



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination Ninetieth session

### Summary record of the 2459th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 9 August 2016, at 10 a.m.

*Chair:* Ms. Crickley

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*Combined fourth to sixth periodic reports of Paraguay (continued)*

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports, comments and information submitted by States parties under article 9 of the Convention** (*continued*)

Combined fourth to sixth periodic reports of Paraguay (*continued*)  
(CERD/C/PRY/4-6; CERD/C/PRY/Q/4-6)

1. *At the invitation of the Chair, the delegation of Paraguay took places at the Committee table.*
2. **The Chair** said that it was the International Day of the World's Indigenous Peoples and that it was important to acknowledge that event in view of the Committee's work in addressing discrimination against indigenous peoples.
3. **Mr. González Bibolini** (Paraguay), replying to the questions raised by members of the Committee, said that it was important to remember that the population of Paraguay had been shaped by historical events, notably Spanish colonization since the sixteenth century, the War of the Triple Alliance (1864-1870), and immigration from around the world in the late nineteenth century. Those events had all played a part in creating a multiracial, multicultural society with a strong indigenous influence, as was apparent from the fact that the Guaraní language was spoken by the majority of citizens.
4. In response to the question on Afro-descendants, he said that that population had naturally merged with the mixed race population, as a result of which racial discrimination was largely absent from Paraguayan culture. In response to the question on population statistics, the 2012 census had classed individuals in indigenous, Afro-descendent and immigrant population groups, identifying 117,150 indigenous persons (1.8 per cent of the population), 3,867 Afro-descendants (0.06 per cent) and 130,000 immigrants (2.01 per cent), out of a total population of 6,461,041 inhabitants.
5. **Mr Cárdenas** (Paraguay), replying to the question about the programmes pursued by the Secretariat for Social Action, said that it was implementing the "Sembrando Oportunidades" (Sowing Opportunities) national strategy, which sought to increase the income of poor and vulnerable households and improve their access to social services through coordinated plans to address issues such as food, health, education, drinking water, housing and employment. The programme also addressed those issues under a special component for the indigenous population. The Tekoporã social programme had seen its coverage of the indigenous population rise from 3 per cent in 2013 to 68 per cent according to the most recent figures, over a period of less than three years. That programme was designed to improve food security through cash transfers and was linked to the provision of basic services such as education and health. It was having a strong impact in indigenous communities, for example by encouraging parents to ensure that their children attended school, which meant, for example, that they were not forced to move away from the community owing to a lack of food.
6. In response to the question concerning malnutrition, he said that the Ministry of Health was implementing an additional programme on the nutrition of pregnant women and children under the age of 5, whereby potential beneficiaries were referred by the social workers responsible for the Tekoporã programme.
7. Social spending had accounted for 30 per cent of total public expenditure in 2003, a figure that had risen to 51 per cent in 2014 and 55 per cent in 2015. Social spending had thus assumed greater priority, with housing and social action accounting for much of the increase, leading to the leap in service coverage for indigenous peoples. Various other domestic programmes were seeking to build on the success of Tekoporã, under an approach of protection, promotion and economic inclusion intended to build the capacity and enhance

the autonomy of poor households. As mentioned in the periodic report and recognized by the experts, Paraguay had enjoyed strong economic growth rates.

8. With regard to statistical output, a national working group on poverty measurement had been established with the participation of the Government, civil society organizations, academic institutions and international cooperation agencies, with a view to ensuring that figures were consistent and reliable.

9. Regarding drinking water, the delegation had been surprised to learn of a report by the United Nations Children's Fund in which it was claimed that only 7 per cent of the indigenous population had access to drinking water. Water was one of the areas in which Paraguay had achieved most progress in the implementation of the Millennium Development Goals between 2000 and 2015. The delegation would like to review those data in order to provide a more comprehensive response.

10. With regard to the instrument for prior, free and informed consultation used by the Secretariat for Social Action, it had been deemed appropriate to adapt the proposal submitted by the Federation for the Self-Determination of Indigenous Peoples to the specific aspects of the Secretariat's programmes and projects, and to subsequently evaluate its application. In implementing that proposal the Secretariat had received support from the adviser of the Office of the High Commissioner for Human Rights in Paraguay. The instrument had been formally adopted by ministerial resolution in January 2015, with the approval of the National Institute of Indigenous Affairs. As a result, 297 consultations had been held with indigenous peoples in 2015, and about 500 in 2016 to date. Although some indigenous communities had been initially unwilling to participate, the expansion of the Tekoporã programme to remote areas was gradually changing such attitudes.

