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SUBJECT: 1985 HUMAN RIGHTS REPORT FOR PARAGUAY
1. CONFIDENTIAL - ENTIRE TEXT.
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2. INTRODUCTION.
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PARAGUAY HAS HAD AUTHORITARIAN REGIMES THROUGHOUT A HISTORY MARKED BY WARS, INSURRECTIONS AND COUPS. SINCE 1954, PRESIDENT ALFREDO STROESSNER HAS GOVERNED PARAGUAY RULING THROUGH THE COLORADO PARTY, THE MILITARY AND POLICE FORCES, AND THE GOVERNMENT BUREAUCRACY, ALL OF WHICH HE DOMINATES. HE WAS ELECTED IN 1983 TO A SEVENTH TERM IN A CONTROLLED ELECTION PROCESS IN WHICH GOVERNMENT FIGURES SHOW HE RECEIVED OVER 90 PERCENT OF THE POPULAR VOTE. ELECTIONS ARE HELD EVERY FIVE YEARS FOR THE PRESIDENCY AND THE NATIONAL LEGISLATURE, AS WELL AS FOR MUNICIPAL COUNCILS. HOWEVER, THE OPPOSITION'S ABILITY TO CONDUCT AN EFFECTIVE CAMPAIGN IS SEVERELY RESTRICTED BY THE GOVERNMENT, AND IN PRACTICE THERE IS NO EFFECTIVE CHALLENGE TO PRESIDENT STROESSNER'S AUTHORITY. SOME OPPOSITION PARTIES ARE NOT LEGALLY RECOGNIZED AND THEIR POLITICAL ACTIVITIES ARE SUBJECT TO VARYING DEGREES OF HARASSMENT BY GOVERNMENT AUTHORITIES. THE GOVERNMENT CONTROLS THE ELECTORAL APPARATUS AND LIMITS ACCESS OF THE UNRECOGNIZED

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OPPOSITION TO THE MEDIA. THERE HAVE BEEN ALLEGATIONS OF VOTE COUNT IRREGULARITIES AND THE RULING COLORADO PARTY HAS IN SOME INSTANCES RECEIVED MORE VOTES THAN THE PUBLISHED NUMBER OF REGISTERED VOTERS IN THAT JURISDICTION. IN THE 1985 MUNICIPAL ELECTIONS, THE OPPOSITION DID NOT WIN A MAJORITY OR PLURALITY IN ANY OF THE COUNTRY'S 190 MUNICIPALITIES.

THE SITUATION IN PARAGUAY CONTINUES TO BE CHARACTERIZED BY THE SUBORDINATION OF THE LEGISLATIVE AND JUDICIAL BRANCHES OF GOVERNMENT TO THE EXECUTIVE AND BY THE DOMINATION OF THE NATION'S POLITICAL LIFE BY THE RULING COLORADO PARTY. THE LEGISLATIVE BRANCH, IN WHICH THE TOKEN PARTICIPATING OPPOSITION PARTIES HAVE A DISPROPORTIONATE ONE-THIRD MINORITY, IS RESPONSIVE TO PRESIDENT STROESSNER'S COLORADO PARTY ON ALL IMPORTANT MATTERS. THE JUDICIARY, WHILE INDEPENDENT IN THEORY, HAS NOT SERVED IN PRACTICE AS AN EFFECTIVE CHECK ON THE POWER OF THE EXECUTIVE. THERE CONTINUE TO BE VIOLATIONS OF CIVIL AND POLITICAL LIBERTIES, THOUGH THE NUMBER OF SERIOUS INCIDENTS HAS DECLINED SIGNIFICANTLY SINCE THE MID-1970S. AS HAS BEEN THE CASE ALMOST WITHOUT INTERRUPTION SINCE 1929, THE STATE OF SIEGE PROVISION OF THE CONSTITUTION REMAINS IN FORCE IN THE AREA OF THE CAPITAL. UNDER IT, THE PRESIDENT MAY ORDER THE DETENTION OF ANY INDIVIDUAL WITHOUT TRIAL FOR AN INDEFINITE PERIOD. THE POLICE FORCES REGULARLY ARREST AND HOLD PERSONS ARBITRARILY WITHOUT DUE PROCESS OF LAW. SOMETIMES THEY CITE THE STATE OF SIEGE POWER OR PARAGUAY'S "ANTI-SUBVERSIVE" STATUTE, LAW 209, OR AS WAS THE CASE IN MOST OF THE DETENTIONS WHICH OCCURRED IN 1985, THEY SIMPLY GAVE NO RATIONALE. CONSTITUTIONAL GUARANTEES, SUCH AS PROTECTION OF THE INTEGRITY OF THE INDIVIDUAL, THE REQUIREMENT FOR JUDICIAL WARRANTS, FREEDOM OF ASSEMBLY AND ASSOCIATION, THE RIGHT OF HABEAS CORPUS, AND THE PROVISION FOR A PROMPT AND IMPARTIAL TRIAL, CAN BE IGNORED BY THE GOVERNMENT OFFICIALS. ALTHOUGH THERE IS NO PRIOR CENSORSHIP, THERE ARE SERIOUS LIMITATIONS ON WHAT THE MEDIA IS FREE TO REPORT AND COMMENT UPON. TRADE UNION ACTIVITIES ARE ALSO RESTRICTED AND, IN PRACTICE, STRIKES ARE NOT PERMITTED UNDER THE STATE OF SIEGE. IN A POSITIVE DEVELOPMENT, THE PARAGUAYAN GOVERNMENT TOOK THE INITIATIVE IN 1985 TO REQUEST A DIRECT CONTACT MISSION FROM THE INTERNATIONAL LABOR OFFICE WITH A VIEW TO IMPROVING COMPLIANCE WITH INTERNATIONAL STANDARDS.

PARAGUAY'S TURBULENT POLITICAL HISTORY, COMBINED WITH ITS GEOGRAPHIC ISOLATION, SMALL POPULATION AND TRADITIONALLY AGRARIAN ECONOMY, PRODUCED A RELATIVELY SLOW RATE OF SOCIO-ECONOMIC GROWTH UNTIL A DECADE AGO. PRESIDENT STROESSNER'S RULE HAS BROUGHT MUCH NEEDED POLITICAL STABILITY AND ECONOMIC DEVELOPMENT, BUT AT CONSIDERABLE COST TO POLITICAL RIGHTS AND INDIVIDUAL LIBERTIES. AFTER A PERIOD OF RAPID ECONOMIC GROWTH IN THE LATE 1970S AND EARLY 1980S, PARAGUAY ENTERED A STEEP RECESSION. FOLLOWING TWO YEARS OF DECLINE, AN AGRICULTURE-LED ECONOMIC RECOVERY COMMENCED IN 1984. ECONOMIC POLICIES AND INTERNATIONAL PRICES FROM PARAGUAY'S EXPORTS, HOWEVER,

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HAVE NOT EVOLVED IN A MANNER TO SUSTAIN THE RECOVERY, WHICH MAY BE ABORTED IN 1986. THE BALANCE OF PAYMENTS REMAINS IN A DEFICIT POSITION, AND SUBSTANTIAL DELAYS ON INTERNATIONAL OBLIGATIONS STILL POSE PROBLEMS.

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THE MOST SERIOUS RECENT INFRINGEMENT OF FREEDOM OF EXPRESSION OCCURRED WHEN THE GOVERNMENT CLOSED THE LEADING NEWSPAPER "ABC COLOR" ON MARCH 22, 1984 FOR AN INDEFINITE PERIOD. THE GOVERNMENT SAYS THAT THE ISSUE OF THE CLOSURE IS ITSELF A CLOSED BOOK. DURING 1985 A POPULAR RADIO STATION, RADIO NANDUTI, WAS TAKEN OFF THE AIR BY THE GOVERNMENT FOR TEN DAYS FOR VAGUE CHARGES OF "DISTURBING PUBLIC TRANQUILITY" AND IT OPERATES UNDER A CONSTANT THREAT OF PERMANENT CLOSING.

IN 1985 SOME 72 ARBITRARY DETENTIONS CAME TO PUBLIC NOTICE. IN THESE CASES, INDIVIDUALS WERE HELD WITHOUT BEING CHARGED OR TRIED, USUALLY AS A FORM OF EXTRALEGAL PUNISHMENT OR AS A WARNING BECAUSE OF THEIR POLITICAL ACTIVITIES. THIRTY-SIX OF THESE DETENTIONS RESULTED FROM TWO LARGE-SCALE ARRESTS OF PERSONS ATTENDING POLITICAL MEETINGS IN THE INTERIOR OF THE COUNTRY, SPONSORED BY ONE OF THE NONRECOGNIZED POLITICAL PARTIES. THIS FIGURE REPRESENTS THE CONTINUATION OF A DECLINE SINCE THE MID-1970S WHEN THE NUMBER OF SUCH CASES WAS IN THE HUNDREDS. ALL OF THE INDIVIDUALS THUS DETAINED DURING 1985 WERE SUBSEQUENTLY RELEASED, 57 WITHIN TWO OR THREE DAYS. THE OTHER 15 WERE HELD FOR PERIODS OF FROM ONE TO NINE WEEKS. A NUMBER OF PROMINENT POLITICAL EXILES WHO TOOK ADVANTAGE IN 1984 OF THE GOVERNMENT'S OFFER OF THE PREVIOUS YEAR ALLOWING THEM TO RETURN HAVE CONTINUED TO BE SUBJECTED TO VARIOUS FORMS OF HARASSMENT BY THE GOVERNMENT. AT THE END OF 1985 THERE WERE SIX PERSONS WHO COULD BE CONSIDERED POLITICAL PRISONERS, OR WHOSE TRIALS APPEARED TO BE COMPROMISED BY IRREGULARITIES. THIS REPRESENTS A CONTINUED REDUCTION FROM THE PREVIOUS YEARS. IN THIS YEAR AS IN PAST YEARS, THERE HAVE BEEN CREDIBLE CHARGES OF TORTURE AND PHYSICAL ABUSE DIRECTED AGAINST POLICE AUTHORITIES WHICH HAVE LED IN SOME CASES TO DISCIPLINARY ACTIONS, AND IN OTHERS TO DENIAL OF THE CHARGES. ALTHOUGH THE PARAGUAYAN GOVERNMENT HAS REJECTED ANY ROLE FOR INTERNATIONAL HUMAN RIGHTS GROUPS IN MONITORING CONDITIONS IN PARAGUAY, IT HAS BEEN WILLING TO ALLOW REPRESENTATIVES FROM SUCH GROUPS TO ENTER THE COUNTRY AND MEET WITH A BROAD RANGE OF CONTACTS.

