



International Covenant on Civil and Political Rights

Distr.: General
15 July 2019

Original: English

Human Rights Committee 126th session

Summary record of the 3622nd meeting

Held at the Palais Wilson, Geneva, on Wednesday, 10 July 2019, at 10 a.m.

Chair: Mr. Fathalla

Contents

Consideration of reports submitted by States parties under article 40 of the Covenant
(*continued*)

Fourth periodic report of Paraguay (continued)

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.

GE.19-11754 (E) 150719 150719



* 1 9 1 1 7 5 4 *

Please recycle A recycling symbol consisting of three chasing arrows forming a triangle.



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

Consideration of reports submitted by States parties under article 40 of the Covenant
(continued)

Fourth periodic report of Paraguay (continued) ([CCPR/C/PRY/4](#);
[CCPR/C/PRY/QPR/4](#))

1. *At the invitation of the Chair, the delegation of Paraguay took places at the Committee table.*
2. **Mr. Scappini** (Paraguay) said that the National Sexual and Reproductive Health Plan was based on an analysis of major challenges, including structural causes, social factors and strategic guidelines. Health-care professionals were involved in implementing the Plan in order to ensure that health-care services were accessible to women, adolescents and lesbian, gay, bisexual, transgender and intersex persons. The Ministry of Health took steps to prevent discrimination and violence, and to protect the most vulnerable groups, namely, children, adolescents, indigenous people, socioeconomically disadvantaged groups, Guaraní-speakers, persons with disabilities, persons living with HIV, persons deprived of their liberty and persons excluded on account of their sexual orientation. Act No. 3940/09 protected the rights and guaranteed respectful treatment of persons living with HIV.
3. Regulations known as “Humanized post-abortion care standards” had been in force since 2012. They prohibited discrimination and all forms of prejudice and promoted professional confidentiality and high-quality treatment. Family-planning information was also provided and women who had suffered a miscarriage and wished to get pregnant again were referred to an infertility service in order to avoid further miscarriages.
4. An interministerial strategy had been launched in 2016 under the National Sexual and Reproductive Health Plan to promote comprehensive sex education and to prevent unwanted pregnancies. The Ministry of Education and Science had organized workshops on comprehensive sex education for teachers, parents and students. Yet the only really successful outcome had been the “Strong Families” teacher training strategy.
5. The budget of the National Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had increased from US\$ 748,359 in 2017 to US\$ 846,710 in 2019.
6. With regard to cases of human rights violations dating back to the dictatorship, he drew attention to paragraphs 113 and 114 of the report.
7. The National Team for the Investigation, Search and Identification of Detained or Disappeared Persons and Victims of Extrajudicial Executions during the period 1954–1989, acting jointly with the Argentine Forensic Anthropology Team, had created a genetic profile of the Paraguayan population that had been used to establish the Genetic Databank of Relatives of Disappeared Detainees. More than 204 relatives in Paraguay and 99 in Argentina had been contacted.
8. With regard to the alleged failure of the State to take the necessary action, it should be noted that investigations under the previous Code of Criminal Procedure had been conducted by investigating judges rather than the Public Prosecution Service. Nor could the State be held responsible for the time taken to hand down convictions during the period from 2007 to 2019; the delays were due to the recusal or disqualification of more than 10 judges.
9. Bills concerning the prohibition of all forms of discrimination had been discussed in the National Congress but they had not yet been enacted. It was hoped that agreement would be reached in due course. At all events, article 46 of the Constitution stipulated that all inhabitants of the Republic were equal in terms of dignity and rights. Many State institutions promoted norms and standards that boosted the constitutional guarantee of non-discrimination. The Committee would be provided within 48 hours with a list of the norms in question.
10. The National Secretariat for Culture and the Ministry of Justice were drafting legislation that would recognize Afro-descendant communities in Paraguay as an ethnic

minority that had helped to build the nation. The legislation would seek to guarantee the economic, social, cultural, civil and political rights of Afro-descendants and to consolidate participatory democracy.