11. **Mr. Zaldívar** (Paraguay) said that one of the most important issues mentioned by the Committee was that of prior, free and informed consultation, but that contradictory questions had been raised. On the one hand, the Committee had wanted to know how extensively the proposal on prior, free and informed consultation, submitted to the Government with a view to its enactment, had been discussed, while on the other querying why it had not yet been ratified as a law. As Mr. Cárdenas had stated, the tool was already in widespread use in the country, and was a point of reference in all public works. The instrument was also being applied in the parliamentary drafting of regulations affecting indigenous communities, and in local government and private initiatives. Environmental certificates and licences also complied with the principle of prior, free and informed consultation where they affected indigenous populations. The proposal in question would be broadly discussed as part of a dialogue with indigenous organizations, community leaders and the public and private sectors, in which they would be invited to support the Government in proposing the necessary legal framework. The proposed law had not yet been adopted because the Government did not have records showing that it had been comprehensively discussed with indigenous peoples and society as a whole; however, it might be enacted by the end of 2016.

12. In response to the question on the need for and relevance of identity cards for indigenous citizens, he said that they would allow those citizens to gain tax benefits, as conferred by law, and would facilitate their access to important benefits. Pioneering legislation in Paraguay had also benefited indigenous peoples by regularizing communal rather than individual ownership and recognizing the status of community leaders in their dealings with national and subnational governments. In response to the question on legal personality, he said that communal status and documentation was fundamental to enable the community, rather than individuals, to own the land.

13. Regarding access to housing, he said that 1,600 houses had been built exclusively for indigenous peoples between 2014 and 2015, and not 160,000 as previously stated. The

Government intended to build a further 1,500 houses in 2016. No houses would be built without applying the consultation tool. Indigenous citizens and leaders had been involved in the design of those houses, so as to reflect indigenous construction techniques.

14. In reference to the situation of the community leader and human rights activist, Carlos Marecos, he thanked the Country Rapporteur for pointing out that Mr. Marecos had not died but had in fact received death threats in reprisal for his work on human rights and the representation of his community. The National Institute of Indigenous Affairs had verified in the press that Mr. Marecos had reported the threats; however, no further progress had been made in that case. The Institute's legal department would follow up the matter and request such measures as were necessary to protect Mr. Marecos and to enable him to freely continue his important advocacy work. The Institute had been able to fulfil one of the wishes of Mr. Marecos's community by providing the resources for a microproject in that community, with noticeable results.

15. In responding to the question on Cuyabía, he said that the National Institute of Indigenous Affairs was engaged in discussions with the leaders of that community, with a view to definitively resolving its landownership dispute with a private company. In addition to opening discussions, the Institute had continued to seek legal assurances over the community's ownership of the land.

16. The National Institute of Indigenous Affairs had not suffered any budget cuts. In 2015, the Institute had not spent its entire allocated budget, which meant that it had been unable to ask for an increase in the budget for 2016. It had, however, obtained the necessary budget allocations that would enable it to improve the infrastructure in certain indigenous communities where improvements were sorely needed. Efforts were under way to strengthen the Institute so that it could effectively address all issues affecting indigenous persons.

17. **Mr. Cárdenas** (Paraguay) said that, with regard to the annual budget allocations, any increase requested by an institution must not exceed a certain percentage of the amount allocated to that institution the previous year. Whereas in previous years only 1,500 to 1,800 housing units had been constructed annually, in 2015 alone more than 10,000 housing units had been built, and almost 1,700 of those had been for indigenous families. In many cases, indigenous persons were consulted on the design of their future dwellings.

18. With regard to consultations, an Ayoreo Totobiegosode community had requested support from the Government for an income-generating project, but when government representatives had arrived to discuss the project the community had rejected their offer of help. The Government would nevertheless continue to pursue the project, as it believed the initial request for support to be valid.

