Freedom of Expression, Media Freedom, and the Safety of Journalists in Paraguay: A Gender Perspective

Universal Periodic Review Submission

October 2025

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ARTICLE 19, established in 1987, is an international think–do organisation that propels the freedom of expression movement locally and globally to ensure all people realise the power of their voices. ARTICLE 19 speaks with one voice, through courts of law, through global and regional organisations, and through civil society wherever we are present. Since 1991, ARTICLE 19 has had consultative status with the United Nations Economic and Social Council (ECOSOC).

The TEDIC Association (TEDIC), established in 2012, is a non-governmental, non-profit organisation created and located in Asunción, Paraguay. TEDIC promotes and defends human rights on the Internet in Paraguay and works in a network throughout Latin America. Since 2018, TEDIC has had consultative status with ECOSOC.

Summary

1. ARTICLE 19 and TEDIC welcome the opportunity to contribute to the fourth cycle of the Universal Periodic Review (UPR) for Paraguay. This submission focuses on the right to freedom of expression, media freedom and the safety of journalists, with a focus on gender and intersectionality.

2. In the third cycle, Paraguay received 20 recommendations specifically related to the right to freedom of expression, media freedom, and the safety of journalists, supporting 19 recommendations and noting just 1 recommendation. The vast majority of supported recommendations broadly focused on ensuring an enabling environment and protections for journalists and human rights defenders, while others focused on removing legal barriers to the exercise of the right to freedom of expression. The sole noted recommendation related to the ratifying the Escazú Agreement on the basis that there was already an internal process of analysis, dialogue and exchange underway to determine whether to ratify the treaty.

3. Although Paraguay supported most recommendations related to the right to freedom of expression in the previous cycle, implementation remains weak and new laws have been introduced that further threaten the existence of an active civil society and rule of law, with women journalists being often among the first to face the impacts of closing civic space. The persistence of widespread impunity for attacks against journalists – especially harassment against women journalists and those that face multiple and intersecting forms of discrimination – has contributed to a deteriorating environment for media and civil society actors.

4. Since the last UPR, TEDIC has also documented the increased use of spyware, cyber-patrol tools, international mobile subscriber identity (IMSI) catchers (also known as “stingrays”), and other surveillance tools by the police, who publicly declared they were doing so in the name of preventing riots and acts of terrorism. The authorities’ use of these tools is especially concerning because it indicates the systematic surveillance of legal expression, political activities, and assembly without clear judicial oversight, undermining the constitutional rights to association and free expression.

5. This submission analyses Paraguay’s progress on implementing recommendations focused on the right to freedom of expression, media freedom, civic space, and the safety of journalists in the previous cycle, and highlights further urgent gaps in law and policy as well as concerning new laws that have been enacted since the previous cycle. It calls for gender-responsive, intersectional reforms to uphold Paraguay’s constitutional and international obligations leading into the fourth UPR. This submission also brings considerations around digital security and intersectional, gender-responsive protections to the forefront, dimensions largely overlooked in previous cycles.

Legal and policy framework

6. During the third cycle, Paraguay did not receive recommendations related to specific laws or policies but supported broad recommendations to undertake law reforms and remove legal barriers to ensure the right to freedom of expression, as well as general recommendations to guarantee no censorship.

7. The Constitution of Paraguay guarantees freedom of expression and freedom of the press in Article 26, guarantees information pluralism in Article 27, guarantees the right to information in Article 28, and

explicitly guarantees the freedom to practice journalism in Article 29. It also protects the right to private life in Article 33, protects the right to the inviolability of private premises in Article 34, and protects the right to inviolability of personal documentation (“patrimonio documental”) and private communications in Article 36. Finally, it guarantees freedom of association in Article 42.

