

# PARAGUAY<sup>1</sup>

In 2002 Paraguay had a population of 5,206,101<sup>2</sup> inhabitants, of whom 56.7% were urban dwellers and 43.3% lived in rural areas. GDP in that year was US\$ 6.85 Billion<sup>3</sup> and per capita income stood at US\$ 1,510.<sup>4</sup> Between 1999 and 2002, the slowing down of the Paraguayan economy was reflected in an annual growth rate of 0.2%, dramatically below the 2.6% expected. This meant that per capita GDP diminished by an average of -2.4% per year, reaching a 20-year low in 2002.<sup>5</sup> At the same time, poverty rates in Paraguay rose from 33.9% for the 2000-2001 period to 48.8% in 2002.<sup>6</sup> Unemployment was 7.6% in 2001.<sup>7</sup> Illiteracy among those 15 years of age and older dropped from 9% in 1997 to 8% in 2001.<sup>8</sup> Paraguay has an indigenous population of 85,674 divided among 496 different communities and villages. The largest number is to be found in the regions of Avá Guaraní, Maka, Mbya, Nivacle and Guaraní Occidental. Although Paraguay's official language is Spanish, the native South American *Guaraní* tongue is also accepted officially.

## ***Highlights of the Judicial System***

- The judicial branch or *Poder Judicial* is charged with the administration of justice in Paraguay. Its composition is as follows: the Supreme Court of Justice; the Accounts Court (*Tribunal de Cuentas*); the Appeals Courts; the first instance courts; the professional peace courts (*Justicia de Paz Letrada*); the Supervisory Courts (*Juzgados de Garantía* – a preliminary instance to guarantee the rights of the accused); the sentencing and enforcement courts (*juzgados de sentencia y de ejecución en lo penal*); judge-arbitrators and arbitrators instances; and the justices of the peace.
- The budget for the judicial branch in the year 2001 was 1.58% of the fiscal budget or 0.84% of gross domestic product (GDP).<sup>9</sup>
- For every 100 thousand inhabitants there were 10.46 judges, 5.78 prosecutors, 0.90 defenders, 174.42 attorneys, and 277.75 police officers.<sup>10</sup>
- Records from 2001 showed 15.56 murders; 5.05 rapes; 50.35 serious assaults; 1.85 thefts with breaking and entering; 23.97 cases of fraud and 1.73 drug offences per 100 thousand inhabitants in Paraguay, according to INTERPOL figures.
- Prisons housed 4,088 inmates in 1999, a rate of 75 per 100 thousand inhabitants. Those in preventive custody represented 92.7% of the prison population, with overcrowding reaching 151% of holding capacity.<sup>11</sup>

## 1. Institutions

### ***Judicial Branch of the Republic of Paraguay (Poder Judicial de la República del Paraguay)***

Paraguay's judicial branch, responsible for justice administration in that country, consists of the following institutions: the Supreme Court of Justice, Accounts Court (*Tribunal de Cuentas*); Courts of Appeal; Courts of First Instance; Peace Courts (*Justicia de Paz Letrada*); Supervisory Courts (*Juzgados de Garantía*); Criminal

Sentencing and Enforcement Courts; Judge Arbitrators and Mediators; and Justices of the Peace. All of these officials may consider and rule upon contentious legal actions. Subsidiary justice sector offices are the Public Prosecutor's Office (*Ministerio Público*), the Ministry of Public Defence (*Ministerio de la Defensa Pública*) the General Bankruptcy Receiver (*Sindicatura General de Quiebras*), attorneys and prosecutors, public notaries, court clerks, police, auctioneers, experts in general, court translators, justice officials and any individual to whom the law confers judicial functions.