RESPECT FOR HUMAN RIGHTS

SECTION 1: RESPECT FOR THE INTEGRITY OF THE PERSON,
INCLUDING FREEDOM FROM:

(A) POLITICAL KILLING.

THERE WERE NO REPORTED CASES IN 1985 OF KILLINGS FOR POLITICAL MOTIVES BY THE GOVERNMENT, POLITICAL PARTIES OR

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OTHER ENTITIES.

(B) DISAPPEARANCE.

THERE HAVE BEEN NO REPORTS SINCE 1980 OF ANY PERSONS HAVING DISAPPEARED UNDER CIRCUMSTANCES WHICH SUGGEST POLITICALLY MOTIVATED ABDUCTION OR TERRORISM. EARLIER CASES INVOLVED A SECURITY ACTION IN 1980 IN WHICH THE AUTHORITIES CLAIMED SEVERAL PERSONS HAD DIED IN AN ARMED CLASH, BUT THE BODIES WERE NEVER TURNED OVER TO FAMILY MEMBERS AND DEATH CERTIFICATES WERE NOT ISSUED. ABOUT 24 PARAGUAYANS DISAPPEARED BETWEEN 1970 AND 1977 EITHER IN ARGENTINA OR PARAGUAY.

(C) TORTURE AND CRUEL, INHUMAN, OR DEGRADING
- TREATMENT OR PUNISHMENT.

THERE WERE NINE REPORTS OF MISTREATMENT OR VIOLENCE COMMITTED BY THE POLICE AGAINST SUSPECTS OR PRISONERS IN 1985. IN FEBRUARY, A POLICE COMMISSIONER AND TWO POLICE CONSCRIPTS WERE CHARGED WITH THE DEATH OF A PRISONER. THEY SAID HE HAD COMMITTED SUICIDE BY HANGING HIMSELF, BUT HE WAS FOUND TO HAVE DIED FROM A BLOW TO THE HEAD. IN APRIL, A FACTIONAL POLITICAL DISPUTE LED FIVE RULING COLORADO PARTY MEMBERS TO BE JAILED. THEY CHARGED POLICE OFFICIALS WITH HAVING TORTURED THEM AND THE OFFICERS WERE DISMISSED AND CHARGED. IN JUNE, IN YPACARAI, BENEDICTO LOPEZ WAS DETAINED AND HELD FOR 14 DAYS DURING WHICH HE CLAIMED TO HAVE BEEN SEVERELY BEATEN. HE DIED TEN DAYS AFTER HIS RELEASE, ACCORDING TO LOCAL AUTHORITIES FROM PNEUMONIA.

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ALSO IN JUNE, A DOMESTIC EMPLOYEE WHO WAS INTERROGATED ABOUT A ROBBERY ASSERTED THAT SHE HAD BEEN TORTURED BY ELECTRIC SHOCK. THE POLICE DENIED THE CHARGE. TWO OTHER SIMILAR CASES WERE ALSO REPORTED IN JUNE WHERE ROBBERY SUSPECTS ALLEGED TORTURE. IN JULY, IN CONCEPCION, A PRISONER WAS KILLED, SUPPOSEDLY WHILE ESCAPING. AN INVESTIGATION RESULTED IN TWO POLICE OFFICERS AND TWO CONSCRIPTS BEING CHARGED. ALSO IN JULY, A NAVY CONSCRIPT DIED IN POLICE CUSTODY, ALLEGEDLY FROM THE ACCIDENTAL DISCHARGE OF HIS GUN. HOWEVER, HIS BODY SHOWED SIGNS OF TORTURE. HIS FATHER'S EFFORTS TO OBTAIN AN INVESTIGATION HAVE HAD NO APPARENT EFFECT.
IN ANOTHER CASE IN JULY, AN ASUNCION BUS DRIVER DENOUNCED POLICE BEATING AS A RESULT OF HIS REFUSAL OF PASSAGE TO A PERSON WHO DID NOT HAVE THE CORRECT FARE, WHO IT LATER TURNED OUT WAS A POLICE OFFICER.

THESE REPORTS OF POLICE VIOLENCE WERE ATYPICAL IN THAT THEY APPEARED IN THE PRESS. NONETHELESS, PHYSICAL MISTREATMENT OF SUSPECTS AND PRISONERS BY THE POLICE, EITHER BELIEVED TO OCCUR FREQUENTLY. THE SO-CALLED "INVESTIGATIONS POLICE" ARE WIDELY KNOWN FOR SUCH ACTIONS. IN MOST CASES, ONCE FORMALLY ARRAIGNED, DETAINEES GO TO REGULAR PRISON FACILITIES, WHERE CONDITIONS ARE GENERALLY

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BETTER THAN IN POLICE STATIONS. PRISONS ARE AUSTERE, ESPECIALLY THE MAXIMUM SECURITY FACILITIES ADMINISTERED DIRECTLY BY THE INTERIOR MINISTRY AND THE ASUNCION POLICE, WHICH ARE USED IN MORE SENSITIVE CASES. COURT AND JUSTICE MINISTRY OFFICIALS VISIT THE REGIONAL PRISON FACILITIES SEVERAL TIMES EACH YEAR TO EXAMINE CONDITIONS AND INTERVIEW PRISONERS. THEY DO NOT REGULARLY VISIT THE MAXIMUM SECURITY FACILITIES, ALTHOUGH REPRESENTATIVES OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS ARE PERMITTED ACCESS.

(D) ARBITRARY ARREST, DETENTION AND EXILE.

DETENTIONS ARE USED AS A FORM OF WARNING OR PUNISHMENT FOR THOSE WHO CRITICIZE THE GOVERNMENT OR WHOSE POLITICAL BELIEFS OR ACTIVITIES ARE DEEMED TO BE THREATENING. SOMETIMES INDIVIDUALS ARE PICKED UP BY THE POLICE, DETAINED IN LOCAL POLICE STATIONS WHERE THEY ARE OFTEN HELD INCOMMUNICADO AND RELEASED AFTER A FEW DAYS, USUALLY WITHOUT FORMAL CHARGES HAVING BEEN BROUGHT. OTHER DETENTIONS MAY BE WEEKS IN LENGTH.

SUCH DETENTIONS HAVE SOMETIMES BEEN JUSTIFIED UNDER THE STATE OF SIEGE PROVISION OF THE CONSTITUTION, WHICH PROVIDES THAT PERSONS MAY BE DETAINED WITHOUT TRIAL, AND THAT PUBLIC MEETINGS AND DEMONSTRATIONS MAY BE BANNED IN THE EVENT OF WAR, FOREIGN INVASION, INTERNAL DISTURBANCE, OR THE SERIOUS THREAT OF ANY OF THESE CONDITIONS. IMPLEMENTING LEGISLATION CALLED FOR BY THE CONSTITUTION HAS NEVER BEEN PASSED. DESPITE CONSTITUTIONAL REQUIREMENTS THAT THE STATE OF SIEGE BE IMPOSED ONLY FOR LIMITED PERIODS, IN PRACTICE IT HAS BEEN IN EFFECT ALMOST CONTINUOUSLY SINCE 1929. TECHNICALLY, THE STATE OF SIEGE WAS LIFTED OUTSIDE THE CAPITAL IN 1978. IN PRACTICE, BACKED BY A COURT RULING THAT PRISONERS MAY BE MOVED TO ASUNCION AND HELD THERE, PARAGUAYAN AUTHORITIES ACT AS IF THE STATE OF SIEGE WERE STILL IN FORCE THROUGHOUT THE COUNTRY. THE STATE OF SIEGE IS ALSO LIFTED FOR TWENTY FOUR HOURS WHEN THERE ARE NATIONAL OR MUNICIPAL ELECTIONS, AS OCCURRED IN 1985.

IN THE ABSENCE OF IMPLEMENTING LEGISLATION, THE GOVERNMENT AND COURTS TAKE THE POSITION THAT STATE OF SIEGE RESTRICTIONS SUPERSEDE THE SAFEGUARDS ON HUMAN RIGHTS CONTAINED ELSEWHERE IN THE CONSTITUTION AND LEGAL CODE. SEVERAL PROMINENT LEGAL SCHOLARS AND THE OPPOSITION POLITICAL PARTIES CONTEST THIS INTERPRETATION.