8. However, these rights have been increasingly undermined through repressive laws, including Law 7363/24,[1] also known as the “anti-NGO law”. Through its ambiguous and punitive nature, it jeopardises the independence of non-governmental and civil society organisations, as well as the rights to privacy, freedom of expression, and association, all guaranteed by the Constitution of Paraguay.[2]

Freedom of association and the right to protest

9. The enactment of Law No. 7363/24 on control, transparency, and accountability of non-profit organisations – known as the “Anti-NGO Law” – has generated deep concern among civil society actors due to its ambiguous and punitive nature. Although presented as a measure aimed at strengthening transparency, it establishes excessive control mechanisms that jeopardize freedom of association, the independence of non-governmental organisations, and, in consequence, the existence of a resilient civic space in Paraguay.

10. The enactment of Law 7363/24 in Paraguay follows a global trend of states (including Russia, Venezuela, Nicaragua, and Hungary) passing foreign agent laws, foreign interest representation

1 Law 7363/24 That establishes control, transparency and accountability of non-profit organisations. https://silpy.congreso.gov.py/web/descarga/resolucion-461801?preview
2 “Anti-NGO Law in Paraguay: Major setbacks and concerns for Democracy,” TEDIC, 20 December 2024, https://www.tedic.org/en/anti-ngo-law-in-paraguay-major-setbacks-and-concerns-for-democracy/.

laws, or onerous NGO registration laws to create vague and burdensome administrative requirements with harsh penalties for noncompliance. These laws, in Paraguay as elsewhere, are passed in the name of fostering transparency, despite the existence of other tools for promoting transparency with regards to the financial and operational auditing of NGOs. In Paraguay, there are already more than 13 types of mandatory registrations for NGOs.[3]

11. The law requires all NGOs that receive public or private funds to submit financial reports to the Ministry of Economy and Finance every six months and to list the people and legal entities that they work with, but the lack of specificity regarding what information must be recorded and reported creates uncertainty and can lead to arbitrary interpretations by authorities. The law applies to all non-profit organisations, "regardless of the legal form they take,"[4] but excludes a specific list of entities (including trade and student unions and churches), adding to confusion around the scope of the law. The law also does not clearly define what constitutes an infraction, again giving officials broad discretion to interpret the law and apply arbitrary sanctions, increasing the risk of political persecution and retaliation against organisations working in areas considered sensitive by the government.

12. The penalties for noncompliance are severe and disproportionate: organisations that fail to meet the requirements could be forced into dissolution over failures to pay fines.[5] This law is especially threatening to non-profit organisations, who may be forced to disclose detailed information about their beneficiaries. This

3 "Anti-NGO Law in Paraguay: Major setbacks and concerns for Democracy," TEDIC, 20 December 2024, https://www.tedic.org/en/anti-ngo-law-in-paraguay-major-setbacks-and-concerns-for-democracy/.

4 Ley N° 7363/24, https://baselegal.com.py/docs/5e4f7e61-ae53-11ef-a26d-525400343722.

5 "During an extraordinary session of the Paraguayan Congress, a senator irresponsibly and falsely accused us," TEDIC, 10 July 2024, https://www.tedic.org/en/law_nonprofit_py2024/ .

raises serious privacy and security concerns, especially for those working in sensitive areas such as human rights. Given how broad and vague the reporting requirements are, NGOs, media outlets, and the international human rights community are concerned that the law will be used as a tool to sanction NGOs that the Paraguayan state disagrees with, directly putting the constitutional rights to association, privacy, and freedom of expression at risk. In practice, this law is a new tool for the Paraguayan government to exert control over independent civil society organisations and shrink civic space.

13. Numerous international actors have expressed alarm at the legislation. Among them:

- Gina Romero, UN Special Rapporteur on freedom of peaceful assembly and association, warned that the law's harsh penalties violate international standards, while a spokesperson for the UN Human Rights Office stated[6] that "we regret the recent and accelerated approval by the Paraguayan Senate of a bill that imposes substantial restrictions on the financing of non-profit organisations, as well as additional registration requirements and disproportionate penalties for non-compliance."[7]

- The Special Rapporteur on Freedom of Expression of the Inter-American Commission on Human Rights warned that the law could restrict the operations of non-profit organisations in Paraguay and urged the executive branch to consider Inter-

6 "Comment by UN Human Rights Office spokesperson Marta Hurtado on Paraguay," United Nations Office of the High Commissioner for Human Rights, 12 July 2024, https://www.ohchr.org/en/press-briefing-notes/2024/07/comment-un-human-rights-office-spokesperson-marta-hurtado-paraguay; and Gina Romero on X, 16 October 2024, https://x.com/Ginitastar/status/1846672186763104271.