11. Home voting had been implemented during the 2018 general elections in 11 electoral districts. Citizens could submit a request for home voting to the electoral courts. Information services and accessible voting booths had been established for persons with disabilities, older persons and pregnant women in each polling station. Braille sheets, magnifying glasses, ergonomic adapters and other tools were provided. A bill to amend article 91 (D) of the Paraguayan Electoral Code (Act No. 834/96), which prohibited detainees or persons deprived of their liberty from voting by order of a judge, was currently being discussed.

12. Article 50 of Act No. 5777/16, on comprehensive protection of women against all forms of violence, defined the crime of femicide. The Public Prosecution Service had created a special unit to investigate such crimes. As there were currently no reliable statistics, it was unclear whether there had been an increase in the number of femicides or simply in the number of reported cases, owing to greater awareness of the applicable legislation. He could confirm, however, that two persons had been sentenced to prison terms of 23 years and 20 years respectively for femicides perpetrated in November 2018 and that a person had received a custodial sentence of 24 years for an attempted femicide perpetrated in December 2017.

13. Act No. 5036/2013 focused on internal security and imposed no restrictions on recommendations relating to the Covenant. Anyone serving in the military who violated human rights was liable to prosecution before the ordinary courts. During the current year, 300 members of the armed forces had already attended training courses on human rights and a further 900 would attend courses before the end of the year. Discussion by the National Congress of a proposal to repeal the Act had been postponed for 60 days.

14. With regard to reports of human rights violations by the Joint Task Force, six complaints had been filed with the Special Unit on Punishable Acts against Human Rights. Five were currently being investigated. One had led to charges by the Public Prosecution Service and a preliminary hearing was scheduled.

15. Awareness-raising events aimed at preventing human trafficking were organized for secondary-school and university students, women and the public in general. The Ministry for Women's Affairs held workshops and developed action plans for departmental commissions. A training handbook had been produced jointly with the International Labour Organization (ILO) for the 12 inter-agency departmental commissions tasked with preventing and combating trafficking and unpaid domestic child labour (*criadazgo*). The Rosa Virginia Shelter cooperated with civil society organizations and received significant resources from the Ministry for Children and Adolescents to provide protection for child victims of trafficking and sexual exploitation. It had provided support for about 150 victims since 2015.

16. The Ministry for Women's Affairs cooperated with the MERCOSUR Network on the Coordination Mechanism for Assistance to Women at Risk of International Trafficking. There were also simplified procedures in Paraguay and Brazil for repatriating child victims. The Public Prosecution Service, in cooperation with international organizations, provided training courses for key actors in State institutions with a view to identifying victims of human trafficking. A manual on operational procedures contained sections on identification and registration of victims, provision of assistance and assessment of risks. The authorities consulted the International Organization for Migration on ways and means of preventing trafficking for purposes of labour exploitation.

17. Funds had been allocated in the 2018 General Budget of the Nation for the National Programme to Prevent, Combat and Assist Victims of Human Trafficking.

18. **Ms. Tigroudja** asked whether the State party could account for the decline in the number of persons identified by State authorities as victims of trafficking from 105 in 2016 to 20 in 2017, and whether the Rosa Virginia Shelter was the only shelter for victims. She

said that the Committee would also appreciate additional information on the investigations conducted into trafficking and their results.

19. A number of special procedures of the Human Rights Council had commented on Act No. 5407/15 on domestic work, highlighting prejudicial attitudes towards domestic workers based on gender and social origin. The Special Rapporteur on contemporary forms of slavery, in particular, had recommended that domestic workers should be paid the full standard minimum wage, and that employers should be prohibited from paying them in kind. The Committee would be grateful for information on the State party's plans to implement those recommendations and to align Act No. 5407/15 with the ILO Domestic Workers Convention, 2011 (No. 189). She would welcome information on oversight mechanisms to guarantee, also at the local level, access to decent work and fair remuneration for domestic workers. She also wished to know how access to justice was guaranteed for undocumented migrants who were frequently employed as domestic workers.

20. She noted that indigenous children, especially girls, were particularly vulnerable to exploitation on account of their precarious economic status. As some practices, such as begging in the streets and *criadazgo*, were incompatible with the State party's international obligations, she wished to know if the State party had taken steps to eradicate such practices, such as by conducting awareness-raising campaigns, providing support for needy families or increasing school-enrolment rates. The Committee had been informed, for instance, that indigenous boys usually attended school for only four years and indigenous girls for only three years. She requested information concerning support for access to justice on behalf of families whose children had been subjected to economic exploitation.

