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**Consideration of reports: reports submitted by States parties
in accordance with articles 16 and 17 of the Covenant**

List of issues in relation to the fourth periodic report of Paraguay

Addendum

Replies of Paraguay to the list of issues* **

[Date received: 16 January 2015]

* The present document is being issued without formal editing.

** Annexes may be consulted in the files of the secretariat.

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I. General information

1. Please indicate whether the rights enshrined in the Covenant can be directly invoked before, and enforced by, the national courts. If so, please provide specific examples of judicial decisions in which these rights have been directly enforced.

1. Economic, social and cultural rights are rights that can be directly invoked before national courts. The International Covenant on Economic, Social and Cultural Rights was ratified by Act No. 4/92, thereby becoming part of the national legal order and Paraguayan law. Accordingly, any person or group of persons may invoke the rights enshrined in the Covenant before the national judicial authorities.

2. Economic, social and cultural rights may be claimed or invoked before a variety of courts within the justice system. The relevant courts are listed below in ascending hierarchical order:

- Magistrates' courts;
- Courts of first instance (criminal courts (*amparo* courts, trial courts and sentence enforcement courts); civil and commercial courts; labour courts; and juvenile courts);
- Courts of second instance or appellate courts (divided into chambers, with three judges each) and the Court of Audit, which operates as a court of first instance in proceedings arising from acts of public administration;
- The various chambers of the Supreme Court of Justice.

3. Recognition of economic, social and cultural rights is reflected in court rulings. Information is provided below on the relevant types of rulings, which are grouped into the following categories:

- Rulings that deal with the right to social security and social protection, including the right not to be denied social security coverage arbitrarily or unreasonably and the right to equal enjoyment of adequate protection in the event of unemployment, sickness, old age or other lack of livelihood in circumstances beyond one's control;
- Rulings that relate to workers' rights, including freedom from forced labour, the rights to decide freely to accept or choose work, to fair wages and equal pay for work of equal value, to leisure and reasonable limitation of working hours, to safe and healthy working conditions, to join and form trade unions, and to strike;
- Rulings that deal with protection of the family and family assistance, including the rights to marriage by free consent, to maternity and paternity protection, to protection for children from economic and social exploitation, and to protection for older adults;
- Rulings that relate to an adequate standard of living, including the rights to food and to be free from hunger, to adequate housing, and to water and clothing, and those that relate to recognition of the rights of indigenous peoples' ownership and possession of their traditional and ancestral territories;
- Rulings that concern the right to health, including the rights to access to health facilities, goods and services, to healthy working and environmental conditions, and to protection against epidemic diseases, and rights relating to sexual and reproductive health;

- Rulings that deal with the right to education, including the right to free and compulsory primary education and to accessible secondary and higher education, with the fees for those stages of education to be gradually phased out, and those dealing with parents' right to choose schools for their children.
4. The Supreme Court's case law on economic, social and cultural rights is available on the Court's website (see its online database at www.csj.gov.py/jurisprudencia).
 5. The database can be searched for relevant rulings by chambers of the Court and by the rights concerned. Some sample rulings from the database (decisions and judgements issued by the Constitutional Chamber on decent living conditions and the rights to work and education) are attached.
 6. In the area of access to justice, the Government is coordinating the efforts of judicial, administrative and legislative bodies to make the transition from a punitive system to one based on restorative justice. The aim of this new approach is to move away from the traditional system, which has focused on the confinement or imprisonment of, for the most part, vulnerable individuals or groups (persons living in poverty and those discriminated against on grounds of gender, ethnic origin, poverty or age). A pilot programme is currently being implemented in the locality of Lambaré in which judges, prosecutors, public defenders and technical assistants specialized in children's and adolescents' rights are participating.
 7. This new focus on restorative justice is being extended to include places of deprivation of liberty and rehabilitation centres administered by the Ministry of Justice. This has entailed substantial changes in the way in which adolescents in conflict with the criminal justice system are dealt with and, in particular, in the placement system for adolescents who are in the custody of the State. Psychosocial treatment is provided that involves the family and the community in the process of providing victims with reparation, re-establishing social peace in the community and rehabilitating adolescent offenders so that they will not engage in the types of behaviours that generally bring them into conflict with the criminal justice system.
 8. As part of follow-up to the actions taken, a first seminar on restorative juvenile justice was organized for State officials in 2014 with the cooperation of the international organization Terre des Hommes.
 9. The new Sentence Enforcement Code (Act No. 5162/2014) incorporates rights and principles enshrined in the Covenant and other international instruments ratified by Paraguay. The enactment of the Code marked the culmination of a lengthy process involving numerous debates and amendments that began on 27 September 2006, when the text of the draft Code was first presented by the National Commission on Reform of the Penal and Prison Systems.
 10. Act No. 5360/2014, which has recently entered into force, provides for the creation of a national commission to consider amendments to legislation governing the judiciary. The Commission is made up of seven senators, seven deputies, one representative of the Supreme Court and one representative of the executive branch. Another new law, Act No. 5140/2014, amends articles 1, 2 and 3 of Act No. 2403 on the establishment of the National Commission on Penal and Prison Reform. The Commission consists of three senators, three deputies, two representatives of the Supreme Court, two representatives of the executive branch, two representatives of the Public Prosecution Service and two representatives of the Public Defence Service. In carrying out their work, these Commissions must bear in mind the guiding principles of the Covenant and the other international instruments ratified by Paraguay.

2. **Please provide the following information about the National Development Plan which is currently being drawn up: (a) the degree of emphasis it places on the rights covered by the Covenant; (b) the participation of civil society, including representatives of indigenous peoples, in its formulation; (c) the resources due to be allocated for its implementation; and (d) when the Plan is expected to be adopted and put into effect.**

11. The National Development Plan was approved on 16 December 2014 by Decree No. 2794. The executive has begun the implementation process by including the Plan's goals and targets in the draft national budget for 2015.

The degree of emphasis that the Plan places on the rights covered by the Covenant

12. The Government that took office in August 2013 has reinforced social policy by making the fight against poverty a priority area of the 2030 National Development Plan. The Plan sets out all the multidimensional aspects of poverty in detail and places particular emphasis on efforts to promote income generation, without neglecting other aspects already addressed by previous Governments. The Plan defines three priority areas and four cross-cutting themes which provide a clearer picture of policy lines and will serve to strengthen anti-poverty initiatives and social policies of a more universal nature. The Plan mainstreams the substantive content of the Covenant into its strategic areas and cross-cutting themes. Although the Covenant is not explicitly referred to in the Plan, all its different dimensions are reflected throughout the Plan's various areas, themes and goals.

(a) Priority areas of the Plan

(i) Poverty reduction and social development

13. This area relates to the State's capacity to meet the nation's needs, within available resources, in accordance with the economic organization of Paraguayan society.¹

14. This entails placing dignity, well-being, freedoms and opportunities for personal fulfilment at the centre of government efforts. The aim in this priority area is not only to achieve basic social goals such as the eradication of extreme poverty and chronic child malnutrition and the provision of universal access to safe drinking water, improved sanitation and decent housing, but also to deliver quality social services for all. The social services necessary to enable people to achieve their full potential include appropriate, high-quality education and health care and effective social protection networks (protection, promotion, equality of opportunity). Sustained efforts are also required to ensure that men and women are fully and equally included in all areas of development. Other measures include the protection and promotion of human rights, including civil and political rights, economic, social and cultural rights, environmental rights and the rights of peoples, as protected and guaranteed by the State under the 1992 National Constitution and relevant treaties of the United Nations and the Organization of American States. The necessary resources will be made available for this purpose.

(ii) Inclusive economic growth

15. The aim in this priority area is to accelerate the pace of growth and of the diversification of production by promoting the involvement of all economic actors and by ensuring that the results of growth are shared, particularly with the 40 per cent of the population with the lowest incomes.²

¹ Michael E. Porter and Scott Stern with Michael Green, *Social Progress Index 2014*, Skoll Foundation, London, United Kingdom, 8 April 2014.

² United Nations, International Policy Centre for Inclusive Growth, <http://www.ipc-undp.org/>.

16. Inclusive economic growth encompasses a focus on productive employment. Growth is inclusive when it creates economic opportunities and ensures equal access to them on the basis of a multicultural approach. It also involves maintaining macroeconomic stability, improving institutional arrangements to ensure competition and promoting free enterprise, competitiveness and the rational use of resources.

(iii) Positioning Paraguay on the world stage

17. The aim in this priority area is to position the country and improve its image, strengthen the country's participation in international integration processes and forums, and improve resource allocation and knowledge management.³

18. The achievement of this objective will involve facilitating investment in Paraguay and access to investment opportunities abroad and providing people with more goods at a lower cost. It also will entail facilitating access to markets and promoting science and technology transfer, along with a more competitive local financial market that contributes to risk diversification.

(b) The Plan's cross-cutting themes

(i) Equal opportunities

19. The goal in this area is to create equal opportunities for all people from the very start of their lives and to eliminate barriers to equality so that factors such as gender, ethnicity, place of birth and family background do not influence a person's life chances.⁴

20. The idea is to ensure that people's futures are not conditioned by situations in which they find themselves that heighten their vulnerability (disability, childhood, membership in an indigenous group, parents who have not had access to the right to education or other rights such as an adequate standard of living as defined by the Committee). People's well-being and their economic and social advancement should depend on their own decisions, efforts and personal talents, with the State establishing the appropriate social and structural conditions to that end.

(ii) Transparent and efficient public management

21. The goal here is to meet the population's needs by coordinating functional areas in order to consolidate management activities, optimizing resources⁵ and providing reliable and up-to-date information on all aspects of public management that are of concern to society.⁶

22. This involves focusing on results-based public management and ensuring that the State operates in a spirit of solidarity, that it safeguards rights, is open and does not discriminate or tolerate corruption. Corruption will be reduced by clarifying regulations, increasing transparency and strengthening State oversight mechanisms through enhanced involvement of beneficiaries and users in monitoring programmes at all levels of government.

³ *Opening Pathways for Shared Progress*, World Economic Forum on Latin America, Panama City, 1–3 April 2014.

⁴ Ricardo Paes de Barros, Francisco H.G. Ferreira, José R. Molinas Vega, and Jaime Saavedra Chanduvi, *Measuring Inequality of Opportunities in Latin America and the Caribbean*, World Bank, 2008.

⁵ Alejandro Medina Giopp, *Gestión por procesos y creación de valor público*, Instituto Tecnológico de Santo Domingo, 2005.

⁶ *New Public Management*, World Bank, <http://www.worldbank.org>.

(iii) Land-use management

23. The goal in this area is to define, in the medium and long terms, a land-use planning model in Paraguay. This will involve identifying the actions needed on the ground to ensure that the model operates properly (including risk management measures and programmatic agreements) while respecting the rights of possession and ownership of the indigenous peoples and communities living in Paraguay over their ancestral and traditional lands and territories.⁷

24. This will involve organizing the territorial structure envisaged at the regional, microregional and urban/rural levels; devising an integration scheme at the departmental and regional level within the country and a scheme for integration with neighbouring countries; siting infrastructure and equipment with a view to the promotion of human development; identifying suitable locations for nature reserves and conservation areas; and ensuring appropriate natural resource use.

(iv) Environmental sustainability

25. The goal in this area is to reduce the environmental imbalances caused by economic activity and human settlements.

26. This will entail reducing and reversing biodiversity loss and reducing the proportion of the population that lacks sustainable access to food, safe drinking water and basic sanitation. It also involves making a significant improvement in the quality of life in human settlements by ensuring proper waste management, making better use of natural resources, creating opportunities for the provision of further environmental services and protecting ecosystems.

(c) Objectives

27. The interaction of these priority areas and cross-cutting themes gives rise to a matrix of strategic objectives that serves as a basis for planning and programming the budget execution actions of government bodies in order to help them meet the specified goals:

Cross-cutting themes

<i>Strategic areas</i>	<i>Equal opportunities</i>	<i>Transparent and efficient public management</i>	<i>Land-use management</i>	<i>Environmental sustainability</i>
Poverty reduction and social development	Equitable social development	Quality social services	Participatory local development	Adequate and sustainable habitat
Inclusive economic growth	Employment and social protection	Competitiveness and innovation	Regionalization and product diversification	Development of environmental capital
Paraguay on the world stage	Equal opportunities in a globalized world	Attracting investment, increasing foreign trade and enhancing the country's image	Regional economic integration	Sustainability of the global habitat

⁷ National Development and Land Use Framework Plan (STP, 2012).

28. In the context of the National Development Plan for 2013-2030, the Government has declared poverty reduction to be a national priority (Decree No. 291/13). As part of this effort, it is implementing a national programme for the reduction of extreme poverty entitled *Sembrando Oportunidades* (Sowing Opportunities). The aim of this programme is to increase the incomes of vulnerable families and their access to services. It incorporates pre-existing initiatives while placing greater emphasis on income generation in order to ensure that people are lifted out of poverty and thereafter remain above the poverty line.

The participation of civil society, including representatives of indigenous peoples, in the Plan's formulation

29. The National Development Plan for 2013–2030 covers all the important social issues, including those concerning indigenous peoples, and draws on both the Government Plan for 2014-2018 and the outcomes of public debates concerning all the Plan in which representatives of public institutions, civil society and industry have participated. On 6 and 7 November 2013, a workshop attended by more than 300 people was held at Quinta de Ykua Sati in Asunción in order to raise awareness of the Government Plan and reach a consensus on the strategic priorities for government action. The workshop's outcomes then served as inputs for the formulation of the National Development Plan, which sets out benchmarks and specific goals for each strategic priority.

30. This process took place in two phases. First of all, 21 thematic working groups were formed and an initial, consensus-based list of priority themes for each strategic area was drawn up. A plenary session was then held at which the participants cast votes in order to determine which of the various themes that had been identified should be given priority.

31. The priority areas that were selected include the following:

- Transparency, governance and the fight against corruption;
- Employment, labour and the income levels of vulnerable groups;
- A comprehensive, coordinated approach to fighting poverty and meeting basic needs;
- Infrastructure and connectivity;
- Nutrition and health;
- Improved working conditions and access to social security;
- Rural development programmes;
- Support for entrepreneurship and for micro-, small and medium-sized enterprises;
- Land-use management;
- Preschool education and protection for socially vulnerable children;
- Educational measures to improve young people's employability.

32. In the course of the preparation of the Plan, inputs were drawn from subject-specific plans developed by various central government ministries and secretariats in the executive branch and from the outcomes of thematic round tables that were held following the awareness-raising workshop and consultations with relevant bodies. Various mechanisms were set up to monitor the drafting process and to build consensus around the different aspects of the Plan. In order to ensure the relevance of the Plan and its alignment with sectoral objectives and goals, thematic working groups were set up to verify the appropriateness of the corresponding baseline analyses, strategies, goals and indicators. A number of meetings of these thematic working groups were held up to the end of October, and plans are in place to continue the process.

Thematic groups working on the National Development Plan

• Extreme poverty and exclusion	• Education	• Science and technology
• Rural development	• Health and nutrition	• Housing and urban planning
• Infrastructure	• Vulnerable groups	• Water and sanitation
• Energy	• Defence and security	• Public finance
• Industry	• Institutions and public management	• International positioning and cultural development
• Environment and natural resources	• Children, adolescents, young people and sport	• Employment and social security
• Land-use management and local government	• Reforestation and poverty	• Population and migration

33. The working group on vulnerable populations has addressed issues relating to indigenous groups. Consultations have also been held at the departmental level to consider ways of coordinating departmental planning with the National Development Plan. This exercise has made it possible to identify those priorities that are applicable in all departments and those that are specific to the particular economic, social, environmental and cultural context of each department. This process provides a way of ensuring the relevance of the Plan's strategic areas and objectives. Information on key elements of the Plan has been disseminated via the media, in particular through press releases and television and radio programmes in which the head of Secretariat of Planning took part.

Resources earmarked for the Plan's implementation

34. The Plan's 12 strategic objectives served as the basis for the country's new budgetary matrix, as set out in the 2015 draft national budget submitted to Congress. The budget as a whole is geared towards meeting those objectives. Officials are now working hard to align the Plan and the budget so as to ensure that budget implementation mechanisms are fine-tuned to deliver the expected results. In the interests of accountability, monitoring and evaluation, mechanisms are also to be put in place so that programmes can be reviewed and adjusted as necessary.

II. Issues relating to general provisions of the Covenant (arts. 1–5)

Article 1, paragraph 2

Right to freely dispose of natural wealth and resources

3. **Please indicate what mechanisms are available in the State party to ensure the prior consultation of indigenous peoples, with a view to obtaining their free and informed consent, in processes leading to decisions that have the potential to affect their economic, social and cultural rights, especially decisions relating to their ancestral lands. If such mechanisms exist, please provide specific examples.**

35. Paraguay ratified the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169) by Act No. 234/93. In 2010, the National Institute for Indigenous Affairs, as the lead agency for public policies in that area, adopted resolution

No. 2039, which makes it obligatory for the Institute to be involved in all consultations with indigenous communities.

36. Within the context of the United Nations-REDD National Joint Programme, the National Institute, together with the Federation for the Self-determination of Indigenous Peoples, promoted and supported the first and second workshops on consultation and free, prior and informed consent that were held with the country's indigenous organizations. The outcome of these workshops was a model consultation protocol for seeking free, prior and informed consent. In line with a decision taken by representatives of indigenous organizations, a presidential decree is currently being drafted to give effect to the protocol.

37. In addition, the National Institute has worked closely with the Human Rights Adviser in Paraguay of the Office of the United Nations High Commissioner for Human Rights to produce a document concerning dialogues with representatives of indigenous organizations on free, prior and informed consent. Pending enactment of the decree on the consultation protocol, the Institute is providing advisory services to a number of other institutions. In addition to furnishing such services to the Ministry of Public Works and Communications in connection with a bill on the water supply system, it is also advising the members of the legislature on the drafting of a bill on hydrocarbons and assisting the Secretariat for Social Action in connection with the development of specific consultation procedures for certain national projects, such as the Tekoporá Programme.

38. In this regard, the Secretariat for Social Action has drawn up a protocol on prior consultation with indigenous communities with a view to obtaining their free, prior and informed consent to programmes and projects implemented by the Secretariat. The protocol was approved by the National Institute for Indigenous Affairs on 8 January 2015 and is expected to be implemented in the coming months.

39. Congress is currently examining a bill submitted in 2013 that would require the State to respect the right of indigenous peoples to be consulted about any development project that might affect their way of life, territory or surroundings. Under this bill's provisions, the State would be required to establish bona fide, appropriate and participatory consultation mechanisms with a view to obtaining the free, prior and informed consent of indigenous communities before taking any decision concerning such projects.

40. Furthermore, under this bill, any decision imposed unilaterally by the Government or its agencies that infringes the rights enshrined in the bill or the Constitution shall be considered null and void.

41. Consideration is currently being given to a bill that would establish a ministry of indigenous peoples' affairs, thereby raising the institutional status of the lead agency for public policy in this area so as to ensure the highest attainable level of well-being for indigenous communities and peoples in their natural environment. This would be achieved through the development of plans, programmes and projects for the management of indigenous affairs at the grassroots level in a manner that would uphold their ancestral values, principles, practices and customs. It would also involve self-governance programmes and the optimization of the use of social expenditure budget allocations. Such measures would strengthen the agency and enable it to ensure effective prior, informed consultations with indigenous peoples.

4. Please provide up-to-date information on measures adopted to ensure that all indigenous communities are in possession of title to their ancestral lands, including information on the budget allocated, as well as information on the results of such measures.

42. Ensuring that indigenous communities are awarded title to their ancestral lands is an area of key concern, as evidenced by the measures adopted in this regard, which have

included conducting an up-to-date survey of the lands of indigenous communities, drawing up a list of land title applications, identifying the indigenous communities requiring land titles, specifying land purchase requirements, regularizing payment processes and documenting existing land purchases. Some of the most noteworthy achievements of the National Institute for Indigenous Affairs of Paraguay to date in this area are set out below.

The expropriation of lands for the Sawhoyamaxa

43. Some 23 years after first filing a claim with the State, the indigenous Enxet community secured a ruling in its favour regarding the expropriation of 14,403 hectares. During those 23 years, many views were expressed both for and against this community, but the key point is that the expropriation has taken place and that the efforts of the community and national institutions allowed the harm done to indigenous families in the past to be redressed. As a result, the 2006 ruling of the Inter-American Court of Human Rights has now been implemented. A total of 25,000 hectares (worth some 60 billion guaraníes) which had previously been sold to a private individual have been recovered for the Ayoreo Cuyabía indigenous community.

The Ayvu Porâ case

44. In December 2012, the National Institute for Indigenous Affairs signed a contract for the purchase of 2,918 hectares of land for the sum of 26,267,806,800 guaraníes. An initial payment of 10,000,000,000 guaraníes was made, leaving an outstanding balance of 16,267,806,800 guaraníes. After reviewing the case, the Institute proposed that the balance should not be paid, since it was considered to be excessive. Following eight months of negotiations with the Agroganadera del Norte, a letter of understanding was signed which amended the contract. As a result, a total of 650 hectares of land were recognized as belonging to the Institute and thus detached from the property.

Purchase of lands in Itapúa

45. Approximately 498 hectares of land have been purchased for the Mbya Pykasu'i community in Itapúa. This represents another important step in the process of returning lands to indigenous families in this area of the country.

Final registration of lands in the Yakye Axa and Kelyenmagategma case

46. In December 2011 and January 2012, the National Institute for Indigenous Affairs purchased 12,312 hectares of land. As a result, the Institute now holds the title to this land and is taking steps to transfer the property to these two communities. At a ceremony held at the presidential palace in December 2013 with the President of the Republic in attendance, title deeds were presented to the communities of Tahekyi, Ayvurapyta and Ko'e Poty in the District of General Resquín in the Department of San Pedro; to the San Jorge Originario/Cambay Ampliación indigenous community in the District of Caaguazú in the Department of Caaguazú; and to the Y'akaju Curuguay indigenous community in the district of Curuguay in the Department of Canindeyú.

47. In December 2013, initial steps were taken to return property to the Arasá Poty community of the Mbya Guaraní people, and in July 2014 the corresponding title deeds were officially handed over to that community, which is located in the District of San Rafael del Paraná in the Department of Itapúa.

48. In addition to the measures outlined above, an injunction concerning a tract of land known as Angaité Cora'I has been lifted. This land is home to the following communities: the Saria, the Tajamar Kavaju, the Nepoxen, the Kenaten and the Xákmok Kásek. Currently, title to the land is pending registration with the Directorate-General for Public Records.

49. On 11 December 2014, title deeds were handed over to six indigenous communities: the Río Verde Ysakâ, Tajy Poty and Tekoha Ka'aguy Poty Kamba communities of the Avá Guaraní people in the Department of Canindeyú; the Cayin O' Clim community of the Nivaclé people; the Totobiegosode community of the Ayoreo people; and the San Fernando community of the Enxet people. The total area concerned is 60,000 hectares.

The Ayoreo Totobiegosode people

50. After proceedings stretching over 21 years, 27,000 hectares have been handed over to the Ayoreo Totobiegosode community, which is divided into two groups: those who live on their traditional territory as one of the last groups in the world to live in a state of voluntary isolation and who constitute an invaluable part of the heritage of humankind, and those who have returned to live on the land to which they lay claim in the communities of Arocojnadi and Chaidi.

Budget for land purchases

<i>Year</i>	<i>Budget</i>	<i>Executed</i>	<i>Percentage executed</i>
2011	114 000 000 000	80 246 789 134	70.4 per cent
2012	94 239 852 257	1 515 123 300	1.6 per cent
2013	94 239 852 257	67 285 499 702	71.4 per cent
2014	86 665 859 128	51 996 815 504	59.9 per cent
Totals	389 145 563 642	201 044 227 640	51.7 per cent

51. The need for a more efficient and effective system for keeping records on the legal status of lands belonging to the National Institute for Indigenous Affairs and to indigenous communities has given prompted the Government to take a number of specific measures as part of a broader regularization plan. These include:

- **A baseline assessment:** This kind of assessment makes it possible to identify the measures needed to address current issues. The basic approach consists of a baseline assessment conducted by officials from different departments of the National Institute for Indigenous Affairs working in close collaboration with representatives of the Directorate-General for Public Records and the National Land Registry. These agencies process the documents and information that need to be compiled and systematized, such as the original deeds to property registered in the name of the communities and the Institute and case files concerning land claims. This initial assessment, which is now under way, involves analysing and documenting the reasons why the current situation is as it now stands and then using that information in order to determine the way forward. Substantial progress has been made to date.

52. A number of other specific steps are being taken by National Institute for Indigenous Affairs to improve the system for regularizing land titles for indigenous communities, including projects carried out in collaboration with the Presidential Agency for International Cooperation of Colombia and the Brazilian Cooperation Agency. Details of these are given below:

- **Cooperation between the National Institute for Indigenous Affairs and the National Institute of Rural and Land Development with the Government of Brazil:** Within the cooperation framework coordinated by the Ministry of Foreign Affairs, the National Institute for Indigenous Affairs and the National Institute of Rural and Land Development have, with the support of the Government of Brazil, developed and received approval for a project entitled "Land Management Policies

and Institutional Strengthening of the National Institute of Rural and Land Development and the National Institute for Indigenous Affairs”. The project is scheduled to run for 24 months from the date of signature. Total donor funding amounts to US\$ 785,444, which will be channelled through the Brazilian Cooperation Agency, while the counterpart funds to be provided by the two Institutes amount to approximately US\$ 40,000;

- Following a baseline assessment, the agencies involved in this initiative agreed to focus the project on providing support for geo-referencing work for the Paraguayan Geodesic Network in rural areas and indigenous territories with a view to creating a land registry system that will make it possible to generate information on land parcels in indigenous communities and territories. This will help strengthen the management and technical capacity of the National Institute of Rural and Land Development and the National Institute for Indigenous Affairs for the legal registration of land titles and the standardization of land survey data.