7 Gina Romero on X, 16 October 2024, https://x.com/Ginitastar/status/1846672186763104271.

American human rights standards when deciding whether to approve or veto it.[8]

14. In the context of public debate prior to the passage of the law, TEDIC was targeted by hostile statements from politicians, indicating how some authority figures can use the law to erode trust in civil society organisations and silence or disregard criticism. During a session of the National Congress, Senator Lizarella Valiente deliberately misrepresented the non-partisan digital rights work TEDIC has done over the past 10 years at both national and global levels and took TEDIC'S activities and funding out of context to falsely claim that "they will use [the funds] for partisan campaigns."[9] Similarly, a minister of the Superior Court of Electoral Justice justified the new law as a tool to exercise greater control over the organisation, which is and should remain independent.

15. During peaceful demonstrations organized by young people on 28 September 2025 – characterised as a "Gen Z" protest – authorities used open-source intelligence (OSINT) systems and cyber-patrol tools to monitor participants. The police publicly stated that they would "monitor" events to prevent riots and acts of terrorism, reportedly infiltrating organizational groups using communications surveillance technologies.[10] This practice is particularly concerning because it involves the systematic surveillance of legal political activities without judicial authorisation, clear legal safeguards and oversight, and pathways to remedies of

8 "SRFOE warns of bill limiting freedom of association in Paraguay," Press Release, Office of the Special Rapporteur for Freedom of Expression at the Inter-American Commission on Human Rights, 18 October 2024, https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/expression/media_center/preleases/2024/255.asp&utm_content=country-pry

9 "During an extraordinary session of the Paraguayan Congress, a senator irresponsibly and falsely accused us," TEDIC, 10 July 2024, https://www.tedic.org/en/law_nonprofit_py2024/.

10 "Policía refuerza vigilancia ante protesta de GEN Z Paraguay," Resumen de Noticias, 18 September 2025, https://www.rdn.com.py/2025/09/18/policia-refuerza-vigilancia-ante-protesta-de-gen-z-paraguay/.

rights abuses. Furthermore, the demonstrations were violently suppressed, raising serious concerns about the excessive use of force and the chilling effect on freedom of assembly and expression.[11]

16. The Paraguayan government has acquired and continues to evaluate the purchase of advanced surveillance technologies, including IMSI catchers, devices that enable the interception of mobile communications.[12] In 2021, a request for access to public information submitted by TEDIC received an ambiguous response from the National Police, which stated that it "could neither confirm nor deny"[13] their use of IMSI catcher in the country, leaving citizens in a state of uncertainty and vulnerability and without pathways to remedy potential abuses of their right to privacy. Monitoring of public procurement and import records shows that the Ministry of the Interior has been acquiring this type of technology for several years, including the possible acquisition of interception equipment in 2014 and recent plans by the Itaipú Technology Park to purchase spyware and IMSI catcher systems worth $12 million.

17. The lack of transparency and independent oversight mechanisms in the acquisition and use of these mass surveillance technologies raises serious concerns about privacy and fundamental rights. Various citizen reports also suggest that these tools were used during the Generation Z demonstrations in September 2025, as part of "monitoring" and cyber-patrolling operations publicly announced by the National Police. If confirmed, this would be evidence of the troubling use of intrusive technologies to monitor

11 "Violenta represión policial en marcha de Generación Z Paraguay," ABC TV Paraguay, 29 September 2025, https://www.youtube.com/watch?v=Sn8VLpMPKhU.
12 "IMSI catchers in Paraguay: the invisible surveillance threatening your right to protest," TEDIC, 19 May 2025, https://www.tedic.org/en/imsi-catchers-in-paraguay-the-invisible-surveillance-threatening-your-right-to-protest/.
13 "IMSI catchers in Paraguay: the invisible surveillance threatening your right to protest," TEDIC, 19 May 2025, https://www.tedic.org/en/imsi-catchers-in-paraguay-the-invisible-surveillance-threatening-your-right-to-protest/.

social protest, which contravenes international human rights standards on freedom of expression, peaceful assembly, and privacy.

