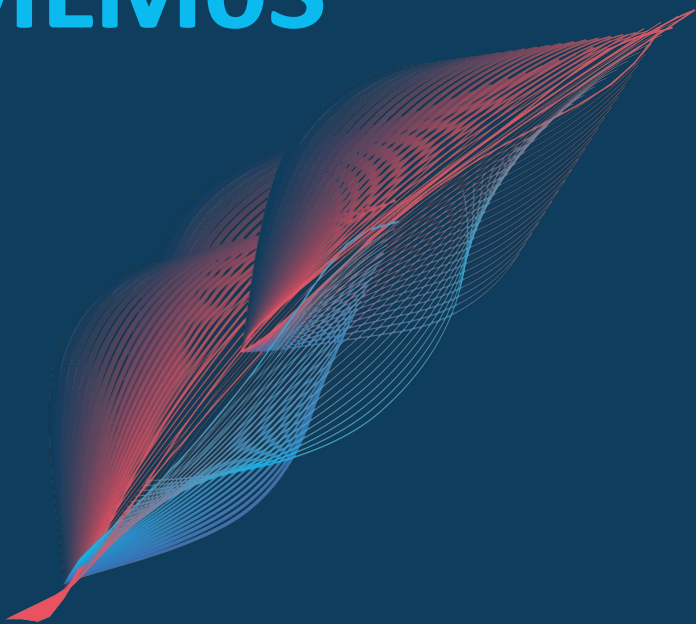


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Coordinadora de Derechos  
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## Edita

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# PfíESEMTLTLGIOM

**E**he purpose of this Bill is to create a Protection to prevent, protect and provide justice in order to guarantee the life, integrity, freedom and security of all persons, groups and communities at risk. as a consequence of the practice of journalism, press work and freedom of expression. expression, and/or the defense or promotion of Human Rights.

The project is the result of a collective construction process carried out by the Technical Committee for the Safety of Journalists, coordinated by the Senate Human Rights Commission and the Human Rights Coordinator of Paraguay.

The civil society organizations that actively participated in the discussions, the reflection on the more technical and political aspects and in the process of building the consensus project were: the Institute of Environmental Law and Economics (IDEA), the Feminist Legal Clinic, the Federation for the Self-Determination of Indigenous Peoples (FAPI), the Society of Communicators of Paraguay (SCP), the Association of Technology, Education, Development, Research and Communication (TEDIC), among others. Representatives of state institutions, the Public Prosecutor's Office, the Supreme Court of Justice, the Ministry of Justice, the Ministry of the Interior, among others, also participated. Likewise, the contribution of the technical officials of the Human Rights Commission of the Senate was essential to achieve the text presented.

# LMTEGE<sub>n</sub>EMTES

In 2015, in view of the wave of violence against journalists due to the work they were doing, the Union of Journalists of Paraguay submitted report to the United Nations Human Rights Council, within the framework of the Universal Periodic Evaluation of Paraguay. The UPR then recommended to Paraguay the formulation and approval of a law on the safety of journalists, a recommendation accepted by the Paraguayan State, but not implemented. However, progress was made on a police action protocol in 2017.

On the other hand, since 2016 Paraguay has had a Roundtable for the Protection of Journalists composed of representatives of different State institutions, journalists' associations and civil society organizations. It does not have an autonomous protocol, so it is a very weak instance, which does not have the necessary strength to guarantee protection for the exercise of the profession.

In 2020, again in the framework of the UPR, the SPP insists on the proposed law, which becomes a reiteration of the previous recommendation. The state once again adopts.

In this process, the debate was broadened to include the protection of human rights defenders and work began with the State Human Rights Commission through initial discussions and the subsequent formation of a technical roundtable.

In December 2022, the judgment of the Inter-American Court on the Santiago Leguizamón case was made public, with a condemnation of the Paraguayan State for the lack of guarantees for the exercise of the journalistic profession and the defense of human rights, among the sanctions established is the need to have a security law, which again drives this process.