19. **Ms. Bordón** (Paraguay) said that the Constitution explicitly identified the enjoyment of the highest possible level of health care as a fundamental right. Health equity was a cornerstone of social values and was one of the principles underlying the new system of comprehensive, integrated health-care networks. Social participation was another key principle, as it was important for all individuals involved to hold the Government accountable and thereby contribute to the smooth running of the system. Women of African descent, like all inhabitants of Paraguay, had access to sexual and reproductive health-care services and to all other services provided by the Ministry of Health. Under national law, health care and essential medicines were provided free of charge. The Indigenous Health Act was the outcome of a lengthy process of reflection and dialogue involving both the Ministry of Health and indigenous organizations. The Act had come into force in September 2015, and a time frame of one year had been established for the enactment of its implementing regulations. Efforts were currently being made to meet that deadline. A directorate for indigenous health already existed, but with the implementation of the

Indigenous Health Act it would be given a higher status. Under the Act, a national council on the health of indigenous peoples, which included indigenous representatives, had been established to provide input on the design of health-care programmes.

20. She was surprised to hear of complaints from indigenous groups claiming that they had not received any government support to attend the consultations on the Indigenous Health Act, given that the Ministry of Health had received letters from indigenous groups thanking it for its support. Indigenous peoples had their own traditional medical knowledge, and it was important to establish links between indigenous and non-indigenous medicine.

21. **Mr. González Bibolini** (Paraguay) said that, in the era before the establishment of democracy, however, in Paraguay, none of the international human rights instruments had been applied in the country. Since the establishment of democracy, however, those instruments had gradually been incorporated into the domestic legal order, and Paraguay had accepted its responsibility with respect to indigenous communities. In 1998, it had become the first country in Latin America to reach an amicable settlement on an indigenous matter. Since then, it had reached amicable settlements with two more indigenous communities.

22. It was on the basis of that experience that his Government was addressing the situation of the Ayoreo Totobiegosode, which marked the first time the Government had initiated such a settlement process with an indigenous people in voluntary isolation. Mr. Paulo Vannuchi, who was a member of the Inter-American Commission on Human Rights, would soon be visiting Paraguay and would help to push forward the dialogue with the indigenous organization that was representing the interests of the Ayoreo Totobiegosode community. That dialogue was being led by the Inter-Agency Commission on the Enforcement of International Judgments, which was headed by the Vice-President of the country.

23. The Office of the Vice-President had organized two visits to the Chaidi community, which was a community of Ayoreo Totobiegosode in initial contact. A health clinic had been established in the community and was manned by a nurse who spoke the community's language. Sixty per cent of the heads of households in the community had been incorporated into the Tekoporã programme.

24. With regard to the three rulings handed down by the Inter-American Court of Human Rights concerning the land rights of indigenous communities, it was important to note that, following the War of the Triple Alliance, public lands had been sold off to private landowners. In the *Yakye Axa* and the *Sawhoyamaxa* cases, the Government had put forward proposals to Congress to expropriate the private landowners of the land in question. In the *Yakye Axa* case, the proposal had been rejected, and the community had accepted alternative lands. In the *Sawhoyamaxa* case, Congress had approved the expropriation, and the landowners were appealing that decision before the courts. With regard to the Xákmok Kásek indigenous community, in July 2016 the National Institute of Indigenous Affairs had made the first payment to the landowner for the purchase of 7,771 hectares of land.

25. **Ms. Romero Meza** (Paraguay) said that the Executive Branch Human Rights Network had been established in 2009 to coordinate human rights policies, plans and programmes. It also served as a space for dialogue between the State and civil society regarding human rights initiatives. The Network had disseminated the periodic report among civil society organizations and organizations of indigenous peoples and persons of African descent for the purpose of gathering their comments and observations.

26. The Recommendations Monitoring System strengthened transparency and accountability, as it enabled any individual to monitor the State's actions with respect to human rights and its fulfilment of its international obligations in that regard. In addition, the Inter-Agency Commission on the Enforcement of International Judgments had recently

made possible the participation of civil society representatives who were representing parties in the cases being considered by the Commission.

27. Not only was Guaraní an official language in Paraguay; since December 2006 it had also been one of the official languages of MERCOSUR. During the presidency of Paraguay of that body, the web page of the Meeting of High-Level Authorities from Human Rights Secretariats and Foreign Ministries of MERCOSUR and Associated States had been translated into Guaraní. During its presidency, Paraguay had also organized the First Meeting of Ministers and High-Level Authorities on the Rights of Persons of African Descent in MERCOSUR and Associated States. In addition, Paraguay had played an active role in the working group tasked with preparing the Draft American Declaration on the Rights of Indigenous Peoples. Currently, the Government was drawing up guidelines that would become part of the National Plan for Indigenous Peoples in Paraguay.