Judicial branch independence is guaranteed by the Constitution. Under no circumstances may members of other branches of government or other employees assume judicial authority not expressly set forth in the Constitution. Officials outside the judicial branch are enjoined from reopening cases that have concluded, encumbering trials in progress, or interfering in any way with trials. Actions of this kind bring about absolute nullity. The Constitution establishes budgetary autonomy of the judicial branch, adding that the National Budget shall allocate to the judiciary no less than three percent of the Central Administration allocation.<sup>12</sup>

Table 1  
Justice Sector Allocation - 2002  
Source: **Law 1857, Approving the Fiscal Budget**<sup>13</sup>

<b>Institution</b>	<b>Amount in national currency (Gs)</b>	<b>Amount in US dollars</b>
Supreme Court	<b>226,241,566,444</b>	<b>32,320,223.78</b>
Judiciary Council	<b>2,608,412,562</b>	<b>3,726,303.66</b>
Public Prosecutor's Office	<b>94,659,162,612</b>	<b>13,522,737.52</b>
Electoral Court	<b>77,157,926,96</b>	<b>11,022,560.991</b>
<b>Total</b>	<b>400,667,068,579</b>	<b>57,238,152.65</b>

### ***Supreme Court***

The Supreme Court is vested with authority for judging and supervising, with disciplinary authority, matters related to the courts, subsidiary justice personnel and other offices under the judicial branch.

The Court is composed of nine justices who are assigned to three different chambers: Civil and Commercial, Constitutional, and Criminal. Supreme Court justices are elected by the Senate with approval from the executive branch from a roster of candidates proposed by the Judiciary Council upon prior selection based on qualification, integrity and capabilities.

The following are Supreme Court functions:

- To exercise supervisory authority over all judicial branch bodies
- To dictate its own internal norms
- To consider and rule on ordinary appeals established by law
- To consider and rule with original jurisdiction on Habeas Corpus petitions

- To consider and rule on constitutionality
- To consider and decide appeals to dismiss
- To preventively suspend judges on its own initiative or at the request of the Judicial Impeachment Jury (*Jurado de Enjuiciamiento de Magistrados*) by absolute majority vote
- To monitor prison and penitentiary institutions
- To handle jurisdictional disputes between the executive branch and government departments and between these departments and municipal governments.

### ***Ministry of Justice and Labor***

Directed by a Minister appointed by executive branch decree, the Ministry of Justice and Labor represents the executive branch within the judicial branch. The Ministry of Justice and Labor has under its charge the following institutions: the prison system; correctional institutions; half-way houses; juvenile detention centers; labor and union organizations; social, judicial and labor legislation; the vital records office; legislative reform, and drafting of legislative bills, with the exception of those issues under jurisdiction of another government ministry.

### ***Public Prosecutor's Office (Ministerio Público)***

The Prosecutor General (*Fiscal General del Estado*) directs this office, which includes three adjunct prosecutor offices, each headed by a superintendent or coordinator appointed by the Prosecutor General. Adjunct prosecutor offices are subdivided into prosecutor departments.

The executive branch, with Senate approval, appoints the Prosecutor General from a list of three candidates proposed by the Judiciary Council, for a five-year term with possibility for reelection.

The Public Prosecutor's Office represents society before jurisdictional bodies. It has operational and administrative autonomy for carrying out its duties and authority.

The Public Prosecutor's Office has the following functions:

- To safeguard respect for constitutional rights and guarantees.
- To foster public criminal action to defend the public interest, national and social heritage, the environment and the rights of indigenous peoples.
- Pursue criminal action in cases in which a party is not required to initiate or pursue, even though a judge or court may proceed ex officio where the law so establishes.<sup>14</sup>

### ***Ministry of Public Defense (Ministerio de la Defensa Pública)***

Considered by the Judicial Charter Law (*Código de Constitución Judicial*) as an auxiliary judicial agency, the Ministry of Public Defense pertains to the Supreme Court. A Public Defender heads this office, and is supported by two assistant defenders and 96 staff defenders. This service is provided for defendants who lack the means to hire a private defense attorney.

The Supreme Court appoints the Public Defender from a list of candidates proposed by the Judiciary Council as a result of public competition.

The Ministry of Public Defense is also comprised of:

- a) *Defender of the Poor, the Absent, Disabled, and Elderly*. This office defends the poor, absent or disabled as a party to all legal matters that concern the interest of these people or their assets.
- b) *Labor Advocate*: An attorney and legal assistants provide *pro bono* representation and protection to impoverished workers and to workers declared absent in labor trials.
- c) *Defenders of the Poor in Criminal Court*: These exercise as defense attorneys for defendants who have not designated a defender.

