



Consultorio
Jurídico
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RED DE MUJERES PERIODISTAS
Y COMUNICADORAS DEL PARAGUAY



iniciativas para los
derechos humanos

Human Rights Situation in Paraguay

Alternative Report submitted to the Human Rights Council for the fourth cycle of the Universal Periodic Review (UPR) - 52nd Session (May 4-15, 2026)

Introduction

1. This report addresses some aspects related to women's rights, the situation of journalists, human rights defenders, and gender equality, noting progress and pending debts of the Paraguayan State to guarantee the human rights of all people, without discrimination. To this end, recommendations made to the Paraguayan State in the first three cycles of the Universal Periodic Review - UPR (2011, 2016 and 2021, respectively) and recommendations from various treaty bodies of the Universal System will be taken as a basis.
2. Paraguay has ratified numerous international human rights protection instruments, by which it is obligated to adopt measures to guarantee gender equality and the rights of journalists and human rights defenders. Some progress has been detected in the formulation of laws and protocols. However, numerous challenges remain pending, which will be addressed in this report.
3. This document has been prepared by a coalition formed by the following organizations: Consultorio Jurídico Feminista, Red de Mujeres Periodistas y Comunicadoras del Paraguay and Synergía - Initiatives for Human Rights.

State anti-gender mobilization

4. In 2023, a good part of the Legislative Branch was renewed, both in the Chamber of Deputies and the Senate. With this renewal came several people who entered based on a disinformation campaign about gender issues. Thus, anti-gender proposals constituted a good part of the campaign discourse and subsequent actions of these people, most linked to the governing party, which has its own majority in both Chambers of Congress.
5. These "campaign promises" resulted in the presentation of at least two relevant bills. The first one¹, submitted in 2022 and widely debated during the electoral and post-electoral period, is the bill that repeals a cooperation Agreement between Paraguay and the European Union to finance the program to support the transformation of the educational system in Paraguay. This project was submitted in the context of the discussion about the educational transformation process promoted by the Ministry of Education and Sciences (MEC), where anti-gender groups launched a disinformation campaign questioning that the initial educational transformation document had a gender approach (which was not actually included). They argued that this project sought to "homosexualize" children with European Union funding. In reality, the cooperation Agreement is not linked to this process, but to the financing of school kits and school meals. Anti-gender groups managed to generate confusion and link cooperation with the process promoted by the MEC. Several senators had promised in their electoral campaigns that they would promote that project to repeal the cooperation agreement, which implied the return of several million euros that were already committed. The new parliament began its period in July 2023 and on several occasions brought the issue to public debate. In parallel, the Ministry of Foreign Affairs held several meetings with the European Union

¹ Processing file available online: <https://silpy.congreso.gov.py/web/expediente/1270>

representation, since the repeal had important legal implications² and for bilateral relations. Finally the project was archived, but the group of legislators who promoted the proposal tried to justify their change of position since with this they broke their campaign promises.

6. The second bill "by which the promotion, encouragement or teaching of gender ideology in the country's educational institutions is prohibited,"³ was presented by the same group of legislators at the beginning of the legislative period (July 2023)⁴. The project does not define what it understands by "gender ideology" nor does it establish the implications of this prohibition. This text was publicly criticized, because beyond the existence or not of gender ideology, the National Constitution prohibits censorship of any ideology, so the project became unconstitutional. Faced with this, in the Senate's Childhood Commission, important modifications were made to the text to directly prohibit the gender "perspective" in the field of education and childhood policies⁵. The project is still pending treatment. These projects go against the various recommendations that Paraguay received in previous cycles regarding gender equality⁶.
7. Contrary to what was stated by the Committee for the Elimination of Discrimination against Women (CEDAW Committee), which in 2017 expressed its concern about the anti-gender movement and recommended the repeal of resolution 29,664 of the Ministry of Education and Sciences (MEC)⁷, this resolution remains in force. Likewise, both this resolution and its subsequent application⁸ have aggravated the situation of paralysis regarding gender issues in the educational field.
8. The Paraguayan State has received recommendations on the importance of strengthening the Ministry of Women as the mechanism responsible for the advancement of women and the governing body of gender policies⁹. Far from complying with these recommendations and within the framework of anti-gender mobilizations, the bill to create the Ministry of Family¹⁰ was presented, which