IN SOME CASES OF ARBITRARY DETENTION, THE GOVERNMENT HAS INVOKED LAW 209, THE "ANTI-SUBVERSIVE" STATUTE, A LOOSELY WORDED LAW WHICH PROVIDES FOR IMPRISONMENT OF PERSONS WHO "FOMENT HATRED," DEFAME MEMBERS OF THE GOVERNMENT, COMMIT A VARIETY OF OTHER ACTS, OR ARE MEMBERS OF THE COMMUNIST PARTY. IN THE CASES OF ARBITRARY DETENTION WHICH OCCURRED IN 1985, THE GOVERNMENT OCCASIONALLY CITED EITHER THIS LAW OR THE STATE OF SIEGE PROVISION OF THE CONSTITUTION TO JUSTIFY ITS ACTIONS, BUT IN MOST CASES IT GAVE NO EXPLANATION AT ALL. THE DETENTION OF TWO OPPOSITION POLITICIANS OF A NONRECOG-

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NIZED PARTY IN APRIL, WHO ATTENDED A MEETING IN ITACURUBI, IS ILLUSTRATIVE. THEY WERE DETAINED FOR SEVEN DAYS WITHOUT BEING INFORMED OF THE REASONS FOR THEIR DETENTION AND THEIR DETENTION WAS NOT BROUGHT TO THE ATTENTION OF A JUDGE. THESE ACTIONS VIOLATE SPECIFIC E.O. 12356: DECL:OADR
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DURING 1985, THERE WERE 72 KNOWN INSTANCES OF PERSONS ARBITRARILY DETAINED. ALL OF THESE INDIVIDUALS WERE SUBSEQUENTLY RELEASED. IN ONE CASE IN JANUARY, FOURTEEN MEMBERS OF THE NONRECOGNIZED AUTHENTIC RADICAL LIBERAL PARTY WERE ARRESTED FOR HOLDING A MEETING ON PRIVATE PROPERTY. TWENTY-TWO MEMBERS OF THAT PARTY WERE DETAINED IN SIMILAR CIRCUMSTANCES IN MAY. A MEMBER OF THE OPPOSITION FEBRERISTA PARTY WAS DETAINED WITHOUT CHARGES FOR FORTY-THREE DAYS AT MID-YEAR.
OVER THE YEARS MANY POLITICAL OPPONENTS OF THE GOVERNMENT HAVE EITHER BEEN FORCED, OR HAVE VOLUNTARILY GONE, INTO EXILE. IN DECEMBER 1983, THE INTERIOR MINISTER STATED THAT WITH THE EXCEPTION OF TWO PROMINENT OPPOSITION FIGURES -- DOMINGO LAINO AND LUIS RESCK -- ALL EXILES WOULD BE PERMITTED TO RETURN TO PARAGUAY. AS A RESULT, A NUMBER OF POLITICAL FIGURES, MANY OF WHOM HAD BEEN IN EXILE FOR MANY YEARS, HAVE RETURNED TO PARAGUAY SINCE EARLY 1984. PROMINENT AMONG THEM WERE OFFICIALS OF THE COLORADO POPULAR MOVEMENT (MOPOCO), A DISSIDENT FACTION OF THE RULING COLORADO PARTY WHOSE LEADERS HAD BEEN EXPELLED FROM PARAGUAY IN 1960. A NUMBER OF THOSE WHO RETURNED HAVE BEEN SUBJECTED TO VARIOUS FORMS OF HARASSMENT, TEMPORARY DETENTION, AND INTERNAL EXILE BY THE GOVERNMENT. FOUR MOPOCO MEMBERS WERE EACH DETAINED FOR OVER A MONTH IN THE SEPTEMBER-OCTOBER PERIOD -- ALL WITHOUT CHARGES. THERE HAS BEEN NO CHANGE IN THE GOVERNMENT'S POSITION CONCERNING THE POSSIBLE RETURN OF DRS. LAINO AND RESCK, AND A THIRD PERSON, AUGOSTO ROA BASTOS, AN AUTHOR ACCUSED BY THE GOVERNMENT OF BEING AN "INDOCTRINATOR" WAS ADDED TO THIS CATEGORY. IN JUNE, DR. HERIBERTO ALEGRE, A RESPECTED LAWYER, WAS RELEASED AFTER NINE MONTHS DETENTION WITHOUT A TRIAL, WHICH REPORTEDLY RESULTED FROM SUSPICIONS THAT HE ENCOURAGED LANDLESS CAMPESINOS TO SEIZE LAND. DR. ALEGRE WAS DEFENDING THE CAMPESINOS AFTER THE SEIZURE HAD TAKEN PLACE.

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(E) DENIAL OF FAIR PUBLIC TRIAL.
PARAGUAY, LIKE MOST OTHER LATIN AMERICAN COUNTRIES, DOES NOT HAVE TRIAL BY JURY. TRIALS ARE CONDUCTED ALMOST EXCLUSIVELY BY PRESENTATION OF WRITTEN DOCUMENTS TO A JUDGE, WHO THEN RENDERS A DECISION. ALL JUDGMENTS ARE AUTOMATICALLY REVIEWED BY AN APPELLATE-LEVEL JUDGE, AND APPEALS TO THE SUPREME COURT ARE POSSIBLE. PART OF THE TRIAL PROCESS IS OPEN TO THE PUBLIC AND TRIALS ARE

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ROUTINELY REPORTED IN THE PRESS. NUMEROUS SAFEGUARDS SET FORTH IN THE CONSTITUTION AND THE PENAL CODE, IN THEORY, PROTECT THE RIGHTS OF THE INDIVIDUAL DURING THE TRIAL PROCESS. HOWEVER, THE JUDICIARY HAS TRADITIONALLY BEEN SUBJECT TO EXTENSIVE INFLUENCE BY THE EXECUTIVE BRANCH OF THE GOVERNMENT AND BY THE MILITARY. THIS, TOGETHER WITH BUDGETARY AND OTHER INSTITUTIONAL FAILINGS IN THE JUDICIAL SYSTEM, CONTINUES TO COMPROMISE THE ABILITY OF AN ACCUSED PERSON TO RECEIVE A FAIR, SPEEDY TRIAL.

OVER THE PAST TWO YEARS, A NUMBER OF CHANGES HAVE NONE-THELESS BEEN MADE WHICH MANY OBSERVERS CREDIT WITH HAVING IMPROVED THE QUALITY AND SPEED OF THE JUDICIAL PROCESS. WIDESPREAD CHANGES IN THE PERSONNEL OF THE JUDICIARY SYSTEM, PARTICULARLY JUDGES AND THEIR CLERKS, ARE SAID TO HAVE REDUCED THE AMOUNT OF CORRUPTION. ONE JUDGE WAS SUSPENDED DURING 1985 AFTER HAVING BEEN CHARGED WITH TAKING A BRIBE TO KEEP A PERSON OUT OF A NARCOTICS CASE. HOWEVER, IT IS WIDELY ACKNOWLEDGE THAT THE COURTS STILL ARE NOT INDEPENDENT OF THE INFLUENCE OF THE EXECUTIVE BRANCH IN POLITICALLY SENSITIVE CASES. AS OF DECEMBER 31, THERE ARE AN ESTIMATED SIX PERSONS -- ALREADY TRIED AND SENTENCED OR WHOSE TRIALS WERE UNDERWAY -- WHO COULD BE CONSIDERED POLITICAL PRISONERS, OR WHOSE TRIALS APPEARED TO BE SERIOUSLY COMPROMISED BY IRREGULARITIES. THIS REPRESENTS THE SAME LEVEL AS LAST YEAR. THERE ARE AN ADDITIONAL TWO INDIVIDUALS WHOSE CASES INVOLVED CRIMINAL OFFENSES BUT WHICH LOCAL HUMAN RIGHTS OBSERVERS BELIEVE WERE AFFECTED IN PART BY POLITICAL FACTORS. THIS REPRESENTS A CONTINUED IMPROVEMENT OVER PREVIOUS YEARS.

(F) ARBITRARY INTERFERENCE WITH PRIVACY, FAMILY,
- HOME OR CORRESPONDENCE.
GOVERNMENT AND SECURITY FORCES DO NOT INTERVENE AS A MATTER OF COURSE IN THE DAILY LIFE OF THE AVERAGE CITIZEN. THE CONSTITUTION PROVIDES THAT, EXCEPT TO PREVENT THE COMMISSION OF A CRIME, PRIVATE HOMES MAY NOT BE ENTERED WITHOUT A JUDICIAL WARRANT. NONETHELESS, SOME PRIVATE CITIZENS COMPLAIN OF THEIR RIGHT TO PRIVACY BEING ABUSED BY THE SECURITY AUTHORITIES. LEADERS OF COLORADO POPULAR MOVEMENT ARE FOLLOWED BY THE POLICE WHEREVER THEY GO, DAY AND NIGHT. THEY ALSO COMPLAIN THAT THEIR TELEPHONES ARE
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TAPPED, THEIR PRIVATE CORRESPONDENCE MONITORED, AND THEIR ABILITY TO MOVE ABOUT RESTRICTED. THE POLICE HAVE REPORTEDLY TOLD THEM THAT THEY MAY NOT MEET IN GROUPS OF MORE THAN THREE, AND IT IS CLAIMED THAT THOSE WHOM LEADERS OF THE GROUP CONTACT ARE LATER QUESTIONED. OTHER OPPOSITION FIGURES AND CRITICS OF THE GOVERNMENT HAVE SIMILARLY COMPLAINED ABOUT INTERFERENCE WITH THEIR MAIL, PARTICULARLY FOREIGN CORRESPONDENCE, AND OF HAVING THEIR TELEPHONES TAPPED. ALTHOUGH THE PARAGUAYAN POLICE, IN A

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STATEMENT IN OCTOBER 1984, DENIED THE CHARGES MADE AGAINST THEM BY THE MEMBERS OF THE COLORADO POPULAR MOVEMENT, AND SAID THAT NO SUCH HARASSMENT BY THEM HAD TAKEN PLACE, IT IS WIDELY BELIEVED THAT THE CHARGES MADE BY THIS OPPOSITION ORGANIZATION ARE TRUE. FINALLY, ALTHOUGH PUBLICATIONS CRITICAL OF THE GOVERNMENT CIRCULATE FREELY IN THE COUNTRY, THERE CONTINUE TO BE CASES IN WHICH FOREIGN NEWSPAPERS, MAGAZINES, OR BOOKS CONTAINING MATERIAL CRITICAL OF THE PARAGUAYAN GOVERNMENT ARE CONFISCATED AT THE PORT OF ENTRY.

SECTION 2: RESPECT FOR CIVIL RIGHTS, INCLUDING:

(A) FREEDOM OF SPEECH AND PRESS.