### ***Judiciary Council (Consejo de la Magistratura)***

The Council is composed of eight members appointed from various sectors: one member from the Supreme Court; a representative of the executive branch; one senator and one congress deputy; two attorneys elected directly by their peers; a professor from the National University Law School; and a private university law professor.

The Judicial Council's highest authority is its President. The Council's duties and faculties center on the appointment of judges. For example, Supreme Court justices are proposed by the Council based on qualifications and with consideration for integrity and capabilities. The executive branch then selects nominees from the roster prepared by the Judicial Council, and the Senate must then approve these. The Council employs the same criteria for selecting and examining nominees for lower court judgeships and for prosecutors to the Supreme Court. It also develops internal regulations and carries out other duties and authorities established by the Constitution and laws.

### ***Ombudsman's Office (Defensoría del Pueblo)***

The Ombudsman's Office is commissioned directly by parliament, and never exercises judicial or executive jurisdiction. It is autonomous and its director, the Ombudsman, cannot be removed from office.

The Ombudsman is appointed by two-thirds vote of the Chamber of Deputies from a roster of candidates proposed by the Senate. The office is held for a five-year term with the possibility of reelection.

The Ombudsman's functions are as follows:

- To defend human rights
- To channel claims from the people and to protect community interests
- To receive and investigate denunciations, complaints, and claims against human rights violations
- To issue a public reproach of actions or conduct contrary to human rights

- To inform Congress of its actions

## 2. Procedures

### ***Criminal Cases***

Criminal procedure in Paraguay is divided into five main stages: Preliminary stage or Prosecutor's Preliminary Investigation stage; intermediate stage; oral trial; appeal; and the enforcement of sentence. The procedures involved are adversarial and oral.

*Preliminary:* this can basically be seen as a group of investigative actions and procedural steps, aimed at determining if sufficient grounds exist to bring charges against an individual and subject him or her to trial. This stage may be activated by a complaint by the plaintiff or other citizen to the police or public prosecutor, or by a complaint made directly by the injured party before the Supervisory Criminal Judge (*Juez Penal de Garantías*).

The Public Prosecutor's Office (*Ministerio Público*) together with the National Police and the Judicial Police conduct the investigation.<sup>15</sup>

*Intermediate stage:* includes an examination of the form and content of the activities and procedures employed during the investigation. This stage is conducted before the Supervisory Judge (*juez de garantías*) in an oral and public hearing.

During these first two stages, alternative solutions or resolutions may be applied to terminate the matter before the public oral trial: these may include: withdrawal of charges, use of prosecutorial discretionary measures, conditional stay of proceedings, abbreviated proceedings, conciliation, precautionary measures, or definitive or provisional dismissal of charges.

*Public oral trial:* a trial court rules on the innocence or guilt of the defendant and the corresponding sanction to be applied. This stage may in turn be subdivided into three sections: preparation, corroboration, and deliberation and sentencing.

*Appeal:* This stage seeks to uphold the right of the accused to challenge the sentence.

*Enforcement of sentence:* This stage ensures that the administration of justice effectively enforces the judgment without delegating this power to para-judicial or administrative bodies. This stage is implemented by judges called *jueces penales de ejecución*.

### ***Civil Suits***

For first instance actions, the Professional Justice Tribunals (*Tribunales de Justicia Letrada*) and Courts of First Instance hear civil and commercial matters, depending upon the amount of the claim. In the second instance, rulings from the Courts of First instance are appealed before the Court of Appeals, while those from the Professional Justice Tribunals are heard before the Courts of First Instance. The Supreme Court of Justice hears third instance appeals and matters of unconstitutionality.

Ordinary civil procedures are written and initiate with the filing of the complaint, which begins a stage to establish the claim. The process continues with the evidentiary stage, wherein evidence is presented and processed; the length of this stage can be extended at the request of the parties. When completed, the parties present their arguments in writing. In the final stage the judge pronounces the process closed, studies the case file and passes sentence.