28. **Mr. González Bibolini** (Paraguay) said that the inequitable distribution of land in Paraguay could be explained by both historical and economic factors. From a historical viewpoint, the existence of large estates was a result of the wars that had been fought in the past. From an economic viewpoint, the increased concentration of ownership of productive land was a result of the large-scale production of grain in response to demand from Asia and Europe. While the Gini coefficient showed South America to be one of the most unequal regions of the world with respect to the concentration of land, for the first time the indicator had placed Paraguay above the Latin American average with respect to income distribution. That improvement was illustrated by the growth of the middle class and the escape from poverty of large sectors of the population, including historically vulnerable groups.

29. At the twenty-first session of the Conference of the Parties to the Framework Convention on Climate Change, Paraguay had submitted a national forest inventory comprising 24 variables, including land tenure, forest resources, biodiversity and socioeconomic data, and environmental parameters. The initiative had been developed by the National Forestry Institute with support from the Food and Agriculture Organization of the United Nations (FAO).

30. The executive branch had requested the National Congress to adopt the amendment to article 8 of the Convention on 23 March 2015, in accordance with article 202.9 of the Constitution.

31. Specialized bodies were currently considering the possibility of recognizing the Committee's competence to consider communications under article 14 of the Convention, and the Executive Branch Human Rights Network would be consulted in due course. Individuals and groups could currently file complaints with the Inter-American human rights system, since Paraguay had recognized the competence of the Inter-American Court of Human Rights.

32. Paraguayan society engaged in intensive discussions concerning historical, religious and socioeconomic aspects of article 46 of the Constitution, and legislative initiatives aimed at addressing the issue had been launched. The Parliament had rejected the first bill and a second bill, submitted in November 2015, was under consideration. Article 6 of the new bill contained a detailed definition of discrimination, listing grounds such as race, colour, descent, national origin and ethnic origin. It referred to the rights and freedoms guaranteed to all persons in the Constitution and in international human rights treaties ratified by Paraguay. Article 4 stipulated that the provisions of the act should be interpreted and applied in conformity with such treaties, including the recommendations made by treaty bodies.

*The meeting was suspended at 11.40 a.m. and resumed at 11.50 a.m.*

33. **Mr. Avtonomov** (Country Rapporteur) requested additional information concerning the administrative action taken against human rights lawyer Julia Cabello Alonso, who was an outspoken defendant of indigenous communities. He asked how the State party ensured that indigenous peoples had access to effective legal mechanisms through which they could lay claim to ancestral lands and territories, especially those living in voluntary isolation.

34. He enquired about measures taken to remedy persistent differences in school enrolment rates between indigenous and non-indigenous communities and the high illiteracy ratios among the indigenous population. He also enquired about measures taken to guarantee access of indigenous women and women of African descent to education, employment and health care, including sexual and reproductive health services. Lastly, he wished to know whether the State party had taken action to prevent discrimination against asylum seekers.

35. **Mr. Cali Tzay**, referring to the Human Development Index, said that Paraguay had ranked 62nd in 1980, 60th in 1982 and 112th in 2014.

36. With regard to the right of indigenous peoples to free, prior and informed consent, he noted that the existing procedures were not based on a process of consultation, as required by the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), but on a process of information. Article 19 of the United Nations Declaration on the Rights of Indigenous Peoples required States to consult indigenous peoples in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that could affect them.

37. According to the delegation, all inhabitants of Paraguay were guaranteed access under the existing legislation to the public health-care system. The Committee had been informed, however, that health-care facilities frequently lacked the requisite medicines. He asked whether indigenous peoples and persons of African descent had full access in practice to the health services.

38. The delegation referred to indigenous communities and indigenous citizens but tended to avoid the term “indigenous peoples”. He emphasized that indigenous peoples had collective rights. If consultations had taken place on the environment, he asked why the *Ayoreo Totobiegosode* community had complained that the felling of trees in their territory was illegal. The planting of the African palm tree on an industrial scale contaminated the environment because of the use of pesticides and therefore contributed to deforestation.

39. The human rights defender Julia Cabello Alonso had criticized a Supreme Court of Justice decision to review the constitutionality of the 2014 expropriation law that permitted the return of traditional land to an indigenous community. She had subsequently been threatened with severe penalties if she persisted with her criticism.