21. The Committee would welcome information about alternatives to imprisonment for persons with mental disabilities, steps taken to ensure that confinement was used as a last resort, the proportion of the prison population with mental illness and the medical care and legal assistance available to them.

22. Given the reported difficulties with birth registration and the associated high proportion of unregistered children, it would be useful to know what the Government was doing to ensure that children born in Paraguay or born to Paraguayan parents abroad were automatically registered. Information about measures taken to allow teenage mothers to register their children without the need for a court order, and to promote the registration of unregistered adults, would also be appreciated.

23. The delegation had furnished little information about the protection of unaccompanied minors and migrant children separated from their parents. The Committee would welcome information on the number of such children, the mechanisms in place to ensure they had access to housing, health care and education, and the measures taken to afford those children legal representation during refugee status determination.

24. **Mr. Santos Pais** said that the Committee was concerned about the decisions of the Ministry of Education and Science to prohibit the use of materials on gender theory in schools and the distribution of a sex education guide for teachers, especially given the high incidence of adolescent pregnancies, many of them resulting from sexual abuse, in the State party. In a context where two births a day occurred among girls aged between 10 and 14 years, a sound government policy on sex education was of crucial importance. Was it true that non-governmental organizations associated with the pro-life movement had imparted non-scientific and discriminatory sex education in State-run schools for years?

25. The delegation should indicate whether visits were conducted to places of detention to monitor conditions in them. It should provide information on the periodicity of such visits and the names of the facilities visited, and also inform the Committee about the avenues for complaint open to persons deprived of their liberty, both at the national and local levels. It would be useful to know how many complaints of corruption and, in cases of persons deprived of their liberty, complaints of torture, ill-treatment or inhuman and degrading treatment had been received by the National Anti-Corruption Directorate and what follow-up action had been taken. Additional information was needed on the action taken with regard to the alleged ill-treatment of minors in the Sembrador Educational Centre in Villarrica between 2014 and 2016. What special measures were in place to protect

vulnerable groups such as transgender persons, women and minors in detention facilities? How did the State party guarantee detainees' right to intimate visits, without discrimination based on their gender or sexual orientation? The delegation might wish to describe the measures the State party intended to take to remedy the reportedly inhuman conditions in many of its detention facilities.

26. He would like to have information on the average duration of pretrial detention and the use of alternative measures to imprisonment. Was it true that courts sometimes set exorbitant bail for poor people, while wealthy and influential offenders benefited from low bail or house arrest?

27. It would be useful to know whether the State party intended to repeal legislation preventing judges from applying alternative measures in the case of offences carrying more than five years' imprisonment. Information would also be appreciated on how the State party guaranteed citizens' due process rights, the right to a defence, and minimum standards of detention in police stations. What mechanisms were in place to monitor the situation of children held in custody? The Committee would appreciate the delegation's comments on allegations concerning incommunicado detention for periods of up to 30 days, the use of informal places of detention and the use of arbitrary transfers to another place of detention as a disciplinary measure.

28. In the light of reports about the disproportionately high number of deaths in custody, widespread impunity and the absence of redress for victims' families, it would be helpful to have data on deaths, investigations, convictions and effective remedies. In particular, the delegation should indicate whether an investigation had been instituted into the violent deaths that had occurred in connection with the riots at San Pedro del Ycuamandiyú regional prison on 16 June 2019.

29. **Mr. Shany** asked whether women and girls who used post-abortion health-care services risked prosecution, given that abortion was illegal. The Committee would be interested to know whether the State party entertained the possibility of reconsidering its position on abortion, so as to provide for exceptions to the ban on abortion in cases where, for example, the pregnancy resulted from sexual abuse. Was there any debate in the political or public spheres on possible ways to reconcile moral and religious sentiments with the need to protect the human rights of women and girls?