THE CLOSURE OF PARAGUAY'S LARGEST NEWSPAPER, "ABC COLOR" IN MARCH 1984 WAS THE MOST SERIOUS VIOLATION OF FREEDOM OF THE PRESS IN MANY YEARS. DESPITE BROAD GUARANTEES IN THE CONSTITUTION OF FREEDOM OF SPEECH AND THE PRESS, IN PRACTICE THERE ARE LIMITS TO THE AMOUNT AND KINDS OF CRITICISM WHICH THE GOVERNMENT WILL TOLERATE. SUCH THINGS AS DIRECT CRITICISM OF THE PRESIDENT, THE MILITARY, AND KEY CIVILIAN LEADERS, ARE USUALLY AVOIDED BY THE MAJOR NEWSPAPERS AS ARE SENSITIVE TOPICS SUCH AS DEFENSE MATTERS AND CORRUPTION. IT IS WIDELY BELIEVED THAT "ABC COLOR'S" CONTINUAL PRESSURE AGAINST THESE LIMITS WAS THE REASON FOR ITS CLOSURE.

UP UNTIL THE TIME OF ITS CLOSING, "ABC COLOR" WAS BY FAR THE MOST INDEPENDENT AND OUTSPOKEN OF THE PARAGUAYAN NEWSPAPERS. DURING ITS 16-YEAR LIFE, THE PAPER HAD BECOME PARAGUAY'S LEADING DAILY IN TERMS OF CIRCULATION AND REPORTING. ITS EDITORIALS OFTEN CRITICIZED GOVERNMENT POLICIES AND IT REPORTED EXTENSIVELY ON SOME OF THE MORE SENSITIVE DOMESTIC TOPICS, SUCH AS HUMAN RIGHTS VIOLATIONS PROBLEMS OF CORRUPTION, AND THE INNER WORKINGS OF THE GOVERNMENT AND THE RULING COLORADO PARTY.

THE GOVERNMENT'S DECISION WAS APPEALED TO THE SUPREME COURT WHICH RULED THAT THE MINISTER OF INTERIOR HAD ACTED WITHIN HIS POWERS AND IN THE PUBLIC INTEREST. SINCE THEN, GOVERNMENT AUTHORITIES HAVE TAKEN THE POSITION THAT THE CLOSURE IS A CLOSED CASE.

DESPITE THE CLOSURE OF "ABC COLOR," A MEASURE OF PRESS FREEDOM DOES STILL EXIST. THE FEBRERISTA REVOLUTIONARY PARTY, ONE OF THE RECOGNIZED OPPOSITION PARTIES, PUBLISHES A WEEKLY NEWSPAPER, "EL PUEBLO." THIS NEWSPAPER HAS PUBLISHED STRONG CRITICISM OF THE GOVERNMENT AND ITS POLICIES, SUBJECTS THAT DAILY NEWSPAPERS SHY AWAY FROM. THE CATHOLIC CHURCH PUBLISHES A NEWSPAPER, "SENDERO," WHICH REOPENED AFTER THE "ABC COLOR" CLOSURE AND NOW APPEARS TWICE A MONTH. IT TOO HAS PRINTED ARTICLES CRITICIZING GOVERNMENT POLICIES AND ACTIONS AND TOUCHES ON SUBJECTS WHICH THE GOVERNMENT CONSIDERS SENSITIVE. A NEW MONTHLY OPINION MAGAZINE, "NUESTRO TIEMPO" APPEARED IN JULY. IT IS BACKED BY A ROMAN CATHOLIC CHURCH OFFICIAL AND IS WRITTEN LARGELY BY

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FORMER ABC COLOR STAFFERS, ONE OF WHOM WAS BRIEFLY DETAINED BY THE INVESTIGATIONS POLICE SHORTLY AFTER THE MAGAZINE'S DEBUT. THE NONRECOGNIZED POPULAR COLORADO MOVEMENT (MOPOCO) PUBLISHES A MONTHLY NEWSPAPER "PATRIA LIBRE" WHICH REGULARLY LAMBASTES THE GOVERNMENT. SIMILARLY, THE COLORADO PARTY PUBLISHES A DAILY PAPER WHICH REGULARLY AND OFTEN SHRILLY ATTACKS THE POLITICAL OPPOSITION. THE GOVERNMENT CLAIMS THAT IT PERMITS THESE NEWSPAPERS CONSIDERABLE LATITUDE BECAUSE THEIR POLITICAL BIAS IS CLEARLY ESTABLISHED. HOWEVER, IN ADDITION, THEY HAVE LESS IMPACT BECAUSE OF THEIR SMALL CIRCULATION AND LESS FREQUENT APPEARANCE.

THE DAILY PAPERS REPORT ACTIVITIES OF THE POLITICAL OPPOSITION, BOTH RECOGNIZED AND UNRECOGNIZED, AS WELL AS INFORMATION ON CHARGES OF ABUSE OF AUTHORITY. HOWEVER, THEIR COVERAGE IS NOT MARKED BY THE AGGRESSIVE INVESTIGATORY JOURNALISM WHICH CHARACTERIZED "ABC COLOR."

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PARAGUAY'S TWO TELEVISION STATIONS ARE BOTH PRIVATELY OWNED. THEIR NEWS PROGRAMS ARE CAREFULLY SELF-CENSORED AND CLOSELY MONITORED BY THE GOVERNMENT. THEY VIRTUALLY ALWAYS CARRY COMMENTARY LAUDATORY OF THE GOVERNMENT, AND REPORTING ON THE ACTIVITIES OF OPPOSITION PARTIES IS VIRTUALLY NONEXISTENT.

TWO OF ASUNCION'S RADIO STATIONS, RADIO CARITAS - WHICH IS AFFILIATED WITH THE CATHOLIC CHURCH, AND RADIO NANDUTI -- WHICH IS PRIVATELY OWNED, HAVE BEEN NOTABLE FOR THEIR WILLINGNESS TO BROADCAST MORE SENSITIVE ITEMS OF LOCAL NEWS. RADIO NANDUTI, IN PARTICULAR, HAS SPECIALIZED IN CARRYING INTERVIEWS WITH POLITICIANS OF ALL PARTIES, INCLUDING THOSE WHICH ARE NOT LEGALLY RECOGNIZED, SOMETIMES ON SENSITIVE ISSUES. AS A RESULT, THE STATION WAS SHUT DOWN FOR 30 DAYS IN JULY 1983, AND FOR TEN DAYS IN 1985. THE STATION'S OWNER, HUMBERTO RUBIN, HAS RECEIVED OCCASIONAL WARNINGS FROM PARAGUAYAN AUTHORITIES ABOUT AIRING THE VIEWS OF "UNRECOGNIZED" POLITICIANS AND ABOUT GIVING TOO MUCH COVERAGE TO THE CLOSURE OF ABC COLOR. THE STATION OPERATES "ILLEGALLY" IN THE SENSE THAT THE GOVERNMENT HAS REFUSED TO ACCEPT PAYMENT FOR RENEWAL OF THE STATION'S LICENSE FOR SEVERAL YEARS.

(B) FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION.
DESPITE CONSTITUTIONAL GUARANTEES CONCERNING THE RIGHTS OF PEACEFUL ASSEMBLY AND ASSOCIATION FOR LEGAL ENDS, THESE RIGHTS ARE OFTEN VIOLATED IN PRACTICE. UNDER THE STATE OF SIEGE WHICH IS IN EFFECT IN THE CAPITAL, IT IS TECHNICALLY NECESSARY TO OBTAIN PERMISSION FOR ANY ASSEMBLY OF MORE THAN A CERTAIN NUMBER OF PERSONS, FOR WHATEVER PURPOSE. GENERALLY, HOWEVER, THE PROVISION IS NOT APPLIED TO ORGANIZATIONS WHICH ARE APOLITICAL IN NATURE AND THIS RESTRICTION IS ENFORCED ONLY IN THE CASE OF GATHERINGS SPONSORED BY OPPOSITION POLITICAL PARTIES

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OR OTHER ORGANIZATIONS CRITICAL OF THE GOVERNMENT. FOR EXAMPLE, A GROUP OF OPPOSITION LIBERAL PARTY MEMBERS WHO FORMED A MOVEMENT TO REUNIFY THE VARIOUS SECTIONS OF THAT DIVIDED PARTY WERE DENIED PERMITS TO HOLD PUBLIC MEETINGS TO GIVE PUBLICITY TO THEIR MOVEMENT. ON THE OTHER HAND, THERE WERE OCCASIONS WHEN THE GOVERNMENT DID PERMIT PUBLIC MEETINGS BY THOSE POLITICAL PARTIES WHICH ARE NOT LEGALLY RECOGNIZED. FOR EXAMPLE, THE CHRISTIAN DEMOCRATIC PARTY WAS ABLE TO HOLD THE INAUGURATION OF A NEW CENTER FOR TRAINING PARTY MEMBERS IN ASUNCION. SIMILARLY, WHILE THE POLICE NORMALLY DO NOT PERMIT PUBLIC DEMONSTRATIONS, EVEN PEACEFUL ONES, THAT CRITICIZE THE GOVERNMENT OR ITS POLICIES, OCCASIONALLY SUCH EVENTS DO TAKE PLACE.