40. **Mr. Yeung Sik Yuen** said that there had been diverse reports of a dire housing problem in the State party. The figures for housing requirements ranged from 350,000 to 1 million dwellings. According to the delegation, 10,000 dwellings had been built, including 1,600 for indigenous peoples. He enquired about the size of the dwellings and the sanitary facilities. He had been informed that about 45 per cent of dwellings consisted of just one room and that many contained no sanitary or refuse disposal facilities.

41. **Mr. Cárdenas** (Paraguay) said that over 500 schools had been built in indigenous communities, but many were empty because of migration. There was still a shortage of facilities in about 200 communities. Almost 1,000 of the 1,800 teachers employed in indigenous schools were members of indigenous groups.

42. **Mr. Zaldívar** (Paraguay) said that major progress had been made in guaranteeing access to judicial mechanisms for members of the indigenous population. The Supreme Court of Justice had ruled that indigenous judicial facilitators should collaborate with

judicial bodies with a view to familiarizing them with the customary law of indigenous communities. The National Institute of Indigenous Affairs (INDI) was eager to engage in dialogue on prior consultation with all citizens or foreigners who were in any way involved with the indigenous peoples. Different components of society should participate in the drafting of a law on prior consultation. With regard to housing, homes were designed in consultation with and subject to the consent of indigenous peoples. They were sufficiently large and were equipped with sanitation facilities.

43. **Mr. González Bibolini** (Paraguay), referring to the Human Development Index, said that Paraguay ranked low among the countries of the region. However, the index had risen from 0.55 in 1980 to 0.68 in 2014.

44. Paraguay traditionally implemented a policy of openness towards refugees and asylum seekers. It had recently received a large number of Syrian refugees, many of whom had entered the country from Brazil, which had issued numerous humanitarian visas. There had been Syrian and Lebanese communities in Paraguay since the Second World War and the authorities were collaborating closely with them in supporting the recent influx of refugees and asylum seekers.

45. **Ms. Bordón** (Paraguay) said that most people currently sought admission to hospitals in the larger cities. However, the newly established network of services was gradually bringing about a change in that situation. The primary health-care strategy had been recommended by the Pan American Health Organization. There were 795 family health-care centres throughout the country, of which 168 served the indigenous communities. According to the Family Health Unit, which monitored health-care services for the indigenous population, 17,674 indigenous families and a total of 76,953 individuals had received health care. She would provide detailed figures for each region in writing.

46. **Mr. Marugán** requested clarification about the reported reduction in the budget of the National Institute of Indigenous Affairs and obstacles to effective implementation of programmes. He also wished to learn more about the coordination of human rights policies and institutions in Paraguay, and the reasons behind the failure to renew the mandate of the Ombudsman. The State party should further provide information on ethnic discrimination in employment and measures to prevent and combat such discrimination. The delegation had referred to indigenous persons being employed in government institutions and he would welcome relevant data.

47. He asked what had been done to give full effect to the judgment of the Inter-American Court of Human Rights in the case of *Xakmók Kasék indigenous community v. Paraguay* through restitution of the remaining 3,000 hectares of land. He also invited the delegation to comment on reported problems with land title registration.

48. He enquired whether the draft anti-discrimination bill established discrimination as a punishable offence, in accordance with article 4 of the Convention.

49. **Ms. Shepherd** requested additional information about the situation of persons of African descent, in particular their participation in the labour market, exposure to hate speech and police profiling, and representation in the criminal justice system. Despite the State party's claim that Afro-descendants were integrated into the Mestizo population, information brought to the Committee's attention suggested otherwise, alleging that Afro-descendants were victims of structural discrimination. Access to health and education were reported to be a major concern, with only 1 per cent of Afro-Paraguayans reaching university, 7.4 per cent of the school-age population being illiterate, and only 15 per cent having health insurance. Residents of Kamba Cuá complained about high dropout rates and the absence of a primary school. Afro-Paraguayans felt invisible to the rest of society, which seemed largely unaware of their existence. Data collection also appeared to be a problem and the 2012 census data were allegedly incorrect. Together with indigenous

peoples, Afro-Paraguayans were among the poorest in the country. While the Paraguayan Constitution recognized indigenous peoples, guaranteeing them the right to land and the freedom to practise their distinct cultures, Afro-Paraguayans as a separate category were absent from any legislation. Legal recognition as an ethnic minority would go a long way in improving Afro-Paraguayans' participation and access to State resources.

50. **Mr. Murillo Martínez** asked whether the large number of prior consultations of indigenous peoples conducted by the State party had been classified so that the Committee could gain greater insight into their specific nature. He wished to know, in particular, whether any legislative and administrative measures had been taken, and whether the interests of indigenous communities were represented by any particular body or institution.