30. In view of the persistent reports of corruption and political interference in the judiciary, he asked whether the Judicial Ethics Tribunal had received any complaints related to those problems and whether the State party deemed the Tribunal an effective mechanism to address them. In that connection, information about the composition of the Tribunal and the Advisory Council on Judicial Ethics would be helpful. Any information about recent measures taken to ensure the independence of judges would also be greatly appreciated. It emerged from the State party's report that not all complaints of judicial misconduct had resulted in action; it would be useful to learn of the reasons for that. It was discouraging to hear about public attacks on judges for their verdicts and the long delays in hearing high-profile corruption cases. While the Committee applauded the measures taken so far, it would be useful to know what the State party intended to do to ensure the independence of the judiciary once and for all.

31. He requested information on the implementation of Act 5282/14 on free citizen access to public information and government transparency, including on freedom-of-information requests received or rejected and the procedure applied to determine the admissibility of requests. More information was also needed on the nature and responsibilities of the future mechanism for the protection of journalists. The reported threats and violence against journalists not only jeopardized their physical safety, but could also lead to self-censorship and thus undermine freedom of expression. Detailed information was required on cases where the State authorities themselves might have been implicated, including: the case of journalist Mabel Rehnfeld, who had been asked to reveal the identity of her sources in connection with her investigation into alleged corruption in the judiciary; the case of Brazilian drug trafficker Felipe "Barón" Ecurra Rodríguez, who had evaded justice although he had allegedly threatened a well-known journalist; and the indirect threats allegedly made by the former president, Horacio Cartes, against journalists

Óscar Acosta and Menchi Barriocanal, whom he had accused of encouraging the violent events of 31 March and 1 April 2017. What safeguards were employed by the State party to prevent its institutions from using commercial spyware to spy on journalists?

32. Clarification was needed with regard to the role played by civil society in the implementation of the Committee's concluding observations, and the mechanisms in place to enable civil society to engage with State institutions on human rights-related matters.

33. **Mr. Bulkan** said that he struggled to understand why the anti-discrimination bill mentioned at the previous meeting had not attracted the support of government senators even though the Government had stated its deep commitment to the cause. While the measures taken to protect vulnerable communities were praiseworthy, a specific law would provide victims of human rights violations with avenues for seeking redress. It was also regrettable that no progress had been made with the enactment of the bill to dismantle the Joint Task Force, given the large number of complaints received about it by credible international bodies. The Committee would be grateful to learn of the reasons for the lack of progress.

34. Additional clarification was needed with regard to the ban on teaching gender theory in schools. Could the delegation provide additional details on the specifics of the sex education provided in the State party? The Committee was concerned that the relevant decision of the Ministry of Education and Science might pave the way for discrimination and perpetuation of discriminatory stereotypes, especially against communities that did not conform with traditional notions of "family". The Inter-American Commission on Human Rights had found the measure to be incompatible with the international standards regarding the right to education and the right to education in human rights and the delegation might wish to expand on its views in that regard.

35. It was encouraging to learn that the 11 campesinos who had been imprisoned in connection with the events of 15 June 2012 had been released and acquitted. The fact that the Supreme Court had overturned the convictions due to irregularities during the trial boded well for the independence of the criminal justice system. However, there were allegations of excessive use of force by the police during the operation on that day, and the deaths of 17 peasants killed during the operation had thus far remained unpunished. He would like to know whether an independent commission of inquiry had been set up to investigate the incidents.

36. He wished to know what criteria existed for the recognition of indigenous rights, and whether those criteria gave due regard to traditions and to cultural and spiritual values. Were there any specific plans in place to establish a national mechanism with clear, simple and accessible procedures that would enable indigenous communities to obtain legal title to their traditional lands, territories and resources? The delegation should explain what steps had been taken to strengthen the organizational structure and resources of the National Institute for Indigenous Affairs.

37. The Committee would welcome information on the current phase of implementation of the judgments of the Inter-American Court of Human Rights concerning the title to lands belonging to the Yakye Axa, Sawhoyamaya and Xákmok Kásek indigenous communities. He failed to see why the Expropriation Act (Act No. 5194 of 11 June 2014) had not yet led to the formal recognition of the traditional lands of the Sawhoyamaya indigenous community. As for the territories of the Ayoreo Totobiegosode community, which were under severe threat from deforestation and privatization, he wished to know what steps had been taken to implement Administrative Decision No. 166/16 of 22 February 2016. Statistical data on the number and outcomes of other land disputes involving indigenous peoples would be useful, as would examples of cases in which the courts had applied international standards to resolve such disputes.