53. The expected outcomes of this cooperative effort are:

- Properly identified indigenous colonies and territories, thanks to land surveys and geo-referencing measures that are interlinked with and populate the National Land Registry database; improved issuance of land titles and greater safeguards for indigenous territories;
- Greater awareness among politicians, public servants and Paraguayan civil society organizations of public policies and legislation concerning the agrarian reform programme, land title regularization and the rural land registry and of issues relating to indigenous territories; exchanges with Brazilian specialists;
- Stronger institutions that are able to deal effectively and efficiently with land titling matters and that are staffed by personnel trained in the use of geo-referencing tools and geographical information management;
- The project is expected to begin in the coming months.

54. The National Institute for Indigenous Affairs has also undertaken a cooperation project with the Government of Colombia aimed at strengthening the national capacities of the Institute in the areas of indigenous governance, land and territory. In particular, it is intended to build the institutional capacities of the Institute for the development of strategies for designing public policies, improving coordination and cooperation at the national, departmental and district levels, and strengthening civil society organizations with a view to enhanced participation on the part of indigenous peoples.

55. Five specific outcomes are expected:

- The design and implementation of a strategic institutional planning system;
- The design and implementation of a strategy that can be used by the National Institute for Indigenous Affairs to coordinate the work of institutions in different sectors in a way that will consolidate and mainstream the agenda and interests of indigenous peoples;
- An interculturally relevant training programme for State agents and civil society representatives who work with indigenous peoples;
- A baseline assessment of land ownership and the status (including the socio-political and cultural situation) of indigenous territories, disaggregated by district and by department;

- The establishment of a system for following-up, monitoring and assessing programmes and projects that have been implemented by the Institute and public and private institutions.

56. This project has been approved by the Government of Colombia, but it has not yet been implemented. It will become operational in the coming months.

Article 2, paragraph 1

Obligation to take steps to the maximum of available resources

- 5. Please provide up-to-date information on the legislative or other measures that have been adopted to prevent and combat corruption and its adverse effects on the enjoyment of economic, social and cultural rights, as well as information on the results of these measures. Please also include information on the number of complaints of corruption filed over the past five years, the investigations conducted, the percentage of these complaints that resulted in convictions, and the protection provided to persons who report cases of corruption.**

57. The National Anti-Corruption Secretariat, together with the United Nations Office on Drugs and Crime (UNODC) and stakeholders from public institutions, civil society organizations and other associations, has drawn up a strategy and comprehensive guidelines for preventing corruption in the executive branch. It has also formulated an institutional plan which includes strategic objectives dealing with the design, implementation and monitoring of public policies for strengthening the transparency and integrity of institutions and public servants. The focus is on measures for minimizing or preventing corruption.

58. In line with the executive's determination to fight corruption, the Secretariat has also signed inter-institutional agreements with the Office of the Comptroller-General of the Republic, the Public Prosecution Service, the Executive Branch Audit Office, the Civil Service Secretariat and the Counsel-General's Office, as well as with some State enterprises. The above-mentioned institutions are responsible for ordering arrests, carrying out investigations and implementing asset recovery procedures. A network of units is currently being set up to ensure transparency and to fight corruption within the executive branch; corruption prevention training programmes are also being developed.

59. The Republic of Paraguay is currently implementing the second phase of the UNODC Integrated National Programme. The Secretariat is covered by subprogramme 2, on justice and the fight against corruption. Further information on the Secretariat is available at www.senac.gov.py. Anti-corruption laws currently in force include the following:

- Act No. 5033/14 makes it compulsory for public officials to submit a sworn declaration of property, income, assets and liabilities;
 - Act No. 5189 makes it compulsory to provide information on the use of public funds to pay the salaries of public servants and to provide the other benefits to which they are entitled;
 - Act No. 5282 deals with the disclosure of public information and governmental transparency.
60. The following laws deal with integrity, transparency and the fight against corruption:
- Article 28 of the 1992 Constitution (the right to be informed);
 - Act No. 977/96 (ratification of the Inter-American Convention against Corruption);
 - Act No. 2535/05 (ratification of the United Nations Convention against Corruption);

- Act No. 2051/03 (public procurement);
- Act No.1626/00 (the civil service);
- Act No. 1752/01 (the prosecution of judges);
- Act No. 2523/04 (illicit enrichment);
- Act No. 2777/05 (banning nepotism in the civil service);
- Act No. 2880/06 (penalties for offences involving State property);
- Article 68 of Municipal Act No. 3966/10 (access to information);
- Act No.1160/97 (the Criminal Code);
- Act No. 2422/04 (the Customs Code);
- Decree No. 10144/12 (creation of the National Anti-Corruption Secretariat);
- Decree No. 10143/12 (ratification of the Code of Conduct of the Executive Branch);
- Decree No. 87/12 (establishment of the Information and Communications Technology Secretariat);
- Decrees No. 14778/01 and No. 15997/02 (the legal status of the National Integrity Council).

61. In addition, the Republic of Paraguay plays an active role in the monitoring and review mechanisms of anti-corruption conventions. It has participated in the reciprocal evaluation process conducted by the Follow-Up Mechanism for the Inter-American Convention against Corruption (MESICIC), within the framework of the Organization of American States, and in the UNODC Implementation Review Group.

62. Mention should also be made of other articles of the Constitution that are intended to prevent corruption. In chapter VIII, section II, on the civil service, the following articles are relevant: article 104,⁸ on the compulsory declaration of assets and income; article 105,⁹ on the prohibition of double remuneration; and article 106,¹⁰ on the liability of public officials and employees. In title II, on the structure and organization of the State, article 268, paragraph 2, sets out the duties and powers of the Public Prosecution Service in its exercise of the public right of action to defend the heritage of the State and society.

63. With regard to the fight against corruption, the Attorney General's Office has placed transparency at the heart of its Strategic Plan for 2011–2016. The Office recognizes transparency as one of its institutional values and publishes annual reports on the administration of resources. It also involves citizens in social oversight of actions and outcomes. The Public Prosecution Service has internal oversight bodies to monitor the

⁸ Article 104, on the compulsory declaration of assets and income, provides that public officials and employees, including those elected by popular vote, those serving in State, binational, independent and decentralized bodies and, in general, those who receive regular remunerations from the State, shall be required to make a sworn declaration of assets and income within 15 days after taking up their duties and within the same period upon terminating their duties.

⁹ Article 105, on the prohibition of double remuneration, provides that no one shall receive in his or her capacity as a public official or employee more than one salary or remuneration simultaneously, except in the case of salaries or remuneration arising from teaching activities.

¹⁰ Article 106, on the liability of public officials and employees, provides that no public official or employee shall be exempt from liability. In the event of violations, offences or breaches committed by public officials or employees in the performance of their duties, they shall be personally liable, without prejudice to the subsidiary liability of the State. The State shall be entitled to demand the reimbursement of any sums which it has had to pay in that connection.

Service's performance and administration with a view to enhancing access to justice and fighting impunity and corruption. These bodies include the General Inspectorate and the Disciplinary Tribunal, which work together to verify compliance with the regulations governing the conduct of members of the Service. The Disciplinary Tribunal is made up of three deputy prosecutors and three alternates who adjudicate in cases in which the Inspector General lays formal charges against prosecutors for failing to fulfil their duties.

64. The General Directorate of Audits is responsible for monitoring compliance with administrative procedures, laws and regulations and for checking and analysing the accounts and the financial and budgetary statements of the Public Prosecution Service. The Directorate has two departments that oversee the performance of regular and special prosecutors' offices and their compliance with the laws in force: the Prosecution Oversight Directorate and the General Coordinating Office for Hearings. The Oversight Directorate periodically reviews prosecutors' case files in order to ensure that the law and the rights of both victims and defendants are upheld. The Coordinating Office is responsible for monitoring the participation of prosecutors in all hearings convened by the appropriate court, with some very limited exceptions. The Public Prosecution Service participates in the State Agency Internal Control Model (MECIP) as a means of ensuring management transparency and optimizing the quality of the services that it provides to the public.

65. More detailed information on the Public Prosecution Service's oversight mechanisms is provided below. The General Inspectorate receives complaints made against public officials and prosecutors relating to alleged disciplinary offences. After carrying out the corresponding investigation, it renders a decision whereby the individual concerned is absolved, charges are filed or a penalty is imposed, as appropriate. In 2013, the Inspectorate received 408 administrative complaints against officials and prosecutors and ruled on 387 cases. Two cases in which the removal of the officials in question was requested were referred to the Disciplinary Tribunal: one for unjustified absences and the other for repeatedly leaving the workplace and for unjustified absences. In one case against a prosecutor, the Inspectorate recommended that the matter should be referred to the Tribunal for the Prosecution of Judges so that charges could be filed for alleged misconduct in various prosecutorial investigations.

66. Cases involving a total of 11 prosecutors were investigated at the administrative level. The outcomes of these cases were as follows: cases against 5 prosecutors were dismissed; 2 prosecutors were suspended without pay pending the outcome of criminal proceedings; 1 prosecutor was fined; 2 cases were closed following the resignation of the prosecutors concerned; and 1 was suspended pending the outcome of criminal proceedings instituted for the same offence. The Prosecution Oversight Directorate examined a total of 303,075 criminal cases in 2013.

67. In order to improve operational efficiency, the Public Prosecution Service has special units to deal with criminal corruption charges. The total number of cases brought, pending and resolved (including convictions) each year by the Special Economic Offences and Anti-Corruption Unit are set out below.

68. In 2009, the Special Economic Offences Unit received 137 cases; 21 were dismissed, 155 concluded and 234 are pending. In 2010, 84 cases were filed, 12 dismissed, 74 concluded and 129 are pending; 18 individuals were convicted, and 1,479,795,632 guaraníes (approximately US\$ 312,853) were recovered. Mention may be made of the following major cases:

- Case No. 7964/06: Mirna Vazquez, Karen Riveros and Juan C. Villamayor were charged with aggravated passive bribery. Convictions were handed down against the prosecutors Lorena Riveros, Mirian Vázquez and Juan Carlos Villamayor;

- Case No. 502/2009: Carlos Rósulo Leite, who occupied the post of justice of the peace in the locality of Bernardino Caballero, was charged with passive bribery, misappropriation and fraud and was sentenced to 5 years' imprisonment on 17 August 2010;
- Norma Gladis Romero Viedma was investigated on charges of aggravated passive bribery and was sentenced to 3 years' imprisonment following a public trial;
- Case No. 5031/2008: Isidro Rafael Salgado Bernal, an official at District Prosecutor's Office No. 3, was charged with aggravated passive bribery, extortion and influence peddling and was convicted in a public trial to 2 years' imprisonment for the offence of extortion.

69. In 2011, the Unit received 60 cases; 5 were dismissed and 46 concluded. In 2012, a total of 95 cases were filed, 24 dismissed, 69 concluded and 70 are pending. Convictions were handed down in 15 cases, and 22 individuals were sentenced in either oral hearings or summary proceedings. More than 2.1 billion guaraníes (approximately US\$ 493,769) were returned to the State.

70. In 2013, a total of 165 complaints were registered, and 4 convictions were obtained following oral hearings or summary procedures. Mention may be made of the following:

- Carlos Gómez was sentenced to 3 years' imprisonment by a trial court;
- María Zulma Jara de Jiménez, a businesswoman, was convicted of money laundering and sentenced to 3 years' imprisonment. Her conviction stemmed from proceedings brought against the former customs officials Arnaldo Abegg and Hilarion Osorio (her brother-in-law), who were sentenced to 10 years' imprisonment, fined 3 billion guaraníes (approximately US\$ 652,174) and had 10 billion guaraníes (approximately US\$ 217,391) in assets confiscated for misappropriation of taxes. During the trial proceedings, Mr. Abegg sought to protect his home — valued at 1 billion guaraníes — from seizure by pretending to sell it to his sister-in-law, María Zulma Jara.

71. The Public Prosecution Service recovered all the losses sustained by Petropar, amounting to US\$ 835,724, in a case against Blue Oil Trading Ltd., which supplied fuel to Petropar and was reported for alleged fraud. The settlement reached in this case represented a significant achievement for the Public Prosecution Service, as it is very rare for losses to be wholly recovered, with interest.

72. With regard to the protection of the victims of corruption, in 2007 the Attorney General's Office signed an inter-institutional cooperation agreement with the Institute for Comparative Studies in Criminal and Social Sciences (INECIP). The Institute is responsible for implementing a programme to provide protection for whistle-blowers reporting instances of public corruption that has been developed in cooperation with the United States Agency for International Development (USAID) Paraguay office. The programme provides software that allows complaints to be filed confidentially and that protects the personal data of officials and private citizens who wish to fulfil their duty to apprise the Inspectorate General of the Public Prosecution Service of any acts of corruption or administrative infringements committed by officials of the Service that become known to them.

73. Article 10 of Public Prosecution Service Act No. 1562/00 provides that "the Public Prosecution Service shall protect all those whose collaboration in the administration of justice puts them at risk of suffering harm. This applies especially to punishable acts linked to organized crime or relating to abuses of power or human rights violations. To that end, a programme to protect witnesses, victims and officials of the Public Prosecution Service shall be established."

74. In accordance with article 202, subparagraph 9, of the Constitution, the Agreement for the Establishment of the International Anti-corruption Academy as an International Organization, which was adopted in Vienna on 2 September 2010, was submitted to Congress for consideration. The purpose of the Academy is to promote effective and efficient prevention and combating of corruption by providing anti-corruption education and professional training; undertaking and facilitating research into all aspects of corruption; providing other relevant forms of technical assistance in the fight against corruption; fostering international cooperation and networking in the fight against corruption.

75. The Academy also engages in joint efforts at the global and regional levels in support of the United Nations Convention against Corruption and other relevant international instruments. To that end, it receives support from the United Nations Office on Drugs and Crime and the International Criminal Police Organization-INTERPOL in designing and developing initiatives to prevent and fight corruption worldwide. It is also assisted by the European Anti-Fraud Office (OLAF) and multinational companies, among others.

76. Collaboration with the Academy has potential benefits for Paraguay in its fight against corruption, since this will enable the Government to strengthen its efforts to comply with the United Nations Convention against Corruption through cooperation with other States, public and private international organizations, academics and experts from the Academy and the training of Paraguayan public officials involved in the fight against corruption.

77. Congress is currently considering a bill on the establishment of a council for the promotion of the national integrity system. The bill seeks to raise the status of the council in order to further its aims. The council will be reorganized and strengthened so that it can pursue its vision, mission and strategic areas of action more effectively and place the fight against corruption in the context of the broader effort to build a stronger national climate of integrity. The Council for the Promotion of the National Integrity System was established in the context of the ratification of the Inter-American Convention against Corruption and charged with furthering the implementation of the National Anti-Corruption Plan. The States parties to the Convention agreed to implement a mechanism for assessing compliance with that instrument. As part of this process, Paraguay has undertaken to submit progress reports on compliance with certain provisions of the Convention and to participate in the assessment of the level of implementation of the other provisions.

Article 2, paragraph 2 Non-discrimination

- 6. Please provide information on the status of the bill on the elimination of all forms of discrimination referred to in paragraph 34 of the report. Please also provide information on the content of the bill, in particular the definition of discrimination which it contains. In addition, please provide up-to-date information on the impact of measures taken to combat and prevent discrimination against, and the social stigmatization of, disadvantaged and marginalized persons and groups, including lesbian, gay, bisexual and transsexual persons, in their exercise of the rights recognized in the Covenant.**

78. A bill on the elimination of all forms of discrimination was examined by the Chamber of Deputies on 13 November 2014 at the suggestion of the Chamber's Human Rights Committee. The bill was rejected by 21 votes against, 17 in favour and 1 abstention, with 6 deputies absent. In the forthcoming parliamentary session (July 2015), a new bill on the elimination of all forms of discrimination will be introduced that is the product of a

broad-ranging, participatory effort that has included the three branches of the State, civil society, academia and other sectors. This approach has been taken in order to ensure that all parties concerned will understand the need for this bill and its scope. It should also be noted that, for the first time ever, all the various legislative committees to which the bill was referred worked together with the Human Rights Network in examining the text and drafting their recommendations concerning its contents.

79. A draft national human rights plan was adopted in 2011. The plan was developed by the Human Rights Network under the guidance of the Ministry of Justice, working in conjunction with the other branches of government, civil society organizations and universities and with technical support from the Office of the United Nations High Commissioner for Human Rights. Following further revisions and updating, the proposal served as the basis for the National Human Rights Plan for the Republic of Paraguay, which entered into force in 2013 pursuant to a presidential decree.

80. Under the Plan, the State considers that a key feature of the concept of discrimination is that it draws “a distinction based on prejudice and manifestly contrary to human dignity, whereby members of a group are treated as different, and possibly inferior, beings, the rationale for that distinction being odious and unacceptable given the humiliation caused to those who are thereby marginalized”. In its most serious form (when it results in constant and prolonged exclusion), discrimination may become structural in nature and give rise to “a situation whereby certain sectors of the population, because of complex social, cultural or institutional practices, do not enjoy their rights to the same extent as the rest of society. It affects certain groups that have been marginalized historically in terms of, among other things, access to justice, education, political participation and the conduct of public affairs.”

81. The State has highlighted the following strategic priorities as set out in the Plan:

- Enacting a law against all forms of discrimination;
- Shaping and implementing a public policy on the elimination of all forms of discrimination covering all historically vulnerable sectors of the population;
- Strengthening the Executive Branch Human Rights Network;
- Ensuring that indigenous peoples have the right to prior consultation and free and informed consent;
- Amending the Criminal Code.

82. The judicial authorities and the police respect the rights of lesbian, gay, bisexual, transsexual and intersex (LGBTI) communities in their exercise of the freedoms of demonstration, expression and assembly and their right to conduct advocacy campaigns for LGBTI rights. It should be noted that Asunción hosted the Latin American meeting of LGBTI groups and persons, during which those persons freely exercised their right to demonstrate in public spaces. The National Secretariat for Culture declared the event an activity of “national cultural interest” and engages in an active dialogue with various LGBTI civil society representatives.

83. Efforts are also made to raise awareness through campaigns such as the one focusing on the rights of lesbians, “Acá no se discrimina” (We don’t discriminate here), which has been promoted by the Ministry for Women’s Affairs and Aireana Grupo. By means of such campaigns, the Ministry — which respects diversity among women and understands the specific issues affecting lesbians — seeks to raise awareness of the importance of non-discrimination. In addition, workshops on non-discrimination are regularly organized for officials from the Ministry for Women’s Affairs to provide them with an opportunity to

explore the vectors through which discrimination is transmitted, especially those based on sexuality.

84. Other initiatives include the preparation of a booklet on international recommendations relating to the human rights of LGBT persons. The booklet contains material that was compiled and analysed as part of a project for following up on international human rights recommendations. The initiative was promoted jointly by the Executive Branch Human Rights Network and the Human Rights Advisory Office for Paraguay of the Office of the United Nations High Commissioner for Human Rights. The project — known as the Recommendations Monitoring System — was launched in May 2014 with a view to building State institutions' skills and capacity to follow up on and monitor the implementation of international recommendations and assist with the drafting of reports on the human rights situation in Paraguay for international bodies. As part of these efforts, officials are currently monitoring the implementation of recommendations made by international bodies on LGBTI issues.

85. The Public Service Secretariat has produced a guide to inclusive and non-discriminatory good practices in respect of persons with different gender identities and sexual orientations.

86. With regard to policies, plans and programmes implemented by the Ministry of Health, it should be noted that the National Plan on Sexual and Reproductive Health, Paraguay 2014–2018, was approved by resolution No. 340 of 30 September 2013. The rights on which it is based are set out in the introduction to the Plan, section 2 of which sets forth “the right to equality and to be free from all forms of discrimination, including discrimination based on sexual orientation and discrimination against persons living with HIV”. The objective of Action 1.4 of the Plan is to ensure the delivery of youth-friendly, quality guidance and assistance to children, adolescents and young adults in the area of sexual and reproductive health. These services include the identification and monitoring of risk factors and conditions. The objective of Action 1.6 of the Plan is to implement strategies to overcome discriminatory barriers and facilitate access to quality sexual and reproductive health services for adolescents, especially those from the most disadvantaged socioeconomic backgrounds and those who are victims of violence.

87. On 2 May 2012, the Ministry of Education and Culture issued Resolution No. 8353, by which it approved a protocol on support for victims of violence and sexual harassment in educational establishments under the Ministry's authority. The protocol set out indicators for use in identifying violence and bullying at school, questionnaires on preconceptions about intimidation and peer violence, awareness-raising and preventive measures for use by all stakeholders, emergency measures for victims and intervention measures.

88. On 16 May 2012, Congress passed Act No. 4633 on measures for combating bullying in public, private and subsidized private schools. The aim of this law is to provide definitions and establish preventive and response measures for dealing with the different types and forms of bullying and harassment in schools. It is also intended to facilitate the adoption of other appropriate Ministry-approved measures in accordance with each school's rules of conduct. Act No. 4633 also provides for the protection of pupils' rights to physical and mental integrity. It defines harassment or bullying as any form of physical, verbal, psychological or social violence between pupils which occurs repeatedly within the school environment and which impairs or interferes with the overall development of the person affected.

89. The National Institute for Indigenous Affairs, as the lead agency for public policies on indigenous matters, recognizes the historic debt of the nation to the indigenous peoples of Paraguay. Consequently, thanks to a process focusing on inclusion, acceptance and non-discrimination, the most recent version of the Constitution — approved in 1992 —

establishes Paraguay as a multicultural State and officially recognizes the indigenous peoples as ethnic groups whose culture pre-dates the formation of the State itself.

90. The Constitution therefore enshrines the principle of positive discrimination in order to achieve equality for indigenous peoples and thereby safeguard their rights by ensuring respect for their culture, world view and customs. With this in mind, the National Institute for Indigenous Affairs is currently seeking to involve the leaders of indigenous organizations and communities in a range of forums and initiatives. These include meetings with leaders to discuss housing issues; the establishment of an inter-agency board for the protection of the Biosphere Reserve; intercultural training programmes for public officials; the first National Meeting of Indigenous Women; the creation of an alliance to heighten the visibility of the indigenous communities and to build their capacity to participate in the Itaipú Binational Project; the first workshop on free, prior and informed consent organized with the support of the National Institute, the United Nations-REDD Joint Programme and indigenous organizations; and the publication of a document by the Office of the United Nations High Commissioner for Human Rights, in cooperation with the National Institute, entitled “Diálogos con representantes de organizaciones indígenas” (dialogues with representatives of indigenous organizations).

91. Actions taken under Act No. 904 on the Indigenous Peoples’ Statute include advocacy campaigns aimed at contributing to the elimination of discriminatory practices and ensuring the full exercise of fundamental human rights.

Article 3

Equal rights of men and women

7. **Please describe the main achievements of the National Plan on Equal Opportunities for Women and Men 2008–2017 in relation to the enjoyment of economic, social and cultural rights by women, from the time of the Plan’s introduction until the present day. Please also provide information on the measures taken to increase the participation of women in political life, in public-sector decision-making positions in the three branches of government and in the private sector, at the national, departmental and municipal levels, as well as information on the impact of these measures. Please include statistical information.**

92. In line with government policy, the Ministry for Women’s Affairs has focused its efforts on the reduction of extreme poverty, principally among women, since women continue to be the group most affected in terms of wealth distribution and access to economic resources and work. This is confirmed by statistics from the most recent permanent household survey (2013) which indicate that the economic activity rate for men is more than 22 percentage points higher than the rate for women and that the gap is even wider in rural areas. An analysis of sex-disaggregated open unemployment rates shows that women are more likely to be unemployed than men.

93. Efforts by the Ministry for Women’s Affairs to reduce poverty and boost inclusive economic growth have resulted in the following developments:

- Revolving funds and training programmes have directly benefited 2,711 women in 151 different committees in the departments of San Pedro, Caazapá and Canindeyú; 13,555 women and men have benefited indirectly;
- A project to boost the competitiveness of small-scale producers of stevia and to increase stevia exports has been developed in cooperation with the Italo-Latin American Institute (IILA). The project covers the following areas: economic empowerment through income generation; crop management and organization;

production and improved selection and drying techniques; technical training for women and men; and the promotion of stevia in the local and Italian markets;

- A project on goat farming in the Department of Alto Paraguay has been run for 40 indigenous women of the Chaidi community; the participants have received training regarding gender and intercultural issues, community leadership and goat-farming practices;
- 1,400 women have received training in how to write business plans;
- An economic empowerment programme has been conducted;
- 653 women have received loans under an agreement between the Ministry for Women's Affairs and Microsol;
- As part of a public-private partnership, technicians from Chemilco Internacional S.A. have trained 63 women in Filadelfia and Loma Plata in the manufacture of cleaning products;
- 653 women have received loans under an agreement between the Ministry for Women's Affairs and Microsol (in the first half of 2014).

94. The Ministry for Women's Affairs, as the lead policymaking agency for gender issues, seeks to ensure that a gender perspective is mainstreamed into the policies of all State institutions. The aim is to implement affirmative action measures to support equal opportunities for men and women. The Ministry is currently taking steps to facilitate the development and implementation of models that will contribute to the genuine empowerment of women and communities. Further details are set out below.