51. Contrary to the delegation's claim, reports suggested that racism and discrimination were indeed a problem in the State party. They had an adverse effect, moreover, on the situation of indigenous peoples, which was characterized by poverty, low life expectancy, no decision-making power, limited access to education, underrepresentation in qualified work and overrepresentation in the criminal justice system. The State party might wish to map both poverty and race in order to identify the extent to which the two overlapped. Recognizing that there was a problem was the first step towards overcoming it.

52. **Mr. Amir** requested information on indigenous peoples' contribution to the State party's economy, and on measures taken to protect forests, which were vital to many indigenous communities' traditional way of life and culture, and often to their survival.

53. **Mr. González Bibolini** (Paraguay) said that the Ombudsman was appointed by the National Congress, whose composition had remained unchanged since 2008. Since then, there had been no political consensus on the issue and the appointment of the new Ombudsman remained pending. In 2015, the Senate had rejected draft anti-discrimination legislation and two new drafts had been prepared to be laid before Congress before the end of 2016.

54. **Mr. Zaldívar** (Paraguay) said that despite the significant reduction in the budget of the National Institute of Indigenous Affairs for 2016, work continued. One of the obstacles to programme implementation was the structure of the Institute's budget: over 70 per cent was used to purchase land and a much smaller percentage for infrastructure development in indigenous communities. However, as a result of the achievements under the new management, he was confident that the Institute's budget for 2017 would be larger and more balanced.

55. Much progress had been made with regard to land restitution to the Xakmók Kasék community. Transfer of ownership had been notarized for 7,701 hectares, payment of which would commence in mid-October, and restitution of the total 10,700 hectares should be completed by the end of the year.

56. **Mr. Cárdenas** (Paraguay) said that the late Mr. Lázaro Medina of the Kamba Cuá community had been a fervent defender of the rights of Afro-Paraguayans and instrumental in raising their visibility. Thanks to his efforts, some elements concerning Afro-descendants had been included in the most recent 2012 census. The Secretariat for Social Action was steps away from Kamba Cuá. While there was no disaggregated data on Afro-Paraguayans' access to health and education, he knew first hand that Kamba Cuá was located across the street from Paraguay's biggest hospital, and that there were various schools in the area. His delegation would endeavour to provide additional information, including on Afro-descendent representation in the justice system, in writing.

57. He thanked Mr. Murillo Martínez for his suggestion about poverty and race mapping. His Secretariat would try out that tool in order to improve targeting of social programmes and enhance their effectiveness.

58. With regard to the question raised by Mr. Amir, he said that no data were available on indigenous peoples' contribution to the economy. Indigenous peoples in the Chaco were mainly employed by Mennonite communities as domestic workers and in agriculture and fishing. The Secretariat for Social Action supported small-scale income generating projects carried out by indigenous communities, such as the sale of honey under a fair trade label.

59. His delegation was unable to comment on forest conservation at present, but would endeavour to provide information subsequently. Data on indigenous persons employed in government institutions would be submitted in writing.

60. **Mr. Zaldívar** (Paraguay) said that consultations with indigenous communities concerned important public works projects, among others. In the past, consultations had sometimes taken place after the project had already been designed. That and other problems would be addressed through the draft decree establishing a protocol for a consultation and consent process with indigenous peoples in Paraguay scheduled to be promulgated by the end of 2016. Thanks to consultations and compensation agreements, three landless communities affected by infrastructure projects had obtained land of their own elsewhere. Prior consultations were widely used, including when issuing environmental licences that might affect indigenous communities, and would further be expanded once the above-mentioned decree was in force.

61. **Mr. González Bibolini** (Paraguay) said that the case of Julia Cabello was not typical of Government action in regard to human rights defenders in Paraguay. The case had been closed and Ms. Cabello had been issued a warning, which had no repercussion whatsoever on the exercise of her profession.

62. **Mr. Avtonomov** thanked the delegation for its frankness and recalled that the Committee's role was not to judge, but to provide useful advice to assist States parties in the implementation of the Convention.

63. **Mr. Cárdenas** (Paraguay) thanked the Committee for its in-depth analysis. He conveyed his Government's commitment to using the recommendations and comments responsibly in order to further the implementation of the Convention and report on positive developments in future.

*The meeting rose at 1.05 p.m.*