38. The Committee had learned with profound sadness that a 5-year-old indigenous girl had died in April 2019 after her family had been prevented from passing through a private road to access a hospital. He would like to know what was being done by the Government to assist the family concerned to obtain justice for the death of that child, and whether any action was planned to address the structural inequalities that had given rise to the incident. He would welcome information on the impact achieved by the Protocol for Action for

Intercultural Justice and the training programme in indigenous law for judicial officials adopted in December 2016.

39. He was unclear as to whether any consultations with indigenous peoples had actually been undertaken by the Government during the reporting period and, if so, how the outcomes of those discussions had been integrated into policies and programmes. The Committee had yet to receive statistical data on the representation of minorities in business and industry, or information on steps the Government had taken to increase the participation of all minorities in public life.

40. **Mr. Quezada Cabrera** said that he had not heard a response from the delegation regarding the measures planned to guarantee the full independence and impartiality of the Ombudsman, which would enable the Global Alliance of National Human Rights Institutions to upgrade that institution to A status in its next review.

41. With respect to paragraph 205 of the State party's report, he was unclear about the basis on which the Supreme Court of Electoral Justice could propose legislation. He would welcome information on the status of the Regulations on Accessible Voting and whether there was any scope for extending them to cover not only persons with disabilities but also persons deprived of their liberty.

The meeting was suspended at 11.35 a.m. and resumed at 11.55 a.m.

42. **Ms. Silvera** (Paraguay) said that Paraguay had ratified the ILO Domestic Workers Convention, 2011 (No. 189), in May 2013. In October 2015, new legislation had been adopted to reform the legal framework governing domestic work, which had previously been regulated only by general standards set down in the Labour Code.

43. Under the legislation currently in force, domestic work must be remunerated in line with the minimum wage guaranteed in Paraguay for work of a non-specific nature. While the Labour Code had not explicitly recognized domestic workers' right to weekly rest or public holidays, the new legislation entitled them to mandatory days off. In addition, it recognized domestic workers' right to job security after 10 years of service as well as their rights to a written contract, health care and a retirement pension. The law stipulated that domestic workers must be paid in legal tender rather than in vouchers, coupons or other substitutes. In-kind payments could exceptionally serve as remuneration for up to 30 per cent of the sum owed, provided that the non-cash payment was useful and acceptable to the worker. The legal framework within which domestic workers could file complaints against their employers had also been overhauled.

44. **Mr. Sosa** (Paraguay) said that the situation of indigenous street children had given rise to the strengthening of social programmes such as the *Tekoporã* programme and the *Abrazo* programme. Since 2017, a pilot project had been put in place with children from indigenous communities who lived on the streets, mainly in the southern city of Encarnación. The goal was to rehabilitate those children in a manner that was sensitive to their beliefs and customs. Measures had also been put in place to reduce the phenomenon of indigenous street children in the department of Caaguazú, where an estimated 80 per cent of children lived in the street with no adult carer. The *Tekoporã* programme had managed to reach almost all indigenous communities, facilitating their access to basic goods and services.

45. Campaigns had been launched over the preceding five years to address the issue of *criadazgo*. The State had strong evidence that the phenomenon was linked to the trafficking of children both domestically and internationally. Efforts had been made to ensure that campaigns to raise awareness about children's rights, such as the nationwide *lazo verde*, or "green ribbon", initiative, were reflected on social media and other Internet platforms. A wide range of local stakeholders were involved in combating the abuse and sexual exploitation of children in areas where such mistreatment was prevalent.

46. Legal cases of child abuse were initially dealt with by a specialized local government body. Certain cases were referred to specialized judicial bodies where attorneys provided the child's family with legal advice and support. Children in potentially harmful situations could be separated from their families for their own protection.

47. The right to identity had been recognized at high-level round-table discussions on how to increase the number of birth registrations in a timely manner. The reasons for the delays in registration were partly cultural, as many women entered health facilities alone to give birth and did not want to register their baby without the father being present.