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THE RIGHT TO FREE ASSOCIATION IS CURTAILED IN THE CASE OF THE PARAGUAYAN LABOR FORCE. IN PRACTICE, PARAGUAYAN WORKERS ARE NOT PERMITTED TO ORGANIZE FREELY, AS INDICATED BY THE TREATMENT OF A BUS UNION LEADER WHO, WITH OTHER ACTIVISTS, WAS FIRED FROM HIS JOB AND WAS ARBITRARILY DETAINED TWICE DURING THE YEAR FOR HIS EFFORTS TO ORGANIZE "SOLIDARITY" RALLIES TO PRESSURE FOR THEIR REINSTATEMENT. STRIKES ARE VIRTUALLY IMPOSSIBLE TO CALL LEGALLY AND ILLEGAL ONES ARE NOT PERMITTED BY THE GOVERNMENT. EFFORTS AT COLLECTIVE BARGAINING BY THE FEW INDEPENDENT LABOR UNIONS WHICH ARE PERMITTED TO EXIST ARE SOMETIMES FRUSTRATED WITH THE TACIT BACKING OF THE GOVERNMENT. MOST OF THE LABOR UNIONS IN PARAGUAY ARE MEMBERS OF THE FEDERATION OF PARAGUAYAN WORKERS WHICH CLAIMS TO REPRESENT OVER 90 PERCENT OF ORGANIZED LABOR. THE FEDERATION IS CAREFULLY CONTROLLED BY THE GOVERNMENT AND IS NOT ABLE TO DEFEND EFFECTIVELY THE INTERESTS OF THE PARAGUAYAN WORK FORCE. THE LEADERSHIP OF THE FEDERATION, AND OF MOST OF ITS MEMBER UNIONS, IS NOT FREELY ELECTED BY THE MEMBERSHIP, BUT RATHER IS CHOSEN ON THE BASIS OF ACCEPTABILITY TO THE GOVERNMENT. UNION OFFICIALS WHO DIFFER WITH THE FEDERATION'S POLICIES ARE OFTEN HARASSED OR FIRED BY THEIR EMPLOYERS WITH TACIT SUPPORT OF THE GOVERNMENT.

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THERE ARE A NUMBER OF INDEPENDENT UNIONS IN PARAGUAY, SOME OF THEM ORGANIZED AT THE COMPANY LEVEL. SOME HAVE BEEN STRONG ENOUGH TO BARGAIN WITH MANAGEMENT, DESPITE EFFORTS BY THE PRIVATE FIRMS --SOMETIMES SUPPORTED BY THE GOVERNMENT-- TO RESIST THEIR EFFORTS. SOME OF THE INDEPENDENT UNIONS HAVE BEEN GRANTED LEGAL RECOGNITION

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SUBJECT: 1985 HUMAN RIGHTS REPORT FOR PARAGUAY BY THE GOVERNMENT, BUT OTHERS HAVE NOT, MAKING IT DIFFICULT OR IMPOSSIBLE FOR THEM TO BARGAIN EFFECTIVELY. THE GOVERNMENT IS LESS LIKELY TO RECOGNIZE GROUPS WHICH IT PERCEIVES TO BE MORE INDEPENDENT OF ITS CONTROL. FOR EXAMPLE, THE UNION OF PROFESSIONAL JOURNALISTS HAS NEVER BEEN GRANTED LEGAL RECOGNITION, DESPITE ITS CLAIMS TO

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HAVE SATISFIED ALL THE LEGAL REQUIREMENTS. THE PRESIDENT OF THIS UNION IS A WELL-KNOWN JOURNALIST WHO IN THE PAST HAS BEEN HIGHLY CRITICAL OF THE GOVERNMENT AND WHO HAS BEEN HELD WITHOUT CHARGES BY THE POLICE THREE TIMES FOR EXTENDED PERIODS, MOST RECENTLY IN 1983.

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THE ACTIVITIES OF THE INDEPENDENT UNIONS ARE CAREFULLY MONITORED BY THE SECURITY FORCES AND THE MINISTRY OF LABOR. THEIR LEADERS ARE OFTEN SUMMONED BY OFFICIALS OF THE POLICE OR THE MINISTRY OF LABOR FOR QUESTIONING ABOUT THEIR ACTIVITIES AND, ON OCCASION, TO BE WARNED AWAY FROM THOSE ACTIVITIES OF WHICH THE GOVERNMENT DISAPPROVES.

THE FEDERATION OF PARAGUAYAN WORKERS DOES NOT MAINTAIN TIES WITH ANY OF THE PUBLIC OR PRIVATE INTERNATIONAL LABOR ORGANIZATIONS. IT WAS EXPELLED FROM THE INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU) SEVERAL YEARS AGO. THE ICFTU DELEGATION WHICH VISITED PARAGUAY IN LATE 1983 WAS HIGHLY CRITICAL OF THE LABOR SITUATION IN THE COUNTRY, COMPLAINING THAT THE GOVERNMENT WAS SYSTEMATICALLY VIOLATING THE RIGHTS OF THE PARAGUAYAN WORKING CLASS.

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SOME OF THE INDEPENDENT LABOR UNIONS IN PARAGUAY DO MAINTAIN TIES WITH INTERNATIONAL LABOR ORGANIZATIONS, AND THE ICFTU, IN CRITICIZING THE PARAGUAYAN GOVERNMENT, HAS CALLED FOR GREATER INTERNATIONAL SUPPORT FOR THESE INDEPENDENT UNIONS.

AN INTERNATIONAL MEETING OF THE CATHOLIC ACTION WORKERS MOVEMENT (MOAC), UNDER THE SPONSORSHIP OF THE PARAGUAYAN ROMAN CATHOLIC CHURCH, TOOK PLACE IN JULY, ABSENT THREE COLOMBIAN PARTICIPANTS WHO WERE DETAINED BY GOVERNMENT AUTHORITIES AND SENT OUT OF THE COUNTRY BECAUSE THEY WERE CARRYING PUBLICATIONS OF "AN EMINENTLY SUBVERSIVE NATURE." THE COLOMBIANS WERE ALSO CARRYING MONEY TO DEFRAY CONFERENCE EXPENSES, WHICH THEY CHARGE WAS TAKEN FROM THEM BY AUTHORITIES. THE GOVERNMENT DENIED THIS LATTER CHARGE.

ANOTHER INTERNATIONAL CONFERENCE, OF ORIT AFFILIATED LABOR LEADERS, TOOK PLACE IN ASUNCION SPONSORED BY THE PARAGUAYAN FREE TRADE UNION MOVEMENT, INTERSINDICAL. IT WAS CRITICIZED IN THE GOVERNMENT MEDIA, BUT WAS NOT INTERFERED WITH BEYOND THE PRESENCE OF THE POLICE, WHO ROUTINELY ATTEND ALL LABOR MEETINGS.

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IN THE ILO, IN JUNE 1985, PARAGUAY REQUESTED A DIRECT CONTACT MISSION TO TREAT THE ISSUE OF THE APPLICATION OF CONVENTIONS NUMBER 87 (FREEDOM OF ASSOCIATION) AND 98 (RIGHT TO ORGANIZE AND COLLECTIVE BARGAINING). THE AREAS OF CONCERN DEAL WITH THE LACK OF GUARANTEES IN PARAGUAYAN LAW FOR SUCH RIGHTS AS COLLECTIVE BARGAINING, STRIKES IN PUBLIC SECTOR ENTERPRISES, FIRING WITHOUT INDEMNIZATION OR PREVIOUS NOTICE, ETC. THE ACCEPTANCE BY PARAGUAY OF THE NEED FOR A DIRECT CONTACT MISSION REPRESENTED A STEP FORWARD IN THAT PREVIOUSLY THE

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GOVERNMENT OF PARAGUAY HAD TURNED ITS BACK ON ILO EXPRESSIONS OF CONCERN.

(C) FREEDOM OF RELIGION.

THE CONSTITUTION ESTABLISHES ROMAN CATHOLICISM AS THE OFFICIAL STATE RELIGION, BUT IT ALSO GUARANTEES FREEDOM OF CONSCIENCE FOR OTHER DENOMINATIONS. WITH VERY FEW EXCEPTIONS, THIS FREEDOM IS RESPECTED. ADHERENCE TO A PARTICULAR CREED CONFERS NO ADVANTAGES WITHIN PARAGUAYAN SOCIETY AND CONVERSION FROM ONE FAITH TO ANOTHER IS PERMISSIBLE. MANY DENOMINATIONS CONDUCT THEIR ACTIVITIES FREELY, AND MISSIONARIES ARE, FOR THE MOST PART, PERMITTED TO ENTER THE COUNTRY AND PROSELYTIZE. HOWEVER, PARAGUAYAN LAW PROHIBITS THE GRANTING OF LEGAL STATUS TO NEW RELIGIOUS GROUPS AND A FEW EVANGELICAL CHURCHES HAVE BEEN UNABLE TO OBTAIN GOVERNMENT APPROVAL FOR THEIR OPERATIONS. THE JEHOVAH'S WITNESSES, FOR EXAMPLE, LOST LEGAL REGISTRATION IN 1979. THE CHURCH FILED AN APPEAL WITH THE PARAGUAYAN SUPREME COURT, BUT NO ACTION HAS EVER BEEN TAKEN ON IT. FURTHERMORE, UNDER ORDERS E.O. 12356: DECL:OADR

TAGS: PHUM, PA

SUBJECT: 1985 HUMAN RIGHTS REPORT FOR PARAGUAY OF THE MINISTRY OF EDUCATION, JEHOVAH'S WITNESS CHILDREN HAVE BEEN EXPELLED FROM SCHOOL BECAUSE OF THEIR REFUSAL, AS A MATTER OF THEIR FAITH, TO SALUTE THE NATIONAL FLAG OR SING THE NATIONAL ANTHEM. LOWER COURTS HAVE FOUND IN FAVOR OF THE CHILDREN, BUT THE CASES HAVE BEEN OVERTURNED UPON APPEAL, AND THE FIRST TEST CASE IS NOW BEFORE THE SUPREME COURT.

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(D) FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL, EMIGRATION AND REPATRIATION.