² Some of those arguments are available here: <https://www.cjfeminista.org/derogacion-convenioue/>

³ Processing file available online: <https://silpy.congreso.gov.py/web/expediente/128370>

⁴ Processing file available online: <https://silpy.congreso.gov.py/web/expediente/128370>

⁵ A legal analysis of this project is available here: <https://www.cjfeminista.org/consideraciones-sobre-el-proyecto-de-ley-genero/>

⁶ UPR, second cycle: Spain, para. 102.51; Chile, para. 102.31; Singapore, para. 102.50; Laos, para. 102.137; Honduras, para. 102.43; Bolivia, para. 102.69; Israel, para. 102.75; Cuba, para. 102.72; Belgium, para. 102.68; Morocco, para. 102.79; Canada, para. 102.70; Pakistan, para. 102.48; Macedonia, para. 102.86; Egypt, para. 102.49; Djibouti, para. 102.73; Turkey, para. 102.87; Costa Rica, para. 102.71, Korea, para. 102.83.

⁷ Committee on the Elimination of Discrimination against Women (CEDAW Committee). Concluding observations on the seventh periodic report of Paraguay. November 22, 2017. Document CEDAW/C/PRY/CO/7, paragraphs 8 and 9.

⁸ Among other things, the MEC has applied this resolution to open administrative proceedings against teachers for using materials that contain gender topics. In this regard, see: <https://delparaguay.com.py/nota/sumariaron-a-dos-profesores-por-ensenar-ideologia-de-genero> ; <https://www.abc.com.py/nacionales/2022/11/14/docentes-que-utilizaron-materiales-sobre-ideologia-de-genero-seran-sumariados-dicen-desde-el-mec/>

⁹ CEDAW Committee. Concluding observations on the seventh periodic report of Paraguay. November 22, 2017. Document CEDAW/C/PRY/CO/7, paragraphs 14 and 15

¹⁰ Processing file available online: <https://silpy.congreso.gov.py/web/expediente/141311>

would absorb attributions of the Ministry of Women, Ministry of Childhood and Adolescence and Ministry of Youth.

Recommendations

9. Repeal Resolution 29,664 of the Ministry of Education and Sciences.
10. Expand capacity in terms of gender equality for public officials.
11. Archive bill proposals that undermine gender equality.
12. Strengthen the capacities of the Ministry of Women as the governing body of gender policies.

Violence against women and gender-based violence

13. Gender-based violence is a widespread phenomenon in Paraguay. The National Survey on the Situation of Women in Paraguay (ENSIMUP) conducted in 2021 by the National Institute of Statistics (INE) indicates that 78.5% of women aged 18 and over have suffered some type of violence at least once in their lives. This is equivalent to approximately 8 out of every 10 women. Of these, 60.9% stated that they had suffered sexual violence at some point in their lives and 25.1% stated that they had suffered sexual violence in the last 12 months. The contrast between the data from this survey and the data on complaints and prosecution of cases shows an enormous gap between the occurrence of the act and the persecution, punishment and protection of victims and survivors.
14. Contrary to what was recommended in the second cycle about the importance of raising budgets to eradicate gender violence¹¹, the Ministry of Women faced budget cuts in 2022 and 2023, and only marginal increases in 2024 and 2025; even so, the annual average of the five-year period 2021-2025 is about 750,000 USD¹² below the 2016-2020 period. Additionally, the state through the governing body of gender policies has not advanced significantly in policies to prevent violence against women, as recommended in previous cycles¹³.

Recommendations

15. Allocate sufficient budget for the work of the Ministry of Women and for the prevention, punishment and eradication of violence against women.

Data and difficulty in having a Single Violence Registry

¹¹ UPR, Second cycle, Recommendation formulated by Australia, para. 102.66

¹² Source: prepared by the authors based on data from the Ministry of Economy and Finance, available on its website: www.mef.gov.py

¹³ UPR, third cycle: Switzerland, para. 118.168; China, para. 118.170; Cuba, para. 118.171; Italy, para. 118.174; Kyrgyzstan, para. 118.175; Lebanon, para. 118.176; Marshall Islands, para. 118.177; Korea, para. 118.179; Russia, para. 118.182; Thailand, para. 118.182; Timor-Leste, para. 118.183; Canada, para. 118.186 - UPR, second cycle: Kazakhstan, para. 102.78; Namibia, para. 102.80, Italy, para. 102.76; Uruguay, para. 102.88