48. **Ms. López** (Paraguay) said that there had been no cases of unaccompanied minors arriving on Paraguayan territory. In one case only, children had arrived not with a parent but with their grandparents.

49. Paraguay was the first country in the region to have a biometric database, which had been operational since June 2019. Through the collection of fingerprints and iris biometrics, the State was seeking to document child refugees, bearing in mind that many arrived in Paraguay without identification documents. It was hoped that the database would enable significant progress to be made in tackling the problem of missing children.

50. Pursuant to the General Refugee Act of 1992, children who arrived with their parents to seek asylum in Paraguay were automatically provided with protection. Such measures would naturally be extended to any unaccompanied minors who entered the territory. An inter-agency board for refugee children and adolescents was being set up to ensure that the State responded efficiently and appropriately to foreign children who arrived at borders and airports.

51. **Ms. Bordón** (Paraguay) said that the State party faced numerous challenges in fulfilling its constitutional mandate to ensure universal access to quality health care, including mental health care. The Government endeavoured to adopt a holistic approach to mental health, which included preventive and curative care, rehabilitation and measures to prevent stigmatization, unjustified confinement and disposal of a person's property.

52. In 2018, a technical commission had been established to provide policy guidance and practical advice on mental health care. The commission was composed of representatives of the Ministry of Health and Social Welfare who were specialized in mental health care and addiction control, representatives of the scientific community and social services, and members of several high-profile bodies, including the Pan American Health Organization, the Senate health committee and the national mechanism for the prevention of torture. Its functions included proposing intersectoral actions to improve coordination between public health bodies, examining best practices in treatment and rehabilitation, and providing advice on the best ways to sensitize communities to mental health issues and thus prevent social exclusion. The commission also provided advice on how to train professionals in psychiatry and mental health so as to standardize and optimize the support available to patients nationwide.

53. Steps had also been taken to decentralize mental health care. Fourteen health regions now had professional psychiatrists, and 12 had a mobile mental health unit. National guidelines on care and release had been developed for mental health-care professionals working on psychiatric wards.

54. **Mr. Buzo** (Paraguay) said that there were not enough mental health-care professionals to provide full diagnoses of mental disorders and psychosocial disabilities. As ordinary centres for persons with mental health disabilities lacked the means to ensure the safety and security of inmates, they had sought support from the penitentiary system. However, the overcrowded prisons in Paraguay had insufficient resources to provide such support. The State was aware of the problem and was addressing it. A few months previously, the first psychological support service had been set up in one of the country's prisons to provide care and advice while observing strict standards of confidentiality.

55. Hunger strikes in prisons were dealt with according to the protocol established for that purpose. Protocols were also in place to follow up allegations of human rights violations or acts of torture reported by vulnerable individuals, including elderly, foreign, transsexual and indigenous detainees and detainees with disabilities. The penitentiary system currently held 206 detainees from indigenous populations, 161 of whom were yet to be sentenced and 45 of whom had been convicted.

56. The San Pedro prison riots had highlighted the huge challenge posed to the penitentiary system by organized criminal groups. As the incident in question had involved

a criminal gang from Brazil, the Government would appreciate recommendations from the Committee on how to address the issue of transnational crime, particularly when it involved the sale and smuggling of illegal drugs. The warden of the prison had been removed and was currently being investigated by the Public Prosecution Service. It was hoped that the internal investigation currently under way in the Ministry of Justice would shed more light on the background to the incident.

57. A task force consisting of representatives of government bodies and the Supreme Court of Justice had devised a set of actions to address the crisis in the penitentiary system. The actions included the possible early release of around 900 prisoners, the analysis of legislation governing deprivation of liberty and the improvement of prison infrastructure. A prison information system had also been developed to help improve detention conditions.

58. **Ms. Cabrera Velázquez** (Paraguay) said that the case involving the alleged ill-treatment of minors in the Sembrador Educational Centre in Villarrica had gone to public trial and the accused had been acquitted; however, the Public Prosecution Service had appealed that decision and the matter had been referred to the Supreme Court of Justice.