On such an emblematic date for journalists and for Codehupy, on April 26 this bill was officially introduced under the sponsorship of Senator Blas Lanzoni, current Chairman of the Human Rights Commission, and on the eve of the general elections in Paraguay, in the hope that the defense of human rights and journalism can be exercised with a full guarantee of security and the necessary protection from a State that honors its constitutional definition, the Social State under the rule of law.

Sesquicentennial of the National Epic: 1864-1870



**CONGRESS OF THE NATION  
HONORABLE CHAMBER OF SENATORS  
HUMAN RIGHTS COMMISSION**

Asunción, April 26, 2023.

**Mr.**

**Senator of the Nation Mr. Oscar Salomón, President  
Honorable Chamber of Senators  
Present**

We are pleased to address Your Honor and, through you, the members of this High Legislative Body, in order to present the **"Bill for the Protection of Journalists and Human Rights Defenders"**.

The purpose of this Bill is to a Protection Mechanism with the purpose of preventing, protecting, and procuring justice in order to guarantee the life, integrity, freedom, and security of all those persons, groups and communities that are at risk as a result of the exercise of journalism, press work and freedom of expression, and/or the defense or promotion of Human Rights.

Without further ado, and in the hope of counting on the support of this Honorable Legislative Body, we bid you farewell and reiterate our highest consideration and esteem.

## STATEMENT OF REASONS

Globally, journalism and the defense of human rights have become dangerous tasks due to the fact that through the activities carried out in their exercise, information is disseminated that in some refers to sensitive issues or situations whose protagonists do not wish them to come to light, and, on the other hand, the rights of communities, groups in vulnerable conditions and society in general are defended, which generates inconsistency in the transgressor or transgressors. In our country, the violation of the fundamental rights of journalists and human rights defenders has been increasing, endangering one of the fundamental pillars of democracy, as the Inter-American Court has pointed out on several occasions, stating that freedom of expression is a cornerstone in the very existence of a democratic society; therefore, it is possible to affirm that a society that is not well informed is not fully free. It has also determined that "it is essential that journalists working in the media enjoy the protection and independence necessary to carry out their functions fully, since they are the ones who keep informed, an indispensable requirement for society to enjoy full freedom and for public debate to be strengthened.

For its part, the Human Rights Committee in its General Comment No. 34 established that States parties should take effective measures to protect against attacks designed to silence those exercising their right to freedom of expression. [Nor can attacks on an individual, including such forms as arbitrary detention, torture, death threats and murder be compatible with article 19 in any circumstances. Journalists are frequently subjected to such threats, intimidation and attacks because of their activities. The same is often true of those who gather and analyze information on the human rights situation or publish reports on human rights, including judges and lawyers. All such attacks should be subject to active and

The perpetrators must be brought to trial and adequate reparations must be made to the victims or, when they have lost their lives, to their representatives.

For this reason, and also due to the recurring recommendations of national and international human rights organizations, especially those received in the Universal Periodic Review before the UN Human Rights Committee in April 2021, there is a need for legislation to protect human rights and journalists.

As a result, and based on the draft law presented at the time by the Union of Journalists of Paraguay, the Human Rights Committee of the Honorable Chamber of Senators convened a *technical committee to prepare a draft law for the protection and security of journalists and human rights defenders*, in order to prepare a bill in accordance with the recommendations of the United Nations.

Thus, the purpose of the draft legislation is to guarantee the life, integrity, freedom and security of all those persons who are at risk as a result of the practice of journalism and press work, in addition to human rights defenders who, individually or jointly, promote or protect the catalog of rights recognized in the National Constitution and in international conventions and agreements approved and ratified, responding to the need to protect, with a solid legal basis individuals and organizations in this field.

This will be achieved through the implementation of an autonomous, independent and nationwide institutional mechanism that, within the of cooperation and coordination among the different levels of government, will be in charge of managing the measures and protection plans that correspond to each specific case. "DRAFT LAW FOR THE PROTECTION OF JOURNALISTS AND HUMAN RIGHTS DEFENDERS".