16. In 2024, the National Police recorded 6,070 complaints of domestic violence. Of these, 29.4% of victims were in the 18-29 age range and 21.5% in the 30-39 age range. The relationship of the victim to the perpetrator is mostly partner or ex-partner, in 57.7% of cases, followed by children, in 11.8% of cases¹⁴. According to data released by the Public Prosecutor's Office, the most reported punishable act in 2024 was family violence, with 37,926 complaints, which is equivalent to 14% of the total reported punishable acts and about 103 complaints per day. Peace Courts, which grant protection measures, registered a total of 33,064 complaints in 2024, which is equivalent to about 90 complaints per day. If we break down this data by department, the Central department received the highest number of complaints, 12,734, followed by Alto Paraná, 4,249, Cordillera, 2,839; Itapúa, 2,552 and Asunción, 1,569 complaints.
17. Despite the fact that article 29 of law 5777/16 "on comprehensive protection of women against all forms of violence" establishes that a unified and standardized system for recording violence against women must be created, this system does not yet have effective functioning. Thus, each institution that can receive a complaint has statistics on the number of cases filed, but lacking a unified registry, it is not known how many women have reported violence. This is because a woman could have gone to the police, prosecutor's office, health centers and peace court and each of these institutions keeps a record, but whose data are not cross-referenced to obtain accurate information about how many women have reported violence in Paraguay.
18. Additionally, there is the complexity that the criminal offense of family violence (art. 229 of the Criminal Code) includes violence against other people in the family sphere and the Public Prosecutor's Office does not keep a breakdown that allows understanding how many cases are of violence against women or gender-based violence. Similarly, the procedure for granting protection measures established by law 1600/00 "against domestic violence" is not limited only to violence against women. Like the Public Prosecutor's Office, peace courts do not disaggregate data. It is essential to have accurate data that can account for the magnitude of women who turn to the protection system in order to take appropriate measures for the reality. On data collection, Paraguay has received recommendations in the third cycle¹⁵.

Recommendations

19. Effectively implement the Unified and Standardized System for Recording Violence against Women, in accordance with what is established in article 29 of law 5777/16.

Barriers to access to justice for victims and survivors of violence¹⁶

¹⁴ Data provided by the National Police via public information access. Available online:

<https://informacionpublica.paraguay.gov.py/#!/ciudadano/solicitud/92810>

¹⁵ UPR, third cycle. Recommendation by the Philippines, para. 118.178

¹⁶ Section based on the report: "Barriers and critical issues in the processing of women's complaints about gender-based violence", available online: <https://www.cjfeminista.org/barreras-y-nudos>

20. The main problem identified is the attitude of those who operate in the system. Apart from structural and budgetary barriers, what women most refer to is that the attitude of system operators and operators functions as a demotivator or in some cases, as a real barrier to reporting or following up on the process. Regarding the *police*, women refer to mistreatment, disbelief, complaints are not registered, they require them to carry an identity card, they do not communicate ex officio to either the peace court or the Public Prosecutor's Office. Regarding *peace courts (juzgados de paz)*, women refer that they request the police complaint as a prior requirement (which is illegal), they fail to comply with procedural deadlines, they grant "standardized" measures that do not adjust to the needs of women, office hours are limited and there are few permanent service offices. They also refer that despite being a free procedure that does not require legal representation, women are not guided to understand the process or are directly asked to be accompanied by a lawyer to inform them about their file. The place that women go to most, perhaps because it is the institution best known by the public, is the **Public Prosecutor's Office**, and the number of complaints received by that institution corroborates this. Women refer that in the Public Prosecutor's Office the attitude is hostile and they are not guided about the possibility of going to the peace court or about the limits and possibilities of action of that institution. For example, many women believe that the Public Prosecutor's Office could grant them protection measures and there is no guidance on the process or on deadlines. The issue of access to justice for women has been the subject of recommendation to the Paraguayan State in previous cycles¹⁷ and it is considered that progress has been very limited.

Recommendations

21. Take measures to disseminate information on legal and institutional resources available to victims and survivors of violence. This information must be linguistically accessible (in Spanish and at least in Guaraní) and must be available throughout the country.
22. Take measures to modify gender stereotypes of those who operate in the justice system.
23. Take disciplinary measures against justice operators who fail to comply with their legal obligations.
24. Grant sufficient resources for the protection system against violence against women.