- The mission of the Ministry for Women's Affairs is to develop, coordinate and implement public policies on gender issues (Act No. 4675/2012);
- The new institutional strategic plan prioritizes the Ministry's role as the executive branch's main agency for gender issues and the development of its institutional technical capacities. The priority objectives identified under the plan are: increasing awareness of the National Plan for Equal Opportunities between Women and Men (2008–2017); improving measures to prevent violence against women and trafficking in persons and to ensure that perpetrators are punished; strengthening links with international women's mechanisms and international cooperation agencies; developing and implementing participatory management models in State institutions at the central and local levels; upgrading internal information and communications systems; creating closer ties with the media; and forging alliances with civil society. Specific measures have been implemented in the political, economic and social fields to achieve these objectives;
- In addition to the progress made in combating violence, steps have been taken and substantive changes have been made to promote the economic empowerment of women. These measures have included the introduction of new financial products, the establishment of committees of women producers, the provision of support for craftswomen and the development of proposals for giving campesino and indigenous women greater visibility and support. These efforts have demonstrated that it is possible to mainstream a gender perspective into the public budget and other rigid economic systems.

95. As part of efforts to empower women while supporting participation and the strengthening of their communities, a comprehensive programme entitled Jaku'eke has been launched that entails the use of a broad-scope model for action on the ground. Under the programme, experience-sharing workshops have been organized on self-esteem, leadership, roles and empowerment. Topics covered include family-run organic vegetable

farms, recycling, basic soil management and the use of pesticides. The sessions have been led by interns from the Schools of Agronomy, Human Ecology, Environmental Engineering and Agricultural Administration at the National University of Asunción. Workshops on entrepreneurship, business plans and basic economics have been organized by the Ministry of Industry and Commerce. The Jaku'êke model is being used to create and train local multidisciplinary teams in the district of Guarambaré in the Central Department. It is expected that 30 participants from that district — including a psychologist, teachers, lawyers, housewives, businesswomen and others — will be trained up to implement the programme on the ground in 2015.

96. In an effort to increase the representation of women in political life, the Ministry for Women, together with UN-Women, the United Nations Development Programme (UNDP) and the Higher Court of Electoral Justice, is providing support for a project to build women's capacity for political participation. The idea is to develop the capacity of key State actors with a view to strengthening legislation, institutions and public policies in order to ensure that women can fully exercise their political rights and to boost their participation in decision-making forums. The aim is to achieve the following strategic outcomes: the establishment of a political discussion forum involving strategic actors with a view to reaching basic consensus and agreeing on an agenda for legislative reforms, institutional development and political policies; the dissemination of information on women's political rights; and the institutional strengthening of the Ministry for Women's Affairs and the Higher Court of Electoral Justice.

97. The Ministry for Women's Affairs will also foster efforts to amend the Electoral Code (Act No. 834/96). As part of this initiative, it will engage in dialogues with candidates for elected offices and political party leaders as a means of encouraging them to incorporate gender-based lines of action in their platforms. It will also organize training workshops for women running for elected office. The Ministry will conduct awareness-raising and information workshops for political editors of media outlets as well. A database on the participation and positioning of women in political affairs in Paraguay is to be developed, and agreements are to be signed with community-based confederations, federations and cooperatives.

98. Information regarding the most recent general elections (2013), disaggregated by sex, are set forth below:

Electoral registration figures for the 2013 elections

I. 2013 general elections: the political participation of women in Paraguay and abroad

As seen from an electoral perspective (women as voters and political activists):

<i>Electoral lists, disaggregated by sex</i>	<i>Women</i>	<i>Men</i>	<i>Total</i>
Registered abroad (2011)	11 182	10 169	21 981
Registered – automatic system (since 2012)	40 261	43 058	83 319
Registered – traditional system (up to October 2012)	1 661 299	1 749 674	3 410 973
Total	1 713 372	1 802 901	3 516 273

Source: Higher Court of Electoral Justice.

* According to the latest general electoral list, men outnumber women by 88,375.

Registration of men and women abroad



99. According to a survey conducted as a basis for preparing projections for 2012, the estimated urban population totals 3,932,915, with women slightly outnumbering men (50.1 per cent versus 48.9 per cent).

Source: Directorate-General of Statistics, Surveys and Censuses (DGEEC), estimated population by sex and by age group, in urban and rural areas, 2000–2030.

100. The city of Asunción accounts for 7.7 per cent of the population of Paraguay (53.7 per cent women and 46.3 per cent men). In the Central Department, women represent 50.8 per cent of the population and men 49.2 per cent. The population of the Central Department accounts for 33.3 per cent of the country's total population.

Source: DGEEC, estimated population, by department, 2000–2020.

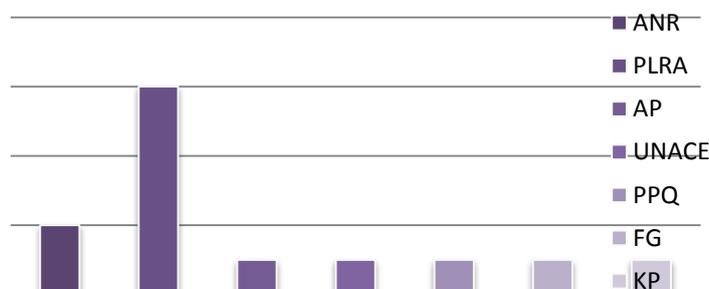
More than 4,000 women in the political arena during the 2013 elections

101. The general elections of 21 April 2013 were marked by an increase in the participation of women; 4,299 female candidates — out of a total of 11,203 — stood for 746 elective posts. Lilian Soto was the only female presidential candidate, while 4 women stood for the vice-presidency.

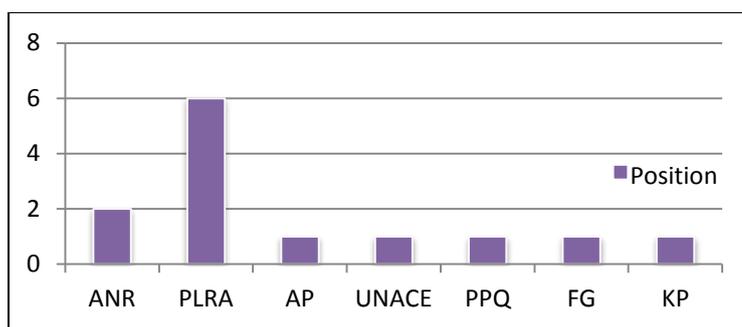
102. According to statistics from the Directorate for Electoral Statistics of the Higher Court of Electoral Justice, a higher proportion of eligible women voters took part in the 2013 general elections than men – 69 per cent of women on the electoral list voted compared to 68 per cent of men. According to the most recent census, which was carried out in 2012, the total population of Paraguay amounts to 6,600,284, of whom 3,342,484 (50.64 per cent) are men and 3,257,800 (49.36 per cent) women.

103. In the Senate elections, out of a total of 1,650 candidates for 45 seats and 30 alternate positions, 715 candidates were women and 935 were men. In the elections for the Chamber of Deputies, out of a total of 2,475 candidates for 80 seats and 80 alternate positions, 896 candidates were women and 1,579 were men.

Women candidates for seats in the Chamber of Deputies



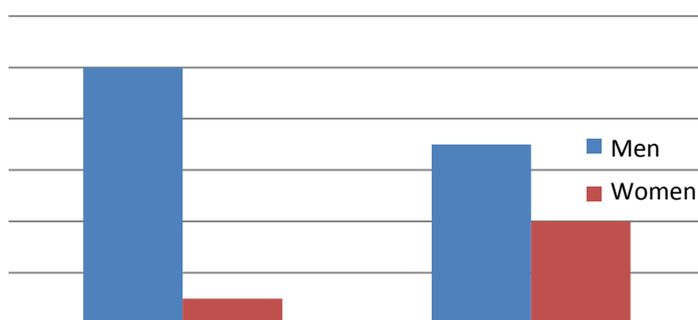
Women candidates for seats in the Chamber of Deputies



104. Since 2003, the proportion of women senators has increased from 9 per cent to 20 per cent (2003 – 8.9 per cent; 2008 – 15.6 per cent; 2013 – 20 per cent). Over the same period, the proportion of women deputies has increased from 10 per cent to 17 per cent (2003 – 10 per cent; 2008 – 12.5 per cent; 2013 – 16.7 per cent). In the 2013 Senate elections, women won 9 seats (20 per cent) and men 36 seats (80 per cent). In the elections for the Chamber of Deputies, women won 13 seats (17 per cent) and men 67 seats (83 per cent). There are three women members (17 per cent) of the MERCOSUR Parliament and 15 men (83 per cent). There is only one female departmental governor, which means that, in percentage terms, 6 per cent of governors are women and 94 per cent are men. There are 38 women departmental councillors (17 per cent) and 190 men (83 per cent).

105. The number of female electoral candidates has risen slightly — by 4 percentage points — since 2008 (21 per cent in 2008 and 25 per cent in 2013).

Candidates for President and Vice-President



Source: Women's Parliament.

Departmental governments

106. Out of a total of 122 candidates who stood for office in the 17 departmental councils, 16 were women. The Department of Alto Paraná had the highest number of candidates.¹¹

Asunción (capital city)

107. Although, generally speaking, men headed up the major lists in the elections, in Asunción the leading contestants for the top posts were women, which paved the way for women to take up more elected positions.

¹¹ See www.eleccionesparaguay.com/candidatos-presidenciales-paraguay.php.

III. Issues related to specific provisions of the Covenant (arts. 6–15)

Article 6

The right to work

8. **Please provide up-to-date information on measures taken to reduce the high rates of underemployment and to address issues relating to the informal economy, as well as information on the impact of those measures. Please also provide information on the content and scope of the flagship temporary work programme referred to in paragraph 50 of the report, as well as up-to-date information on its implementation and on the results obtained.**

108. With regard to underemployment and issues relating to the informal economy, the Ministry of Labour, Employment and Social Security of Paraguay has launched a campaign to shift more jobs into the formal sector and to reduce illegal employment. The Ministry of Labour, the Office of the Under-Secretary of State for Taxation of the Ministry of Finance, the Ministry of Trade and Industry and the Social Security Institute are all involved in the campaign, which is also supported by private businesses, particularly those that are affiliated with the Paraguayan-American Chamber of Commerce.

109. The campaign has three areas of focus: education (an area in which the Ministry of Education and Culture is also involved); penalties for companies that employ staff who are not enrolled in the social security system; and incentives to encourage companies to comply with labour regulations.

110. As part of the implementation of this campaign, the databases managed by the Social Security Institute, the Ministry of Labour and the Ministry of Finance/Office of the Under-Secretary of State for Taxation are currently being harmonized. Talks are also being held to raise awareness among own-account workers belonging to the Cooperativa Mercado 4 Ltda., as well as other self-employed workers, and to help them to register with the system.

111. The National System of Micro- and Small Enterprises was established following the recent adoption of Micro-, Small and Medium-Sized Enterprises Act No. 4457/14, which calls for the creation of the Office of the Deputy Minister for Micro-, Small and Medium-Sized Enterprises within the Ministry of Trade and Industry. The Office of the Deputy Ministry pools the efforts of the public and private sectors and civil society with a view to strengthening, formalizing and stimulating the growth of microenterprises and small businesses. It is working on developing a training plan, resourcing a guarantee fund and simplifying and streamlining the procedures for formalizing a business.

112. With the establishment of the Ministry of Labour, Employment and Social Security in January 2014, implementation of the flagship temporary work programme had to be suspended while the new organizational structure under which the new Ministry will carry out employment programmes was being put in place.

113. Pursuant to the agreement recently signed between the Ministry of Labour and the International Labour Organization (ILO), a new employment policy framework is currently being formulated. This framework will encompass policies on temporary employment, policies on intensive employment in public works projects, and policies on employment during natural disasters.

114. The process began with the hiring of a consultant who gathered information on the institutional structures of the participating bodies: Ministry of Labour, the National

Emergency Secretariat, the National Secretariat for Housing and Habitat, the Secretariat for Social Action, the Technical Planning Secretariat and the Ministry of Public Works and Communications.

115. During the recent floods, which affected more than 150,000 families throughout the country, the National Career Development Service began to pilot a vocational training programme for flood victims designed to help them find alternative sources of employment income.

116. The next step in this joint effort is to identify the sectors in which the temporary employment programme, the public works employment programme and the programme for alternative employment in the wake of natural disasters will be resumed and expanded in 2015 and to shape these programmes into public policy instruments.

117. The Chamber of Deputies is currently considering a bill that calls for the indexation, adjustment and alignment of the salaries of civil servants and regulates the provision of bonuses to civil servants, whether in service or retired, who are participants in the retirement and pension fund. The bill is intended to safeguard the interests of public servants and private-sector workers while giving due consideration to the fact that wage adjustments should reflect the real needs of the country's citizens. If passed, this bill will help to formalize the labour system, improve the situation of workers in Paraguay and will consolidate rights such as the right to social security and the right to a living wage.

9. Please provide detailed and up-to-date information on measures taken to eliminate forced labour and on the impact of those measures, in particular in the Chaco region. Please include information on the activities carried out in this respect by the Inter-Agency Commission for Combating Forced Labour and on the number of complaints received by the National Centre for Indigenous Affairs, with an indication of how those complaints were followed up. Please also include information on measures taken to prosecute and punish those responsible and to provide redress to the victims of forced labour.

118. The Regional Directorate of the Chaco, which is part of the Ministry of Labour, Employment and Social Security, provides services to workers in the area and also handles questions from employers. In this regard, 136 cases have been dealt with and 56 complaints received regarding such issues as unfair dismissal and the failure to pay salaries.

119. A project run by Cooperazione Internazionale (COOPI), a non-governmental organization, has been carried out through the Chaco Central Regional Subcommittee for the Protection of Fundamental Labour Rights and the Prevention of Forced Labour. As of October 2013, the following outputs had been achieved:

- The formalization of a number of businesses, mostly in the Chaco Central region;
- Enrolment of workers in the Social Security Institute;
- The establishment of labour courts in Filadelfia and Villa Hayes in the Chaco region;
- Printing and distribution to the public of materials on Paraguayan labour laws;
- Broadcasting of radio programmes by Radio Pa'i Puku in the Chaco region in 2012 and 2013 as part of the project entitled "Promotion of labour rights among indigenous peoples in the Chaco region";
- The coordination of work with municipalities in the districts of Teniente Primero Manuel Irala Fernández and Loma Plata to prevent indigenous people from being exploited, discriminated against and subjected to forced labour.

120. Legislative and institutional developments with regard to forced labour include the following:

- In 1967/1968, Paraguay ratified the ILO Forced Labour Convention, 1930 (No. 29) and the ILO Abolition of Forced Labour Convention, 1957 (No. 105);
- In 1993, it ratified the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169);
- In 2005, ILO issued a report titled “Debt bondage and marginalization in the Chaco of Paraguay”, in which it noted the existence of forced labour on ranches in the Chaco region and recommended the development of an action plan for the elimination of forced labour that would focus on putting an end to debt bondage in the Chaco region and reducing discrimination against indigenous peoples;
- In 2009, the United Nations Permanent Forum on Indigenous Issues drew attention to the continued existence of forced labour in Paraguay, specifically in the form of *empatronamiento* (being treated as part of the employer’s property), servitude or *enganche* (improper hiring practices of families or individuals based on indebtedness or on-site lodging) on ranches or agricultural estates in the Chaco region of Paraguay;
- Resolution No. 230 of 27 March 2009 established the Commission on the Protection of Fundamental Rights at Work and the Prevention of Forced Labour, and an office of the Labour Directorate was subsequently opened in the municipality of Teniente Primero Manuel Irala Fernández in the Chaco Central region;
- An action plan was developed that includes awareness-raising activities and training for labour inspectors;
- With assistance from ILO, the Decent Work Country Programme was launched in Paraguay. This programme includes the following areas of focus: strengthening social stakeholders, developing a national employment strategy and encouraging compliance with labour standards.

121. In addition, during the process of designing the workshops, and based on information from ILO, a list was drawn up of actions taken by the State in connection with the ratification of the ILO Forced Labour Convention, 1930 (No. 29) and the ILO Abolition of Forced Labour Convention, 1957 (No. 105).

122. Actions taken by the State:

- The establishment of the Commission on the Protection of Fundamental Rights at Work and the Prevention of Forced Labour under Resolution No. 230/09 of the Ministry of Justice and Labour;
- The implementation of a policy on the prevention of trafficking in persons;
- The opening of an office of the Ministry of Justice and Labour in the Chaco region;
- The establishment of a tripartite committee on forced labour in the Chaco region;
- The drafting of the National Strategy to Prevent Forced Labour;
- The adoption of the Comprehensive Act on Trafficking in Persons (Act No. 4788/12).

123. One of the major achievements of the Government of Paraguay was the authorities’ decision to put forward and subsequently adopt the Act on Trafficking in Persons, as it is the only piece of legislation in the Paraguayan legal order that classifies forced labour as a specific offence in its own right. This standard can now be applied by justice officials,

judges, prosecutors and public defenders. In 2011, the Human Rights Directorate of the Supreme Court, as one of the bodies represented on the technical committee formed by the National Commission for the Prevention and Elimination of Child Labour and the Protection of Adolescent Workers, participated in the drafting of a guide on inter-institutional coordination to support workers under 18 years of age. It was also the first body outside the executive branch to state that use of this guide served to further institutional objectives, which it did in Supreme Court Resolution No. 3410 of 18 October 2011.

124. In October and November, training and awareness-raising workshops were conducted for judges, public defenders specializing in labour and children's issues and prosecutors specializing in human rights. This was made possible through financial support from ILO and a cooperative effort on the part of the National Commission for the Prevention and Elimination of Child Labour and the Protection of Adolescent Workers and the Office of the Deputy Minister for Labour and Social Security. The workshops' objectives were to identify and combat instances of hazardous child labour as an important means of achieving the global aim of eliminating the worst forms of child labour, contribute to the recognition of the fact that hazardous labour is part of the larger problem of child labour in general, expand the scope of social and legal protection, and promote coordinated action on the issue of child labour in line with international standards.

125. A total of 121 justice officials (judges, prosecutors and public defenders) and representatives of other sectors (businesses, the Municipal Advisory Service on the Rights of Children and Adolescents and the Secretariat for Children and Adolescents) received training in these areas.

126. In addition, the Human Rights Directorate of the Supreme Court organizes various programmes, including one on access to justice for vulnerable people, in application of Agreement No. 633/2010, by which the Court ratified the 100 Brasilia Regulations. In collaboration with ILO, a booklet has been published on the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) in three languages (Guaraní, Nivaclé and Spanish).

127. In the same vein, ILO and the Supreme Court concluded a cooperation agreement for the provision of training to justice officials. This international cooperative effort has been highly rated by the Supreme Court and especially by justice officials who feel that it has helped them to improve the services they provide and by judges and prosecutors serving in the localities where these sessions were held. Technical experts at the highest academic level participated in the sessions.

128. The Supreme Court and the Office of the Deputy Minister for Labour and Social Security jointly organized a conference on forced labour at the Boquerón Department government offices that was attended by indigenous leaders and officials from the then Ministry of Justice and Labour. Participants included: the Governor of Boquerón, mayors from the area, indigenous leaders who are members of the Subcommittee of the Board on Forced Labour in the Chaco region, the Regional Director of Labour, justices of the peace and representatives of NGOs that support indigenous organizations. This activity was held at the Boquerón Department government offices on 2 July 2013.

129. In 2013, training workshops were conducted for judges, prosecutors and public defenders on forced labour on the part of both children and adults in Paraguay, with support from ILO and the non-governmental organization Fortalecer. These workshops focused on providing justice officials with up-to-date information about international instruments intended to provide protection against forced labour, as well as about the actual application of those instruments in judicial decisions and their role in international law. One of the main objectives was to promote the implementation of ILO conventions such as the ILO Forced Labour Convention, 1930 (No. 29); the ILO Abolition of Forced Labour

Convention, 1957 (No. 105), ratified by Act No. 1331/64; and the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169). Another was to explore these instruments' connection with the Comprehensive Act on Trafficking in Persons (Act No. 4788) in cases involving the rights of persons working in situations of dependency. A total of 100 justice officials participated.

130. Successive governments as well as law enforcement officials, labour authorities, employers' and workers' organizations and employment agencies must fulfil their responsibilities in relation to the elimination of all forms of forced labour. This undertaking proved to be an excellent way of disseminating good practices, raising awareness and providing tools for use in supporting and strengthening future efforts. The expansion of these workshops has had a significant impact in the districts of Pedro Juan Caballero, Coronel Oviedo and Filadelfia.

Article 7

The right to just and favourable conditions of work

10. Please provide up-to-date information on measures taken to ensure equal conditions of work for men and women, including equal pay for equal work, as well as information on the impact of those measures.

131. The primary measures taken in this regard include the following:

- A plan has been developed for strengthening the Directorate for the Advancement of Working Women, its organizational structure and powers, within the framework of Act No. 5115/13 on the establishment of the Ministry of Labour, Employment and Social Security;
- Two new sections have been set up within the Directorate for the Advancement of Working Women as a means of maintaining closer contact with the public with a view to promoting and contributing to the creation of job opportunities, self-employment opportunities and productive businesses; strengthening businesses in rural and urban areas; and supporting improved educational and training opportunities for migrants;
- The structuring, review and subsequent addition of entries in the interview files kept by the Support Centre for Domestic Workers enabled the Centre to set up a systematized database which provides a clearer picture of the issues relating to domestic work. This information can then be used as inputs for the formulation of policies that benefit domestic workers and for the establishment of a domestic-labour observatory;
- A cooperation agreement has been signed with ILO under which a lawyer is to be recruited to strengthen the capacity of the legal assistance office. Under this agreement a commitment has also been made to work jointly to support rural women workers, with special emphasis on young women;
- Steps have been taken to strengthen the Tripartite Commission for Equal Opportunities. The origins of the Commission date back to 1994, when government, labour and business stakeholders began to show a clear interest in establishing bodies for social dialogue and tripartism in Paraguay with the support of UNDP and ILO.

132. In 1995, a tripartite liaison group comprising representatives of government, labour and business was established as an informal body to coordinate efforts to promote gender equality in the world of work. Its members receive training on the rights of women workers,

social dialogue and gender equality. On 11 June 1998, by Presidential Decree No. 21.403, the Tripartite Commission for Equal Opportunities was established to promote and monitor women's participation in the labour market. This body has been only partially operational, however, owing to interruptions occasioned by institutional changes.

133. The Commission has now resumed its work and convened its first meeting on 7 October 2014. In addition to the three above-mentioned sectors, representatives of non-governmental bodies and women's associations also participated as observers. It was agreed at the meeting that two subcommissions would be established – the Subcommission on Policy Matters and the Subcommission on Campaigns, Training and Education. These subcommissions have begun to hold meetings to address issues relevant to their respective fields, such as the consideration of a bill on domestic labour, and have also begun to develop a work plan for 2015.

134. The contributions made by the Tripartite Commission for Equal Opportunities since its inception include the following:

- Helping to shape public policies on equality in the workplace;
- Participating in discussions on legislative changes having an impact on the situation of women workers;
- Promoting social dialogue and organization among women workers and women employers;
- Raising awareness about the situation of women workers;
- Participating in the Decent Work Country Programme;
- Ratifying ILO Workers with Family Responsibilities Convention, 1981 (No. 156) on 21 December 2007;
- Ratifying ILO Domestic Workers Convention, 2011 (No. 189) on 10 December 2012.

Main objective of the Tripartite Commission for Equal Opportunities

135. The main objective is to promote equality of opportunity and treatment between men and women in freedom and dignity and with respect for human diversity in order to improve women's access to and participation in the national, regional and international labour markets.

Development objective of the Tripartite Commission for Equal Opportunities

136. Its development objective is to promote improved access to the labour market with a focus on the material, social and spiritual well-being of individuals and societies as a whole, with equal opportunities for women and men in freedom and dignity and with respect for human diversity. In pursuit of this objective, the Commission members put forward proposals, provide advisory services and work to ensure respect for women's rights as well as to support their participation, development, leadership and retention in the labour market and in decision-making bodies. Consideration is given to the economic, social and cultural dimensions of life within a framework of equity and equality of opportunity and treatment.

137. A cooperation agreement is soon to be signed between the Ministry of Labour, Employment and Social Security and the Paraguayan Network of Women in Municipal Government, which comprises women mayors and councillors from the various municipalities in the country. This organization will facilitate the introduction of training programmes for rural women workers and others in the more remote areas of the country.

11. Please provide up-to-date information on measures taken to ensure that all workers, whether in the public or private sector, have access to a minimum wage that allows them and their families to enjoy decent living conditions. Please include up-to-date statistical information, disaggregated by sex, age and urban/rural area, on the percentage of workers who receive a minimum wage or one that is higher.

138. The Ministry of Labour, Employment and Social Security, pursuant to its duty to protect the rights of workers with respect to work, employment and social security, carries out activities to improve people's working conditions. To this end, an agreement was signed between the Ministry of Labour and the Paraguayan Network of Women in Municipal Government in November 2014.

139. The main objective of the agreement is to establish a framework for cooperation between the parties in order to promote equal opportunities in the areas of work, employment and social security at the local government level in accordance with the plans drawn up by the signatories. This agreement will also provide a basis for joint actions to build capacity in these areas among women in urban, semi-urban and rural areas, including the various municipalities where the women councillors and mayors who belong to the network are implementing public policies to promote equal rights for men and women.

