru

Head of state and government: **Ollanta Moisés Humala Tasso**

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**Activists and government critics were attacked. Use of excessive force by security forces was reported. The rights of Indigenous Peoples to adequate consultation, and free, prior and informed consent were not fulfilled. Sexual and reproductive rights were not guaranteed. Impunity remained a concern.**

## BACKGROUND

Social conflict and protests in communities affected by extractive industries continued to be widespread. Some protests led to clashes with security forces.

At least four members of the security forces were killed and seven were injured in clashes with remnants of the armed opposition group, Shining Path.

A national mechanism for the prevention of torture and other ill-treatment was approved by the Congress in June. At the end of the year, it had not been implemented as the President had not ratified it.

Serious concerns were raised over the conditions in which over 100 prisoners were kept in Challapalca Prison situated over 4,600m above sea level in the Tacna region. The prison's inaccessibility to relatives, doctors and lawyers limits the prisoners' right to visits and constituted cruel, inhuman and degrading treatment.

In July, the second two-year National Plan for Human Rights was approved by Congress,