Modifications to the legal framework and adoption of protocols

25. In June 2022, law 6934 "Which modifies article 229 of law no. 1160/1998 'Criminal Code', modified by laws no. 3440/2008, 4628/2012 and 5378/2014" was enacted. This law modifies the criminal offense of family violence and expressly establishes that acts of violence that may be physical or psychological may occur in the context of a couple or due to refusal to reestablish a couple, even if there is no cohabitation and against relatives. The penalty in these cases is up to 6 years, which makes it a

¹⁷ UPR, third cycle: Germany, para. 118.73; Japan, para. 118.74; Singapore, para. 118.75; Korea, para. 118.77; Czech Republic, para. 118.72.

crime. The article establishes that the penalty can be increased up to eight years when there is a history of recidivism or prior alternative exit for the same punishable act; when carried out against children and adolescents or in their presence; when a weapon was used to exercise violence and when acts of violence occur in the common domicile or in the victim's domicile.

26. Additionally, protocols were approved. Among them, the following stand out: the "Protocol for the Investigation of violence against women in the family sphere, from a gender perspective; of the Public Prosecutor's Office in coordination with the Ministry of Interior, the National Police and the Ministry of Women", put into force by the Public Prosecutor's Office (2015); the "Manual for Comprehensive Care of Victims of Intrafamily, Sexual and Gender Violence in the Health System", of the Ministry of Public Health and Social Welfare (2021); the "Protocol for attention to cases of violence against women in the domestic and intrafamily sphere. Directed to the magistracy and staff of peace courts and first instance in civil and commercial matters", of the Supreme Court of Justice (2021); and the "Protocol of action of the specialized public defense in Law No. 5777/2016", of the Ministry of Public Defense (2021). There is no information on evaluations of the level of application of the aforementioned protocols. However, barriers persist for women's access to justice. These barriers are based above all on the attitude of those who operate in the justice system.

Recommendations

27. Effective application of current regulations and approved protocols. It is recommended to organize a series of training sessions on the content and correct application of laws and protocols, aimed especially at the officials in charge of their application.
28. Evaluation of the functioning of public policies for the prevention and attention of cases of gender-based violence and subsequent identification of corrective measures.
29. Creation of public policies in favor of victims of gender violence. It is recommended, since at the moment it does not exist, the creation of public policies to accompany victims of gender violence. For example, there are experiences in other countries where tax exemptions are made to companies that hire women victims of violence.

Protection of journalists and violence against women journalists and communicators

30. The situation of unpunished violence against communicators and journalists is worrying. In 2024, 33 cases of violence against press workers were recorded, according to the annual report of the Roundtable for the Safety of Journalists¹⁸. The Observatory on Violence against Journalists in Paraguay has recorded more than

¹⁸ Observatory recorded 33 cases of violence against journalists in 2024. Available online: <https://seguridadperiodistas.org.py/observatorio-registro-33-casos-de-violencia-contra-periodistas-en-2024/>

600 cases of attacks in recent years¹⁹. In three decades of democracy, 21 murdered journalists and more than 700 cases of violence have been registered²⁰. The last three murders of journalists in Paraguay were Leo Veras (2020), Humberto Coronel (2022) and Alexander Alvarez (2023), and impunity in these cases is around 90%²¹. Despite the fact that the situation has been the subject of repeated recommendations in previous UPR cycles²², the Paraguayan State has not taken substantial measures to modify this risky situation.

31. Violence against women journalists in Paraguay reflects a structural phenomenon in which gender discrimination is combined with harassment practices aimed at silencing critical voices. Despite the repeated recommendations of the third UPR²³ cycle, the State has not advanced in the adoption of a protection law for journalists²⁴ nor in the implementation of effective investigation and punishment mechanisms, which include the gender perspective. This omission perpetuates impunity and maintains risky conditions for those who practice journalism.
32. The differentiated impact on women is particularly serious: eight out of ten have suffered sexual harassment in their professional career and more than half of the cases of workplace violence fall on them. Likewise, 88% of cases were not reported²⁵. It should be noted that according to Resolution no. 388/2019 of the Ministry of Labor, Employment and Social Security (MTESS), all employers with more than ten workers must have an approved internal work regulation that establishes an internal procedure for complaints of mobbing, sexual and workplace harassment.
33. Violence against women journalists is expressed, among other forms, in sexual harassment in the workplace and in digital violence. A paradigmatic case of sexual harassment and barriers to reporting is the case of communicator and manager Carlos Granada, reported by a group of workers from a television channel that is part of a multinational. The complaint included harassment and sexual coercion.