59. **Ms. Peralta** (Paraguay) said that prison inspections were the responsibility of the Human Rights Directorate of the Public Prosecution Service. They were carried out twice a year at all detention centres, educational centres and police stations to ensure that detainees had access to legal counsel, health care and other services. The Directorate was empowered to directly receive complaints of torture and physical ill-treatment inflicted in places of deprivation of liberty, which it referred to the Special Unit on Human Rights Offences of the Public Prosecution Service. Where allegations of torture arose in remote areas of the country, the Special Unit, which was centralized, requested the assistance of local public prosecutors and medical examiners to ensure that cases were dealt with swiftly. The Directorate was working closely with the national preventive mechanism to develop a risk map for the prevention of torture. It had also developed a special procedure to gather information for the investigation of alleged torture or ill-treatment of transgender persons.

60. Following the San Pedro prison riot, an inter-agency crisis committee had been established to explore the possibility of amending article 245 of the Code of Criminal Procedure in an effort to reduce overcrowding. The amendment was currently being examined by the Chamber of Deputies.

61. In reply to Mr. Bulkan's question at the previous meeting, she said that data were indeed collected on cases of domestic violence; the Public Prosecution Service had registered around 35,000 such cases nationally in 2018, which was more than in previous years. Research had identified a link between the consumption of alcohol or drugs and domestic violence, although the reason for the rise in the number of cases was unknown.

62. **Ms. López** (Paraguay) said that, in 2016, the three branches of government had formally undertaken to enhance access to information, strengthen freedom of expression and press freedom, and improve the safety of journalists, in accordance with the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity. In that connection, a working group had been established to bring together representatives of State bodies and the Union of Journalists of Paraguay, and a number of journalists had been afforded police protection. The bill on freedom of expression, protection of journalists, members of the press and human rights defenders was under examination by the Chamber of Deputies.

63. **Ms. Peralta** (Paraguay) said that administrative proceedings could be brought against judges who failed to discharge their duties. Punishments for those found guilty of judicial misconduct included warnings, fines and, in extreme cases, removal from office. In the case raised by Mr. Santos Pais, it had not been the judges' analysis of the law that had been questioned, but their appraisal of the evidence heard at the public trial; they had allegedly been selective in their examination of the evidence and had failed to substantiate their decision to acquit the accused.

64. **Ms. Allen** (Paraguay) said that significant progress had been made in promoting the rights of indigenous peoples. In particular, the National Institute of Indigenous Affairs had worked closely with the executive to implement the Indigenous Communities Statute. The

Government recognized, and was taking legislative and other measures to address, the growth in poverty, lack of access to education and health care, land-related disputes and other issues affecting indigenous peoples. Discussions were ongoing within the legislature on whether or not to make the Institute into a ministry, which would increase its budget and enable it to more easily protect indigenous land and honour its other commitments.

65. The areas covered by the National Development Plan for Indigenous Peoples included land, natural resources, access to justice, and economic, social and cultural rights. The initial public policy documents arising from the plan would be drafted by the end of 2019, following consultation with indigenous groups.

66. **Ms. Tigroudja** said that she was glad to learn of the existence of legislation governing the reunification of migrant children and their parents, but wished to know how it was implemented in practice. She would also like to know whether the bill to amend existing legislation on refugee status was in keeping with the State party's international obligations. Lastly, she would be interested to learn what mechanisms were in place in border areas to identify asylum seekers and facilitate the processing of their applications.

67. **Mr. Bulkan** said that, in the light of the encroachment on indigenous land and well-documented human rights abuses in that regard, he would like to know whether any mechanisms were in place to settle land-related disputes and to enable indigenous peoples to lay claim to their land. The Committee had yet to receive information on the efforts made to implement the decision of the Inter-American Court of Human Rights relating to the restitution of land to indigenous communities, or on whether a commission had been established to investigate the deaths and abuses during the police raid in Curuguaty.

68. **Mr. Scappini** (Paraguay) said that his Government would continue with its efforts to institutionalize human rights in Paraguay, and he looked forward to receiving the Committee's recommendations.

69. **The Chair** said that the delegation's openness had helped to ensure a fruitful dialogue. He welcomed the many positive steps taken by the State party and hoped that it would shortly enact the bill on democratic parity and the bill outlawing all forms of discrimination. He looked forward to receiving the State party's written replies to unanswered questions within 48 hours.

The meeting rose at 1.05 p.m.