### 3. Case Statistics

There are two sources of information for case volume data for Paraguay. The first is the *Corte Suprema*, which collects information on cases filed, organized by type and court. The Court's *Oficina de Estadísticas Civil* reported that 33,111 cases were filed in 2001. In the first half of 2002 (January to June), the same source indicated that 29,856 cases had been filed. The two tables below present case data by subject matter and time period.

Table 2  
**Cases Filed in 2001**

Source: Oficina de Estadísticas Civil de la Corte Suprema de Justicia, 2001

Type of Case	Number of Cases Filed
Civil and Commercial	19,304 <sup>16</sup>
Family and Child	5,543 <sup>17</sup>
Labor	1,363 <sup>18</sup>
Administrative	965 <sup>19</sup>
Criminal	5,936 <sup>20</sup>
<b>TOTAL</b>	<b>33,111</b>

Table 3  
**Cases Filed During First Half of 2002<sup>21</sup>**

Source: Oficina de Estadísticas Civil de la Corte Suprema de Justicia

Type of Case	Number of Cases Filed
Civil and Commercial	19,304 <sup>22</sup>
Family and Child	5,543 <sup>23</sup>
Labor	1,363 <sup>24</sup>
Administrative	965 <sup>25</sup>
Criminal	5,936 <sup>26</sup>
<b>TOTAL</b>	<b>33,111</b>

The second source for case data is the public defender for civil matters (*Defensoría Adjunto en lo Civil*), which reported 13,762 cases filed in 2001, and 3,579 cases in the first half of 2002 (January to June). These are in addition to the 2,264 cases backlogged from the previous year, making a total of 6,023 for this period. Among new cases, 2,086 were closed. It should be noted that this does not include criminal or administrative cases.

Tables 4 and 5 show case movement for 2001 and the first semester of 2002.

Table 4  
**Cases Backlogged, Filed and Disposed in 2001**  
 Source: Defensoría Adjunta en lo Civil

Type of Case	Backlogged From 2000	Filed	Disposed
Civil and Commercial	2031	1791	1926
Family and Child	1270	1952	1818
Labor	283	128	181
Criminal	N.D. <sup>27</sup>	9891 <sup>28</sup>	N.D.
<b>TOTAL</b>	n.a. <sup>29</sup>	13762	n.a

Table 5  
**Cases Backlogged, Filed and Disposed in 2002**  
 Source: Defensoría Adjunta en lo Civil

Type of Case	Backlogged From 2001	Filed	Disposed
Civil and Commercial	834	923	741
Family and Child	1277	2779	1214
Labor	153	57	131
<b>TOTAL</b>	2264	3759	2086

### ***Duration of Proceedings***

#### *Criminal Cases*

According to data provided by the Supreme Court through the court performance measurement program (*Medición de Efectividad del Sistema de Gestión Jurisdiccional*), for the year 2001, the average duration of criminal cases was 151 days in ordinary proceedings; 333 days for executive proceedings; 397 days for Estate Proceedings (*sucesorio*); 181 days for Labor Proceedings; and 121 for Protection Proceedings (*proceso tutelar*).

#### ***Civil Suits***

The same source indicates an average duration of civil cases of 87 days in 2001.

## 4. Crime Rates

The Annual Statistics Report prepared by the *Dirección General de Estadísticas, Encuestas y Censos*, reflected a total of 26,264 registered complaints and 16,090 resolved, resulting in a clearance rate of 61.3%. This source

also indicates that in 2001 there were 289 rapes, 890 murders, 3,127 simple thefts, 1,379 frauds and 10 kidnappings.

The following table disaggregates criminal complaints by type, showing number filed and resolved.

Table 6

**Complaints Reported to Police Stations and Resolved by Crime Type (2001)**

Source: Dirección General de Estadísticas, Encuestas y Censos, *Anuario Estadístico del Paraguay 2001*