¹⁹ Journalists in Paraguay face threats and pending laws, April 27, 2025. Available online: <https://www.rdn.com.py/2025/04/27/periodistas-en-paraguay-enfrentan-amenazas-y-leyes-pendientes/>

²⁰ Conference on the safety and freedom of expression of journalists, February 18, 2025. Available online: <https://www.rdn.com.py/2025/02/18/encuentro-por-la-seguridad-y-libertad-de-expresion-de-periodistas>

²¹ Observatory recorded 33 cases of violence against journalists in 2024. Available online: <https://seguridadperiodistas.org.py/observatorio-registro-33-casos-de-violencia-contra-periodistas-en-2024/>

²² UPR, Third cycle: Fiji, para. 118.88 and 118.89; Ireland, para. 118.82; Italy, para. 118.83; Netherlands, para. 118.93; Germany, para. 118.91; Belgium, para. 118.92; Spain, para. 118.94; Costa Rica, para. 118.80; France, para. 118.81; United States, para. 118.84; Brazil, para. 118.96; Uruguay, para. 118.97 and Venezuela, para. 118.98 - Second cycle: Greece, para. 102.125; Norway, para. 102.129 and 102.133; United States, para. 102.135; Italy, para. 102.119; Costa Rica, para. 102.131

²³ *Idem*

²⁴ The bill of law on the protection of journalists and human rights defenders is available online: <https://silpy.congreso.gov.py/web/expediente/128109>

²⁵ This data is the result of a survey conducted among journalists and female communicators. In this regard, see: <https://www.ultimohora.com/6-cada-10-comunicadoras-fueron-victimas-acoso-sexual-laboral-n3035342> ; https://www.instagram.com/p/CIUeZ3sufK6/?igsh=Zzg0MDlmcndiZnA%3D&img_index=2

Public demonstrations and social mobilization were necessary for the media to expedite the complaint and take measures. Currently, the case is in the oral and public trial stage, despite repeated delays by the defense. Several of the journalists who accompanied the case were forced to resign and have not continued their professional careers, a fact that sends a negative message to women and functions as a mechanism to discourage complaints.

34. Another paradigmatic case of digital violence is the case of the digital violence campaign undertaken against journalist Mercedes (Menchi) Barriocanal. The case originated when Juan Vera, a well-known representative of self-styled pro-life and pro-family groups, disseminated the journalist's telephone number in response to her criticism of the Chamber of Deputies' decision to approve the repeal of the Law that allowed the European Union to finance resources for the educational system. Vera disclosed Barriocanal's cell phone number on Facebook and WhatsApp groups, with the purpose of inciting harassment²⁶. Faced with this, the journalist obtained protection measures²⁷ but it was necessary for her to file a private complaint in order for the aggressor to be criminally sanctioned²⁸.

Recommendations

35. Approve the bill to protect journalists and human rights defenders and establish measures for its effective implementation.
36. Incorporate the gender perspective in addressing the rights of journalists and communicators.
37. Take measures to eradicate impunity in cases of violence and murders of journalists and communicators.

Approval of law that seeks to prevent civil society organization

38. In 2024, Paraguay joined an international trend²⁹, with the approval of a law that seeks to hinder the work of civil society and that threatens the freedom of citizen participation in public affairs. Law 7363/24 "Which establishes the control, transparency and accountability of non-profit organizations" was approved without a public consultation process and despite the fact that the possible effects on the right to freedom of association and expression were pointed out. It is particularly relevant that the promotion of this project was accompanied by strong anti-gender and anti-trans discourse³⁰, arguing among other things, that non-profit organizations

²⁶ Court upholds conviction of Juan Vera for violating Menchi Barriocanal's privacy, August 16, 2024. Available online: <https://www.rdn.com.py/2024/08/16/corte-ratifica-condena-a-juan-vera-por-violar-intimidad-de-menchi-barriocanal/>

²⁷ Court orders protection measures for Menchi Barriocanal. Available online: <https://www.judiciales.net/justicia-dispone-medidas-de-proteccion-para-menchi-barriocanal/>

²⁸ Court upholds conviction of Juan Vera for violating Menchi Barriocanal's privacy, August 16, 2024. Available online: <https://www.rdn.com.py/2024/08/16/corte-ratifica-condena-a-juan-vera-por-violar-intimidad-de-menchi-barriocanal/>

²⁹ Among others, Venezuela, Nicaragua, Peru, El Salvador and Guatemala have similar laws.