THE CONSTITUTION PROVIDES FOR FREEDOM OF MOVEMENT, WHICH IS USUALLY NOT RESTRICTED WITH THE COUNTRY. MOST CITIZENS MAY ENTER OR LEAVE THE COUNTRY FREELY. HOWEVER, MEMBERS OF ONE UNRECOGNIZED POLITICAL GROUP HAVE COMPLAINED ABOUT A POLICE REQUIREMENT THAT THEY REPORT ANY INTENTION TO LEAVE THE COUNTRY 48 HOURS IN ADVANCE. IN ADDITION, OPPOSITION FIGURES AND HUMAN RIGHTS ACTIVISTS CONTINUE TO COMPLAIN ABOUT DIFFICULTIES IN OBTAINING PASSPORTS. NONETHELESS, THERE APPEAR TO HAVE BEEN FEWER INCIDENTS OF SUCH RESTRICTIONS ON TRAVEL RECENTLY, AND A NUMBER OF PROMINENT CRITICS OF THE GOVERNMENT HAVE TRAVELLED TO INTERNATIONAL MEETINGS. THREE PARAGUAYANS LIVE IN EXILE AND ARE NOT PERMITTED TO RETURN DESPITE THE 1983 OPEN-DOOR POLICY WHICH RESULTED IN THE RETURN OF SEVERAL POLITICAL OPPONENTS. THESE THREE ARE DOMINGO LAINO, THE VICE PRESIDENT OF THE UNRECOGNIZED PLRA; LUIS RESCK, FORMER PRESIDENT OF THE UNRECOGNIZED CHRISTIAN DEMOCRAT PARTY; AND AGOSTO ROA BASTOS, A LEFTIST WHO IS ARGUABLY PARAGUAY'S MOST FAMOUS NOVELIST. MEMBERS OF THE OUTLAWED PARAGUAYAN COMMUNIST PARTY LIVING IN EXILE WOULD LIKELY FACE IMPRISONMENT IF THEY RETURNED. DURING 1985 THE GOVERNMENT USED STATE OF SIEGE POWERS TO RELEGATE THREE INDIVIDUALS TO INTERNAL EXILE.

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SECTION 3: RESPECT FOR POLITICAL RIGHTS:
- THE RIGHT OF CITIZENS TO CHANGE THEIR
- GOVERNMENT.

PRESIDENT STROESSNER DOMINATES THE PARAGUAYAN POLITICAL SYSTEM. HE RULES THROUGH THE COLORADO PARTY, WHICH ADMINISTERS PUBLIC PATRONAGE, THROUGH THE MILITARY AND POLICE FORCES, WHICH MAINTAIN PUBLIC ORDER AND GUARANTEE THE SECURITY OF THE REGIME, AND THROUGH THE GOVERNMENTAL BUREAUCRACY. THE LEGISLATIVE BRANCH, CONSISTING OF A SENATE AND A CHAMBER OF DEPUTIES IS RESPONSIVE TO THE DESIRES OF THE PRESIDENT ON ALL IMPORTANT MATTERS. THE COLORADO PARTY'S TWO-THIRDS MAJORITY IN BOTH HOUSES GIVES IT COMPLETE CONTROL OF THE LEGISLATURE. THERE HAVE BEEN VERY FEW OCCASIONS UNDER PRESIDENT STROESSNER'S RULE WHEN THE LEGISLATIVE BRANCH HAS REJECTED GOVERNMENT PROPOSALS OR POLICY. HOWEVER, THERE HAVE BEEN SOME CASES WHEN COLORADO PARTY LEGISLATORS HAVE BEEN ABLE TO DELAY, OR EVEN ALTER, LEGISLATIVE PROPOSALS SUBMITTED BY THE EXECUTIVE BRANCH. THE LEGISLATIVE BRANCH ALSO AUTOMATICALLY INCLUDES REPRESENTATIVES OF THE OPPOSITION. THEIR ONE-THIRD OF THE SEATS, DIVIDED AMONG THE TWO OPPOSITION PARTIES THAT ARE RECOGNIZED AND PRESENT CANDIDATES, ALLOW THEM TO EXPRESS THEIR VIEWS AND CRITICIZE THE GOVERNMENT. EVEN THOUGH THEY HAVE MORE SEATS THAN THEY ACTUALLY HAVE EARNED IN RECENT ELECTIONS, THEY HAVE NO REAL POWER TO AFFECT THE WORKINGS OF THE LEGISLATURE.

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GENERAL ELECTIONS ARE HELD EVERY FIVE YEARS FOR THE PRESIDENCY AND THE TWO HOUSES OF THE LEGISLATURE, MOST RECENTLY IN 1983. MUNICIPAL ELECTIONS, WHICH WERE HELD IN 1985, ALSO OCCUR EVERY FIVE YEARS. THE LAW REQUIRES THAT ALL PARAGUAYANS 18 TO 60 YEARS OF AGE VOTE. HOWEVER, SANCTIONS FOR NONVOTING ARE NOT USUALLY APPLIED EXCEPT FOR PUBLIC SERVICE EMPLOYEES. TWO OF THE THREE LEGALLY RECOGNIZED OPPOSITION PARTIES PARTICIPATE IN THE ELECTORAL PROCESS' THE THIRD HAS PARTICIPATED IN THE PAST, BUT CURRENTLY DECLINES TO DO SO ON THE GROUNDS THAT THE GOVERNMENT'S CONTROL OVER THE POLITICAL PROCESS MAKES SUCH PARTICIPATION MEANINGLESS. IN 1985, AS IN PAST ELECTIONS, THE ABSENCE OF SOME OPPOSITION POLITICAL PARTIES, THE SYSTEM OF INDIRECT SELECTION OF CANDIDATES, AND THE CONTROL OF THE ELECTORAL MACHINERY BY THE DOMINANT COLORADO PARTY RESULTED IN A SERIOUSLY FLAWED ELECTION. SECRET BALLOT PROVISIONS WERE FREQUENTLY ABUSED, VOTES WERE COUNTED IN MANY CASES WITHOUT THE PRESENCE OF OPPOSITION POLL WATCHERS, AND THE COLORADO PARTY ENDED UP WITH OVER 100 PERCENT OF THE VOTES OF REGISTERED VOTERS IN SOME INSTANCES.

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THE DOMINATION OF THE NATION'S POLITICAL LIFE BY THE

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COLORADO PARTY STEMS IN CONSIDERABLE MEASURE FROM ITS ABILITY TO DISPENSE PATRONAGE AND TO TAKE ADVANTAGE OF EVERY OPPORTUNITY OFFERED BY THE MACHINERY OF GOVERNMENT TO MAINTAIN ITS PREDOMINANCE. ACCESS TO POSITIONS IN THE GOVERNMENT, AS WELL AS IN THE OFFICER RANKS OF THE MILITARY AND THE POLICE, IS IN PRACTICE LIMITED TO MEMBERS OF THE PARTY. INDIVIDUALS OFTEN JOIN THE PARTY FOR ECONOMIC AND SOCIAL ADVANTAGES SUCH AS ENROLLMENT IN THE NATIONAL UNIVERSITY OR PERMISSION TO BID ON PUBLIC CONTRACTS. AT THE LOCAL LEVEL, POLICE AND GOVERNMENT OFFICIALS USE THEIR CONSIDERABLE POWERS AND INFLUENCE TO SUPPORT THE COLORADO PARTY. THE OPPOSITION HAS YET TO WIN EVEN ONE MUNICIPAL ELECTION CONTEST AMONG THE 190 MUNICIPALITIES OF THE COUNTRY.

IN ADDITION TO THE THREE LEGALLY RECOGNIZED OPPOSITION PARTIES, THERE ALSO EXIST THREE POLITICAL PARTIES WHICH DO NOT ENJOY JURIDICAL RECOGNITION FROM THE GOVERNMENT, AND THEREFORE CANNOT PARTICIPATE IN THE POLITICAL PROCESS, IF THEY WISHED TO DO SO. THESE PARTIES, THE CHRISTIAN DEMOCRAT PARTY, THE AUTHENTIC RADICAL LIBERAL PARTY, AND THE POPULAR COLORADO MOVEMENT ARE JOINED WITH THE FEBRERISTA PARTY IN THE NATIONAL ACCORD. THE NATIONAL ACCORD HAS AS ONE OF ITS PRINCIPLES THAT IT WILL NOT PARTICIPATE IN ELECTIONS UNTIL THE ENTIRE ELECTION PROCESS AND SECURITY RESTRICTIONS HAVE BEEN OPENED UP. SINCE THEY ARE NOT LEGALLY RECOGNIZED, THESE PARTIES HAVE MORE SERIOUS PROBLEMS IN ATTEMPTING TO PROSELYTIZE AND OTHERWISE CARRY ON NORMAL POLITICAL ACTIVITIES. BECAUSE OF THE ONE RECOGNIZED PARTY IN THEIR MIDST, THE NATIONAL ACCORD MEMBERS OCCASIONALLY HAVE BEEN ABLE TO RECEIVE PERMITS FOR MEETINGS THROUGH APPLICATION BY THE FEBRERISTA PARTY. REGARDLESS OF THEIR LEGAL STATUS, HOWEVER, ALL THE NATIONAL ACCORD PARTIES ARE SUBJECT TO LIMITATIONS ON THEIR POLITICAL ACTIVITIES BY THE AUTHORITIES.

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SECTION 4: GOVERNMENT ATTITUDE REGARDING INTERNATIONAL
- AND NONGOVERNMENTAL INVESTIGATION OF
- ALLEGED VIOLATIONS OF HUMAN RIGHTS.

THE GOVERNMENT DESCRIBES NEGATIVE COMMENTS ABOUT ITS HUMAN RIGHTS PERFORMANCE FROM OUTSIDE SOURCES AS UNWARRANTED INTERFERENCE IN PARAGUAY'S INTERNAL AFFAIRS. NONETHELESS, THE GOVERNMENT HAS NORMALLY RESPONDED TO INQUIRIES FROM ORGANIZATIONS SUCH AS THE UNITED NATIONS HUMAN RIGHTS COMMISSION AND THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS. THE UN HUMAN RIGHTS COMMISSION CONTINUES TO CONSIDER THE HUMAN RIGHTS SITUATION IN PARAGUAY IN CONFIDENTIAL PROCEEDINGS UNDER RESOLUTION 1503. IN ADDITION, THE 1984 COMMISSION ADOPTED A RESOLUTION CONCERNING THE IMPACT OF THE STATE OF SIEGE IN PARAGUAY. THE PARAGUAYAN GOVERNMENT HAS GENERALLY COOPERATED WITH THE COMMISSION.

