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Paraguay: Amnesty International writes to the President of the Republic regarding human rights obligations during a state of emergency

A fortnight after Paraguay's state of emergency was declared, Amnesty International has sent the President of the Republic, Fernando Lugo, a letter urging him not to sacrifice fundamental human rights in the name of public order.

In the letter, Amnesty International expressed its views on the state of emergency, which was declared on 24 April, and indicated the organization's concrete concerns with regard to its possible incompatibility with human rights standards. "It is worrying that the state of emergency does not clearly indicate the rights that are to be restricted in the area in question," said Amnesty International. "Paraguay runs the risk of contravening its Constitution, and its international human rights obligations, if it does not clearly specify which rights are to be restricted." The organization believes that the government must clarify the details of the state of emergency immediately and provide a public guarantee that there will be no derogation from any fundamental human rights, nor from the legal guarantees protecting them.

"The international obligations that weigh on the Paraguayan state require the geographic scope of the whole state of emergency to be proportional, and strictly limited to the needs of the situation," said the organization, given that half of the country is included in the state of emergency. "Any decision to extend its timeframe must be strictly proportional to the level of risk at that time".

In its letter, the organization reminded the Paraguayan President of his human rights obligations during a state of emergency, as set out in the international treaties ratified by Paraguay. "It is imperative that the suspension of constitutional guarantees during the state of emergency does not open a path to the violation of fundamental human rights, including the right to life and physical integrity," emphasised Amnesty International.

"Numerous human rights violations were committed during states of emergency in the Paraguayan military regime's murky past. We believe it essential that the approach should be one of *preventing* violations, as any such occurrences will not be tolerated," said the organization. "The Paraguayan authorities have a duty to ensure that the security forces conduct all of their actions within a framework of legality and internationally recognised principles regarding the use of force."

[Further information](#)

Amnesty International also sent the letter to the presidents of the Senate and the House of Representatives, as they too were involved in approving the law on the state of emergency.

On 21 April, four people (three civilians and a police officer) were murdered in an apparent ambush blamed on the group known as the Paraguayan People's Army (*Ejército del Pueblo Paraguayo* - EPP), an armed group that has been committing acts of violence in Paraguay for the last two years. On 24 April, the Paraguayan Congress gave its final approval to a law declaring a state of emergency in five of the country's departments, citing the justification of "internal upheaval caused by criminal groups operating in the area, which is placing the normal functioning of the constitutional bodies at imminent risk". The law declaring the state of emergency was enacted that same day by the President of the Republic, Fernando Lugo.