# CHAPTER I

## GENERAL PRINCIPLES

### NATIONALITY, PURPOSE, SCOPE and DEFINITIONS

#### Article 1.- Purpose.

The purpose of this Law is to create a Protection Mechanism with the purpose of preventing, protecting, procuring justice and guaranteeing the life, integrity, freedom and security of all those persons, groups and communities that are risk as a consequence of the exercise of journalism, press work, freedom of expression or the defense and promotion of Human Rights.

#### Article 2.- Principles of the Law.

This Law is based on the National Constitution, international regulations of human rights and the following principles:

- a) **Pro Person:** All rules applicable to the operation of the powers set forth in this Law shall be interpreted in accordance with the National Constitution and the international human rights treaties ratified by the Republic of Paraguay, favoring at all times the broadest protection of the beneficiaries.
- b) **Adequacy:** Protection measures must be appropriate to the risk situation and to the particular conditions of the persons and/or communities to be protected;
- c) **Principle of exchange of relevant information:** Public or private institutions must make available to the Mechanism all relevant information so that the Mechanism can carry out the pertinent risk assessments for the implementation of urgent measures conducive to the prevention, protection and pursuit of justice in cases of violence against journalists and human rights defenders.
- d) **Principle of collaboration for the implementation of measures:** Public or private institutions must immediately implement the urgent measures issued by the Mechanism.

**Article 3.- Definitions.**

For the purposes of this Law, following shall be understood as:

1. **Journalists:** those who observe, describe, document and analyze events, statements, policies and any proposal that may affect society, with the purpose of systematizing that information and gathering facts, analysis and opinions to inform sectors of society or society as a whole. This definition includes media workers and support staff, as well as those working in community media, "citizen journalists," and others who may be using new media as a tool to reach the public.
2. **Human Rights Defender:** any person who individually or collectively promotes and protects the protection and realization of human rights and fundamental freedoms at the local, national and/or international level.
3. **Risk:** The probability of occurrence of an aggression to which a person, a group or a community is exposed as a consequence of the exercise of their activities or functions.
4. **Beneficiary:** The natural person, group or community to whom the Protection Measures or Urgent Protection Measures referred to in this Law are granted.

## CHAPTER II

### **The National Mechanism for the Protection of Journalists and Human Rights Defenders**

**Article 4.- The organ of application of the Law.**

The National Mechanism for the Protection of Journalists and Human Rights Defenders is created as an autarchic entity with legal personality of public law, for the application of this Law. In order to comply with the obligations imposed by this Law, it shall have the necessary and sufficient resources from the General Budget of the Nation.

**Article 5.- Formation.**

The Mechanism for the Protection of Journalists and Rights Defenders (MPPD) is made up of:

1. Protection Commission
2. Executive Secretary.



**Article 6.- The powers of the Mechanism.**

The Mechanism for the Protection of Journalists and Human Rights Defenders (MPPD) is the entity responsible for ensuring compliance with this law and has the following attributions:

- a) to draw up prevention and protection plans;
- b) evaluate and determine the risk of journalists and human rights defenders petitioning to enter the Mechanism; in order to grant preventive measures and protection of life and physical integrity.
- c) order, evaluate, modify and/or suspend protection measures in coordination with the competent institutions.
- d) supervise compliance with the protection measures ordered;
- e) collaborate with the institutions in charge of implementing the measures to ensure compliance with these measures and to adapt budgets, plans and public policies in this regard;
- f) Submit to the National Congress the annual report on the situation of journalists and human rights defenders and present recommendations to the pertinent authorities.
- g) Other powers established by law.

## CHAPTER III

### From the Protection Commission

**Article 7.- Authority.**

The Protection Commission is the highest authority of the Mechanism for the Protection of Journalists and Human Rights Defenders.