THE LAST VISITS BY PRIVATE HUMAN RIGHTS ORGANIZATIONS WERE IN 1984 WHEN THE INTER-AMERICAN PRESS SOCIETY AND AMERICA'S WATCH SENT MISSIONS. THEY WERE RECEIVED AND

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PERMITTED WIDE ACCESS, ALTHOUGH NOT UNTIL AFTER INITIAL DIFFICULTIES WHICH DISPLAYED THE PARAGUAYAN GOVERNMENT'S AMBIVALENCE TOWARDS SUCH VISITS.

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WHILE FOR THE MOST PART WILLING TO ALLOW VISITS BY HUMAN RIGHTS ACTIVISTS, THE GOVERNMENT REJECTS ANY SUGGESTION THAT SERIOUS HUMAN RIGHTS PROBLEMS EXIST IN **PARAGUAY**. THE OFFICIAL NEWSPAPER OF THE RULING COLORADO PARTY ROUTINELY DISMISSES THE FINDINGS OF SUCH ORGANIZATIONS AS AMNESTY INTERNATIONAL, WHICH HAS FOR MANY YEARS EXPRESSED CONCERN OVER THE SITUATION IN **PARAGUAY**. THE GOVERNMENT ALLOWED INTERNATIONAL EFFORTS TO TRACK DOWN IN **PARAGUAY** JOSEPH MENGELE, THE **NAZI** WAR CRIMINAL, DESPITE ITS REPEATED ASSERTIONS THAT MENGELE WAS NOWHERE IN THE COUNTRY. THE GOVERNMENT POINTS TO THE CONFIRMATION OF MENGELE'S RESIDENCE AND DEATH IN BRAZIL AS INDICATIVE THAT THE INTERNATIONAL MEDIA IS TOO READY TO BELIEVE INFORMATION ADVERSE TO IT.

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A NUMBER OF LOCAL PRIVATE ORGANIZATIONS CONTINUED TO BE ACTIVE DURING 1985 IN TRYING TO PROTECT INDIVIDUAL LIBERTIES. THESE INCLUDE THE INTER-FAITH COMMITTEE WHICH IS SUPPORTED BY THREE DIFFERENT CHURCH GROUPS, E.O. 12356: DECL:OADR
TAGS: PHUM, PA
SUBJECT: 1985 HUMAN RIGHTS REPORT FOR PARAGUAY
THE PARAGUAYAN HUMAN RIGHTS COMMISSION, THE PARAGUAYAN CHAPTER OF THE ASSOCIATION OF LATIN AMERICAN LAWYERS FOR THE DEFENSE OF HUMAN RIGHTS, AND THE UNION OF PARAGUAYAN WOMEN. THE OPPOSITION POLITICAL PARTIES AND CERTAIN OF THE MEDIA ALSO HAVE SOUGHT TO PUBLICIZE HUMAN RIGHTS PROBLEMS AND TO EXPRESS SUPPORT FOR A MORE OPEN AND DEMOCRATIC SOCIETY. THESE HUMAN RIGHTS GROUPS MAKE KNOWN CASES INVOLVING ALLEGED HUMAN RIGHTS VIOLATIONS AND PROVIDE LEGAL ASSISTANCE TO INDIVIDUALS. THEIR EFFORTS HAVE ALSO HELPED TO KEEP HUMAN RIGHTS ABUSES UNDER INTERNATIONAL SCRUTINY AND TO SECURE THE RELEASE OF A NUMBER OF DETAINEES. AS WITH FOREIGN ORGANIZATIONS WHICH ALLEGE THE EXISTENCE OF HUMAN RIGHTS PROBLEMS, THE GOVERNMENT IS CRITICAL OF LOCAL HUMAN RIGHTS ORGANIZATIONS. SOME LOCAL HUMAN RIGHTS ACTIVISTS COMPLAIN OF GOVERNMENT HARASSMENT, WHICH THEY ATTRIBUTE TO THEIR PUBLIC CRITICISM OF HUMAN RIGHTS ABUSES.

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SECTION 5: ECONOMIC, SOCIAL AND CULTURAL SITUATION.
PARAGUAY'S POPULATION, ESTIMATED TO BE 3.7 MILLION IN 1985 AND GROWING AT A RATE OF THREE PERCENT PER YEAR, IS SMALL IN RELATION TO ITS LAND AREA -- 157,047 SQUARE MILES, AND ABOUT THE SIZE OF CALIFORNIA. AGRICULTURE (INCLUDING FORESTRY AND RANCHING) IS THE MOST IMPORTANT ECONOMIC ACTIVITY, ACCOUNTING FOR NEARLY ONE-THIRD OF GROSS DOMESTIC PRODUCT, ONE-HALF OF EMPLOYMENT, AND OVER 95 PERCENT OF EXPORTS. PROBABLY BECAUSE OF THE RELATIVE ABUNDANCE OF GOOD LAND, URBAN POVERTY AND LANDLESSNESS --

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THOUGH ON THE RISE -- ARE NOT AS APPARENT IN PARAGUAY. AS IN MANY OTHER DEVELOPING COUNTRIES. IN URBAN AREAS 19 PERCENT OF THE POPULATION FALLS BELOW THE ABSOLUTE POVERTY LEVEL, ACCORDING TO ESTIMATES MADE IN 1978. APPROXIMATELY TWO-THIRDS OF THE TOTAL POPULATION LIVES IN RURAL AREAS, HOWEVER, WHERE 50 PERCENT FALLS BELOW THE ABSOLUTE POVERTY LEVEL.

IN THE MID-1970S, PARAGUAY BEGAN A PERIOD OF UNPRECEDENTED ECONOMIC EXPANSION STIMULATED BY THE OPENING UP OF THE COUNTRY'S ISOLATED INTERIOR FOR AGRICULTURAL AND RANCHING DEVELOPMENT AND BY THE CONSTRUCTION OF HYDROELECTRIC DAMS, ESPECIALLY THE MASSIVE PARAGUAYAN-BRAZILIAN ITAIPU PROJECT, HARNESSING THE WATERS OF THE PARANA RIVER. ALTHOUGH STATISTICS ISSUED IN 1978 SHOW THAT 19 PERCENT OF THE POPULATION FALLS BELOW THE ABSOLUTE POVERTY LEVEL IN URBAN AREAS, AS DOES 50 PERCENT IN RURAL AREAS, THE RELATIVE ECONOMIC PROSPERITY FROM THE MID-1970S TO EARLY 1980S PUSHED PARAGUAY INTO A MIDDLE-INCOME DEVELOPING COUNTRY CATEGORY WITH A PER CAPITA GROSS DOMESTIC PRODUCT (GDP) SURPASSING \$1,000. SINCE THAT TIME, ECONOMIC RECESSION AND CURRENCY DETERIORATION HAVE ERODED SOME OF THE ECONOMIC IMPROVEMENT, WHILE POPULATION GROWTH HAS REMAINED HIGH. GIVEN THE CONFUSION WITH RESPECT TO THE APPROPRIATE EXCHANGE RATE AND ESTIMATES OF ECONOMIC GROWTH, THERE IS NO ONE RELIABLE FIGURE FOR PER CAPITA GROSS DOMESTIC PRODUCT IN DOLLARS. SEVERAL OFFICIAL ESTIMATES PLACE PER CAPITA GDP ABOVE \$1,400, WHILE ESTIMATES BASED ON MARKET EXCHANGE RATES WOULD BE AROUND \$700 IN 1984. MOREOVER, GIVEN THE HIGH INCIDENCE OF POVERTY IN RURAL AREAS, WHERE SUBSISTENCE AGRICULTURE IS STILL COMMON, THIS INCOME DISTRIBUTION IS SKEWED IN FAVOR OF URBAN AREAS, WHERE THERE ARE ALSO OBVIOUS DISPARITIES IN INCOME DISTRIBUTION.

THE GOVERNMENT OF PARAGUAY OFFICIALLY ESPOUSES A PRIVATE ENTERPRISE ECONOMIC SYSTEM, BUT THE SCOPE OF GOVERNMENT IN RECENT YEARS HAS INFRINGED UPON AREAS PREVIOUSLY LEFT TO PRIVATE INITIATIVE. EMPLOYMENT IN THE PUBLIC SECTOR AND FREQUENTLY CONTRACTS FOR GOVERNMENT RELATED PROJECTS DEPEND ON OFFICIAL CONNECTIONS OR MEMBERSHIP IN THE RULING PARTY. AS THE PUBLIC SECTOR HAS GROWN, INSTANCES OF OFFICIAL ABUSE OF PUBLIC TRUST THROUGH GRAFT AND CORRUPTION HAVE INCREASED. SOME CASES ARE BEING PROSECUTED. PUBLIC INVESTMENT PRIORITIES HAVE BEEN CRITICIZED, AND INVESTMENT IN DUBIOUS OR EXCESSIVELY LARGE PUBLIC SECTOR PROJECTS HAVE CAUSED LARGE INCREASES IN THE FOREIGN DEBT BURDEN WHILE THE CAPACITY TO REPAY HAS DECLINED. EVEN THOUGH NEARLY ONE QUARTER OF THE CENTRAL GOVERNMENT BUDGET IS DEVOTED TO HEALTH AND EDUCATION, FUNDS AVAILABLE FOR SOCIAL PROGRAMS ARE LOW RELATIVE TO NEEDS. USERS COMPLAIN THAT PUBLIC HEALTH AND SOCIAL SECURITY FUNDS GO TO HOSPITAL CONSTRUCTION AND SOPHISTICATED EQUIPMENT

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PURCHASES WHILE STAFFING FOR BASIC HEALTH NEEDS AND

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SUPPLIES OF MEDICINE ARE INADEQUATE. BASIC HEALTH INDICATORS, HOWEVER, ARE IMPROVING. LIFE EXPECTANCY AT BIRTH IS 66 YEARS AND INFANT MORTALITY IS MEASURED AT 52.2 PER THOUSAND LIVE BIRTHS, DOWN SHARPLY FROM 109 IN 1982. THE POPULATION AS A WHOLE IS JUDGED TO HAVE A DAILY CALORIC INTAKE APPROXIMATELY 20 PERCENT GREATER THAN THE MINIMUM DAILY REQUIREMENT. IN THE AGRARIAN-BASED PARAGUAYAN ECONOMY, ADEQUACY OF FOOD IS SELDOM A PROBLEM, ALTHOUGH AN IMBALANCED DIET SOMETIMES LEADS TO PROBLEMS OF MALNUTRITION AMONG THE POOR. GOVERNMENT AND PRIVATE AGENCIES ATTEMPT TO ADDRESS THE LATTER PROBLEM THROUGH STRONGER HOME EXTENSION SERVICES.