140. On another level, the Household Surveys Directorate has provided the following data on employment in Paraguay (from 2013):

- There are a total of 1,370,345 women workers in the country, of whom 219,255, or 16 per cent, are domestic workers. There are 154,548 female domestic workers in urban areas and 64,851 in rural areas. There are significant wage gaps between men and women in the country, with men earning higher wages in all sectors (data from 2013). In the public sector, men earn an average of 3,475,000 guaraníes while women earn an average of 2,902,000, which constitutes a differential of 573,000 guaraníes. These figures were reached by adding up all men's wages and all women's wages and then calculating the national average pay gap. In the private sector, men earn 2,001,000 guaraníes while women earn 1,824,000 guaraníes, which constitutes a pay gap of 177,000 guaraníes;
- Male own-account workers earn 1,506,000 guaraníes while their female counterparts earn 1,038,000 guaraníes, meaning there is a pay gap of 468,000 guaraníes in this sector. Among domestic workers, men earn an average of 1,498,000 guaraníes while women earn 998,000 guaraníes, or 500,000 guaraníes less than men. There are also pay gaps in urban areas. In the public sector, men earn 3,704,000 guaraníes while women earn 3,020,000 guaraníes, meaning there is a pay gap of 684,000 guaraníes. In the private sector, men earn 2,216,000 guaraníes on average, while women earn 1,969,000, signifying a pay gap of 247,000 guaraníes. Among domestic workers in urban areas, men receive an average of 1,692,000 guaraníes while women receive 1,071,000 guaraníes, which makes for a pay gap of 621,000 guaraníes;
- In rural areas, men working in the public sector receive 2,713,000 guaraníes on average while women receive 2,282,000 guaraníes, which constitutes a pay gap of 431,000 guaraníes;
- In the private sector, men earn an average of 1,584,000 guaraníes while women earn 1,178,000 guaraníes, which translates into a pay gap of 406,000 guaraníes.

141. The issue of wage inequality between women and men is on the agendas of both the Ministry for Women's Affairs and the Ministry of Labour. The sector that has received the most attention is the one with the largest pay gap, namely paid domestic work. Paraguay was among the first countries to ratify the ILO Domestic Workers Convention, 2011 (No. 189) and the ILO Domestic Workers Recommendation, 2011 (No. 201).

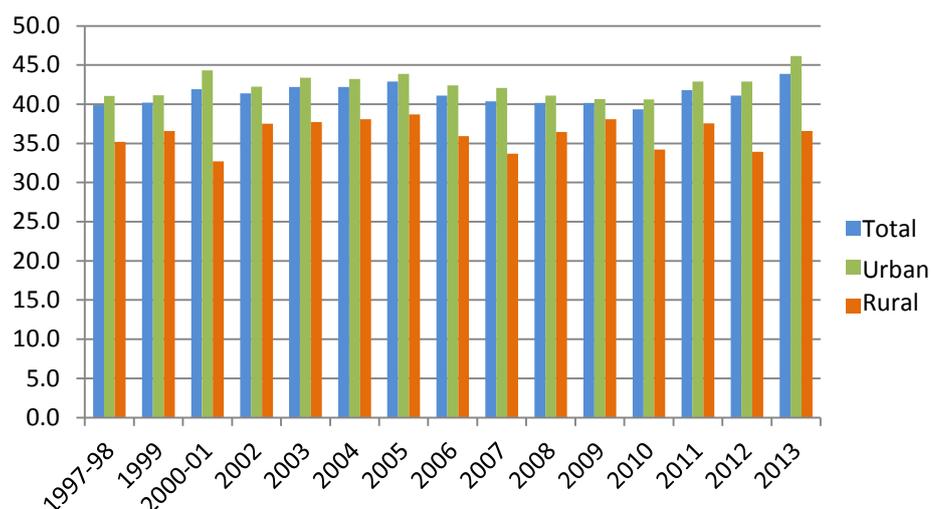
142. In the wake of the division in 2014 of the Ministry of Justice and Labour into two ministries (the Ministry of Justice and Human Rights and the Ministry of Labour and Social Security), each with its own separate budget, more action is definitely now being taken in the field of labour.

143. The Gender and Equity Committee of the Chamber of Deputies has proposed and advocated a legislative review that would serve as a basis for the introduction of certain amendments into book I, chapter II, section II (on work for women), of the Labour Code, Act No. 2143/93 and Act No. 496/95. This initiative seeks to protect working women from all forms of discrimination, workplace harassment and sexual harassment and to provide guarantees for equality, equal remuneration, non-discrimination, maternity protection and the fulfilment of family responsibilities.

144. Detailed statistics on non-farm paid employment are provided below:

Percentage of women in non-farm paid employment (Directorate-General of Statistics, Surveys and Censuses)

<i>Year</i>	<i>Total</i>	<i>Urban</i>	<i>Rural</i>
1997–1998	39.9	41.1	35.2
1999	40.2	41.1	36.6
2000-2001	41.9	44.3	32.7
2002	41.4	42.2	37.5
2003	42.2	43.4	37.7
2004	42.2	43.2	38.1
2005	42.9	43.9	38.7
2006	41.1	42.4	35.9
2007	40.3	42.1	33.7
2008	40.1	41.1	36.5
2009	40.1	40.7	38.1
2010	39.3	40.6	34.2
2011	41.8	42.9	37.5
2012	41.1	42.9	33.9
2013	43.9	46.1	36.6

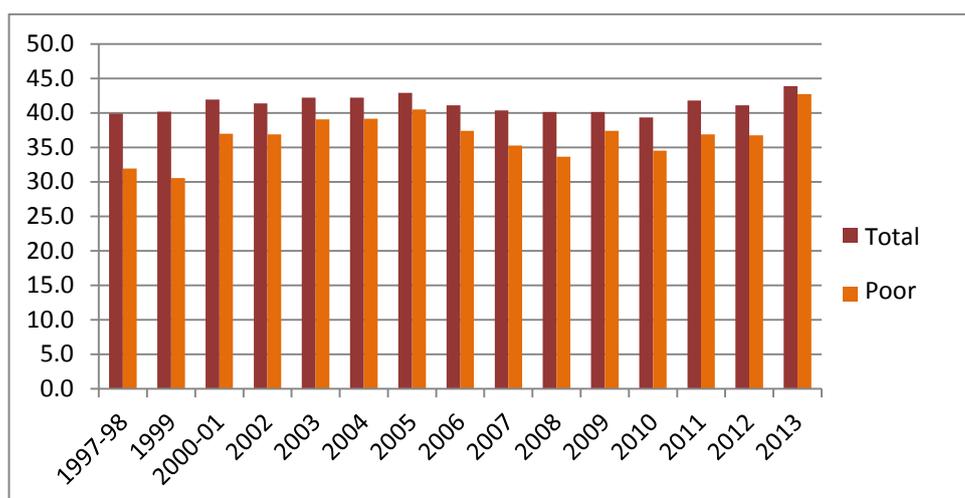


145. As stated in the initial report of Paraguay, from 2005 to 2010 the percentage of women in non-farm paid employment fell from 42.9 per cent to 39.3 per cent for the country as a whole; however, this percentage spiked again in 2013, reaching 43.9 per cent, which represents an increase of 4.6 percentage points since 2005. The employment rate among urban women also dropped from 43.9 per cent in 2005 to 40.6 per cent in 2010. From 2005 to 2013, the percentage of urban women workers rose to 46.1 per cent, representing an increase of 2.2 percentage points over the figure for 2005.

146. In rural areas, on the other hand, women's participation in non-farm paid employment increased from 38.7 per cent in 2005 to 34.2 per cent in 2010. Paid employment in the rural sector fell in 2013 to 36.6 per cent, representing a drop of 2.1 percentage points from the figure for 2005.

Percentage of women in non-farm paid employment, disaggregated by economic status (Directorate-General of Statistics, Surveys and Censuses)

<i>Year</i>	<i>Total</i>	<i>Not poor</i>	<i>Poor</i>
1997-1998	39.9	37.3	32.0
1999	40.2	38.8	30.5
2000-2001	41.9	39.7	37.0
2002	41.4	39.5	36.9
2003	42.2	39.7	39.1
2004	42.2	40.3	39.1
2005	42.9	39.9	40.5
2006	41.1	39.7	37.4
2007	40.3	39.4	35.2
2008	40.1	40.1	33.7
2009	40.1	39.2	37.4
2010	39.3	38.2	34.5
2011	41.8	41.5	36.9
2012	41.1	40.4	36.8
2013	43.9	42.8	42.7



147. An analysis of the situation based on socioeconomic status shows that non-poor women's participation in non-farm paid employment dropped slightly, from 39.9 per cent in 2005 to 38.2 per cent in 2010; however, in 2013 the percentage of poor women in non-farm paid employment rose to 42.8 per cent, representing an increase of 2.9 percentage points compared with the first reference year.

148. The drop was steeper among poor women, for whom the rate fell from 40.5 per cent to 34.5 per cent during the same period (2005-2010). In 2013, however, the rate rose to 42.7 per cent, for an increase of 2.2 percentage points over the 2005 figure. This reflects increased participation in paid employment among poor women, most of whom live in rural areas and whose employment rate is approaching that of non-poor women.

<i>Area of residence and occupational category</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>
National total	2 021	2 258	1 690
Public worker/employee	3 179	3 475	2 902
Private worker/employee	1 950	2 001	1 824
Employer	5 129	5 282	4 729
Own-account worker	1 298	1 506	1 038
Domestic worker	1 033	1 498	998
Not available	403	403	----
Urban total	2 370	2 702	1 976
Public worker/employee	3 336	3 704	3 020
Private worker/employee	2 134	2 216	1 969
Employer	5 291	5 436	4 944
Own-account worker	1 647	2 031	1 280
Domestic worker	1 101	1 692	1 071
Not available	----	----	----
Rural total	1 438	1 638	1 070
Public worker/employee	2 531	2 713	2 282
Private worker/employee	1 511	1 584	1 178
Employer	4 670	4 885	3 923

<i>Area of residence and occupational category</i>	<i>Total</i>	<i>Men</i>	<i>Women</i>
Own-account worker	1 038	1 190	801
Domestic worker	880	----	823
Not available	403	403	----

149. The Chamber of Deputies is currently considering a bill that would regulate the pay scales for employees of the three branches of the Government of Paraguay and binational entities. The bill is designed to introduce a fair, realistic salary adjustment system in order to address the sharp pay differentials that currently exist. Some civil servants barely earn the legal minimum wage, while others, even some who are performing the same type of work, earn much higher salaries. The bill is currently at the first reading stage and is awaiting examination by the congressional justice, labour and social welfare and budget committees.

- 12. Please provide up-to-date statistical information, disaggregated by sex, age and urban/rural area, on domestic workers in the State party. Please also provide information on measures taken with a view to amending laws or regulations that provide for discriminatory conditions in relation to domestic labour and with a view to increasing the number of labour inspections in that sector, as recommended by the Committee in its previous concluding observations (E/C.12/PRY/CO/3, para. 26). Please provide annual statistical data on the labour inspections that were conducted and on their results.**

Up-to-date statistical data, disaggregated by sex, age and urban/rural area, on domestic workers

150. Data are not yet available on the incomes of men working in domestic employment in rural areas. Women earn, on average, 823,000 guaraníes.

151. Statistics and other data have also been collected by the Support Centre for Domestic Workers, which is a service provided by the Ministry of Labour, Employment and Social Security. The records are compiled on the basis of complaints lodged by domestic workers against their employers. From January to September 2014, a total of 342 complaints were registered, 14 of which were lodged by men and 328 by women.

152. No data disaggregated by rural/urban area of origin are available, but the records do differentiate between workers from the capital and those from elsewhere in the country: 66 complaints were lodged by persons from Asunción and 267 by persons from elsewhere in the country (no such data are available for the other 9 cases).

Institutional measures taken with a view to amending discriminatory regulations relating to domestic labour

153. A bill on domestic work has already been approved by the Senate and has been referred to various committees in the Chamber of Deputies, including the Gender and Equity Committee, which has sent a copy of the bill to the Ministry of Labour, Employment and Social Security for its consideration.

154. Labour inspections and enforcement of the corresponding legal provisions and conventions that have already ratified still pose a challenge and are the responsibility of the Directorate-General for Inspection and Monitoring of Labour and Social Security in the Ministry of Labour, Employment and Social Security. The Directorate-General is currently undergoing a capacity-building exercise that includes the recruitment of more inspectors and further training for inspectors.

155. In order to draw attention to the pay gap between women and men and raise awareness about this differential as well as other gender-related constraints that place women at a disadvantage in the workplace, there are plans to carry out training activities and information campaigns in collaboration with the Tripartite Commission for Equal Opportunities with support from ILO, UN-Women, the Inter-American Development Bank and other partners. The State will also provide funding for education and training; these resources will be allocated by the Ministry of Labour, Employment and Social Security through the National Labour Training System, the National Vocational Promotion Service and the Directorate-General of Employment.

Article 8

Trade union rights

- 13. Please indicate whether, in the national legislation, any restrictions are placed on trade union rights and, if so, please specify what they are and whether they are in conformity with the standards prescribed in the Covenant.**

156. Article 96 (on trade union freedoms) of the Constitution clearly stipulates that all public- and private-sector workers have the right to organize themselves in unions without prior authorization. It also provides that no one who does not wish to join a union may be obliged to do so.

157. The Constitution and the country's labour laws also establish freedom of association and provide that workers and employers are free to join together and form trade unions (art. 42 of the Constitution and art. 283 et seq. of the Labour Code).

- 14. Please provide annual information, from 2008 onward, on the number of requests for trade union registration that were submitted to the relevant authorities, specifying whether these requests were from the public or the private sector. Please indicate the number of requests that were accepted or rejected, including, in the latter cases, the reasons for the decision and the average length of time taken to process a request. Likewise, please indicate whether, from 2008 onward, any complaints were registered for acts of harassment and/or intimidation, including dismissals, against unionized workers or their leaders as a result of their trade union activities and, if so, please provide information on how those complaints were followed up.**

158. The Department for Collective Labour Relations and Trade Union Registration, which is part of the Ministry of Labour, Employment and Social Security, has provided the following data on registered trade unions for 2008–2014:

Trade unions registered with the labour authorities (as at September 2014)

<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
Public: 60	Public: 18	Public: 26	Public: 36	Public: 37	Public: 18	Public: 0
Private: 35	Private: 42	Private: 32	Private: 48	Private: 37	Private: 12	Private: 1
Total: 95	Total: 60	Total: 64	Total: 84	Total: 74	Total: 30	Total: 1

Article 9

The right to social security

15. Please provide up-to-date information on the measures taken — and the impact of those measures — to address issues relating to social security, in particular, the extension of social security coverage to everyone, including persons working in the informal economy and self-employed workers. Please include information on the impact of measures taken in the context of National Objective 1.3 on the modernization of the social security system with integrated coverage, which was referred to in paragraph 88 of the report. Please include statistical data.

159. The main achievements and challenges with respect to this issue are outlined below:

Domestic workers

160. In recent years, the Social Security Institute has made a determined effort to include more people in the social security system. In furtherance of this objective, Governing Council Resolution No. 089-012/09 of 11 September 2009 extended coverage to all domestic workers in the country. This was a major achievement, given that, from the 1960s until 2009, only domestic workers in Asunción were legally entitled to coverage.

Number of domestic workers covered by social security as at July 2014

<i>Contributors</i>	<i>Beneficiaries</i>
26 673	12 309

Source: Directorate of Employer and Worker Contributions.

Self-employed workers

161. Act No. 4933 of July 2013 allows self-employed persons, business owners and housewives to voluntarily join the social security scheme. While the Act does not grant such persons access to the medical and welfare benefits provided by the Social Security Institute, it nevertheless constitutes a significant advance for this population group, which, prior to the enactment of this law, was completely unprotected.

162. It should be recognized that, not only in Paraguay but throughout the region, job insecurity is rising steadily, making it difficult for people to access social security benefits. It is important to acknowledge the specific characteristics of self-employment that distinguish it from work as an employee. Self-employed, independent or own-account workers generally organize their own work as they see fit.

163. Unlike employees, self-employed workers generally have irregular incomes. Even when they do have resources at their disposal, they often prefer to invest in their income-generating activities in order to meet their immediate subsistence needs. Therefore, any legal framework to afford coverage for old age, disability and death for such workers is dependent on their own choice, awareness and attitudes about insurance and must be based on a realistic balance of incentives.

164. The Social Security Institute is currently conducting an intensive media awareness-raising campaign; the campaign targets housewives, self-employed workers and business owners and encourages them to enrol in the social security scheme. In order to bolster the campaign, a strategic partnership has been formed with the Paraguayan Housewives' Association, which is helping to spread the message using the slogan "Housewives will have more security!" .

165. Since the enactment of this law, 506 contributors have joined the Social Security Institute (source: Directorate of Employer and Worker Contributions).

Social Security for All

166. The Social Security Institute is currently implementing the “Social Security for All” project, which is the largest social and educational programme in the region. The project is laying the foundations for a social security culture that will gradually raise awareness among the general public about the underlying values and principles associated with social security. To this end, entertaining and informative tools that deal with relevant topics are being made available to everyone, regardless of age or economic situation. These tools are also being disseminated in all the country’s school districts. This is an initiative of the Inter-American Center for Social Security Studies and, in 2009, at the annual meeting of the Inter-American Conference on Social Security, international agencies such as the International Social Security Association, the Ibero-American Social Security Organization and the Inter-American Conference on Social Security signed the Declaration of Guatemala, in which they undertook to promote and follow up on the project.

167. The Declaration covers three areas: policies and institutions, education and communication. Progress has been achieved in all three areas, and implementation is fully under way. Importantly, the Senate showed its commitment by issuing Resolution No. 723 of 2011, in which it declared the last week in April to be Social Security Week and 27 April to be Social Security Day. It has also instructed the Ministry of Education to include the subject in school curricula.

168. In December 2013 a framework agreement and another more specific agreement on the incorporation of social security as a subject in school curricula were signed with the Ministry of Education and Culture. A teacher’s guide was prepared and published this year and was shared with students between 9 and 17 years of age during Social Security Week. As an initial step, more than 1,000 (500) teachers from various regions of the country received training in this connection, and there are plans to expand the training programme to reach all of the country’s teachers through online courses during the second phase of this project. Technical teams from the Ministry of Education and Culture and the Social Security Institute have begun to develop a programme of instruction which will be offered as an elective subject starting next year; it is hoped that it will be converted into a compulsory subject within the next few years. A television programme is being broadcast that explains concepts related to social security, and alternative media, such as social networks, are being used to do so as well.

169. All these actions are focused on achieving one main objective, which is to contribute to the country’s development by raising awareness throughout society about the importance of social security and to establish a culture of saving in general and of saving for old age in particular. As is generally known, the development of an awareness of the importance of insurance coverage will enhance people’s quality of life, as it will make it possible to improve the allocation of social investment resources by reducing the demand for care from uninsured persons.

Combating social security evasion

170. The Inter-Institutional Commission to Combat Illegality, which was recently established to reduce social security tax evasion, is made up of representatives of the Social Security Institute and the labour, finance, and trade and industry ministries. Its efforts to formalize employment support the work of employers’ associations, such as the Paraguayan Industrial Union. The databases maintained by the above-mentioned public institutions have been cross-checked, and all discrepancies will be examined and, if irregularities are detected, the mechanisms provided for in the relevant regulations will be set in motion.

171. Only about 20 per cent of the economically active population in Paraguay is enrolled in the social security system, which is why further efforts are needed to reduce the high evasion rate. The Social Security Institute's Social Security Promotion Unit seeks to: raise awareness among workers, employers and civil society in general about the importance of social security; make direct contact with social stakeholders and encourage them to organize; promote democratic participation in decision-making; and serve as a watchdog in social security matters by raising awareness of the rights and obligations associated with social security. This fosters communication among the parties, employers, beneficiaries and the Institute and has a direct impact on the quality of the Institute's management of the social security system.

Article 10

Protection of the family, mothers and children

16. **Please provide up-to-date information on the impact of measures taken to eliminate child labour, in particular those included as part of the National Plan for the Prevention and Elimination of Child Labour and the Protection of Adolescent Workers. Please also provide information on the measures taken to eliminate the practice of *criadazgo*.**

172. In Paraguay a specific legal framework is in place to protect the rights of the child. The following are the main instruments for the elimination of child labour that are currently in force in the country:

- The Constitution of 1992, article 54 on child protection;
- Act No. 57/90 ratifying the Convention on the Rights of the Child;
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, ratified by Paraguay through Act No. 2134/2003 of 22 July 2003;¹²
- The Code on Children and Adolescents (Act No. 1680/2001);
- The ILO Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78), ratified by Paraguay through Act No. 992/1964;¹³
- The ILO Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79), ratified by Paraguay through Act No. 993/1964;
- The ILO Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77), ratified by Paraguay through Act No. 994/1964;
- The ILO Minimum Age (Non-Industrial Employment) Convention (Revised), 1937 (No. 60), ratified by Paraguay through Act No. 995/1964;
- The ILO Minimum Age (Industry) Convention (Revised), 1937 (No. 59), ratified by Paraguay through Act No. 997/1964;
- The ILO Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90), ratified by Paraguay through Act No. 998/1964;
- The ILO Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124), ratified by Paraguay through Act No. 1174/1966;

¹² www.sna.gov.py/archivos/documentos/ley-2134-jul-22-2003_o0lg30wg.pdf.

¹³ www.sna.gov.py/archivos/documentos/DERECHO%20LABORAL_jg0vpxj4.pdf.

- The ILO Minimum Age (Underground Work) Convention, 1965 (No. 123), ratified by Paraguay through Act No. 1180/1966;
- The ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and the ILO Recommendation No. 190, ratified by Paraguay through Act No. 1657/2001;¹⁴
- Domestic Violence Act No.1600/00;¹⁵
- Act No. 2861/2006, which deals with the suppression of the trade and commercial dissemination of pornographic material depicting minors or the disabled;¹⁶
- Youth Employment Act No. 1980/2002;¹⁷
- Act No. 2332/03, by which the ILO Minimum Age Convention, 1973 (No. 138) was adopted;
- Comprehensive Act No. 4788/12 on Trafficking in Persons;
- Decree No. 18835/2002, which authorized the establishment of the National Commission for the Prevention and Elimination of Child Labour and the Protection of Adolescent Workers;
- Decree No. 3279/2004, which established 31 May as the national day against the ill-treatment and sexual and labour abuse of children and adolescents in Paraguay and which declared 18 June to be the international day against the commercial sexual exploitation of children;
- Decree No. 4951/2005, which sets forth the implementing regulations for Act No. 1657/01 and establishes a list of dangerous forms of child labour;
- Decree No. 5093/2005, which authorizes the establishment of the Inter-Agency Board on Trafficking in Persons in Paraguay. The Board has launched various initiatives, including the National Policy to Prevent and Combat Trafficking in Persons in Paraguay 2010–2019, adopted by Decree No. 8309/2012;
- Decree No. 2616/2005, which declared activities in commemoration of the World Day Against Child Labour established by ILO to be in the national interest and incorporated the National Plan for the Prevention and Elimination of Child Labour and the Protection of Adolescent Workers and the Plan to Eliminate the Commercial Sexual Exploitation of Children and Adolescents into social and labour policies and policies on children and adolescents. This decree also instructed the Inter-Institutional National Commission for the Prevention and Elimination of Child Labour and the Protection of Adolescent Workers to coordinate with public and private organizations in order to ensure compliance with the established objectives;
- Decree No. 869/2008 of 18 November 2008, by which the President of the Republic ordered that management of the Abrazo Programme, whose aim is to reduce child labour in the streets, should be transferred from the Secretariat for Social Action to the National Secretariat for Children and Adolescents as part of the implementation of the Plan for the Elimination of Child Labour;
- Decree No. 4907/2005, which authorizes the establishment of the National Committee for the Protection of Street Children;

¹⁴ www.snaa.gov.py/archivos/documentos/ley-1657-jan-10-2001_xwjeerc4.pdf.

¹⁵ www.snaa.gov.py/archivos/documentos/Ley%201600%20del%2000%20CONTRA%20LA%20VIOLENCIA%20DOMESTICA_6kbwkcqj.pdf.

¹⁶ http://www.snaa.gov.py/archivos/documentos/ley_2861_2006_hh4dinqz.pdf.

¹⁷ http://www.snaa.gov.py/archivos/documentos/ley_primer_empleo_lep28oc9.pdf.

- Decree No. 4269/2004, by which the National Plan to Prevent the Sexual Exploitation of Children and Adolescents was adopted.

173. The performance of domestic work by children, known as *criadazgo*, is considered to be a form of hazardous child labour pursuant to Presidential Decree No. 4951/05, which established the list of hazardous forms of child labour. Under Paraguayan law, 14 years is the general minimum age of employment and 18 years is the minimum age for hazardous work. However, article 4 of Decree No. 4951 provides that the competent authority may authorize persons 16 years of age or older to engage in domestic work on an exceptional basis if “the adolescents’ education, health, safety and moral standing are safeguarded and if they have received appropriate and specific instruction or vocational training relevant to the activity performed”.

174. In addition, the National Strategy for the Prevention and Elimination of Child Labour and the Protection of Adolescent Workers 2010–2015 was adopted by the National Council for Childhood and Adolescence by Resolution No. 3/10 of 13 October 2010. This strategy is part of the effort to launch a campaign to combat child labour and ensure respect for the rights of children and adolescents. The stated goals of this initiative are: to focus and coordinate public policies to aid children and adolescents engaged in the worst forms of child labour and children and adolescents who are at risk; to generate income for their families; to provide training and raise awareness among their families and among society’s key stakeholders about the rights of the child and the worst forms of child labour; and to achieve free and high-quality education for children and effective monitoring of child labour.