Technology-facilitated gender-based harassment and abuse against women journalists

18. During the third cycle, Paraguay did not receive any recommendations specifically concerning online harassment and abuse against women journalists or with a specific freedom of expression lens. However, Paraguay did support 18 recommendations with a general focus on combatting gender-based violence in society.

19. Gender-based harassment and abuse in digital environments is a growing problem in Paraguay and throughout the region. The Report on the Situation of Gender-Based Violence Facilitated by Technology in Latin America,[14] prepared by regional digital rights organisations and presented to the United Nations Special Rapporteur on Violence against Women and the IACHR, warns that technology-facilitated attacks are part of a continuum of violence that women face in both online and offline spaces, and clarifies that online harassment cannot be separated from broader gendered power dynamics.[15] The use of digital technologies amplifies, diversifies, and deepens forms of harassment and abuse against women, and any solutions require an intersectional gendered approach.

20. At the national level, Law No. 5777/16 on Comprehensive Protection for Women against All Forms of Violence recognises the

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14 "Gender-based political violence on the Internet: Policy Paper Latin America and the Caribbean," AlSur, July 2021, https://www.alsur.lat/sites/default/files/2021-07/Violencia%20Pol%C3%ADtica%20de%20G%C3%A9nero%20en%20Internet%20EN.pdf.

15 "Access to justice in the digital Age: Our contributions to the IACHR," TEDIC, 22 April 2025, https://www.tedic.org/acceso-a-la-justicia-cidh/.

concept of “cyber violence,” defined as violence perpetrated through technology with the aim of affecting the integrity, dignity, privacy, or safety of women. However, this legislation is limited in scope and, when it comes to online harassment and abuse against women, focuses almost exclusively on the non-consensual dissemination of intimate images. The absence of a comprehensive approach -- either through inclusion in this law or the fullest use of other laws to investigate other offences – leave other forms of technology-facilitated gender-based harassment and abuse, such as online harassment, threats, identity theft, unauthorized access to accounts, and online sexual exploitation, uncovered. This omission creates legal and protection gaps and contributes to a lack of clarity regarding the obligations of the various state and private actors.

21. Research conducted by TEDIC shows that gender-based digital harassment and abuse against women journalists in Paraguay is a widespread, complex, and multidimensional phenomenon.[16] Based on national surveys, interviews, and focus groups, the study documents that journalists suffer harassment, threats, defamation, non-consensual disclosure of personal information, identity theft, trolling, and digital surveillance, especially when they address issues such as gender, politics, or corruption. Many women journalists are unaware of the mechanisms for reporting or identifying these attacks, which leads to significant underreporting and normalisation of harassment, abuse, and violence.

22. The study also identifies a wide range of perpetrators: while anonymous attackers are common, public officials, political actors, and individuals linked to institutional power are also frequent perpetrators of online harassment and abuse. Digital platforms and social media amplify these attacks, granting impunity to the

16 “Digital gender-based violence against women journalists in Paraguay,” TEDIC, September 2023, https://www.tedic.org/wp-content/uploads/2023/10/Violencia-Genero-Periodistas-TEDIC-2023-ENG-web-1.pdf.

aggressors and deepening the impact on the victims. TEDIC warns that the effects of online harassment and abuse have offline implications. Abuse and threats can generate intimidation and trauma. Smear campaigns can manufacture consent for offline attacks and result in job loss and self-censorship. When institutional safety measures do not exist or are not enforced, silence becomes safety. The impacts are twofold: first, on the individual woman journalist's freedom of expression, privacy, and integrity; secondly, on the media landscape as a whole, as harassment and abuse generate a chilling effect, which is gendered in nature, on public participation.