STATISTICS ON ACCESS TO SAFE DRINKING WATER IN PARAGUAY ARE ALSO PROBLEMATIC. A LOW FIGURE WOULD SHOW ACCESS BY 21 PERCENT OF THE POPULATION -- 39 PERCENT IN URBAN AREAS AND 10 PERCENT IN RURAL AREAS, ACCORDING TO 1980 ESTIMATES. HIGHER PARAGUAYAN OFFICIAL FIGURES ESTIMATE THAT 41 PERCENT OF THE POPULATION HAS ACCESS TO A PUBLIC POTABLE WATER SUPPLY BECAUSE THEY TAKE INTO ACCOUNT THE AVAILABILITY OF SAFE WATER IN RURAL AREAS IF RUDIMENTARY SANITARY PRECAUTIONS ARE TAKEN. THE PUBLIC WATER AGENCIES ARE PLANNING EXPANSION OF SEVERAL SYSTEMS AND THE PUBLIC HEALTH SERVICES MAINTAIN PROGRAMS FOR IMPROVING RURAL SANITATION SO THAT ACCESS TO SAFE DRINKING WATER, AND WITH IT BASIC HEALTH INDICATORS, WILL RISE.

ADULT LITERACY WAS LAST ESTIMATED AT 80 PERCENT IN 1972. OVER THE YEARS, EDUCATION HAS BECOME MORE WIDELY AVAILABLE SO THAT VIRTUALLY ALL CHILDREN RECEIVE SOME SCHOOLING. THERE ARE WIDE DISPARITIES, HOWEVER, IN THE QUALITY OF PRIMARY EDUCATION AND THE AVAILABILITY OF SECONDARY EDUCATION IN RURAL AREAS WHERE IT IS MORE DIFFICULT TO PROVIDE SERVICES. WHEREAS NEARLY TWO-THIRDS OF URBAN PRIMARY SCHOOL CHILDREN ENTER THE SIXTH AND LAST YEAR OF BASIC EDUCATION, LITTLE MORE THAN A QUARTER OF RURAL SCHOOL CHILDREN DO SO. THE TOTAL RETENTION RATE FROM THE FIRST TO THE SIXTH YEAR OF PRIMARY EDUCATION IS ABOUT 40 PERCENT.

THE NUMBER OF STUDENTS ENROLLED IN SECONDARY SCHOOL IS STILL RATHER SMALL AND, DESPITE IMPROVEMENTS IN BOTH RETENTION AND GRADUATION RATES, THE AUTHORITIES RECOGNIZE THAT RESULTS ARE NOT YET SATISFACTORY. NEARLY TWO-THIRDS OF PRIMARY SCHOOL GRADUATES PASS ON TO SECONDARY EDUCATION, BUT ONLY ONE-HALF THAT NUMBER ACTUALLY GRADUATE FROM THE SIXTH YEAR OF SECONDARY OR INTERMEDIATE LEVEL EDUCATION. EFFORTS ARE ALSO BEING AIMED AT IMPROVING TEACHING STANDARDS AND RELATING THE CONTENT OF

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SECONDARY EDUCATION TO THE TECHNICAL REQUIREMENTS OF THE COUNTRY.

PARAGUAY HAS AN UNASSIMILATED INDIAN POPULATION ESTIMATED AT 45,000. THE GOVERNMENT'S NATIONAL INDIGENOUS INSTITUTE CAN PURCHASE LAND ON BEHALF OF THE INDIANS AND EXPROPRIATE PRIVATE PROPERTY TO ESTABLISH TRIBAL HOMELANDS. IMPLEMENTATION OF THIS PROGRAM HAS BEEN SLOW AND THUS FAR ITS PROMISE HAS NOT BEEN REALIZED, BUT DURING 1985 THE INSTITUTE PURCHASED LAND ON BEHALF OF INDIANS FOR THE SECOND CONSECUTIVE YEAR. THE PROBLEMS OF THE INDIAN POPULATION CONTINUE TO RECEIVE WIDE PUBLICITY IN THE PARAGUAYAN MEDIA. THE MOST CONTROVERSIAL ISSUE DURING 1985 CONCERNED EFFORTS BY A PROMINENT BUSINESSMAN TO FORCIBLY EVICT INDIANS FROM TRADITIONAL TRIBAL AREAS ON A LARGE LANDHOLDING HE HAD PURCHASED. THIS OCCURRED DESPITE ASSURANCES FROM THE INSTITUTE THAT IT WOULD PROTECT THEM FROM EXPULSION.

THE CONSTITUTION GUARANTEES "THE EQUALITY OF CIVIL AND POLITICAL RIGHTS" OF WOMEN, WHILE EMPHASIZING THE IMPORTANCE OF MARRIAGE AND THE UNITY OF THE FAMILY. WOMEN PLAY A MINOR ROLE IN THE POLITICAL LIFE OF PARAGUAY. THE EXECUTIVE AND JUDICIAL BRANCHES OF GOVERNMENT HAVE A FEW PROMINENT FEMALE OFFICIALS, AND THERE ARE THREE WOMEN IN THE 90-MEMBER PARLIAMENT. SEVERAL OTHERS, INCLUDING A PROMINENT HUMAN RIGHTS LEADER AND A MUNICIPAL COUNCIL MEMBER ENJOY INDEPENDENT POLITICAL RENOWN. WHILE THE TRADITIONAL SOCIAL SYSTEM LIMITS THE PARTICIPATION OF WOMEN, PARTICULARLY THOSE FROM LOWER INCOME GROUPS, AN INCREASING NUMBER ARE PARTICIPATING EFFECTIVELY IN BUSINESS, THE PROFESSIONS, AND THE ARTISTIC WORLD. HOWEVER, WOMEN USUALLY RECEIVE LESS REMUNERATION THAN MEN FOR COMPARABLE WORK. THERE ARE TWO ORGANIZATIONS CONCERNED WITH WOMEN'S RIGHTS:

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TAGS: PHUM, PA

SUBJECT: 1985 HUMAN RIGHTS REPORT FOR PARAGUAY
THE PARAGUAYAN LEAGUE OF WOMEN'S RIGHTS, A WING OF THE RULING COLORADO PARTY; AND THE UNION OF PARAGUAYAN WOMEN, AN ORGANIZATION FOUNDED IN 1982 BY A FORMER OPPOSITION MEMBER OF THE PARLIAMENT.
THE PARAGUAYAN LABOR CODE (LAW 729/61) CONTAINS MINIMUM GUARANTEES, BENEFITS AND WORKER RIGHTS. TEMPORARY, PUBLIC SECTOR AND DOMESTIC WORKERS ARE NOT COVERED. MAXIMUM HOURS ARE EIGHT HOURS PER DAY OR SEVEN HOURS IF AT NIGHT, WITH ONE DAY OF REST PER WEEK. A MINIMUM WAGE IS ESTABLISHED BY THE LABOR AUTHORITY DEPENDING ON THE TYPE OF WORK AND THE REGION, BASED UPON STUDIES OF THE COST OF LIVING BY THE NATIONAL ECONOMIC COORDINATING COMMITTEE. IN 1985 THE COMMITTEE RECOMMENDED TWO INCREASES: 10 PERCENT IN FEBRUARY AND A 20 PERCENT INCREASE IN SEPTEMBER. THE MAXIMUM URBAN WAGE IS NOW

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ABOUT U.S. DOLLARS 2.32 PER DAY AND U.S. DOLLARS 1.97 IN RURAL AREAS. OTHER WAGES MUST RISE BY THE SAME ABSOLUTE AMOUNT OF ADJUSTMENT, BUT NOT PROPORTIONALLY. THE LAW PROVIDES FOR A ONE MONTH ANNUAL BONUS. MINORS BETWEEN 15 AND 18 YEARS OF AGE MAY BE EMPLOYED ONLY WITH PARENTAL AUTHORIZATION AND CANNOT BE EMPLOYED IN DANGEROUS OR UNHEALTHY CONDITIONS. BETWEEN 12 AND 15 YEARS, THESE SAME STANDARDS APPLY BESIDES THE RESTRICTION THAT WORK BE AT FAMILY ENTERPRISE, APPRENTICESHIP, OR AGRICULTURAL ENDEAVOR. MARRIED WOMEN REQUIRE THEIR HUSBANDS' CONSENT TO ENTER A LABOR CONTRACT, HOWEVER IT MAY NOT BE DENIED TO WOMEN WHO WORKED PRIOR TO THEIR MARRIAGE. PAID MATERNITY LEAVE OF SIX WEEKS PRIOR TO AND AFTER BIRTH IS REQUIRED. DAY CARE CENTERS FOR CHILDREN UNDER TWO YEARS ARE SPECIFIED FOR ENTERPRISES EMPLOYING MORE THAN FIFTY WOMEN. SEVERANCE PAY IS SPECIFIED AND COMPENSATION IS PROVIDED FOR IN THE CASE OF UNJUSTIFIED DISMISSAL. ALL WORKERS MUST BE ENROLLED IN THE SOCIAL SECURITY INSTITUTE.

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