175. The following are some of the courses of action called for in the National Strategy, which classifies *criadazgo* as one of the worst forms of child labour:

- Bringing about cultural change by refuting the view that the worst forms of child labour, especially in rural areas, are a natural state of affairs and demonstrating that women (including girls) are often subject to discrimination in this respect and that a gender perspective, especially with regard to the sexual exploitation of children and adolescents and domestic child labour (known as *criadazgo*) needs to be incorporated into efforts in this area;
- Centring actions on the family;
- Restoring the rights of children and adolescents through a rights-based approach;
- Providing free and high-quality public education;
- Channelling coordinated actions and resources towards the objective of eliminating the worst forms of child labour.

176. The first line of action set out in the National Strategy involves the following tasks:

- Drawing up a preliminary map of stakeholders, based on information from the National Commission for the Prevention and Elimination of Child Labour and the Protection of Adolescent Workers, that can be used to help to identify children and adolescents who are involved or at risk of involvement in the worst forms of child labour and their families;
- Identifying and enlisting other institutions in the effort to raise awareness among their key stakeholders and provide additional information and then working with departments and municipalities to prepare a more detailed map showing the location of the target population;
- Identifying the key stakeholders and the services that different institutions can provide for children and adolescents involved in the worst forms of child labour and

their families, while coordinating and targeting robust public policies on the issue and providing training to institutional and other stakeholders;

- Establishing a centralized register of beneficiaries in order to ensure proper follow-up on children and adolescents involved in the worst forms of child labour and their families in each department and municipality;
- Establishing a baseline and involving local governments and universities in the various actions once the persons responsible for their implementation have been chosen and trained;
- Providing comprehensive services to the victims that are identified and immediately removing them from the worst forms of child labour and restoring their basic rights, including the right of children and adolescents to an identity and to be with their family.

177. Implementation of the National Strategy is one of the objectives of the Institutional Strategic Plan of the National Secretariat for Children and Adolescents for 2009–2013. The Specialized Unit to Support Working Children and Adolescents — now known as the Coordinating Unit on Child Labour — was established for this purpose. The following indicators have been defined for use in measuring the results achieved:

- The number of families with at-risk children or adolescents who become involved in social programmes and keep their children and adolescents out of the worst forms of child labour;
- The number of children and adolescents involved in the worst forms of child labour who become involved in these programmes and enrol in school;
- The number of children and adolescents involved in the worst forms of child labour who stay in school;
- The number of adolescents with decent jobs who have not been involved in the worst forms of child labour; and
- The number of parents with children at risk of the worst forms of child labour who earn enough to meet their basic needs.

The Abrazo Programme

178. The Abrazo Programme, which is conducted by the National Secretariat for Children and Adolescents, focuses on preventive action, intervention and protection for children and adolescents who are engaged in economic activities in public places. The programme's overarching objective is to reduce and ultimately eliminate the worst forms of child labour in the streets and in brick factories, landfills and sugar cane plantations. Nationwide, the Abrazo Programme currently serves 6,059 children, with 1,923 families receiving vouchers and 1,187 families receiving food baskets. There are also 43 open centres affiliated with the programme in 10 departments and in the capital.

179. The Abrazo Programme was established in 2005. Its goal is to reduce poverty among the most marginalized families in the country. Its specific objectives are to reduce the number of children and adolescents involved in various forms of hazardous work, such as work on the streets or work in brick factories and landfills, and to help them to build their developmental capacities by exercising their fundamental rights, to acquire age-appropriate skills and to enrol in or stay in school.

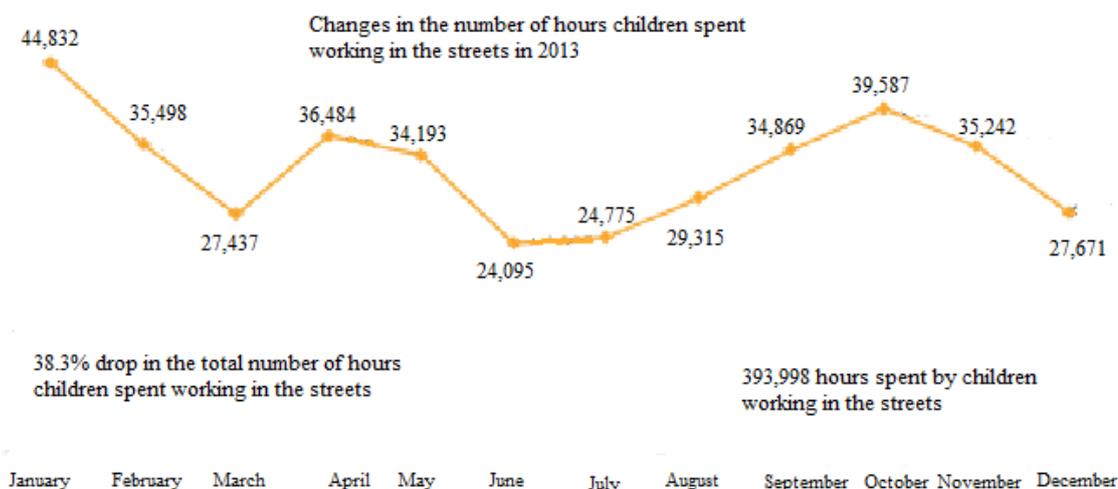
180. This programme seeks to reduce poverty in Paraguay by supporting the enjoyment of the rights to health, education and family protection and providing comprehensive

services, including access to protection services, in order to help children to develop age-appropriate skills.

Reduction of work in the streets

181. In 2011, the Abrazo Programme monitored 217 child labour hotspots in urban areas. Teachers who work with street children monitored and recorded the amount of time that the children spend in the streets and encouraged them to enrol them in the programme. Recent reports show that 72% of the total number of children reported as being out on the streets in urban areas no longer work on the streets; in other parts of the country, the figure stands at 60 per cent. The programme works closely with families whose children are still spending time on the streets.

16.11. The following diagram was generated using data from 2013:



Support for families

182. The Abrazo Programme includes a family support component that seeks to ensure that children are protected by their communities and families and are not exposed to the risks that being on the streets entails.

183. The National Secretariat for Children and Adolescents began to expand the Abrazo Programme by extending its coverage to include other forms of hazardous work that are performed in the country (Decree No. 4.951/05), such as work in brick factories in the Tobatí District of Cordillera Department and work in the municipal landfill in Encarnación and in the sugar cane fields of Villeta in Central Department. This extension of the programme is being conducted under agreements with other civil society and private organizations. The Secretariat is thus taking the lead in the effort to reach the objectives set out in its Strategic Plan for 2014–2018.

184. The support centres run by the Abrazo Programme serve infants and children up to 14 years of age. These centres provide an alternative to child labour by offering informal educational activities, recreational opportunities and promoting a healthy lifestyle. There are three types of support centres: early childhood protection centres, which focus on children from birth to 5 years of age; open centres located near child labour hotspots, which serve children from 6 to 14 years of age who are engaged in child labour; and preventive community centres, which target children from 2 to 14 years of age and are located in communities where conditions are conducive to the worst forms of child labour. These

centres are one of the services that the Abrazo Programme offers its beneficiaries, in combination with psychosocial support for the family, monthly food kits to ensure food security for children from birth to 8 years of age and conditional cash transfers.

185. The programme is undergoing further development in collaboration with various municipalities throughout the country.

The Comprehensive Programme for Street Children and Adolescents

186. The objective of the Comprehensive Programme for Street Children and Adolescents is to reduce the number of children and adolescents without family ties who are living in the streets. These young people are exposed to all kinds of risks and are generally using drugs. The programme provides emergency protection and damage-control mechanisms, works to destructure the street-based lifestyle risk reduction and offers these young people a chance to get off the streets and stay off them.

187. The following results were achieved in the second half of 2014:

- Meals services were provided to 465 children and adolescents (302 boys and 163 girls);
- Open centres afforded protection to 91 children and adolescents (85 boys and 6 girls);
- Temporary protection centres (shelters where young people can stay for up to three months) housed 53 children and adolescents (52 boys and 1 girl);
- 36 children and adolescents (32 boys and 4 girls) were housed at the CCP-Ñemity extended-stay centre.

188. This programme supplies some 87 families with baskets of basic foodstuffs to supplement their income on the condition that the children and adolescents in the family must stay off the streets and must attend school. A proposal has been put forward to expand the programme's coverage by providing a round-the-clock shelter service at its open protection centre and by strengthening coverage in the border town of Ciudad del Este.

Protection for children and adolescents

189. According to data from the 2011 National Survey of Activities Performed by Children and Adolescents, 23.5 per cent of children between 5 and 17 years of age are involved in child labour. There is a large disparity, however, between the rate for the urban population (16.3 per cent) and the rate for the rural population (32.5 per cent). The survey also indicates that 2.1 per cent of children between 5 and 17 years of age are being exploited under the *criadazgo* system.

190. The Rights Promotion Directorate, which is part of the National Secretariat for Children and Adolescents, is studying the possibility of conducting a campaign to raise key stakeholders' awareness of the issue, and work in this area is already being carried out.

191. Census data from 2002 indicate that indigenous peoples make up 1.7 per cent of the country's total population. There are a total of 86,169 persons belonging to 20 different peoples or nations, each with their own world views, cultures and languages. This population group is young, as more than half of all indigenous persons are under 18 years of age. They suffer from social discrimination and exclusion that translate into an absence of public policies tailored to their needs, exposure to insecure living conditions and limited access to basic services and opportunities. Only 7 per cent of indigenous families have access to safe drinking water, while the nationwide figure for the poorest sector of society is 65 per cent; 41.7 per cent of indigenous children suffer from chronic malnutrition, while, for the nation as a whole, that figure stands at 17.5 per cent.

192. The Indigenous Children and Adolescents Welfare Directorate of the National Secretariat for Children and Adolescents provides direct support to this vulnerable population group and works to ensure that their needs are addressed in governance and youth policies. The objective is to help to promote the interests and participation of indigenous children and adolescents and to provide full protection for their rights.

Other actions

193. Mention may be made of the following:

- The development of the National Policy on Children and Adolescents, which is currently under public discussion and in the process of adoption by the National Council with a view to its subsequent implementation;
- The inclusion of youth issues as a cross-cutting component of the strategic objectives of the National Development Plan of Paraguay (Paraguay Vision 2030);
- The submission of a bill on the proper treatment of children and adolescents to the Chamber of Deputies by the National Commission for the Prevention of Violence against Children and Adolescents (National Round Table), which is coordinated by the National Secretariat for Children and Adolescents;
- Preventive and support actions taken during the 2014 FIFA World Cup in Brazil, in coordination with other countries concerned with this issue;
- Awareness-raising activities undertaken as part of the “My voice is your voice – let’s report sexual violence” awareness week held in commemoration of the National Day to Combat the Sexual Exploitation and Abuse of Children and Adolescents (31 May) in coordination with the Abrazo Programme, the Comprehensive Programme for Street Children and Adolescents, the Indigenous Children and Adolescents Welfare Directorate of the National Secretariat for Children and Adolescents and other institutions involved in the campaign;
- The implementation, in coordination with various public and private institutions, of emergency protection measures for families and children affected by the recent floods;
- Meetings of the Round Table for the Emergency Protection of Children and Adolescents, which comprises representatives of the National Secretariat for Children and Adolescents, The United Nations Children’s Fund (UNICEF), Plan International, Save the Children, the Christian Children’s Fund of Canada, the Coordinating Office for the Rights of Children and Adolescents, the Municipal Commission for Emergencies and Disasters and the Child and Adolescent Rights Municipal Advisory Service of the Municipality of Asunción, Global Infancia, the Health for All Mutual Aid Centre, the Office of the United Nations High Commissioner for Human Rights and the National Emergency Secretariat;
- The establishment of 10 departmental councils for children and adolescents, 91 municipal councils for children and adolescents, and 172 child and adolescent rights municipal advisory services and the inclusion of their programmes and action plans in the budgets of the relevant departments and municipalities;
- The establishment and entry into operation of the National Network of Departmental Secretariats for Children and Adolescents pursuant to National Council for Children and Adolescents Resolution No. 01/2014, which, for the first time since the entry into force of the Code on Children and Adolescents, recognizes departmental secretariats as being key stakeholders in the promotion of the rights of children and adolescents;

- Commencement of the development of a draft bill on the establishment of a competitive system for allocating national budget funds for projects for children at the departmental and municipal levels.

194. The National Plan to Prevent the Sexual Exploitation of Children and Adolescents for 2012–2017 was approved by the National Council for Children and Adolescents by Resolution No. 02/2012. The overarching strategic objective of the Plan is to establish, carry out and coordinate institutional strategies for the prevention and punishment of sexual exploitation, the protection of children and adolescents, and the provision of comprehensive youth services as a means of eliminating sexual exploitation in Paraguay. The following challenges must be addressed when implementing the Plan:

- Coordinating this plan with other plans indirectly connected with the issue, such as: the National Plan to Prevent the Ill-Treatment and Sexual Abuse of Children and Adolescents, the National Strategy to Eliminate Child Labour and the National Programme for the Prevention of Gender-Based, Domestic and Intra-family Violence and the Comprehensive Care of Women, Child and Adolescent Victims of Violence;
- Decentralizing the institutional response to cases involving sexual exploitation by devolving responsibilities to local government agencies in the medium and long terms. This will involve decentralizing the design and implementation of measures at the national, departmental and municipal levels while taking due account of the diversity and specific characteristics of the different regions of the country. Institution-building in order to strengthen the Plan will entail encouraging the various institutional stakeholders in each department coordinate their work more closely in order to avoid any duplication of effort or the establishment of parallel and/or overlapping mechanisms.

195. As part of its effort to address the worst forms of child labour, the National Commission for the Prevention and Elimination of Child Labour and the Protection of Adolescent Workers, in coordination with local businesses and with the Inter-Institutional Round Table to Prevent Trafficking in Persons, supported the “Put an End to *Criadazgo*” campaign in April 2013. The campaign was carried out by Global Infancia, a non-governmental organization, with support from Save the Children and was co-financed by the European Union. It targeted both the families that offer their sons and daughters as domestic workers and the families who employ children and adolescents to do household chores.

196. Refresher courses on the issues relating to *criadazgo* and domestic work performed by adolescents were also held for judicial officials, along with awareness-raising seminars on *criadazgo*, at the Caazapá courthouse. These events were attended by 90 participants, including judges, public defenders, prosecutors and court officials.

***Criadazgo* and domestic work**

197. The drafting of a national policy proposal on the prevention of trafficking in persons has thus far led to the adoption of the following laws:

- Act No. 4295/11 on child abuse;
- Act No. 4788/12 on human trafficking;
- Act No. 4363 on bullying.

198. A preliminary bill on decent forms of domestic work has been drafted and approved by one of the chambers of the legislature. It should be noted that an ILO study on this issue indicates that paid domestic work is one of the occupations with the highest “decent work

deficits”. In Paraguay, it is estimated that about 220,000 people are employed as domestic workers and that 93 per cent of these people are women. The domestic work sector is the third-largest employer of women workers in the country. In addition, an awareness-raising, promotion and protection campaign was conducted in the Chaco region during the Transchaco Rally event. As a result of this campaign, 314 children, adolescents and community leaders received training on issues relating to trafficking and sexual exploitation, and there were no reports of related rights violations.

199. The National Plan for Equity in Quality of Life and Health for Children 2010–2015 and the National Plan for Equity in Quality of Life and Health for Adolescents 2010–2015 provide for several specific actions, programmes and projects that address the issue of child labour. For example, a protocol on primary health care which focuses on gearing treatment for adolescents (10 to 19 years of age) to their needs has been in place since 2011. The portion of this protocol that deals with the evaluation of psychosocial risks makes provision for the identification and referral of child labour cases.

200. The 65 health-care services that deal with cases of violence use a form to record information on cases involving the ill-treatment or sexual abuse of children and adolescents (SGN Resolution No. 1015/2011) that includes direct indicators (e.g., “is exploited” or “is forced to work too much”) as well as indirect ones. A careful review of this information and of a patient’s medical history can provide an early warning that protective measures need to be taken. The Directorate-General for Health Monitoring has initiated a compulsory procedure for reporting cases of child labour.

201. Since 2011, targeted activities have been carried out with ILO that are designed to help to put a stop to child labour. Recently, for example, ILO, with support from the Ministry of Public Health and Social Welfare, published a self-learning module to educate and raise the awareness of health-care workers about health and safety in relation to child labour and the employment of persons under 18 years of age in the performance of hazardous work.

202. The primary health-care system has taken decisive action to promote the delivery of treatment to children that within the specific context of their families and communities. Skilled personnel are able to rely on suitable basic infrastructure in order to provide assistance, advice and support. Meetings are held with community leaders to identify and address major health issues in ways that involve the entire community. The implementation of this new policy has led to an expansion of health-care coverage and access to health services which has been reflected in increase in the number of persons receiving care (which rose from 1,924,860 in 2007 to 3,038,753 in 2011).

Article 11

The right to an adequate standard of living

17. **Please provide up-to-date information on the impact of measures taken to combat poverty and extreme poverty, including the Tekoporã programme, as well as those taken to implement the recommendations of the Special Rapporteur on extreme poverty and human rights in her report on her mission to Paraguay (A/HRC/20/25/Add.2), in particular in rural areas and with regard to indigenous communities. Please include information on the resources allocated for the implementation of such measures and indicate whether they have proved to be sufficient.**

203. As part of its implementation of the National Development Plan for 2013-2030, the Government has declared poverty reduction to be a national priority (Decree No. 291/13) and has launched the “Planting Opportunities” National Programme for the Reduction of

Extreme Poverty. This programme, which is designed to increase incomes and access to social services for vulnerable families, consolidates existing initiatives and places greater emphasis on the strategic issue of income generation as a means of ensuring that individuals who escape from poverty do not slip back into it.

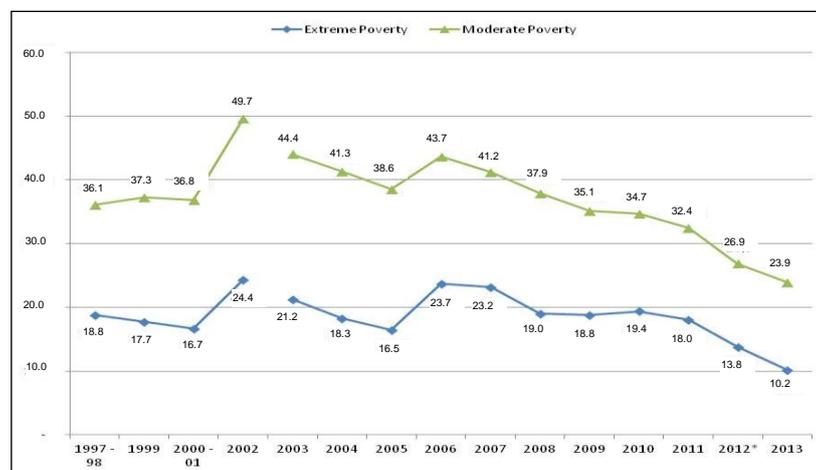
Changes in major social programmes spanning several different governments

No.	Programmes	Institution	Dates in force			
			2003–2008	2008–2012	2012–2013	2013–2018
1	Tekoporã (TMC)	Secretariat for Social Action	x	x	x	x
2	Ñopytyvo (TMO)	Secretariat for Social Action	x	x	x	
3	Abrazo	National Secretariat for Children and Adolescents	x	x	x	x
4	Ypora	Secretariat for Social Action			x	x
5	Propais II (TMC)	Secretariat for Social Action	x	x	x	x
6	Transfers to fishers	Secretariat for Social Action/SEAM	x	x	x	x
7	Campesino family agriculture and rural development	Ministry of Agriculture and Livestock	x	x	x	x
8	PRONAF/RENAF	Ministry of Agriculture and Livestock	x	x	x	x
9	Older persons (TMC)	Ministry of Finance			x	x
10	Primary health care (USF)	Ministry of Public Health and Social Welfare			x	x
11	Tekoha	Secretariat for Social Action		x	x	x
12	“Glass of Milk” nutritional supplements	Ministry of Education and Culture/Departments	x	x	x	x
13	Provision of documents and teaching materials	Ministry of Education and Culture	x	x	x	x
14	PRONAPI	Secretariat for Social Action		x	x	x
15	Transfers to Chaco war veterans	Secretariat for Social Action	x	x	x	x
16	National Food and Nutritional Assistance Programme (focuses on reducing child malnutrition)	Ministry of Public Health and Social Welfare	x	x	x	x
17	Small producer credit-building programme	Agricultural Empowerment Credit Agency (Crédito Agrícola de Habilitación de Paraguay)	x	x	x	x
18	Electricity subsidy (the “social rate”) for poor households with low consumption levels	Caja de ANDE			x	x
19	Employment promotion programmes	Ministry of Justice and Labour	x	x	x	x

No.	Programmes	Institution	Dates in force			
			2003–2008	2008–2012	2012–2013	2013–2018
20	Scholarships	Itaipú and Yacyretá	x	x	x	x
21	Tenonderã	Secretariat for Social Action				x
22	Rural and non-rural income generation	“Planting Opportunities” Inter-Institutional Coordinating Body				x
23	Access to all public services (education, health, conditional cash transfers, housing, technical assistance, social rate for electricity, training, maintenance of rural roads, bridge construction)	“Planting Opportunities” Inter-Institutional Coordinating Body				x

Source: Based on presidential reports.

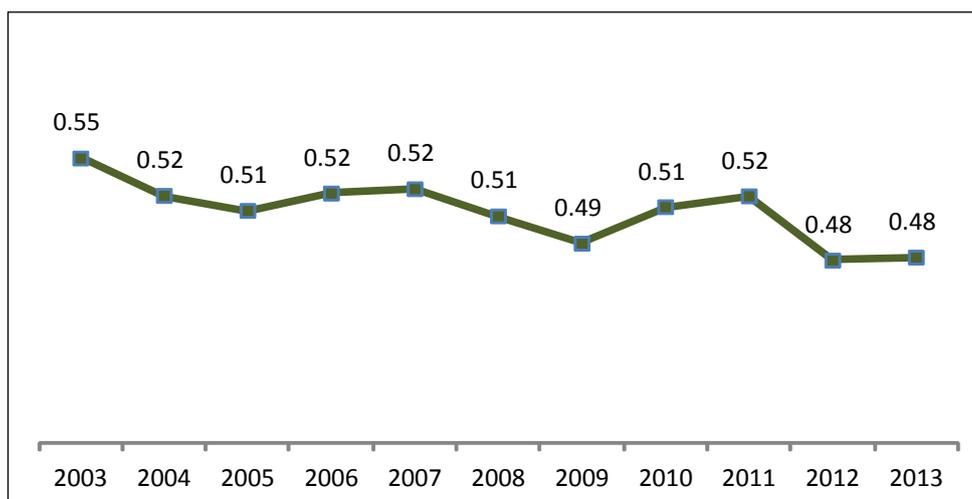
204. Some of these programmes have been restructured with regard to the way their outputs are delivered, their eligibility requirements and their executing agencies, but their original objectives have not been altered. In addition, they are now having a greater impact in terms of poverty reduction: although poverty rates fluctuated at the beginning of the period under consideration, they later began to exhibit a clear downward trend. It can be reasonably concluded that the policies in place, together with the country’s robust economic growth, have helped to reduce poverty and extreme poverty, as indicated in the following graph.



Source: Permanent Household Survey, Directorate-General of Statistics, Surveys and Censuses, Technical Planning Secretariat.

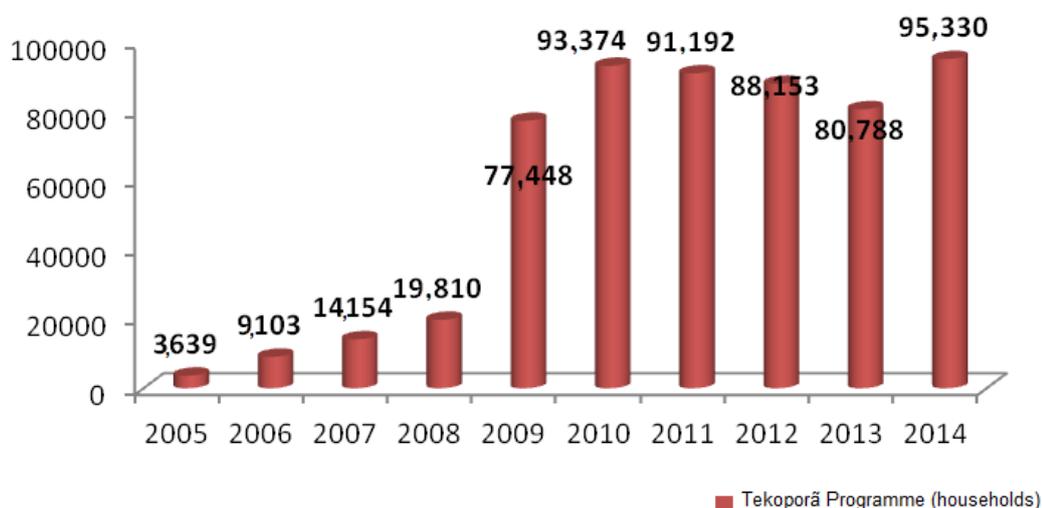
205. These policies have also helped to reduce inequality, as indicated by the clear downward trend in the Gini coefficient:

Gini Coefficient



206. The Tekoporã Programme is one of the best-known initiatives of its type and has been implemented over the last three presidential terms in office. When it was launched in 2005, it served 4,324 families, whereas now, nearly 101,440 families are participating in the programme, which has thus surpassed the estimated coverage for 2014 of 100,000 households. It has the broadest coverage of any social programme in the country and is part of the “Planting Opportunities” National Programme for the Reduction of Extreme Poverty.

Beneficiaries of the Tekoporã Programme



Source: Secretariat for Social Action management report.