**Article 8.- Integration.**

The Protection Commission shall be composed of:

- a) A Vice-Minister of the Ministry of the Interior.
- b) A Deputy Prosecutor of the Specialized Unit for punishable acts against children and adolescents.  
Human Rights.
- c) A member of the Court of Appeals of the Judicial Branch.
- d) An Assistant Public Defender.
- e) One representative elected by the journalists' guild.
- f) One representative elected by civil society organizations defending human rights.
- g) A person with proven experience and knowledge in issues of freedom of expression, security and human rights, appointed by both Human Rights Commissions of the National Congress, at the proposal of the Journalists' Assemblies and civil organizations defending human rights.

The representatives of the Public Institutions in items a, b, c and d shall be formally appointed by their respective institutions and shall belong to the Co-Mission as long as they are in the exercise of their functions.

The salary allowance of such representatives shall be that of their own institution, and they may receive additional remuneration in accordance with the nature of their functions.

**Article 9.- Powers of the Protection Commission.**

The Protection Commission shall have the following attributions:

1. To prepare and submit the MPPD's expenditure budget to the Ministry of Finance.
2. To prepare and approve the internal regulations of the Institution and all regulations necessary for its operation.
3. Confirm, modify or reject protection measures ordered by the Executive Secretary.
4. Analyze and evaluate the risk situation of the petitioning persons or communities for the application of the corresponding protection measures.
5. Analyze, evaluate and approve the Protection Plan in each particular case.
6. Control and supervise the Institution's budget execution in coordination with the Executive Secretary.
7. Coordinate actions with the institutions in charge of executing security measures.
8. Resolve on the filing or follow-up of strategic litigation cases in the following areas the national or international legal system.
9. Promote and sign coordination and cooperation agreements with authorities, public, national or foreign agencies or organizations dedicated to the defense of human rights and freedom of expression, as well as with individuals and social and private organizations for the implementation of the purpose of this Law.
10. To elect an Executive Coordinator from among the members of the Executive Secretariat.

## CHAPTER IV

### From the Executive Secretary

#### **Article 10.- Nature of its functions.**

The Executive Secretariat is the technical body for the execution and administration of the National Mechanism for the Protection of Journalists and Human Rights Defenders.

#### **Article 11.- Conformation.**

The Executive Secretary shall be composed of:

- a) One (1) person designated in assembly by the journalists' organizations duly accredited before the Commission on Human Rights of the Honorable Chamber of Senators.
- b) One (1) person designated in Assembly by the civil society organizations defending human rights, duly accredited before the Human Rights of the Honorable Chamber of Senators.
- c) One (1) person with proven experience and knowledge on issues of freedom of expression, security, human rights, to be proposed as a third party by the associations of journalists and civil organizations defending human rights.

The members of the Executive Secretariat shall serve for 5 years and may not be reelected. They may not perform any other remunerated work except teaching.

#### **Article 12.- Duties of the Executive Secretary.**

The Executive Secretariat has the following attributions:

1. To administer the budgetary resources allocated for compliance with this Law.
2. Prepare internal regulations, action protocols, guidelines, manuals, policies and other internal regulations or instruments to be submitted to the Protection Commission for approval.
3. Receive the requests of the beneficiaries of this law who are at risk, paying special attention to the protection needs of women.
4. Inform applicants for protection about the processes for the implementation of prevention and protection measures.
5. Carry out the pertinent actions to obtain complementary information in relation to the petitioners' requests.
6. Determine the risk level of the petitioners.
7. Draw up a Protection Plan with the relevant ordinary prevention and protection measures in consultation with the petitioners, and then submit them to the Protection Commission for evaluation.
8. Adopt urgent or extraordinary protection measures in consultation with petitioners, and submit them to the Protection Commission for evaluation.

