



International Covenant on Civil and Political Rights

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Human Rights Committee

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List of issues to be taken up in connection with the consideration of the third periodic report of Paraguay (CCPR/C/PRY/3)

Constitutional and legal framework (arts. 1 and 2)

1. Please provide information on the provisions established in domestic law regarding compensation for victims of violations of the rights set forth in the Covenant and examples of their application in the administration of justice and by judicial bodies. Please provide information about the steps taken to give full effect to the Committee's Views regarding *Asensi v. Paraguay* (communication No. 1407/2005). Please also describe the procedure in place for ensuring the implementation of the Views adopted by the Committee under the Optional Protocol.
2. Please explain the measures taken to increase the independence and boost the effectiveness of the Ombudsman's Office in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) endorsed by the General Assembly in resolution 48/134. In particular, please describe the measures taken to ensure the transparency of the process for nominating candidates and selecting the most suitable person to occupy the position of Ombudsman.

Non-discrimination, rights of minorities and equal rights of men and women (arts. 3 and 25–27)

3. Please report on the status of the anti-discrimination bill and the measures planned to ensure its implementation and dissemination.
4. Please provide information on the steps taken to prevent and punish discrimination against the indigenous population. Please describe the measures put in place to guarantee the right to prior consultation and the participation of the indigenous population in the development and implementation of public policy. In addition, describe the measures taken to strengthen the National Institute for Indigenous Affairs (INDI) in order to ensure that it has sufficient authority and resources to properly represent the interests of all indigenous

* Reissued for technical reasons.

persons. How does the State party ensure that land claims made by indigenous communities are processed promptly? Please provide examples of the State's satisfactory settlement of such claims.

5. Please provide disaggregated information for urban and rural areas on: (a) female employment rates and the percentage of positions of responsibility in the public and private sectors that are held by women; (b) the steps taken to guarantee equal pay for equal work for men and women; and (c) how literacy and school attendance rates for women compare with those for men. Please indicate what action has been taken to eliminate negative stereotypes and attitudes in society and to end discriminatory practices, in the public and private sectors and in urban and rural areas, that undermine equality for men and women in the exercise of their human rights. In that regard, please describe the results of the measures to promote gender equality implemented under the National Equal Opportunities Plan and the Programme for Equal Opportunities for Women in Education in rural areas. Please also report on the status of the Judicial Secretariat for Gender Issues and whether it has its own budget and suitably qualified human resources.

6. Please describe the decisions and action taken to safeguard the rights of persons with disabilities and ensure their full participation and inclusion in society. Kindly also describe the restrictions which the State party has placed on the right to vote of persons with disabilities, the purpose of those restrictions and explain how they are compatible with the Covenant.

7. Please indicate what legislative reforms or specific measures have been undertaken to combat discrimination against lesbian, gay, bisexual and transgender (LGBT) persons.

States of emergency (art. 4)

8. Please explain why states of emergency were declared in May 2010 and October 2011 and indicate whether they were duly reported as provided for under article 4 of the Covenant.

Right to life; elimination of slavery, servitude and forced labour; and child protection measures (arts. 6, 8 and 24)

9. Please provide information on the scale of the problem posed by violence against women and by domestic violence, in particular, in the past five years. Please specify the applicable legislation and the measures taken to ensure that domestic violence cases are properly investigated and that perpetrators are tried and punished. Please advise the Committee of: (a) the number of complaints received; (b) the number of investigations carried out; (c) the number and nature of the penalties imposed; (d) the compensation awarded to victims; and (e) the number of safe houses and other resources allocated to assist domestic violence victims.

10. Please provide statistics on: (a) the number of abortions performed on adult and adolescent women in the last five years; (b) the steps taken to permit access to safe, legal abortions; (c) the number of cases in which abortions have led to criminal prosecution under article 109 of the Criminal Code; and (d) the penalties imposed in those cases.

11. Please provide statistics on the number of complaints filed, investigations conducted and penalties imposed in cases of human trafficking since the passage of Act No. 3440/08. Please describe the measures taken to prevent trafficking in persons, to protect and rehabilitate victims of trafficking and to ensure their reintegration into society. In particular, please report on the implementation of the public policy developed by the Inter-Agency

Board on Trafficking in Persons. Please also indicate what action has been taken to ensure that domestic legislation on the sexual exploitation and trafficking of persons is in accordance with the applicable international instruments.