207. The “Planting Opportunities” Programme is managed by an inter-institutional coordinating body. A dashboard is used to track actions, targets and funding for each of its projects and executing agencies. Paraguay, as a developing country with many unmet needs, does not have sufficient funds to attack existing problems on all fronts, which is why strategic planning is of key importance in prioritizing the various programmes. Currently, the greatest efforts to fight extreme poverty are focused on rural areas, since that is where 68 per cent of the country’s poor live.

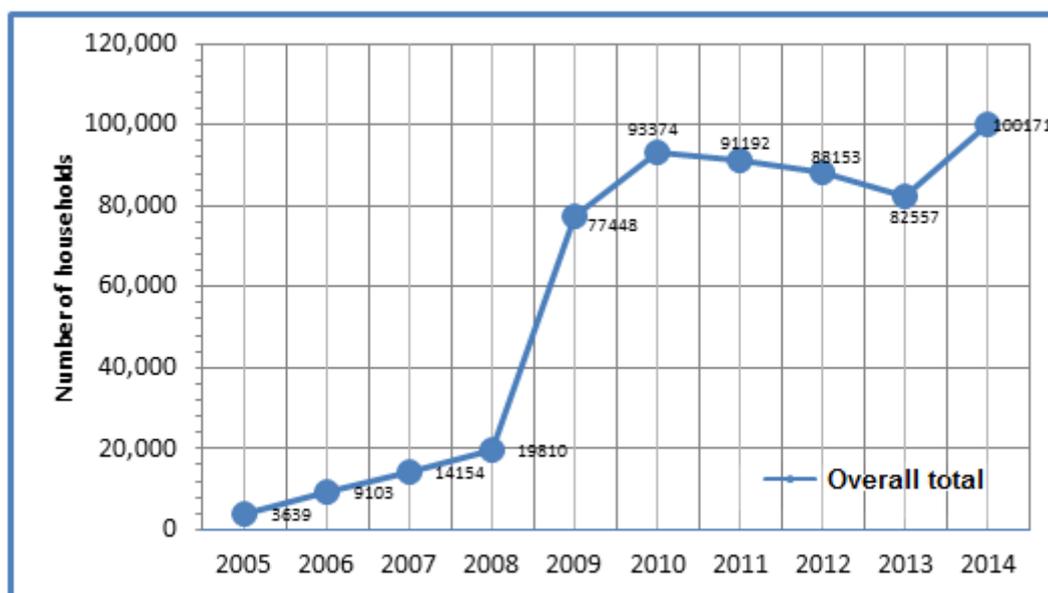
208. As previously mentioned, the goal of the Tekoporã Programme is to improve the quality of life of people living in poverty and extreme poverty, to make it easier for them to exercise their rights to food, health and education, and to strengthen social networks as a means of helping to break the intergenerational cycle of poverty. The instruments employed in working to achieve these objectives are the conditional cash transfers that are paid fortnightly to participating families and the programme's family support and social advancement components. The programme's coverage, budget, and social and economic impacts are outlined below:

Coverage

209. In December 2014, the Tekoporã Programme was serving 101,440 households, or 551,183 persons living in poverty or extreme poverty, mostly in rural areas (in 123 districts and 16 departments of the country). This figure includes 3,369 indigenous families, 99 per cent of whom live in the Chaco region. The programme covers almost 100 per cent of the indigenous communities in Alto Paraguay Department and more than 80 per cent of those in Presidente Hayes Department. Most of these indigenous communities were brought into the programme over the course of 2014.

210. In 2015, another 30,000 extremely poor families are to be included in the programme. A request for increased budget allocations for the programme for fiscal 2015 has been submitted to provide the extra capacity that will be needed for that purpose.

Entry of households into the Tekoporã Programme from 2005 to 2014



Budget and transfers

211. The Tekoporã Programme's total budget for 2014 is 236,302,284,437 guaraníes, 89 per cent of which (209,143,492,719 guaraníes) funds activities aimed at fulfilling the programme's objectives, including conditional cash transfers, while 11 per cent (27,158,791,718 guaraníes) covers staffing and other administrative costs. Of that total, it is estimated that 1,014,400,000 guaraníes per pay period will be used for indigenous communities participating in the Tekoporã Programme, for a total of 6,086,400,000 guaraníes per year in cash transfers. If this amount is multiplied by six (the number of years

that each indigenous household may remain in the Tekoporã Programme), then the total comes to 36,518,400,000 guaraníes that the Secretariat for Social Action will have invested in order to substantially improve the quality of life of those communities.

212. With regard to the recommendations made by the Special Rapporteur on extreme poverty and human rights concerning delays in the payment of cash transfers, upon taking office in August 2013, the new Government established a regular, fortnightly payment schedule following a five-month suspension of service during the first quarter of 2013. In order to facilitate the collection of cash transfers, participating households have been issued debit cards. To date, 58,741 households in the Tekoporã Programme possess a debit card that allows them to withdraw funds in locations closer to their homes.

213. As for participating communities that are located far from the National Development Bank payment locations, 4,198 participating households currently receive their transfers through an “electronic wallet” that makes it possible for monetary transactions to be conducted via mobile phone.

Social impact

214. The programme includes a family support component that is implemented by people who are known as “family guides”. In total, there are 710 persons working for the Tekoporã Programme; 668 people monitor the families in the field, while 42 staff the office. The following promotion and protection activities, in addition to cash transfers, are carried out by the family guides and by departmental and district coordinating bodies:

- Monitoring of participating families;
- Assessments of participating families’ situations (90 per cent coverage);
- Training on issues related to social advancement and financial literacy for the members of households that receive conditional cash transfers;
- Community work with women leaders;
- Strengthening of community and social organizations;
- Establishment of community participation forums;
- Joint actions taken in coordination with local and departmental governments.

215. A joint study to assess the impact of the Tekoporã Programme on participating households was conducted by the Ministry of Education and Culture, the Technical Unit of the Social Affairs Office, the Secretariat for Social Action and the joint United Nations “Investing in People” Programme in April 2010 in the Yhú district (Caaguazú Department). The study’s findings, based on a survey of more than 1,300 students indicated that school attendance rates for children in the programme were from 6 to 12 percentage points higher than the rates for children from non-participating households in poor areas.

216. In response to the recommendation made by the Special Rapporteur on extreme poverty and human rights in her 2012 visit report (A/HRC/20/25/Add.2) regarding the need to evaluate the programme’s impact, the Secretariat for Social Action, the Economic Analysis Directorate of the Ministry of Finance and the Inter-American Development Bank have launched an external evaluation process. Two external evaluators (an international consultant and a national expert) have been recruited and a company has been engaged to collect the necessary data. The study will focus on comparing Tekoporã Programme participants with non-participants who have a similar ranking on the quality-of-life index, using a difference-in-differences technique.

Economic inclusion

217. To ensure that families due to graduate from the Tekoporã Programme can generate a sustainable income of their own, the new Tenonderã Programme was introduced in 2014. At the end of October 2014, 1,167 families received the first disbursement of the seed capital to be provided as a means of helping them to start up productive ventures.

- 18. Please comment on the data included in the report published by the Food and Agriculture Organization of the United Nations in 2013 entitled *The State of Food Insecurity in the World*, which attest to an increase in the prevalence of undernourishment in the State party, with an estimated 22.3 per cent of the population affected in the 2011–2013 period. Please also provide up-to-date information on the impact of the measures taken to fight hunger and malnutrition, including the National Plan for Food and Nutritional Sovereignty and Security.**

218. The Food and Agriculture Organization's *The State of Food Insecurity in the World* report certainly alerted policymakers to the need to review actions that have an impact on these indicators. However, when the Food and Agriculture Organization (FAO) was consulted in order to determine how that indicator had been calculated, it emerged that, because of a lack of information, the estimates were made on the basis of income data for 1997. Work is therefore currently under way on a thorough review of the methodology so that the study can be replicated in Paraguay using updated data. A technical monitoring team is being set up for this purpose by the Ministry of Public Health and Social Welfare, the Ministry of Agriculture and Livestock, the Technical Planning Secretariat and the Directorate-General of Statistics, Surveys and Censuses.

219. FAO has reported that the estimates for 2014 are more consistent with the results achieved in reducing extreme poverty in Paraguay. This suggests that the work being done under the National Plan for Food and Nutritional Sovereignty of Paraguay is proving to be effective.

220. As part of its efforts to combat hunger and malnutrition, since 2005 the Paraguayan Government has been providing funding for the implementation of the Comprehensive Food and Nutrition Programme (PANI). This programme is intended to help improve the quality of life of the Paraguayan population by supporting the nutritional recovery of malnourished children under 5 years of age, pregnant women and new mothers for a period of up to six months after they have given birth, as provided for in Act No. 5281/14.

221. PANI is being implemented in 13 health regions and 178 districts. Its beneficiaries are children under the age of 5 and underweight pregnant women in 10 of the country's departments: Concepción, San Pedro, Guairá, Caaguazú, Caazapá, Itapúa, Alto Paraná, Amambay, Canindeyú, Boquerón, Alto Paraguay and Presidente Hayes. The Programme is providing services for all children under the age of 4 and pregnant women in vulnerable situations, regardless of their nutritional status, with priority being given at all times to the indigenous population. PANI is being executed by the health services of the Ministry of Public Health and Social Welfare. All beneficiaries receive kilograms of milk fortified with iron, zinc, copper and vitamin C as a monthly nutritional supplement. They also receive support under all the other programmes for mothers and children in order to ensure that all their needs are met.

- 19. Please provide up-to-date information on measures taken to ensure that evictions are carried out in conformity with article 11 of the Covenant, as developed in the Committee's general comment No. 7 (1997) on the right to adequate housing; forced evictions. Please also provide information on measures taken to prevent excessive use of force when evictions are carried out, as well as information on the results of such measures. Please also provide up-to-date information on advances achieved in improving access to housing, particularly in rural areas, and on the resources allocated for this purpose. Please include statistical information, disaggregated by urban/rural area and vulnerable group, which shows the percentage of the population that has benefited from these measures and the percentage that still does not have access to adequate housing.**

222. With regard to the measures taken to ensure that evictions are carried out without recourse to an excessive use of force, the following legal clarification should be made: in the Republic of Paraguay, evictions are a civil-law matter, in accordance with articles 451, 514, 586 and 691 of the Code of Civil Procedure, and falls within the domain of private law.

223. Invasion of property comes under the jurisdiction of the criminal courts. The Public Prosecution Service, representing the interest of society before the courts in ensuring respect for constitutional guarantees, institutes public criminal proceedings to defend public and societal property, the environment, other broad-ranging interests and the rights of indigenous peoples. It is empowered to bring criminal proceedings in cases where an application by the interested party is not required in order to initiate or pursue legal proceedings, in accordance with article 266¹⁸ of the Constitution, Act No. 1562/00 on the Public Prosecution Service and Act No. 1160/97 (the Criminal Code). This technical legal clarification is considered relevant in view of the fact that the term "forced eviction" has been used.

224. The intervention of the Public Prosecution Service involves the application of the punitive power of the State and must therefore be strictly and unequivocally in accordance with the Paraguayan legal order and the nation's laws. The Human Rights Directorate of the Attorney General's Office plays a primary role in ensuring that people's human rights in relation to access to justice are upheld.

225. During the commission of the offence of invasion of property, The Public Prosecution Service does not have discretionary power to refrain from taking action when the offence of invasion of property is committed, since it is obligated to initiate public criminal proceedings when it is apprised of the commission of punishable offences, provided that there is sufficient factual information to support such action.¹⁹ Its actions must be based on objective criteria, and it must ensure the proper application of the law and take into consideration the evidence for the prosecution and for the defence. During criminal proceedings, it must ensure respect for the principle of the presumption of innocence established in article 17,²⁰ paragraph 1, of the Constitution, in accordance with

¹⁸ Article 266 – Composition and functions: the Public Prosecution Service represents society before the courts of the State and enjoys functional and administrative independence in discharging its duties and exercising its powers. These functions are exercised by the Attorney General and public prosecutors, as prescribed by law.

¹⁹ Article 18 of the Code of Criminal Procedure.

²⁰ Article 17 – Procedural rights: In criminal proceedings, or in any other proceedings that could give rise to a sentence or punishment, everyone has the right to be presumed innocent.

article 4²¹ of Act No. 1286/98 (the Paraguayan Code of Criminal Procedure).

226. There is a joint action plan for dealing with cases involving the offence of invasion of property. This plan, which was signed by the Public Prosecution Service, the Ministry of the Interior and the National Police Force on 28 March 2012, takes into account the duties and powers relating to the protection of the lawful property of society that have been conferred upon these three bodies under the Constitution and the nation's laws. The plan of action has been established in order to facilitate joint efforts to ensure the legal actions that are taken are efficient, effective and transparent.

227. This plan was designed to serve as a basis for the development of clear-cut strategies and policies for dealing with the offence of invasion of property that can also serve as guidelines for investigations, law enforcement and prosecutions. The plan sets out three phases:

- Phase I: upon learning of an alleged offence of invasion of property, the prosecutor conducts an initial analysis of the case and determines who owns the property in question. He or she then requests the assistance of the national police and goes to the scene of the incident to ascertain the reason for the occupation and to warn the persons concerned of the consequences of such conduct. The prosecutor arranges for the police to determine the identities of the persons occupying the property;
- Phase II: if the preliminary investigation warrants it, the prosecutor, in coordination with the deputy prosecutor, requests a meeting with the head of the departmental police and the chief of the district police station at which an initial analysis of the situation is made and a course of action is defined. The Human Rights Directorate of the Attorney General's Office plays a leading role in the investigative units' preparations, which are undertaken in conjunction with other institutions (the National Police Force, the Secretariat for Children and Adolescents, the Ministry for Women's Affairs, representatives of nearby hospitals, representatives of the Ministry of Public Health and Social Welfare, and others);
- Phase III corresponds to the actual arrest of persons committing a punishable offence of invasion of property in flagrante delicto. The prosecutor takes the lead in this phase and ensures that the appropriate measures are adopted. The Human Rights Directorate monitors the operation at all times, provides technical advice to the prosecutor and ensures that law enforcement officers do not violate the human rights of the alleged offenders. In accordance with operational orders, national police officers arrive on the scene, arrest the alleged offenders and collect evidence. Once the operation has been completed, the prosecutor may arrange for a police presence at the scene in order to guard the premises.

228. In accordance with the joint action plan for dealing with cases of invasion of property and with the support of officials from the Human Rights Directorate of the Attorney General's Office, prosecutors and police officers conducted seven peaceful eviction operations in the first half of 2014 and eight in the second half, as follows: four in

²¹ Article 4. Principle of the presumption of innocence. The accused shall be presumed innocent for the duration of the proceedings until such time as he or she is declared guilty in an enforceable judgement.

No public authority shall depict an accused person as guilty or provide information to that effect to the media.

Only objective information regarding the suspicion attaching to the accused, based on the order instituting the proceedings, may be provided.

The judge shall regulate the participation of the media in cases where mass dissemination may prejudice the normal course of the proceedings or exceed the bounds of the right to receive information.

the department of San Pedro, one in the department of Guairá, three in the department of Caazapá, one in the department of Itapúa, one in the department of Alto Paraná, three in Central Department, one in the department of Canindeyú and one in the department of Amambay.

Access to adequate housing

229. According to studies presented in the 2009 document *Deficit habitacional en Paraguay* (the housing deficit in Paraguay), which was produced by the National Housing Council (CONAVI) — the predecessor of the National Secretariat for Housing and Habitat (SENAVITAT) — and the Directorate-General of Statistics, Surveys and Censuses on the basis of census data from 2002, in order to alleviate the housing shortage in Paraguay, it would be necessary to create approximately 800,000 solutions for a range of problems relating to housing.

230. The overall (quantitative and qualitative) deficit in 2009 was 73 per cent (or an estimated 1,098,005) of the total households surveyed. The qualitative deficit (i.e., unmet needs for extensions, upgrading or both) was represented by 705,298 households (88 per cent of the total housing deficit). As these figures show, the deficit is predominantly qualitative in nature in both urban and rural areas. The majority of the qualitative deficit (517,713 households, representing 73 per cent of the deficit) is made up of demand for housing upgrades.

Type of deficit	Type of demand	Urban areas		Rural areas		Total	
Qualitative	Demand for upgrades	260 071	80%	257 642	68%	517 713	73%
	Demand for extensions	16 846	5%	6 770	2%	23 616	3%
	Demand for upgrades and extensions	49 575	15%	114 394	30%	163 969	23%
	Subtotal of qualitative deficit	326 492	100%	378 806	100%	705 298	100%
Quantitative	Demand for housing replacements – irrecoverable	49 578	69%	25 669	95%	75 247	76%
	Multiple households in a single dwelling	8 000	11%	1 248	5%	9 248	9%
	Overcrowded multiple family-unit households (a)	14 224	20%	0	0%	14 224	14%
	Subtotal of quantitative deficit	71 802	100%	378 806	100%	705 298	100%
Qualitative and quantitative	Total qualitative and quantitative deficit			398 294	405 723	804 017	

231. Given that it has not yet been possible to update the estimates of the housing deficit in Paraguay as no more recent census data are available, the information provided in the National Habitat and Housing Plan of Paraguay has used as a basis for a linear projection that suggests that the deficit of 800,000 housing solutions will have increased to approximately 1.25 million housing solutions by 2014, of which approximately 1.1 million would equate to the qualitative deficit (extension, upgrading, or both) and approximately 155,000 to the quantitative deficit (new housing units).

Regulatory framework

232. The right to decent housing is recognized in article 100 of the 1992 Constitution, which provides that: “Every inhabitant of the Republic has the right to decent housing” and gives the State authority to take the necessary steps to give effect to this right, including the construction of social housing for low-income families. Other laws and decrees regulate the actions of SENAVITAT and other institutions working in the area of habitat and housing in the country.

Institutional framework

233. SENAVITAT is the lead agency for housing policy. Article 2 of Act No. 3909/10, which authorized the establishment of SENAVITAT, sets as its objective “the management and implementation of housing-sector policy and the corresponding basic services and road and transport infrastructure in order to provide universal access to decent housing. This is to be accomplished, in particular, by offering plans and programmes for low-income families within the framework of the Government’s socioeconomic policies that will reduce the housing deficit and improve the quality of life of the inhabitants of the Republic of Paraguay.”

234. The new Municipal Act No. 3966/10, enacted in the same year as the law that provided for the creation of SENAVITAT, makes the implementation of the Sustainable Municipal Development Plan (PDSM) and the Regional Urban Management Plan (POUT) compulsory.

235. The housing plans being developed by SENAVITAT are in keeping with the guidelines of the National Development Plan for 2013–2030 and the National Habitat and Housing Plan of Paraguay (adopted by Resolution No. 2,567).

Housing programmes run by SENAVITAT

236. In order to fulfil its institutional mandate, SENAVITAT manages the following housing programmes and projects: (a) the National Fund for Social Housing (FONAVIS); (b) VY’A RENDA; (c) a programme for indigenous peoples; (d) an affordable housing plan; (e) Executive Coordinator for Agrarian Reform (CEPRA); (f) the Mortgage Programme; (g) Credit Fund for Cooperatives (FONCOOP); (h) MERCOSUR RÓGA-FOCEM; (i) CHE TAPYI; and (j) a programme for the construction of 5,800 housing solutions in rural areas of Paraguay. In addition to these housing programmes and projects, there is a neighbourhood improvement programme and an entry window for first-time home buyers called *Mi País, Mi Casa* (“my country, my home”), which facilitates access to housing for repatriated Paraguayans under the eight housing programmes mentioned above.

237. These programmes and projects will provide housing for a large number of families and individuals in the short term, as illustrated below:



238. The main activities of SENAVITAT in 2014 were as follows:

239. Under the FONAVIS programme, 2,078 group housing units in level-4 blocks are being constructed for poor and extremely poor families in a number of different departments in the country.

240. Also under this programme, 352 housing units are being constructed in conflict zones in the north of the country by the Comprehensive Joint Action Coordinator (CAICO) under a partnership agreement among various State agencies; 662 housing units for members of indigenous groups are being built in vulnerable communities that have historically been neglected in Paraguay.

241. As part of the rural housing scheme established under Resolution No. 923 of 17 June 2014, FONAVIS supports the construction of housing on plots in National Institute of Rural and Land Development (INDERT) settlements that have become available as the agrarian reform process moves forward. These housing solutions include basic infrastructure, electricity and water hook-ups and access roads, all of which are provided by the lead institutions in the corresponding sectors. Under this programme, 335 housing solutions are being constructed in the department of Alto Paraná. These planned housing solutions will help to ease the large housing deficit that exists in rural areas and to reduce poverty in these areas.

242. The subsidies provided under this programme for the different housing levels during this period are as follows:

<i>Level 1</i>	<i>Level 2</i>	<i>Level 3</i>	<i>Level 4</i>
8	62	115	3 693

243. As of November 2014, the total funding provided by FONAVIS amounted to US\$ 50,277,427.

244. Under the “Planting Opportunities” National Programme for the Reduction of Extreme Poverty, a project for the construction of 5,800 housing solutions in rural areas of Paraguay is being executed by SENAVITAT within the framework of a multidisciplinary effort on the part of various government agencies. The implementation of this strategic programme component will provide the corresponding communities with housing and basic infrastructure improvements.

245. Bids have been received for the construction of 3,030 houses using traditional techniques in 21 priority settlements in 10 of the country’s departments. These bids are in the process of being evaluated. A public call for tender for 1,980 prefabricated housing in 12 settlements in 4 departments has also been issued. There are, in addition, plans for a third call for tenders for the 7 remaining settlements in the 41 designated priority areas. This will be the final phase in the construction of the 5,800 housing units to be funded with US\$ 100 million in treasury bonds.

246. SENAVITAT is providing comprehensive support to vulnerable suburban communities. This year it is building 1,196 housing units together with basic infrastructure and community facilities, an outpatient clinic and school building upgrades. The funding (US\$ 71 million) for this initiative has been donated by Taiwan and will be disbursed over five years (2014–2018). Work on the construction of 1,055 pre-assigned housing units is already at an advanced stage, and another 141 housing units are in the process of being awarded under the Che Tapyi housing project. The housing units are located on land managed by the Secretariat for Social Action, municipalities and indigenous communities and are grouped into settlements in 16 of the country’s departments. The deeds to these units have been formalized.

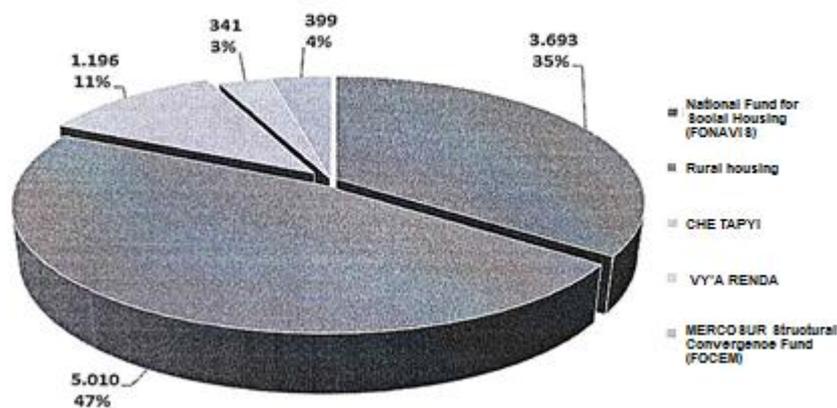
247. Through the RENDA VY'A Programme for families living in poverty or extreme poverty in marginal conditions who cannot obtain loans in the private credit market, a contract for the construction of 240 semi-detached houses, along with basic infrastructure, a community centre and square, in the Rosa Mística project in the department of Villa Hayes has been awarded to a construction company through a national public tender process. Another contract for the construction of 101 housing units has been awarded under the Bozzano project in the district of Sajonia in Asunción.

248. In accordance with the principle of universality that governs the institution's activities, 74 affordable housing units for middle-class families are under construction. The Mortgage Programme and the Credit Fund for Cooperatives also grant loans to cooperatives, trade unions and associations, which then on-lend these funds to their members. A total of 150 housing units are being constructed under these programmes.

249. The following tables and charts provide details on the programmes and projects implemented by SENAVIDAT in the framework of the following plans: the National Development Plan for 2013–2030, "Focus area 1 – Poverty reduction and social development as a cross-cutting theme, 1 – Equal Opportunities Programme 1.1 – Poverty, public employment in infrastructure, housing and services"; "Strategy area 1 of the National Plan for Habitat and Housing of Paraguay: Production of habitat and housing, 1.1.1 – Construction of new housing solutions (various construction methods) geared to the geographic and socioeconomic characteristics of the target area and groups".

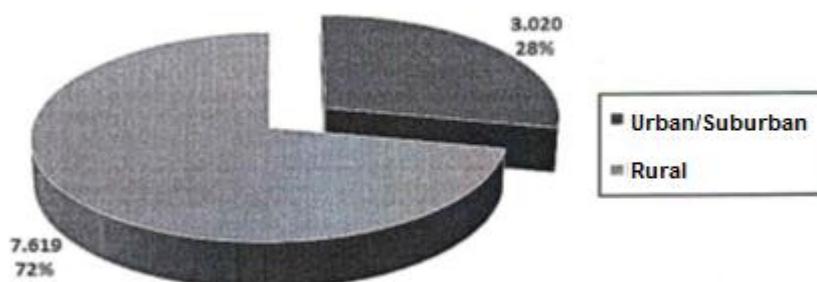
Housing solutions 2014	
Programmes to combat poverty and extreme poverty	
Programmes	Housing units
National Fund for Social Housing (FONAVIS)	3,693
Organized groups	2,078
Projects in conflict zones	352
Indigenous peoples	662
Rural housing (INDERT)	335
Housing purchases	217
Construction on own lots (level 4)	49
Rural Housing (Plan for Equal Opportunities)	5,010
NPT: Construction of traditional housing	3,030
IPT: Construction of prefabricated housing	1,980
CHE TAPI	1,196
Work under way	1,055
Award decision	141
VY'A RENDA	341
NPT: Construction of housing in Villa Hayes	240
NPT: Construction of housing in Bozzano	101
MERCOSUR Structural Convergence Fund (FOCEM)	399
Under construction	214
Suspended	185
Total	10,639
Reference: IPT = international public tender; NPT = national public tender.	
Prepared by the Department of Analysis and Statistics of the Directorate-General of Planning. Source: Department for Housing Programme Oversight of the Directorate-General of Housing Programmes and the Department of Housing Planning of the Directorate-General of Planning, November 2014.]	