³⁰ See statements by one of its promoters, Senator Lizarella Valiente: <https://www.facebook.com/watch/?v=439218882275525>

(NGOs) were responsible for "promoting homosexuality in the educational system"³¹.

39. Under the excuse of transparency and accountability, among other things, the law violates fundamental rights protected by various instruments ratified by the Paraguayan State. The enacted text establishes: a) That non-profit organizations (NPOs) are all those whose purpose is to "contribute, influence, impact or in any way, act on policies, public plans and programs or the activity of the branches of the State". That is, any citizen group that wants to influence public policies, whether or not they have legal status. b) The law establishes that NPOs must compulsorily have legal status. That is, if a citizen group organizes to protest some state action, the State will consider it an NPO and will oblige them to register, whether they want to or not or whether that is their objective. The law does not establish who will be responsible for registration costs, which currently cost at least 500 dollars, which is approximately equivalent to a minimum wage. They are going to force a citizen group that organizes because there are no medicines in the hospital or decent public transport to incur expenses for something that is far from their will. *The desired effect is for people to stop organizing and protesting*; c) They require the registration of national and foreign NPOs that support national organizations, that is, generating obligations for organizations that are not established in the country. The penalty for this non-compliance will be for the national organizations that receive support. That is, *they seek to prevent organizations from receiving support from foreign funds*; d) Organizations have to report not only their financial movements but all their activities, generating a disproportionate burden for small organizations without much administrative structure. Additionally, *organizations that receive and process complaints of human rights violations would be obliged to share sensitive and confidential information*; e) Organizations that intend to carry out activities with the State must transfer their budget to the public budget, stripping organizations of their own resources; f) The sanctioning regime is unclear and does not distinguish in which cases legal entities are sanctioned and in which cases natural persons who are part of those organizations, and; g) The project promoters themselves recognized that their project is unconstitutional and that their objective is to suffocate organizations, and "ventilate" the information that is provided by organizations³².

Recommendations

40. Repeal law 7363/24 "Which establishes the control, transparency and accountability of non-profit organizations".

³¹ What is the Paraguayan government seeking with its anti-NGO law. July 12, 2024. Available online: <https://agenciapresentes.org/2024/07/12/que-busca-el-gobierno-paraguayo-con-su-ley-anti-ong/>

³² Audio of Gustavo Leite, current ambassador of Paraguay to the US, leaked regarding the anti-NGO law: "We're going to air everything out", October 1, 2024. Available online: <https://www.lapoliticaonline.com/paraguay/politica-py/se-filtra-un-audio-de-leite-sobre-la-ley-contra-las-ong-vamos-a-ventilar-todo/>

41. Arbitrate mechanisms that facilitate civil society participation in public affairs, without censorship or reprisals.

Legal gaps to combat discrimination

42. Paraguay continues without comprehensive legislation that protects its inhabitants against all forms of discrimination, despite having various recommendations specifically directed in this regard in previous cycles³³ and being one of the few countries in the region without a general law against discrimination. This is a real obstacle to the application of the general prohibition of discrimination established in article 46 of the National Constitution (NC). The absence of a regulatory law has as a consequence the inexistence of an effective mechanism for reporting, punishment and reparation for cases of discrimination, as well as a framework of public policies for prevention and eradication of the cultural bases that sustain discrimination. In 2007 a bill was presented that was debated and rejected by the Senate in November 2014³⁴. This bill was presented again in 2015 and to date has not been processed³⁵.

Recommendations

43. Enact and implement legislation against all forms of discrimination, accompanied by corresponding public policies that guarantee its effective application.