23. Finally, the investigation highlights serious structural gaps in protection and remedy mechanisms. Paraguayan legislation remains limited, institutional responses are weak or non-existent, and the media lack adequate protocols for action. Faced with this lack of institutional protection, many journalists opt for self-protection strategies that come at the very high cost of their participation in public spaces.

24. Research conducted by TEDIC and supported by CELE analyses six legal cases in which Law 5777/16 – designed to protect women from all forms of violence – has been subject to distorted interpretations when applied against journalists.[17] In one journalist's case, the law was invoked to censor her critical reporting on a mayor's management of municipal funds on the grounds that the reporting constituted "psychological violence" against a woman (as the mayor was also a woman).

17 "Possible distortions of Law 5777/16," TEDIC, May 2024, https://www.tedic.org/wp-content/uploads/2024/05/Tergiversaciones-Ley-5777-EN-WEB.pdf; and "Online gender-based violence and freedom of expression: a study of six cases in Paraguay," Maricarmen Sequera, 27 February 2025, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5157887.

25. The other three cases examined reveal recurring patterns: the use of extreme precautionary measures, a lack of clear reasoning in judgments and due process for the journalists, a failure to analyse the proportionality between conflicting rights, and failures to ensure that proceedings comply with international standards on freedom of expression. In many of these decisions, Law 5777/16 became an instrument for imposing preventive sanctions on journalists, legitimising judicial blocks on content or inhibiting critical journalistic work. These findings show how a law designed to protect women has been twisted to restrict the exercise of independent journalism by women journalists.

26. Important to highlight is a court order that set important precedent for legal recognition of and remedy for online harassment and abuse against women journalists. Journalist Mercedes “Menchi” faced severe doxxing and was the target of disinformation campaigns and hate speech promoted and spread by anti-rights groups. The smear campaigns were specifically misogynistic in nature and exploited gender biases to discredit her work and harass her online. [18] As a result of the abuse, Barriocanal withdraw from digital platforms, despite these platforms being central to her work as a journalist because of how they allow her to connect with her audience and engage in public debate.

27. The legal process achieved some effective judicial measures for Barriocanal. In 2022, after Barriocanal filed a legal complaint, the judge granted court ordered protection against psychological and online abuse (“violencia psicológica y telemática”) and ordered the halting of all dissemination of her personal data.[19] After the

18 “Access to justice in the digital age: Our contributions to the IACHR,” TEDIC, 22 April 2025, https://www.tedic.org/en/access-to-justice_iachr2025/.

19 “Juez dispone medidas de protección para Menchi Barriocanal,” UltimaHora, 7 December 2022, https://www.ultimahora.com/juez-dispone-medidas-proteccion-menchi-barriocanal-n3037579; and “Juez prohíbe “todo tipo de maltrato” contra Menchi,” Resumen de Noticias, 7 December 2022, https://www.rdn.com.py/2022/12/07/juez-

submission of information to prosecutors, a May 2023 ruling found the perpetrator criminally liable for doxxing Barriocanal and recognised doxxing as a violation of Barriocanal's right to privacy.[20] The ruling was upheld by the Supreme Court in 2024,[21] setting a precedent for state response to these attacks that use misogyny to drive women out of public dialogue. However, it remains to be seen whether targets of online violence that do not have the same level of public recognition as Barriocanal also have remedies available to them through the courts. While these rulings are important and indicate legal progress, they also highlight the lack of robust and specialised preventive mechanisms necessary to stop this type of harassment and abuse before it occurs or address it at a larger scale.[22]

Cybersecurity of human rights defenders

28. In the third cycle, the bulk of supported recommendations related to ensuring an enabling environment and protection for human rights defenders and other civil society actors.