Housing solutions: 2014 Programmes to combat poverty and extreme poverty



Prepared by the Department of Analysis and Statistics of the Directorate-General of Planning. Source: Department for Housing Programme Oversight of the Directorate-General of Housing Programmes and the Department of Housing Planning of the Directorate-General of Planning, November 2014.

Housing solutions: 2014 Programmes to reduce poverty and extreme poverty

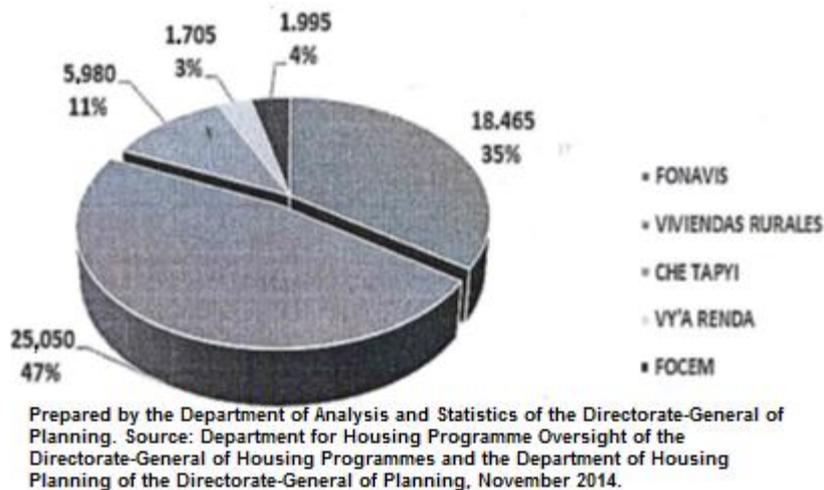


Prepared by the Department of Analysis and Statistics of the Directorate-General of Planning. Source: Department for Housing Programme Oversight of the Directorate-General of Housing Programmes and the Department of Housing Planning of the Directorate-General of Planning, November 2014.

Estimated number of beneficiaries

Programmes	Number of houses	Recipient families
FONAVIS	3,693	18,465
VIVIENDAS RURALES	5,010	25,050
CHE TAPYI	1,196	5,980
VY'A RENDA	341	1,705
FOCEM	399	1,995
Total	10,639	53,195

Estimated number of beneficiaries, by programme



20. Please provide information on the measures taken by the State party to ensure respect for the economic, social and cultural rights of prisoners and other persons deprived of their liberty.

250. Decree No. 1796 of 19 June 2014 provided for the restructuring of the Ministry of Justice and the creation of the Office of the Deputy Minister for Criminal Policy, which is responsible for formulating, leading, coordinating and implementing public policy in the area of prevention and reintegration, prison matters and restorative justice. The Office of the Deputy Minister for Criminal Policy is made up of the following departments, which provide advisory services as defined in Resolution No. 469 of 20 June 2014: the Observatory on Criminal Policy, the Department of Criminal and Prison Policy, the Directorate-General for Regulatory Development and Legislative Assistance, the Department for Policy for Vulnerable Groups and the Proceedings Oversight Department.

251. The Directorate-General for Human Rights monitors compliance with international standards applying to persons deprived of their liberty and submits reports and recommendations to both the highest authority of the institution and the Office of the Deputy Minister for Criminal Policy.

252. The most important measures taken by the Ministry of Justice to improve prison conditions include the following:

- The second national prison census was carried out in the country's 14 places of deprivation of liberty and two community farms in November and December 2013 and the census data were then processed in January–March 2014. The census findings were published in May 2014 and will serve as a basis for policies and plans concerning persons deprived of their liberty;
- The Centre for Prison Studies was established by the Ministry of Justice and tasked with providing initial and in-service training on the treatment of persons in detention for both newly recruited and existing prison service officials;
- The Directorate-General for Human Resource Management and Development of the Ministry of Justice will use the findings of a recent survey on staffing needs as a basis for increasing the number of prison officers in each facility;
- By Resolution No. 378 of 11 December 2013, the Ministry of Justice decided to halt the admission of new prisoners in order to relieve overcrowding in the National Penitentiary and begin to bring the number of prisoners into line with its capacity;

- Other important departments established in the Office of the Deputy Minister for Criminal Policy under Resolution No. 469 of 20 June 2014 are the Department for Policy for Vulnerable Groups and the Proceedings Oversight Department; the functions of the latter department are described in detail below.

253. The Proceedings Oversight Department was established under Ministry of Justice Resolution No. 174 of 28 February 2014 in response to the results of the prison census of December 2013, which indicated that 27 per cent of the prison population was composed of convicted prisoners and that remand prisoners represented 63 per cent of the total. This specialized department of the Ministry of Justice is responsible for monitoring the procedural status of persons deprived of their liberty, providing coordinating advisory and support services on a systematic basis and ensuring that judicial proceedings take place within the legally defined time frame in accordance with the Constitution and with international treaties and conventions signed and ratified by Paraguay.

254. The Proceedings Oversight Department adopts, directs, coordinates and implements measures that help to strengthen the justice system and make it more accessible to persons deprived of their liberty, to increase the effectiveness and efficiency of the administration of justice in resolving prisoners' procedural issues by means of appropriate, fair and transparent judicial rulings and to expedite criminal proceedings and thus ensure that pretrial prisoners are duly tried.

255. The Department monitors all of the country's prisons and education centres. Its office in the National Penitentiary has the following duties:

- Directing legal clinics in places of detention;
- Monitoring the actions of persons or organizations in court cases;
- Acting as a liaison between persons deprived of their liberty and the authorities in charge of the country's prisons and education centres;
- Ensuring the provision of services on a regular basis by the defence counsels of the Public Defender Service;
- Coordinating the activities of third parties who come to the prison on a regular basis;
- Ensuring prompt compliance with court orders or instructions;
- Promoting the reintegration of prisoners into their families and society by assisting them to obtain temporary leave permits, work permits, study permits, permission to participate in sports competitions, etc.;
- Issuing the required documentation for applications for temporary/conditional release.

256. The Department's objectives are to:

- Prepare, issue and approve instructions and guidelines for the provision of appropriate advisory services, assistance and follow-up services to convicted and pretrial prisoners in order to ensure that criminal court cases are conducted in a timely, thorough, objective, efficient and effective manner;
- Provide assistance and coordination services in order to ensure that persons deprived of their liberty have effective access to justice and obtain a fair sentence in a timely manner or reclaim their freedom in accordance with the law;
- Help to expedite proceedings so as to reduce both prison overcrowding and the number of pretrial prisoners as an important contribution to the improvement of the prison system;

- Optimize conditions for the social reintegration and rehabilitation of persons deprived of their liberty by endeavouring to change societal attitudes about persons who have been released from prison after serving their sentences;
- Complete the necessary procedures to ensure that remand prisoners are brought to trial and that the rights of convicted prisoners are respected;
- Determine litigation strategies for each case, track the progress of the proceedings and ensure that all procedural steps are completed on time and in strict compliance with the law;
- Provide assistance in connection with open cases and, in so doing, make an important contribution to the improvement of the prison system, which is being strengthened by the conclusion of agreements with several universities (Católica, UTCD, UTIC, UNINORTE, Americana).

257. Detailed information on the types of assistance provided by the Ministry of Justice to persons deprived of their liberty is provided below:

Releases: February–November 2014

Total releases:	286
Parole:	118
Release after having over-served the sentence:	16
Release due to annulment of sentence or passage of statute of limitations:	1
Release with credit for remand time served:	125
Alternative measures:	10
Extradition:	2
Dismissal of case:	11
Suspended sentences:	3

Results from the Department for Follow-Up of the Status of Proceedings – persons assisted

Total persons assisted:	3 149
Total persons prosecuted:	2 128
Total persons convicted:	1 021
Men prosecuted:	1 660
Men convicted:	801
Women prosecuted:	468
Women convicted:	220

Persons released

Total releases obtained:	286
Parole:	118
Release after having over-served the sentence:	16
Release due to annulment of sentence or passage of statute of limitations:	1
Release with credit for remand time served:	125
Alternative measures:	10
Extradition:	2
Dismissal of case:	11
Suspended sentences:	3

258. A total of 3,149 persons received assistance: 1,635 prisoners have public defenders, 1,090 have private defence lawyers, and 171 have been assisted by lawyers from the Proceedings Oversight Department. (No information is available on the other 253 prisoners.)

259. Staff of the Human Rights Directorate of the Supreme Court have visited educational centres and prisons on a number of occasions in connection with its judicial policy support programme and have prepared status reports on the situation in those facilities. A sample of the type of information contained in those reports is given below.

Reports on educational centres and prisons²²

260. The Supreme Court, sitting in plenary session on Wednesday, 16 May 2012 (Act No. 12 of 16 May 2012), entrusted its Human Rights Directorate, the Director of the Prisons Supervisory Board and the administrative councils of judicial districts with: coordinating prison oversight operations for the purpose of determining the procedural status of each and every prisoner. In fulfilling the task assigned to it under the judicial policies programme, the Human Rights Directorate has coordinated the visits made to monitor the country's educational centres for adolescent boys and girls and its adult prisons.

261. Information with a focus on human rights was collected on the operational and procedural aspects of these prisons and educational centres and on the living conditions of the inmates, in keeping with strategic objective 6 of the Supreme Court's 2012–2015 Strategic Plan, which is to: "Disseminate information on human rights, monitor policies, rulings, regulations and actions of the Supreme Court in order to determine whether those rights are being upheld and report to the public and relevant forums". This objective also has a bearing on the work carried out under the Human Rights Directorate's judicial policies programme, which focuses on the development of judicial policies from a human rights perspective for the prison and sentence enforcement system.

²² The Human Rights Directorate of the Supreme Court has conducted and reported on the following visits: report on the Itauguá Educational Centre [18 March 2014], report on the Ciudad del Este Educational Centre for Adolescent Men [6 May 2014], report on the Ciudad del Este Educational Centre for Adolescent Women [6 May 2014], report on the Ciudad del Este Regional Prison [22–26 July 2013], report on the women's section of the Pedro Juan Caballero Regional Prison [September–October 2012].

262. The preparation and implementation of these monitoring activities have also been guided by the Brasilia Regulations Regarding Access to Justice for Vulnerable People, which were ratified by the Supreme Court by Agreement No. 633 of 1 June 2010.

Article 12 Right to physical and mental health

21. Please provide information, from 2008 onward, on the percentage of the national budget allocated to health, with disaggregated data for mental health. Please indicate whether this percentage is sufficient to ensure that all persons in all parts of the country have access to free, high-quality health services. Please also indicate whether the existing network of Family Health Units covers the health needs of the entire population of the State party, irrespective of geographical location, and whether there are any plans to increase the number of units.

263. The following tables provide disaggregated data on budget allocations for health care and mental health services in particular:

National budget for the Ministry of Public Health and Social Welfare: 2008–2014

<i>Approved budget</i>	<i>General national budget</i>	<i>Ministry of Public Health and Social Welfare</i>	<i>% of total</i>
2008	27 917 808 838 589	1 391 886 488 177	5.0%
2009	33 398 403 056 208	1 691 435 520 920	5.1%
2010	35 494 806 285 173	1 855 172 114 634	5.2%
2011	42 847 473 521 791	2 340 756 284 510	5.5%
2012	49 195 743 589 346	3 574 265 325 120	7.3%
2013	58 173 449 989 534	3 802 338 783 044	6.5%
2014	59 287 004 510 215	3 874 077 943 722	6.5%

Budget for the psychiatric hospital and the National Addiction Centre: 2008–2014

<i>Approved budget</i>	<i>Ministry of Public Health and Social Welfare</i>	<i>Psychiatric hospital</i>	<i>% of total</i>	<i>National Addiction Centre</i>	<i>% of total</i>
2008	1 391 886 488 177	18 763 569 356	1.3%	1 764 915 845	0.1%
2009	1 691 435 520 920	19 986 827 929	1.2%	2 438 700 193	0.1%
2010	1 855 172 114 634	21 017 151 163	1.1%	3 592 548 391	0.2%
2011	2 340 756 284 510	29 836 305 662	1.3%	3 300 721 775	0.1%
2012	3 574 265 325 120	36 459 672 768	1.0%	8 990 547 028	0.3%
2013	3 802 338 783 044	39 769 162 635	1.0%	11 030 273 375	0.3%
2014	3 874 077 943 722	32 185 698 871	0.8%	9 893 293 252	0.3%
2015	4 415 901 324 806	36 437 320 559	0.8%	11 223 330 685	0.3%

Mental health

<i>Approved budget</i>	<i>Ministry of Public Health and Social Welfare</i>	<i>Prevention and promotion of mental health</i>	<i>% of total</i>
2008	1 391 886 488 177	5 170 794 294	0.4%
2009	1 691 435 520 920	5 159 059 125	0.3%

* Merged with the primary health-care programme in 2010.

* Merged with the mental-health programme in 2011.

<i>Approved budget</i>	<i>Ministry of Public Health and Social Welfare</i>	<i>Health programmes</i>	<i>% of total</i>
2011	2 340 756 284 510	21 228 982 494	0.9%
2012	3 574 265 325 120	19 197 817 065	0.5%
2013	3 802 338 783 044	20 562 955 812	0.5%
2014	3 874 077 943 722	11 966 030 277	0.3%
2015	4 415 901 324 806	9 708 294 794	0.2%

264. An analysis carried out in 2014 on the basis of the budgets of the psychiatric hospital, the National Addiction Centre and the Mental Health Directorate, the allocation for exceptional purchases of psychiatric medication and the value of the tender at that time, plus the fees of all professionals (doctors, psychiatrists, psychologists, social workers and nurses, and others) working in the mental health units of the integrated health service network showed that the Ministry of Public Health and Social Welfare allocates 2.44 per cent of the overall health budget to mental health and illness. These funds are distributed as follows: 50.4 per cent for the psychiatric hospital, 14.6 per cent for the National Addiction Centre and 35 per cent for outpatient care services in the different health regions and inpatient care in general hospitals, therapeutic stays and rehabilitation centres.

265. Despite the increase in funds allocated to the mental health sector in recent years, this budget is still insufficient to cover the needs of the population, since there are only 84 mental health services in more than 1,300 health facilities attached to the Ministry of Health, just one general hospital with a psychiatric ward (the Pedro Juan Caballero regional hospital) and only six alternative care homes housing 56 people. Approximately 160 persons are living in the psychiatric hospital while waiting for a place in an alternative care home. There is, a single rehabilitation centre for children with general developmental disorders, with a waiting list of more than 100 children, and a single inpatient detoxification and substance abuse centre in Asunción.

266. There are 754 family health units spread across 234 districts and 18 health regions nationwide (total coverage: 17 departments and the Capital District), which attend to approximately 2,321,058 vulnerable people, or 34 per cent of the total population, according to 2002 statistics from the Directorate-General of Statistics, Surveys and Censuses.

267. The objective is to continue to set up new family health units until coverage is provided for the entire country. There is currently an annual budget for the maintenance and operations of the existing family health units, and consideration is being given to the possibility of reprogramming the financial resources of the Ministry of Public Health and Social Welfare as a means of achieving that objective. An approximate estimate indicates that a further 1,194 family health units would be required to attain 100 per cent nationwide coverage.

- 22. Please provide up-to-date statistical information on the rates and causes of maternal and infant mortality and describe the impact of measures taken to address them, particularly in rural areas and with regard to indigenous communities. Please also provide information on measures taken to raise awareness and ensure the implementation of Resolution No. 146 of the Ministry of Public Health and Social Welfare, dated 8 March 2012, and on the impact of these measures. Please include statistical information. Please also provide up-to-date information on any other measure, whether legislative or of some other nature, that has been adopted with a view to reducing the number of unsafe abortions.**

268. Firstly, it is important to analyse the trend in the maternal mortality rate. The Paraguayan maternal mortality rate has been progressively decreasing over the past decade, although not fast enough to achieve the goal of reducing the rate recorded at the beginning of the 1990s by three-quarters by 2015.

269. At the end of 2013, the maternal mortality rate stood at 96.3 deaths per 100,000 live births, representing a reduction of 47 per cent — slightly more than two fourths — over the rate 10 years earlier.

270. Over the last two decades, there have been at least three clearly defined phases that are reflected in the maternal mortality curve in Paraguay: between 1990 and 1999 there were sharp fluctuations in the rate, which made it impossible to discern a clear trend. This situation drew attention to the shortcomings of the health information system.

271. Between 2000 and 2002, there was a marked upturn in the number of cases, which reached a peak in 2002. These figures were probably linked to the steps taken to improve health monitoring and record-keeping. From 2002 to 2012, there was a downward curve, which became more pronounced from 2009 on. Then, in 2013, the rate rose to 96.3 deaths per 100,000 live births.

272. When the data are disaggregated by geographical area, the existence of inequalities emerges. Over virtually all of the past 20 years, the mortality rate for women living in rural areas was nearly double (88 per cent higher) the rate for women in urban areas. Despite progress reducing the nationwide mortality rate, the degree of inequity has not changed significantly and has actually even increased in recent years. In 2011, the differential was almost threefold: 60.4 for urban areas and 174.2 for rural areas.

273. In 2013, the differential narrowed as the result of a slight increase in urban areas (to a rate of 86.7) and a significant decrease in rural areas (to a rate of 118.8 per 100,000 live births). There are also significant variations between different health regions. Between 2000 and 2013, 10 health regions had average figures below the national average, while 8 regions had higher figures.

274. The most extreme case is Alto Paraguay (a remote region with a large indigenous population), where the maternal mortality rate in 2013 was 692.0 deaths per 100,000 live births. Some health regions have sharply reduced their maternal mortality rates, such as Cordillera, where the rate fell from 93.4 per 100,000 live births in 2012 to 24.1 in 2013.

Safe childbirth

275. The percentage of births attended in health facilities was on the rise from 2005 to 2013. In 2005, 84.3 per cent of births took place in institutions, for an increase from 48.3 per cent in 2005 to 64.2 per cent in 2013.

276. In 2004, 15.8 per cent of deliveries were performed outside health facilities, but the figure decreased sharply to 3.8 per cent in 2013. These results may be related to the application of central government regulations prohibiting more basic health facilities from serving as birthing centres.

277. In 2011, 92 per cent of the women who gave birth had received antenatal care, while the other 8 per cent had not. In 2012, the corresponding figures were 93 per cent and 7 per cent; in 2013, the percentage of women giving birth who had received antenatal care rose to 95 per cent.

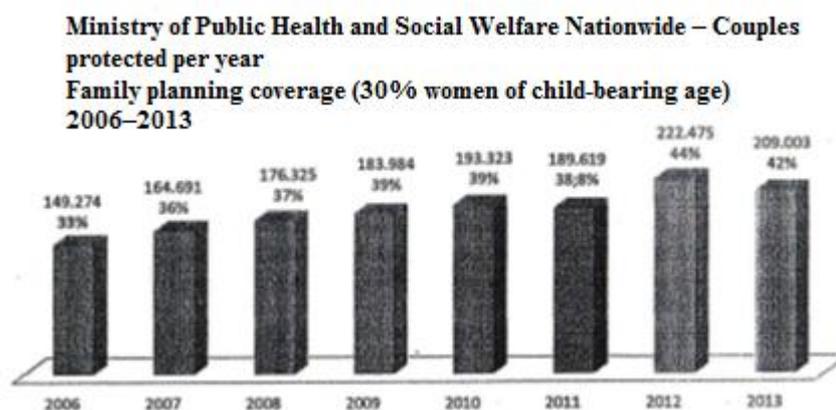
278. As for the number of antenatal check-ups in 2011 and 2012, 21 per cent of new mothers had had less than four antenatal consultations and 79 per cent had had four or more. In 2013, the corresponding figures were 19 per cent and 81 per cent.

Use of contraception

279. In recent years, there has been a significant increase in access to contraceptive methods in Paraguay. In 2006, the Ministry of Public Health and Social Welfare decided that health facilities should provide birth kits and contraceptive supplies free of charge and that the supply of these materials should be increased. Unfortunately, no recent population surveys that include an indicator that could be used to track progress towards this goal have been conducted. In 2004 and 2008, this indicator was measured in the National Sexual and Reproductive Health Survey, which was conducted by a non-governmental organization with support from State institutions and international organizations. The survey has not been repeated since then, however; this is a challenge to be taken on by the Government in view of the vital importance of information on trends in sexual and reproductive health for the formulation of policies and development plans.

280. Sources of administrative information can be used as an alternative indicator. The Ministry of Public Health and Social Welfare employs the couple-years of protection (CYP) measure, which is one of the most widely used indicators internationally to measure the success of family planning programmes. The couple/years of protection indicator measures the amount of time that a couple will be protected from unwanted pregnancy, depending on the birth control method that they use. It also gauges the progress made in the provision of contraceptives by the State.

281. Over the 11 years that this indicator has been monitored, it has shown that Government-supplied protection against unwanted pregnancy has more than doubled. A particularly sharp increase (to a total of 222,475 protected couples) was recorded in 2012.



Source: Directorate-General of Health Programmes, Department of Logistics, December 2013.

282. This indicator stood at 149,274 protected couples in 2006 and had risen by 40 per cent to 209,003 couples by 2013.

Policies and programmes for women

283. Under the National Plan for Sexual and Reproductive Health for 2014-2018, which is being implemented within the framework of public policies for equity in quality of life and health, actions have been taken in seven key areas: (a) safe childbirth and neonatal health; (b) family planning; (c) prevention and control of sexually transmitted infections and HIV; (d) prevention and treatment of breast and genital cancer in men and women; (e) comprehensive treatment of the symptoms of menopause and of diseases and disorders affecting sexual and reproductive health; (f) preventive and other services for people in situations of domestic violence, sexual violence and gender-based violence (advocacy, education and participation); and (g) monitoring and evaluation.

284. Based on experience and prior evaluation of achievements, in December 2013 a new plan is to be designed for the coming years. The preparation process is to be participatory and consultative. In addition, in mid-2013 a committee on maternal and neonatal health, morbidity and mortality was established. The committee was tasked with identifying the causes of maternal and neonatal morbidity and mortality in the different geographic areas of the country and providing guidance on ways of addressing these problems.

285. Another important health policy introduced since late 2008 has focused on strengthening the primary health-care system as a fundamental pillar of public policies for equity in quality of life and health.

286. Annex I provides a number of graphs showing the maternal mortality rate in Paraguay, disaggregated by urban and rural areas, health regions and causes of death.

23. Please provide up-to-date information on measures taken to implement the recommendation made by the Committee in its previous concluding observations concerning the use of toxic agro-chemicals (E/C.12/PRY/CO/3, para. 27).

287. The National Plant and Seed Quality and Health Service (SENAVE) ensures compliance with regulations on agro-chemicals, crop protection, fertilizers and the registration of commercial entities and products. In addition, its regional offices, inspection stations, Operations Department and Agro-Chemicals Department carry out frequent inspections. The applicable regulations can be found in full on the institution's website (www.senave.gov.py). The main pieces of legislation in this area deal with phytosanitary protection (Acts No. 123/91 and No. 3519/08), the establishment of SENAVE and the monitoring and inspection of phytosanitary products for agricultural use (Act No. 3742/09).

288. The latest measures include the issuance of Presidential Decree No. 856/13, under which the port facility of the National Administration for Navigation and Ports in the city of Villetta was designated as the single river-entry point for agro-chemical products in order to facilitate more centralized control of these products.

289. SENAVE has adopted a series of binding regulatory decisions, which are also posted on the above website. These decisions provide for a range of measures to ensure better control, such as prior authorization for the importation of pesticides, fertilizers, soil conditioners and similar products, and for the cancellation of the registration of formulated products and technical-grade active ingredients containing methamidophos in any of its concentrations. Regulations have also been adopted for the control of pesticides for agricultural use.

290. Departments of the Medical Coordination Office for Pesticide Control of the Directorate-General for Health of the Ministry of Public Health and Social Welfare are responsible for the management of agro-chemicals and for the monitoring, prevention and control of non-communicable diseases. Thanks to their efforts, a protocol for monitoring

the use of pesticides is now in place. The regulation of household chemicals is the responsibility of the National Directorate for Sanitation.

291. The National Toxicology Centre, which is attached to the Ministry of Public Health and Social Welfare, has the infrastructure, equipment and human resources needed to analyse biological samples. Plasma cholinesterase, a biomarker of effect for exposure to organophosphorus or carbamate pesticides, is currently measured quantitatively. The Directorate-General of Environmental Health of the Ministry of Public Health and Social Welfare defines, identifies, evaluates and monitors environmental risk factors having an impact on human health in order to safeguard and promote the health of the population in areas related to hygiene, occupational health, chemicals, solid hazardous hospital waste, drinking water and recreational water quality. In addition, a questionnaire for use in the evaluation of risks to human health from exposure to chemicals has been developed based on the methodology of the Environmental Protection Agency (EPA) of the United States of America and its counterpart agency in Brazil. This questionnaire has already been tested in the field, and training has been provided under a technical cooperation project dealing with contaminated sites in which the Directorate-General of Environmental Health and the Pan American Health Organization are participating.