12. Please indicate what steps have been taken to prevent the armed forces from recruiting children and adolescents. Also indicate how many cases of forced recruitment of children and adolescents by the armed forces and the police have been reported since the passage of Act No. 569/75, as well as the number of investigations carried out and the decisions taken in each case. Please specify the number of persons who have been found guilty of forcibly recruiting children or adolescents.

13. Please describe the steps that have been taken to prevent forced labour, including debt bondage among indigenous communities in the Chaco, and to punish those responsible, along with the results obtained. Please report on the measures taken to prevent and punish the practice of *criadazgo*, whereby children perform domestic tasks in exchange for food, accommodation and, at times, basic education.

Rights of persons deprived of their liberty and prohibition of torture and other cruel, inhuman or degrading treatment or punishment (arts. 7 and 10)

14. Please describe the measures taken to investigate and prosecute cases of torture by agents of the State and to ensure that victims receive fair and adequate compensation, including the cases mentioned in the report of the Truth and Justice Commission. Please explain why almost all the torture cases reported by the Special Human Rights Unit of the Public Prosecution Service since 2004 have been placed on file and why perpetrators of acts of torture have not been criminally prosecuted.

15. Please provide information on the steps taken to prevent the torture and ill-treatment of persons deprived of their liberty, including those in pretrial detention. Please report on the mechanisms available for investigating complaints of torture and other ill-treatment made by persons deprived of their liberty. Also list the measures adopted to restrict the use of solitary confinement as a punishment for persons deprived of their liberty. Also please report on the steps taken to implement Act No. 4288 on the national preventive mechanism against torture and other cruel, inhuman or degrading treatment or punishment and to define torture in domestic law in terms that are compatible with article 7 of the Covenant.

16. Please describe the results achieved under the plans of the Ministry of Justice and Labour and through other measures to reduce overcrowding in prisons and to improve the conditions of detention in accordance with article 10 of the Covenant. Also please indicate whether and, if so, how often alternative measures to detention are applied, such as the referral of cases to non-judicial procedures, probation, community service or suspended sentences. Please advise whether there are laws or regulations that allow persons deprived of their liberty to vote and explain how the existing situation in this respect is compatible with the Covenant. The Committee would also like to learn about the progress made in the construction of the prison hospital.

17. Please report on the steps taken to ensure that corporal punishment is explicitly prohibited by law in all realms, including in the home and at school. Also specify how the criminal prosecution of such cases is initiated.

Right to liberty and security of person; right to a fair trial and procedural guarantees (arts. 9 and 14)

18. Please describe the measures taken to guarantee the legal and functional autonomy, as well as the financial independence, of the Public Defender Service, whose establishment was approved under Act No. 4423/11. Please also report on the implementation of the projects for the recruitment of new public defenders undertaken in connection with the budgets for 2010 and 2011, together with the outlook in this respect for the next five years.

19. Please provide information on the specific steps taken to combat corruption, particularly in the judiciary, the police force and the prison system, and on the investigation of corruption cases in the past five years, together with the disciplinary measures and judicial sanctions imposed in such cases. Please also report on the number of complaints received by the Judicial Ethics Court and the decisions and measures that it has adopted since its institution.

20. Please report on the criteria used to determine the amount of compensation to be received under Act No. 3603/08 by victims of the human rights violations perpetrated during the 1954–1989 dictatorship. Please provide statistics on the amounts of compensation awarded and other reparations made for those violations.

Recognition of legal personality and child protection measures (arts. 16 and 24)

21. Please describe the results of the measures taken to promote the registration of children in rural areas and indigenous communities.

22. Please provide statistics on the number of girls and boys who accompany their mothers in prison and indicate what percentage of those children have access to childcare services and education on prison premises.

Freedom of religion and belief (art. 18)

23. Please provide information on the status of persons who were recognized as conscientious objectors prior to the implementation of Act No. 4013 and explain how the State party goes about ensuring that conscientious objectors are not penalized.

Freedom of opinion and expression (arts. 19 and 20)

24. Please specify what decisions have been handed down in the defamation suits mentioned in the State party's report, together with the circumstances and year in which the complaints were made.

Right of peaceful assembly and freedom of association (arts. 21 and 22)

25. Please describe the steps taken to amend the law on the right of peaceful assembly and to ensure the free exercise of that right.

Dissemination of information relating to the Covenant and its optional protocols (art. 2)

26. Please describe any steps taken to disseminate information about the Covenant and its optional protocols and about the submission of the State party's report and its forthcoming consideration by the Committee. Please also provide more detailed information on the participation of representatives of ethnic groups and minorities, civil society, non-governmental organizations and the national human rights institution in the preparation of the report.