29. Human rights defenders play an essential role in promoting fundamental rights and protecting democracy. However, their work exposes them to increasing risks in the digital sphere. TEDIC's research on cybersecurity and human rights in Paraguay reveals a

prohibe-todo-tipo-de-maltrato-contra-menchi/.

20 "Queda firme condena a Juan Vera por lesionar la intimidad de Menchi Barriocanal," ABC Color, 16 August 2024, https://www.abc.com.py/nacionales/2024/08/16/queda-firme-condena-a-juan-vera-por-lesionar-la-intimidad-de-menchi-barriocanal/.

21 "Corte confirma condena a Juan Vera por lesionar la intimidad de Menchi Barriocanal," UltimaHora, 16 August 2024, https://www.ultimahora.com/corte-confirma-condena-a-juan-vera-por-lesionar-la-intimidad-de-menchi-barriocanal.

22 "Desinformation and digital violence: the case of Menchi Barriocanal," TEDIC, 10 October 2023, https://www.tedic.org/en/desinformation-and-digital-violence-the-case-of-menchi-barriocanal/.

highly insecure environment marked by both external attacks and state surveillance practices.[23] These include the extraction of data from devices, the use of facial recognition technologies, and the monitoring of social media, all of which pose direct threats to the rights to privacy, freedom of expression, and freedom of association.

30. The study's findings are alarming: 76.2% of the human rights defenders surveyed have never received training in digital security, and 94.6% of the organisations surveyed do not have protocols or records on security incidents. The gender gap is also evident: women defenders are more likely to face technology-enabled gender-based harassment and abuse, including threats and online smear campaigns. Among the most common threats are hacking, phishing, identity theft, and stalking and surveillance on social media or messaging groups, causing psychological impacts and physical risks.

31. The absence or lack of enforcement of rigorous protection mechanisms, growing dependence on digital tools, and lack of specialised training create an environment of structural insecurity for human rights defenders. Cybersecurity should be understood as a collective responsibility rather than an individual one. Therefore, it is recommended to develop comprehensive public protection policies, promote institutional capacities, and establish technical, legal, and psychosocial support mechanisms that guarantee human rights defenders' ability to work safely, on and offline.

Recommendations

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23 "[Research] Cybersecurity among human rights defenders in Paraguay," TEDIC, 24 October 2024, https://www.tedic.org/en/research-cybersecurity-among-human-rights-defenders-in-paraguay/.

32. To fulfil its international human rights obligations, we recommend that Paraguay:

- Amend Law No. 7363/24 on control, transparency, and accountability of non-profit organisations to ensure it is fully in line with international human rights law and standards, in particular by ensuring the protection of freedom of association, the autonomy of civil society, and the independent work of human rights orgfanisations.

- Refrain from using stigmatising rhetoric or legal mechanisms to intimidate or discredit civil society organisations and their representatives.

- Adopt comprehensive public policy measures to protect free expression, guarantee gender equality, and counter online gender-based harassment and abuse, ensuring women are at the centre of and involved in efforts to tackle the problem.

- Incorporate an intersectional gender perspective that considers the differentiated effects that technology-enabled harassment and abuse can have on vulnerable groups and communities into policies, mechanisms and practices concerning the safety of journalists, human rights defenders and other groups facing differentiated impact for exercising their human rights.

- Refrain from targeting human rights defenders, journalists, and civil society actors with surveillance technologies, and ensure any surveillance is conducted in full compliance with the principles of legality, necessity, legitimacy, and proportionality, and with prior judicial authorisation and oversight.

- Create a mechanism to protect human rights defenders and journalists that guarantees the exercise of the right to freedom of expression and access to information, both in the physical and digital spheres, incorporating an intersectional gender perspective.

- Ensure a safe and enabling environment for all human rights defenders and journalists and conduct impartial, prompt, thorough, independent and effective investigations into all alleged cases of violence, threats and attacks against them, online and offline, ensuring perpetrators are brought to justice, addressing the structural barriers and discrimination that women and other groups face in accessing justice.