Type of Crime	Complaints		% Resolved
	Registered	Resolved	
TOTAL	26,264	16,090	61.3
Cattle Rustling	979	621	63.4
Abortion	20	11	55.0
Assault *	175	71	40.6
Death Threat	1,414	947	67.0
Rape	289	142	49.1
Causing Intentional Harm	1,612	1,096	68.0
Intentional firing of weapon	855	614	71.8
Fraud	1,379	643	46.6
Fillicide	2	1	50.0
Fratricide	6	6	100.0
Escaped Prisoner	152	96	63.2
Injury resulting from bomb	10	10	100.0
Manslaughter in traffic accident	655	469	71.6
Murder	890	545	61.2
Infanticide	5	4	80.0
Invasion of premises	89	67	75.3
Injury from traffic accident	4,254	3,329	78.3
Injury	2,880	1,852	64.3
Reciprocal injury	202	183	90.6
Parricide	1	1	100.0
Abduction	10	9	90.0
Common theft of objects	3,127	1,633	52.2
Armed robbery of objects	1,288	473	36.7
Common theft of vehicle	1,413	808	57.2
Armed robbery of vehicle	417	246	59.0
Common theft of motorcycle	584	130	22.3
Armed robbery of motorcycle	209	76	36.4
Seducing a minor	1	1	100.0
Kidnapping of a person	14	13	92.9
Trafficking or possession of marihuana	99	90	90.9

Uxoricide	1	1	100.0
Breaking and Entering	1,977	1,089	55.1
* Armed robbery, particularly against banks or other important business.			

## 5. Prison Population

Information provided by the *World Prison Brief*, published by the International Centre for Prison Studies, shows that in 1999 there were a total of 4,088 persons incarcerated in Paraguay, a rate of 75 per 100 thousand inhabitants.<sup>30</sup> In the same year, 92.7% of the prison population was in preventive custody awaiting sentencing.

With an official holding capacity of 2,707 inmates in 1999, the large number of inmates resulted in an occupancy level of 151% for the country's 15 penitentiary establishments.<sup>31</sup> The following table shows the prison population over the last eight years.

Table 7  
**Prison Population 1995-1999**  
Source: World Prison Brief, International Centre for Prison Studies

Year	Total persons incarcerated	Rate per 100,000 inhabitants
1995	2,970	60
1998	3,749	71
1999	4,088	75

## 6. Related Areas

### ***Alternative Dispute Resolution (ADR)***

Paraguay's judicial branch offers a mediation office to attend cases currently in progress in the first instance juvenile, civil and commercial, and labor courts, as well as the *Juzgados de Paz* in Asunción.

The National Chamber of Commerce and Services (*Cámara Nacional de Comercio y Servicios del Paraguay*) also operates a mediation and arbitration center.

Paraguayan criminal law also provides for the use of alternative dispute resolution mechanisms, including conciliation.

### ***Legal Profession***

According to the attorney registry Judisoft, there were 9,081 attorneys in Paraguay in 2002. The country has nine law schools. The Universidad Católica Nuestra Señora de la Asunción Law School had a graduating class of 93 students in 2001.<sup>32</sup>

### ***Justice in Indigenous Communities***<sup>33</sup>

According to a report from the *Dirección General de Estadísticas, Encuestas y Censos*, when a crime is committed, the indigenous offender is placed at the disposal of the respective indigenous community leader. In Asunción and Central, every member (100%) of the indigenous population is first seen by the community leader when a crime has been committed. It is important to note that Paraguay's Constitution recognizes the existence of indigenous communities, which are defined as groups whose culture precedes the formation and organization of the state of Paraguay.

Regarding ethnic identity, the Constitution states that: "The right of indigenous communities to preserve and exercise their ethnic identity in their respective habitat is hereby recognized and guaranteed. These communities also have the right to freely apply their organizational systems in politics, social issues, economy, culture, and religion, and may voluntarily subject themselves to the laws of their community for regulating internal relationships, where these laws do not violate the fundamental rights established in this Constitution. Indigenous customary law will be taken into account in jurisdictional disputes."<sup>34</sup>

## 7. Judicial Reform Projects Underway

### ***Project for the Institutional Modernization and Strengthening of the Judicial Branch***

The above project (*Proyecto de Fortalecimiento Institucional del Poder Judicial*) was launched in 1999 with funding from the Inter-American Development Bank (IDB), with the UNDP as implementing agency. The project has the following components:

- **Jurisdictional Management System:** The objective here is to improve levels of efficiency and effectiveness in jurisdictional tasks through a number of different actions that support the day-to-day activities of court offices, such as instruments to improve the quality and expediency of judicial proceedings, and mechanisms to improve the management of certain types of proceedings, among others.
- **Administrative Management System:** This element includes modules for human resources and finance, as well as logistics. The main objective in both areas is to improve administrative efficiency and transparency, linking these to the concrete needs of institutional development.
- **Management System for Institutional Development and Relations:** This section includes modules for Institution Development and Institutional Relations, the principal objective being to generate methods for those governing the judicial branch to progressively adapt the institution to future demands for judicial services, and to fill in the gaps in this area.
- **Computer Support:** Developing a set of equipment and state-of-the-art computer support connected by a network, with the aim of facilitating, organizing and speeding up selected work processes in areas such as the courts, administration, planning and strategic institutional development. The component also includes installing a national network for work-related information exchange through local area networks in district headquarters of the judicial branch.

### ***Criminal Procedure Reform***<sup>35</sup>

The judicial reform process in Paraguay came into being in 1992 with the adoption of the country's Constitution, which provided for a new judicial system in line with the principles of a Republican, Social and Democratic government.

Within the reform process, the role of the *Ministerio Público* was redefined as an autonomous body that represents society before the courts, and whose main duty is to carry out criminal prosecution and to defend the general and collective interests of society.

The criminal procedural code came into force partially throughout the country on 9 July 1999, for the following types of cases: individual criminal proceedings filed under the 1890 code; private criminal acts; cases under the principle of opportunity; withdrawal of charges; reparatory settlements; shortened procedures; annulment (*la extinción de la acción en los procesos en que se hubieren dictado*); temporary stay of proceedings; and precautionary measures.

The design of new legal norms was based heavily on the 1992 Constitution, although treaties and international human rights agreements ratified by Paraguay were also taken into account.

Comparative law sources employed included the Ibero-American Model Procedure Code (*Código Procesal Modelo para Iberoamérica*); the Italian criminal procedure code; Spain's Law of Criminal Procedure (*Ley de Enjuiciamiento Criminal*); and the criminal procedure codes of Guatemala, El Salvador, Honduras, Costa Rica, Venezuela and the province of Cordoba in the Republic of Argentina.

In the year 2000, the new criminal procedure code came into full force, with the new system being applied in all suits filed on or after that date, even when the offence occurred prior to that date.

According to a country report on Paraguay and the model Constitution, the principles embodied in the criminal procedural reform were as follows:

The endowment of the *Ministerio Público* with faculties to investigate and oversee police investigations as well as with the responsibility for laying charges and the burden of proof.

- The introduction of mechanisms to ensure the full exercise of the right of offenders to material and technical defense.
- The incorporation of oral trials as a central part of proceedings.
- The introduction of monitoring mechanisms and limits for trial duration and a system to establish personal and procedural sanctions for non-compliance.
- The introduction of alternative dispute resolution mechanisms apart from ordinary proceedings, such as prosecutor's discretionary measures, diversion programs, conciliation and shortened proceedings.
- Establishment of acceptable pleas, time limits and the provision of precautionary measures.
- The establishment of special procedures according to the nature of the crime (individual criminal proceedings), the type of punishment (trials for the application of certain measures) and the nature of the population involved in the dispute (special procedures for punishable offences associated with indigenous peoples).

## 8. Websites

### **Poder Judicial (Judicial Branch)**

<http://www.pj.gov.py/>

The website contains institutional information such as history, ministries, operations and composition, duties and attributions of the judicial branch, as well as the Supreme Court secretariat. This site provides access to the 2003 Budget and includes a list and maps of judicial districts. It also maintains complete documentation on the Supreme Court's Centro Internacional de Estudios Judiciales, Supreme Court bodies, the office of projects and planning, along with its infrastructure and a tri-party assessment. This website's directory includes the Supreme Court, the Prosecutor General's and public defender offices, and there are also links to both official and non-official related sites, among others. Spanish-language only.

**Ministerio de Justicia y Trabajo  
(Justice and Labor Ministry)**

<http://www.paraguaygobierno.gov.py/rec/>

This website contains all information relevant to the *Dirección General del Registro del Estado Civil* (civil registry), which is an executive branch agency that operates through this Ministerio. The site also has institutional information and operational structure, laws and decrees. Also contains a list of services including addresses, regional offices and forms. Noteworthy links. The page is accessed through the website of the Presidencia and available only in Spanish.