9. Act ex officio in situations of threats, danger or violations of the rights of journalists, press workers and human rights defenders that endanger the life, integrity, freedom, security and work of the beneficiaries of this law.
10. Follow up and periodically evaluate compliance with the prevention and protection measures issued by the Protection Commission.
11. Conduct research and risk, vulnerability or conflict assessments at the national, departmental or municipal level in order to identify special protection needs of journalists and human rights defenders, including collective and gender risk assessments.
12. Coordinate the institution's communication strategies to promote the work of journalists and human rights defenders.
13. To request information regarding freedom of the press and expression, aggressions or risk situations of journalists or human rights defenders, or any other type of information inherent to the exercise of their functions, from officials of the three branches of government, state agencies and entities, media of any type, and any natural or legal person under private and/or public law.
14. Submit requests and/or complaints to the Public Prosecutor's Office and the Judiciary in order to ensure the protection of the applicants.
15. To exercise legal representation of journalists and human rights defenders in cases of strategic litigation before national or international organizations, as mandated by the Protection Commission.
16. Propose and promote public policies and/or legislative reforms related to the purpose of this Law.
17. Facilitate and promote coordination among state agencies to prevent, protect and guarantee the life and safety of journalists and human rights defenders.
18. To prepare an annual report to the National Congress on the situation of journalists and human rights defenders and to submit recommendations to the pertinent authorities.
19. Disseminate information on protection programs, actions carried out, thematic reports, recommendations of international organizations on the subject, etc.
20. Any others determined by law and its regulations.

**Article 13.- Requirements.**

Those persons who meet the following requirements may be elected to serve on the Executive Secretariat:

- a) Permanent residence in the country;
- b) at least thirty years of age;
- c) Qualification for the exercise of public functions;
- d) Experience in the areas of journalism, freedom of expression and/or defense of human rights.  
Human Rights;
- e) Good repute; and
- f) No criminal record.

**Article 14.- Executive Coordination.**

The Executive Coordinator is responsible before the Public Institutions and is in charge of the Mechanism's expenses. He/she shall be elected by the Protection Commission from among the members of the Executive Secretariat.

The Executive Coordinator shall serve for a term of one year and may be re-elected. Decisions within Executive Secretariat shall be made by simple majority.

## CHAPTER V

### Removal

**Article 15.- Grounds for Removal.**

The members of the Executive Secretariat may be removed from their functions by the following grounds:

- a) Exercise or perform other work, jobs or positions that are incompatible with the work entrusted and/or that imply conflicts of interest with the functions and work to be performed.
- b) Use for his own benefit or that of third parties the confidential information he has at his disposal by reason of his position, as well as the disclosure of such information without the authorization of the Protection Committee.
- c) Poor performance of their duties that directly affect the purposes of the present law.
- d) Other grounds provided for in Law 1626 "On the Civil Service".

**Article 16.- Removal Process.**

Any person who becomes aware of the facts contemplated in Article 15 may request the initiation of a process for the removal of a member of the Executive Secretariat. The complaint must be well founded and shall be accompanied by the available evidence or, if applicable, the place where it is located.

The Protection Commission shall call a joint assembly of duly registered human rights and journalists' organizations that have participated in the election of the members of the executive secretariat analyze the situation, decide on the possible removal and elect a person to replace the person removed.

The right to defense of the person denounced shall be guaranteed.

**Article 17.- Censorship.**

Any person may request the initiation of proceedings for the censure of a member of the Protection Commission. The complaint must be well-founded and may be accompanied by the available evidence, or it shall be indicated in the event that such evidence is at the disposal of a public or private institution.

The Protection Commission shall have the obligation to gather the necessary evidence for a censure process.

The Protection Commission shall call a joint assembly of duly registered human rights and journalists' organizations that have participated in the election of the members of the executive secretariat analyze the situation, decide on the possible censure and request communication to the institution that appointed it.

The right to defense of the person denounced shall be guaranteed.

# CHAPTER VI

## Subjects and Protection Measures

### **Article 18.- Subjects of protection.**

The subjects of protection under this law are journalists, press workers or human rights defenders, and/or affected communities or groups, according to the definitions in Art. 3, who may request the Mechanism to adopt protection measures by any means, when there are threats, danger and/or risk to their life, physical and/or psychological integrity and that of their family and closest group.

### **Article 19.- Protection Measures.**

The protection measures are the set of actions and means of security to face the risk and protect the right to life, personal integrity, freedom and security of the beneficiary and his family within the framework of the present Law.