292. In 2014, an inter-agency committee for pesticide management was set up and is awaiting approval by the executive branch, which is expected this year.

Articles 13 and 14 Right to education

24. Please provide up-to-date statistical data, from 2008 onward, on trends in public spending on education, specifying the budget items to which funds are allocated and the percentage corresponding to each.

293. The following tables list the percentages of expenditure on education in relation to gross domestic product (GDP):

Report of the Directorate- General of Educational Planning

<i>1. Total spending on education as a percentage of GDP, by level of education</i>				
<i>Classification</i>	<i>2005</i>	<i>2007</i>	<i>2010</i>	<i>2011</i>
ISCED 0	0.36	0.38	0.42	0.23
ISCED 1	2.32	2.08	2.25	1.44
ISCED 2	0.83	0.77	1.00	0.55
ISCED 3	0.87	1.22	1.32	0.86
ISCED 5B	0.16	0.12	0.07	0.04
ISCED 5A/6	1.17	1.54	1.81	0.87
Total	5.71	6.11	6.88	3.99

Source: Ministry of Finance, Central Bank of Paraguay (original tabulation), 2001–2011.

2. Public spending on education as a percentage of GDP, by level of education

Classification	2005	2007	2010	2011
ISCED 0	0.27	0.25	0.28	0.23
ISCED 1	1.67	1.55	1.59	1.44
ISCED 2	0.51	0.51	0.63	0.55
ISCED 3	0.56	0.87	0.86	0.86
ISCED 5B	0.09	0.06	0.05	0.04
ISCED 5A/6	0.48	0.73	0.72	0.87
Total	3.57	3.97	4.11	3.99

Source: Ministry of Finance, Central Bank of Paraguay (original tabulation), 2001–2011.

3. Public spending on education as a percentage of total public spending, by level of education

Classification	2005	2007	2010	2011
ISCED 0	0.76	0.74	0.71	0.80
ISCED 1	4.64	4.62	4.08	4.96
ISCED 2	1.41	1.52	1.61	1.88
ISCED 3	1.55	2.60	2.18	2.96
ISCED 5B	0.25	0.17	0.12	0.14
ISCED 5A/6	1.33	2.17	1.83	2.97
Total	9.95	11.82	10.53	13.71

Source: Ministry of Finance, Central Bank of Paraguay (original tabulation), 2001–2011.

4. Distribution of public spending on education, by level of education

Classification	2005	2007	2010	2011
ISCED 0	7.6	6.1	5.7	5.8
ISCED 1	46.7	38.5	37.0	36.1
ISCED 2	14.2	12.1	14.7	13.7
ISCED 3	15.6	21.8	21.4	21.6
ISCED 5B	2.6	1.5	(*)	1.0
ISCED 5A/6	13.4	20.0	21.2	21.7
Total	100.0	100.0	100.0	100.0

Source: Ministry of Finance, Central Bank of Paraguay (original tabulation), 2001–2011.

5. Total spending on education per student in public educational institutions

Classification	2005	2007	2010	2011
ISCED 0	1 112 745	1 457 984	2 134 878	2 063 278
ISCED 1	916 797	1 263 360	1 884 307	2 031 634
ISCED 2	900 159	1 158 663	1 777 107	1 886 412
ISCED 3	1 655 493	2 430 040	3 635 849	4 112 831

5. Total spending on education per student in public educational institutions

Classification	2005	2007	2010	2011
ISCED 5B	7 590 537	6 149 684	10 785 749	9 515 915
ISCED 5A/6	4 474 096	8 357 525	11 248 487	8 416 176
Total	1 189 444	1 763 875	2 599 154	2 790 319

Source: Ministry of Finance, Central Bank of Paraguay (original tabulation), 2001–2011.

6. Government spending on education per student in public educational institutions

Classification	2005	2007	2010	2011
ISCED 0	1 076 025	1 364 048	2 099 673	2 063 278
ISCED 1	883 938	1 176 779	1 849 795	2 031 634
ISCED 2	842 229	1 036 222	1 723 096	1 886 412
ISCED 3	1 555 808	2 213 012	3 537 784	4 112 831
ISCED 5B	7 033 774	5 592 581	9 893 318	9 515 915
ISCED 5A/6	3 773 506	7 310 001	9 635 393	8 416 176
Total	1 114 069	1 606 863	2 474 988	2 790 319

Source: Ministry of Finance, Central Bank of Paraguay, (original tabulation), 2001–2011.

7. Total public spending, disaggregated by current and capital expenditure and by level of education

Classification	2005		2007		2010		2011	
	Current expenditure	Capital expenditure						
ISCED 0	93.3	6.7	77.8	22.2	92.4	7.6	97.3	2.7
ISCED 1	94.3	5.7	95.6	4.4	96.3	3.7	96.8	3.2
ISCED 2	95.7	4.3	95.3	4.7	86.2	13.8	84.5	15.5
ISCED 3	97.2	2.8	90.5	9.5	97.1	2.9	91.9	8.1
ISCED 5B	97.7	2.3	88.8	11.2	99.8	0.2	99.6	0.4
ISCED 5A/6	98.2	1.8	88.5	11.5	89.5	10.5	89.4	10.6
Total	95.5	4.5	91.9	8.1	93.5	6.5	92.5	7.5

8. Spending on remuneration of staff as a percentage of current public expenditure on education, by level of education

Classification	2005	2007	2010	2011
ISCED 0	96.4	85.9	85.7	84.6
ISCED 1	94.2	86.6	82.5	80.8
ISCED 2	90.7		93.8	92.1
ISCED 3	92.8	87.1	93.7	90.9

<i>8. Spending on remuneration of staff as a percentage of current public expenditure on education, by level of education</i>				
<i>Classification</i>	<i>2005</i>	<i>2007</i>	<i>2010</i>	<i>2011</i>
ISCED 5B	92.5	56.3	76.5	83.3
ISCED 5A/6	94.1	80.6	-	87.6
Total	93.6	85.1	87.3	86.1

Source: Ministry of Finance, Central Bank of Paraguay (original tabulation), 2001–2011.

25. Please provide up-to-date information on measures taken to reduce the high rate of illiteracy among the indigenous population and among persons with disabilities, as well as information on the impact of these measures. Please also provide up-to-date information on advances achieved in education for indigenous persons, including in teacher training, in school construction and refurbishment and in the availability of materials in the two official languages of Paraguay and in other indigenous languages spoken in the country.

294. The Directorate of Education for Persons with Special Educational Needs of the Ministry of Education and Culture, has adopted the measures that are described below under the corresponding projects:

- Project entitled: “Rights of Persons with Disabilities” (with inter-agency support from the Spanish Ministry of Education): development of information and awareness-raising campaigns;
- Project entitled: “Improving Learning Experiences for Persons with Visual Impairments in the Eastern Region of the Paraguayan Chaco” (in cooperation with the Spanish Agency for International Development Cooperation (AECID) and the ONCE Foundation for Solidarity with Blind Persons in Latin America (FOAL)). The objective of the mapping exercise being conducted under this project is to detect and identify children and/or adolescents with visual impairments, with a special focus on children from indigenous communities, who are not attending school;
- Project entitled: “Promotion and Protection of the Rights of Children and Adolescents with Disabilities”. This education-focused project is being conducted in Asunción and Villarrica (Department of Guaira) in cooperation with Save the Children, Global Infancia and the Valencia Provincial Council;
- Project entitled: “Appropriate education for the integral development of children aged 3 and 4 years old in Asunción and 10 departments nationwide”. The component focusing on Result No. 2 (the Early Intervention Service) is being directed by the Directorate-General for Preschool and Primary Education.

295. A proposal has been made to increase the visibility of this population group and to work to identify children and adolescents between 4.5 and 18 years of age, particularly in indigenous communities, who are illiterate.

296. Radio programmes, advertisements and leaflets have been used in order to raise awareness of the rights of persons with disabilities and to promote respect for their rights. Staff from the Directorate of Education for Persons with Special Educational Needs and from the Directorate-General for Inclusive Education throughout the country have received training in the use of alternative means of communication (Braille, sign language) since 2013–2014.

297. These activities involved strengthening the technical team from the Directorate-General for Inclusive Education under the terms of Act No. 5136/13 on inclusive education. Participatory round tables involving other offices of the Ministry of Education and Culture and governmental and non-governmental organizations worked on the development of the corresponding regulations. Stakeholders are now being informed about these new regulations as part of the project “Promotion and Protection of the Rights of Children and Adolescents with Disabilities”.

298. A call for bids to furnish the 27 classrooms to be used by the Early Intervention Service has been issued, and training is being given to the educators who will join the Service.

299. Advances in the field of education for indigenous people have included the following teacher training modules:

- Further training for teachers working in schools for members of the Pai Tavytera people in the departments of Amambay and Concepción thanks to the implementation of the Intercultural Multilingual Teacher Training Programme of the Pai Tavytera People;
- Further training for teachers in schools for indigenous peoples nationwide thanks to the implementation of the Transitional Plan for the Socialization of Agents for Indigenous Schools;
- Training workshops on ethnomathematics for teachers in schools serving indigenous peoples. The workshops have been carried out with technical support from international cooperation partners (the United Nations Educational, Scientific and Cultural Organization (UNESCO) – region of Murcia);
- Training workshops for teachers in schools for 15 different indigenous peoples on the use of bilingual educational materials (in indigenous languages and Spanish) in the subject areas of communication, the environment and health;
- Training workshops on the implementation of classroom projects in 30 schools for 15 different indigenous peoples in the subject areas of communication (first cycle) and the environment and health (second cycle);
- Inter-agency technical round tables are organized to:
 - Design the programme for further training for teachers serving indigenous peoples;
 - Design the curriculum for the degree course in intercultural education for teachers in schools serving the Pai Tavytera people.

Budget allocations and opening of schools in indigenous communities

300. Funds have been allocated for use in opening and furnishing preschools primary and secondary schools and adult literacy centres in indigenous communities, as follows:

<i>Year</i>	<i>Budget allocations, by level</i>			<i>Literacy education for young people and adults</i>
	<i>L3F</i>	<i>Z51 (Third cycle)</i>	<i>Z51 (Secondary)</i>	
2009	32	3.360	765	
2010	227	5.297	1.864	
2011	229	8.804	2.234	
2012	120	4.968	2.983	4L3J/203 Hs

<i>Budget allocations, by level</i>				
<i>Year</i>	<i>L3F</i>	<i>Z51 (Third cycle)</i>	<i>Z51 (Secondary)</i>	<i>Literacy education for young people and adults</i>
2013	130	6.021	2.279	
2014	53	5.296	1.804	

Educational institutions opened, by level (2009–2014):

- Preschools and primary schools: 161;
- Regular secondary schools: 17;
- Open secondary tutorial centres: 21.

301. Bilingual educational materials (in indigenous languages and Spanish) have been developed in cooperation with indigenous communities in the subject areas of communication, the environment and health for 15 indigenous peoples: Ava Guaraní, Mby'a Guaraní, Aché, Pai Tavytera, Guaraní, Guaraní Ñandéva, Ayoreo, Nivacle, Qom, Sanapaná, Enxet, Enlhet, Ishir, Maká and Angaité. The materials were distributed and introduced in 2014.

Infrastructure

302. The following school infrastructure initiatives will be carried out in indigenous communities:

- As part of a project designed to support the integral development of children aged 3 and 4 years old in Asunción and 10 departments nationwide, preschool classrooms will be built and furnished in a total of 16 schools;
- The National Fund for Public Investment and Development (FONACIDE) will finance the construction of classrooms, lavatories and external works and furnishings for 250 institutions;
- A debt conversion programme between Paraguay and Spain will provide funding for the construction and furnishing of classrooms in 25 schools and the furnishing of 20 Supervisory Offices for Indigenous Education.

Upgrading of indigenous schools – Escuela Viva II Programme

303. Twenty-four schools are set to benefit from transfers for the implementation of projects to improve educational facilities and learning conditions.

304. The Ministry of Education and Culture's Literacy Department is working with the Prodepa Prepa Programme in the Yasy Cañy District of the Department of Canindeyú. There are five literacy circles, each of which has a vocational training component, as follows:

<i>Community</i>	<i>Vocational training (specialization)</i>	<i>Number of female participants</i>	<i>Number of male participants</i>
Yvaviyu	Dressmaking	8	6
Caninde	Crafts	6	3
Camba	Crafts	8	4
Tuna Poty	Cooking	7	4
Vy'a Renda	Crafts	9	3

305. These circles are composed of persons over the age of 15 (mostly women) who are illiterate. The methodology that is used is chiefly based on the ethical and pedagogical approach of the Brazilian educator Paulo Freire, who advocated creating opportunities for dialogue with the participants as a means of fostering the development of a capacity for critical thinking. Thus, through dialogue, participants give their opinions and listen, find reasons why things are as they are, and choose ideas and approaches that seem valid to them in what becomes an exercise in collective reflection.

306. According to reports from facilitators and vocational trainers, one of the positive aspects of this approach is that the participants are actively engaged and show a great interest in learning. All those involved in the process respect the participants' culture and adapt to their way of life and learning pace.

Article 15

Cultural rights

- 26. Please provide information on measures taken to guarantee allocation of the resources necessary for full implementation of cultural policy (paragraph 389 of the report) and, in particular, for implementation of the indigenous cultures programme run by the National Secretariat for Culture (paragraph 427 of the report). In addition, please provide up-to-date information on measures taken to implement the Languages Act and on the results obtained.**

307. As of October 2013, the National Secretariat for Culture had executed 35 per cent of its annual budget. The National Council for Culture had not been operating for more than a year, and the 2014 budget was at serious risk. In view of this state of affairs, the Secretariat developed emergency strategies for addressing its institutional weaknesses in the following areas:

(a) National Council for Culture

308. Sessions of the National Council for Culture resumed with the participation of all the sectors required under Act No. 3051/06; a total of 13 meetings were held between September 2012 and October 2014. Arrangements for prior consultations with indigenous peoples, who are represented by the National Institute of Indigenous Affairs, are being made; the representatives of the indigenous peoples concerned are in the process of being selected in conjunction with the National Institute of Indigenous Affairs.

(b) Institutional strengthening

309. Mention should be made of the following:

- The National Secretariat for Culture has been restructured in accordance with government directives and the institution's needs;
- The Secretariat's staff is as follows: a total of 377, of whom 224 are women and 153 are men. One of the staff members is a member of an indigenous people and three staff members are persons with disabilities;
- Work has begun on the preparation of the necessary regulatory framework for declaring the ancestral territories of indigenous peoples to be part of the nation's cultural heritage.

(c) **Policies**

310. During the reporting period, the National Cultural Plan was drawn up. This plan incorporates the strategic lines of action set out in the National Development Plan (Decree No. 1560/14 of the Office of the President) and integrates them into the cultural initiatives that are to be undertaken. The National Cultural Plan for 2014-2018 was formulated on the basis of consultations with various citizens' groups, meetings of experts, and workshops with representatives of civil society and officials from municipal and departmental government offices. The Plan is outlined below:

National Cultural Plan

<i>Evaluation</i>	<i>Cross-cutting lines of action</i>	<i>Human rights</i>	<i>Sustainable development</i>	<i>Creativity and innovation</i>	<i>Information and communication technology (ICT)</i>
What is the State's role in the cultural sphere? What is the culture of governance? What are the cultural aspects of governance?	Institutional structure of the cultural management of the State	Strategic objective: Affirmative action for equality and equity	Strategic objective: Decentralization and mainstreaming	Strategic objective: Inter-sectoral and inter-institutional coordination in private and public spheres	Strategic objective: Democratization and participation with access to information on the digital culture
Construction of political and social visions from a cultural perspective: An alternative way of achieving mutual understanding and working towards the kind of country we want to have?	Life, diversity and cultural citizenship	Strategic objective: Identities, inclusion and citizen development	Strategic objective: Equal opportunities and capacities for social and cultural development	Strategic objective: Cultural encounters within a framework of diversity	Strategic objective: Technological development and culture
Does culture "add spice" to innovation and development? What is the role of youth in building a creative vision for the country?	Creative processes and spaces	Strategic objective: Identification and support of cultural initiatives	Strategic objective: Building the country's culture and image	Strategic objective: Arts and creative industries (I+d+i)	Strategic objective: Creative digital expertise and information
Heritage as a new cultural and social aspect: A creative and dynamic national drive	Cultural heritage	Strategic objective: Public social goods	Strategic objective: Preservation and conservation of heritage	Strategic objective: Multi-stakeholder projects	Strategic objective: Digital access to cultural goods and services

311. The National Secretariat for Culture has redesigned its activities in order to fulfil its commitments as a guarantor of cultural rights and has brought plans and programmes into line with the National Development Plan – National Cultural Plan.

312. In 2014, technology transfers were initiated under a cooperation project with the Government of Taiwan to 10 departmental governments in order to provide them with basic inputs for the development of cultural activities. Accordingly, in 2014 deliveries of mobile cinema equipment, basic library supplies, office equipment and infrastructure for the organization of mobile fairs were made to the departmental governments of: Central, Paraguairí, Guairá, Itapúa, Alto Paraná, Cordillera, Misiones, Presidente Hayes, Caaguazú and Ñeembucú. The decentralization process will continue as a joint planning exercise in line with the strategic areas set out in the National Cultural Plan. This process will be carried forward in 2015 and extended to include the country's other seven departmental governments.

313. Ninety per cent of the National Secretariat for Culture's offices have been equipped with appropriate technology. Of the five premises it currently occupies, the Secretariat has two offices of its own.

(d) Diversity and citizenship

314. The National Secretariat for Culture has declared the Marches for Diversity held in 2013 and 2014 to be activities of "national cultural interest". In addition, it holds discussion forums with various representatives of the LGBTI community and civil society.

(e) Access to cultural goods and services, active participation in cultural life and contributions to cultural affairs

315. The Independence Museum, the Bernardino Caballero Museum, the premises of the National Library and the National Archives in Asunción have all been renovated. All of these institutions are open to the public and have updated the services they provide. These facilities received a total of 30,000 visitors during the period in question. Seven standing round tables have been established in which approximately 5,000 artists from 35 organizations in the theatre, music, dance, visual arts, book, design and audiovisual sectors participate.

(f) Budget allocations

316. The following budget allocations have been made:

- An investment of 236,804,355 guaraníes has been made in training for the civil service;
- 235 million guaraníes have been allocated for community projects in different regions of the country serving approximately 1,800 people (60 per cent of them women, 50 per cent young people and 20 per cent older adults);
- 121 million guaraníes have been allocated for indigenous community projects having a direct impact on 100 indigenous artisans and 300 indigenous families in five Mbyá communities, mainly in the Department of Caaguazú and peri-urban communities of the Ava Guaraní, Ishir, Nivaché, Ayoreo, Aché and Mbya Guaraní ethnic groups settled in the city of Luque;
- 30 million guaraníes on activities to strengthen reading in Guaraní, with the delivery of books to participating children from vulnerable peri-urban indigenous communities, benefiting 200 children from homes in the outskirts of the city of Asunción.

(g) Cooperation with civil society

317. The following major advances have been made in terms of cooperation with civil society:

- The National Secretariat for Culture has well-established links with a number of civil society organizations, including the following: Paraguay Forum for Dance, Paraguayan Theatre Centre, Movie People, Paraguayan Organization of Audiovisual Professionals (OPRAP), Paraguayan Chamber of Film and Television Production Companies (CAMPRO), Paraguayan Writer's Society, Associated Women Writers of Paraguay, Pen Club of Paraguay, Paraguayan Chamber of Publishers, Booksellers and Associated Professions, Associated Writers of Paraguay, Paraguayan Musicians' Association, the Collective of Independent Musicians, Artists and Performers, and Afro-descendent groups. Civil society representatives have been invited to sit on the National Council for Culture;
- An alliance of public and private institutions has launched (the Master Plan for the Historic Centre of Asunción (the "CHA Plan") in order to revitalize the site where the nation was founded based on an approach to urban development that is in line with national objectives. The alliance is composed of the Municipality of Asunción, the Ministry of Public Works and Communications, the National Secretariat for Culture, the National Administration for Navigation and Ports and the Chamber of Deputies of the Congress are involved in the alliance. These institutions are leading an effort to enhance coordination within the executive branch, between the executive and the legislature, and between the national Government and local government. The National Secretariat for Tourism, the National Secretariat for Housing and Habitat, the National Secretariat for the Environment and the Paraguayan rail company, Ferrocarriles del Paraguay S.A (FEPASA), also participate in the alliance on a pragmatic level.

318. The step taken to implement the Languages Act include the following:

- (a) Planning of actions for the achievement of the objectives of the Language Policy Secretariat (the agency designated to implement the Act);
- (b) Institution-building of the Language Policy Secretariat, which has included the development of an appropriate organizational structure and the recruitment of bilingual staff on the basis of competitive public examinations;
- (c) Inter-agency cooperation among State agencies and private-sector organizations and institutions;
- (d) Arrangements to secure the budget increase required to fulfil the institutional mandate.

319. Some of the achievements in this regard include:

- The National Language Use Plan was developed in a participatory manner and is currently being finalized;
- Planning of measures for the implementation of Languages Act No. 4251/10 in conjunction with municipal and departmental governments in six of the country's departments;
- Promotion of the use of the Guaraní language in supranational organizations of which Paraguay is a member: the Southern Common Market (MERCOSUR) Parliament (adoption of Guaraní as a working language in June 2014); a joint project with the MERCOSUR Permanent Review Tribunal; support provided to the MERCOSUR Social Institute for the use of the Guaraní language at its events; support for the inclusion of Guaraní in the MERCOSUR university academic exchange programme for candidates for degrees in Portuguese and Spanish;
- Joint projects with the Ministry of Education and Culture to strengthen bilingual Guaraní-Spanish education and schooling for indigenous groups;

- Use of the Guaraní language in academic programmes in national and international institutions of higher education;
- Agreement for the establishment of an inter-agency network to mainstream the use of the Guaraní language in public institutions;
- Translation of national laws and regulations, such as Languages Act No. 4251/10, the Electoral Code, Domestic Violence Act No. 1600/2000, National Emergency Secretariat Act No. 2615/05 and the Convention on the Rights of the Child;
- Bilingual signage for public and private institutions and agencies;
- Guaraní language courses for civil servants;
- Provision of government information services in both of the country's official languages;
- Recording and dissemination of indigenous languages that are in danger of extinction (currently working with the Guaná and Manjúi languages);
- Revival of the Guaná language is under way (the language at greatest risk of extinction in Paraguay);
- Initiation of the preparation of language inventories of the two official languages (reference corpus of Paraguayan Spanish and Paraguayan Guaraní);
- Design of linguistic studies: national linguistic census and research on sociolinguistic attitudes;
- Founding of the Guaraní Language Academy as provided for under the Languages Act (its bylaws have been adopted and its legal status is currently being finalized);
- Technical and logistical support for the academies of the two official languages;
- Promotion and dissemination of information on plurilingualism and pluriculturalism through awareness-raising campaigns in the media and special events, such as Rohayhu che ñe'e. Guaraní Language Week, the Languages of Paraguay Fair, and talks and lectures on indigenous languages;
- Coordination of action to promote the use of Guaraní in the fields of religion, business and advertising;
- Establishment and installation of the Directorate for Judicial Language Policies in 2013 by the Supreme Court under the terms of Agreement No. 838/13, which deals with the implementation of the Languages Act in the judiciary;
- Incorporation of the Guaraní language into the field of technology and the Internet by means of such measures as the following: translation into Guaraní of Facebook and Mozilla screens (in process), creation of an online multilingual dictionary (in cooperation with the National Secretariat for Information and Communication Technologies), development of an institutional web page, and the translation and validation of content posted on official websites;
- Provision of materials published in Guaraní to Paraguayan citizens living abroad.

27. Please provide further information on measures adopted to guarantee the widest possible access to the Internet.

320. The National Telecommunications Commission (CONATEL) provides grants from the Universal Service Fund for the expansion of telephone infrastructure, fibre optic networks and the provision of free Internet service in public places to telecommunications

services licence-holders in areas where efficient telecommunication services are unavailable or where it is in the public or society's interest to do so.

321. Sixteen contracts have been awarded to expand the telephony infrastructure and fibre optic networks and to provide free Internet service in public places. A summary table showing the locations that have free Internet access is provided below:

<i>Item</i>	<i>Description</i>	<i>Total</i>
1	Number of public educational, health and safety institutions (with access to broadband Internet free of charge (various municipalities)	697
2	Free Internet access in public squares or sites – Asunción and elsewhere in the country	50
3	Kilometres of fibre optic cables laid	2 603
4	Municipalities with fibre optic connections	240
5	Towns with access to basic and mobile telephone service	300

322. The bids received from Public Call for Tenders No. 1/2014 are currently being evaluated. This was the second call for bids (which include subsidies from the Universal Service Fund) for the expansion of fibre optic transmission infrastructure and other telecommunications equipment in 15 municipalities in the eastern region and five municipalities in the western region. In addition, a call for tenders for the extension of telephone and broadband Internet services to the most remote areas in the north and northeast of the Chaco is being finalized.

323. Finally, all the contracts awarded by CONATEL are focused on bridging the digital divide in order to achieve a greater degree of economic and social inclusiveness and enhance the human development of all sectors of society. This is why the expansion of telecommunications infrastructure, especially in rural and low-income areas, is a strategic priority.