**Ministerio Público**

<http://www.ministeriopublico.gov.py>

Web page of the Public Prosecutor's Office of the Republic of Paraguay, with institutional information and structure by area. Also includes case statistics and legislation for civil and criminal matters. Information on the rights of victims and prisoners; a listing of districts and a directory of prosecutors throughout the country. Press articles, bulletins, and publications. There is on-line access to vehicles impounded by the ministry. A standard summary of the budget, invitations to tender, contacts and related links. Spanish-language only.

**Defensor del Pueblo (Ombudsman's Office)**

<http://www.paraguaygobierno.gov.py/defensoria/>

A webpage within the official site of the government of Paraguay. It includes information on historical background, the legal framework, and the work of the public defender's office. Noteworthy links. This page also has an online form for submitting claims. Spanish-language only.

**Gobierno de Paraguay (Government of Paraguay)**

[www.paraguaygobierno.gov.py](http://www.paraguaygobierno.gov.py)

Official website of the government of Paraguay that includes information on the legislative, judicial and executive branches of government. Laws and codes organized by relevance, and general legislation. Procedures, basic information, investments and grants. Agricultural news, the Official Gazette, new and old decrees. Links to government offices and other noteworthy links. Recent news and archives. Spanish-language only.

**Instituto de Estudios Comparados en Ciencias Penales y Sociales de Paraguay, INECIP-Paraguay  
(Institute for Comparative Studies in Social and Criminal Sciences)**

[www.inecip.org.py](http://www.inecip.org.py)

The INECIP is a non-profit association founded in 1994 to lobby for the construction and consolidation of a criminal policy model in line with a social, democratic rule of law. INECIP is comprised of an institutional assembly, a steering committee and an executive board, as well as a team of consultants and partners and collaborators.

The webpage gives access to institutional information, strategic planning, programs and projects, agreements and institutional reports. It has a virtual library with articles, monographs, speeches, and a catalogue with publications from INECIP-Argentina.

Research, current legislation and proposed laws can be accessed through this website. The information is complemented with related links, job opportunities, online debates and contacts. Spanish-language only. INECIP Paraguay is a member of the Network of Non-Governmental Organizations for Justice in the Americas, coordinated by JSCA, the Justice Studies Center for the Americas.

## 9. Basic Directory

### **Corte Suprema**

Address: Testanova y de la Conquista s/n, Asunción

Phone: (595) 21-423 748

### **Ministerio de Justicia y Trabajo**

Address. Avda. Rodríguez de Francia y EEUU, Asunción

Phone: (595) 21-450-561

### **Fiscalía General del Estado**

Address: Palacio de Justicia, Alojos y Testanova, 4° piso, Asunción

Phone: (595) 21-480205

Fax: (595) 21-48 02 05

### **Ministerio Público**

Address: Constitución Nacional N° 727 c/ Independencia Nacional

Encarnación, Paraguay

Phone/fax: (595) 71 204 463

### **Defensoría General**

Address: Palacio de Justicia, Alonso y Testanova 6° Piso

Asunción

Phone : (595) 21-424 311/12/13

Fax: (595)21-426 207

### **Colegio de Abogados de Paraguay**

Address: Calle Manduviría 14 de Mayo

Asunción

Phone: (595) 21-44 18 82

Fax: (595) 21-44 18 82

## Notes

<sup>1</sup> The data presented in this chapter is based principally on answers to JSCA's questionnaire that were submitted by: i) Carlos A. Filártiga Lacroix, Vice Ministro, Ministerio de Justicia. ii) Rubén Fleitas, head of computing, Presidencia de la Corte Suprema. iii) Noyme Yore Ismael, Defensora General, Ministerio de la Defensa Pública. Other sources are cited as appropriate.

<sup>2</sup> Dirección General de Estadísticas, *Encuestas y Censos Encuesta Integrada de Hogares*, Secretaría Técnica de Planificación, 2002 Census.

<sup>3</sup> Sub Secretaría de Estado de Economía e Integración, Ministerio de Hacienda.