Discrimination against lesbian, gay, bisexual and trans (LGBT) people

44. Despite the various recommendations received from different treaty bodies³⁶ and the Human Rights Council (HRC) in the framework of the UPR³⁷, the State has not taken measures to eradicate discrimination based on Sexual Orientation, Gender Expression and Identity (SOGIE). The HRC recommendations have been accepted by the State, but not complied with so far. As noted above, in Paraguay there are no mechanisms for complaints about discrimination, including discrimination based on

³³ UPR, Third cycle: Iceland, para. 118.30; Nicaragua, para. 118.32; Pakistan, para. 118.33; Peru 118.34; Poland, para. 118.35; Palestine, para. 118.37; Ecuador, para. 118.38; Germany, para. 118.40; Belgium, para. 118.41; Mexico, para. 118.42; Netherlands, para. 118.43; United Kingdom, para. 118.44; Uruguay, para. 118.45; Argentina, para. 118.46; Canada, para. 118.47; Russia, para. 118.166) - Second cycle: Guatemala, para. 102.41; Australia, para. 102.36; Colombia, para. 102.57; Greece, para. 102.37; Cuba, para. 102.39; Slovenia, para. 102.40; Brazil, para. 102.42; Uruguay, para. 102.45; Chile, para. 102.38; South Africa, para. 102.52; Sweden, para. 102.53; Canada, para. 102.54; Argentina, para. 102.55; United Kingdom, para. 102.56; Panama, para. 102.82

³⁴ Processing file S-74805, available at: <http://silpy.congreso.gov.py/expediente/1163>

³⁵ Processing file S-157013, disponible en <http://silpy.congreso.gov.py/expediente/106146>

³⁶ Committee on the Rights of the Child. Concluding observations on Paraguay. Document CRC/C/PRY/CO/3, paragraph 53 and CEDAW Committee. Concluding observations on Paraguay. CEDAW/C/PRY/CO/6, paragraph 27

³⁷ UPR, third cycle: Iceland, para. 118.30; Israel, para. 118.31; Portugal, para. 118.36; Ecuador, para. 118.38; France, para. 118.39; Germany, para. 118.40; Belgium, para. 118.41; Mexico; para. 118.42; Netherlands, para. 118.43; United Kingdom, para. 118.44; Uruguay, para. 118.45; Argentina, para. 118.46; Canada, para. 118.47; Chile, para. 118.155; Australia, para. 118.185) - (second cycle: Colombia, para. 102.57; Israel, para. 102.33 and France, para. 102.58

SOGIE, which also implies the non-existence of official data on cases of discrimination.

45. Paraguay continues without a law that recognizes the gender identity of trans people. This has a disproportionate impact in all areas of their lives. For example, in the field of health, trans people continue to suffer discrimination based on their gender identity and/or expression. Health personnel and administrative staff of health establishments discriminate against trans people in situations ranging from disqualifying looks, stigmatizing comments, murmurs and all kinds of mistreatment³⁸. Additionally, whenever a trans person goes to a health service, it is assumed that they will be treated for sexual health or HIV/AIDS issues. Another very persistent form of mistreatment is not respecting the social name chosen by the person and insisting on calling them by their legal name. Faced with this, many trans people decide not to go to health services, which places them in a situation of special vulnerability.
46. The only progress recorded in the period is the enactment of law 7018/2022 "on mental health" which in article 3 on definitions establishes that "in no case can diagnoses be made in the field of mental health based exclusively on: ...c) Sexual choice or identity". This article prohibits so-called conversion therapies, which are therapies aimed at "modifying" the sexual orientation or gender identity of people. These therapies are considered a form of torture³⁹. Despite the regulatory progress, there is no information on the steps that the Paraguayan State has taken for the effective application of this provision.

Recommendations

47. Effectively apply the prohibition of conversion therapies, established by the mental health law.
48. Enact a law that recognizes the gender identity of trans people.
49. Take legislative and public policy measures to eradicate discrimination based on SOGIE.

Annexes:

Annex 1. Organizations responsible for this report

Annex 2. Statistical data on gender-based violence

³⁸ Mendieta, Maximiliano (2018). 2017 Report on Violence Situation towards the Trans Collective. Asunción: Panambi

³⁹ Conversion therapies' can constitute forms of torture and should be prohibited, states UN expert, July 13, 2020. Available online: <https://www.ohchr.org/es/stories/2020/07/conversion-therapy-can-amount-torture-and-should-be-banned-says-un-expert>