<sup>4</sup> Sub Secretaría de Estado de Economía e Integración, Ministerio de Hacienda. Gs. 10,570,000 in local currency.

- <sup>5</sup> DGEEC, *Pobreza en Paraguay, EPH 2002*, Household survey. "...in all, during Paraguay's economic recession (1999-2002), all social levels (low, middle and high) both urban and rural, dropped. The causes of the increase in poverty levels are due to the simultaneous occurrence of the economic recession (drop in GDP per capita, increase in unemployment) and rising inflation (accompanied by the extremely high exchange rate during the period referred to). The significant increase in urban poverty is because this sector is more sensitive to changes in income levels than the rural poor. According to estimates produced by Marcos Robles in 1997/98, if per capita income fell 5%, with income distribution constant, the percentage of urban poor would increase by 6.7% and rural by 4.7%. This last point shows the greater sensitivity to income fluctuations among the urban poor." Translated from the Spanish.
- <sup>6</sup> Ibid
- <sup>7</sup> Dirección General de Estadísticas, Encuestas y Censos (DGEEC).
- <sup>8</sup> World Bank, *World Development Indicators*.
- <sup>9</sup> Calculated from public sector budget contained in the spreadsheet submitted.
- <sup>10</sup> Estimated data according to 2002 Census population. Data on number of actors in the system from: *Supreme Court Human Resources Statistics*, *JUDISOFT* and *National Police Statistics*.
- <sup>11</sup> International Centre for Prison Studies, *World Prison Brief*.
- <sup>12</sup> Constitution, Chapter III, Section I, Article 249, "...The Judicial Branch budget shall be approved by congress, and the Comptroller of the Republic shall verify all its spending and investments." (translated from the Spanish)
- <sup>13</sup> The Supreme Court issued this information with the following clarification: "The amount is that budgeted, and may not be wholly expended, and may have been modified during the year." (Translated from the Spanish)
- <sup>14</sup> Law N. 1562/00, "Orgánica del Ministerio Público."
- <sup>15</sup> An auxiliary body belonging to the Public Prosecutor's Office (Ministerio Público).
- <sup>16</sup> Filed in the nation's capital.
- <sup>17</sup> Cases filed in the child custody courts and juvenile courts in the nation's capital.
- <sup>18</sup> Cases filed in labor courts in the nation's capital.
- <sup>19</sup> Cases filed in administrative courts in the nation's capital.
- <sup>20</sup> Cases filed in the criminal *juzgados de garantía* (special courts to safeguard defendants' rights)
- <sup>21</sup> Until June 2002.
- <sup>22</sup> 9,790 cases filed in the first instance courts in the capital city and 8,991 cases filed in the *Juzgados de Justicia Letrada* of the capital = 18,781.
- <sup>23</sup> Causes entering the child custody courts and juvenile courts.
- <sup>24</sup> Cases entering the labor courts in the capital.
- <sup>25</sup> Cases filed in the administrative courts of the capital.
- <sup>26</sup> Cases filed in the criminal *juzgados de garantía* (see note above).
- <sup>27</sup> No information available as none was submitted.
- <sup>28</sup> Until August 2002.
- <sup>29</sup> Information is not reliable as not all of the data was included.
- <sup>30</sup> Based on an estimated population of 5.48 million inhabitants in 1999, according to the Centro Latinoamericano de Demografía – (CELADE).
- <sup>31</sup> October 1995, Dirección de Política Criminal y Criminología - Ministerio Público.
- <sup>32</sup> *Secretaría de la Facultad de Derecho de la Universidad Católica Nuestra Señora de la Asunción*.
- <sup>33</sup> DGEEC, *Pueblos Indígenas del Paraguay, Resultados Preliminares*, 2003.
- <sup>34</sup> Constitution of Paraguay, Chapter V, Article 63. Translated from the Spanish.
- <sup>35</sup> María Victoria Rivas, INECIP- Paraguay, "Informe de Paraguay", en *Proyecto de Seguimiento de las Reformas Procesales Penales en las Américas*, CEJA, 2001. The complete report can be viewed at [www.cejamericas.org](http://www.cejamericas.org)