### **Article 20.- Purpose.**

The of the protection measures is to:

- a) To provide protection to personal integrity in the physical, psychological, patrimonial, family or affective and labor or organizational aspects.
- b) To provide beneficiaries with legal assistance, medical and psychological assistance or treatment on a regular and necessary basis.
- c) To ensure the continuity of their communication and/or advocacy work human rights.

### **Article 21.- Urgent protection measures.**

Set of actions and means to immediately protect the life, integrity and liberty of the beneficiary that may be ordered by the Executive Secretary.

### **Article 22.- Personal protection measures.**

Personal protective measures may include:

- a) training on self-protection strategies
- b) and work, in order to discourage the use of the term "risk" in the workplace. possible attacks
- c) psychological accompaniment to face/manage the risk and impact of the protection measures assistance
- d) legal advice to the petitioner, in order to ensure due knowledge of the scope of the Protection Plans, the measures applied and other rights provided for in this Law and its regulations.
- e) financial assistance for lodging, transportation, food, communication, health care, moving, job reinsertion, procedures, security systems, housing and other essential expenses, as long as the person is unable to obtain them by his or her own means.

- f) protective elements or tools: bulletproof vests, armored vehicles, secure locks, cameras, lights or other security/protection measures on the property or vehicle, or other element.
- g) police or personal security custody, random or continuous.
- h) Data protection of cell phones, computers, notebooks. Encryption of the communication.
- i) protection of files, documents and/or work elements in safety boxes or similar.
- j) provision of cell phones or other secure devices with alert or alarm activation systems.
- k) urgent national or international domiciliary relocation, temporary national or international domiciliary relocation.

The list of measures is not exhaustive. The Executive Secretary and the Protection Commission may determine other measures considered pertinent for protection, with the consent of the person or community requesting protection.

Any of the personal protection measures may be ordered as a measure of personal protection.

urgent actions by the Executive Secretariat.

**Article 23.- Community protection measures.**

Actions aimed at activating community care and support systems for the protection of an individual or a community, such as:

- a) systems to warn security forces and/or support groups of journalists or human rights defenders created for this purpose of movement in dangerous areas.
- b) general movement notification systems to security forces and/or support groups of journalists or human rights defenders created for this purpose.
- c) system for the accompaniment/support of members of support groups of journalists or human rights defenders created for this purpose.

**Article 24.- Complementary protection measures.**

Actions aimed at mitigating the impacts of personal security measures on the family, work and economic environment of the applicant or the community and to enable them to continue their communication and/or human rights advocacy work. Some of these could be:

- a) installation of minimum infrastructure or equipment to ensure the continuity of work in case of relocation to a new home
- b) labor and social protection in case of impossibility to comply with labor obligations due to the assigned protection measures
- c) ensure continuity of studies in the case of school-age children and/or adolescents who must be relocated with their parents.
- d) temporary financial allowances in case of impossibility to comply with labor obligations due to assigned protective measures
- e) family psychological accompaniment to face/manage the risk and the impact of the protection measures



# CHAPTER VII

## Yrocedimiento

### **Article 25.- Risk Assessment Study.**

It is the analysis of risk factors to determine the situation of danger in which the potential beneficiary or petitioner finds himself, in order to determine the protection measures to be adopted to guarantee the life, personal integrity, freedom and security of the beneficiary.

In the event that risk factors or imminent danger are determined, the following measures will be taken  
urgent protection measures.

### **Article 26.- Ordinary Procedure.**

Process through which the complaint is received, protection measures are adopted and applied, if applicable, in favor of the potential beneficiaries of this law.

### **Article 27.- Extraordinary Procedure.**

Procedure leading to the adoption of urgent protection measures with the purpose of to preserve the life, integrity and liberty of the beneficiary.

### **Article 28.- Complaint.**

The Executive Secretariat may receive complaints through any available means, with the obligation to corroborate the facts denounced and consequently apply the pertinent protection measures.

### **Article 29.- Granting of Measures.**

Upon receipt of the complaint by any means, the Executive Secretary shall:

- a) Gather the necessary details of the case for an initial risk assessment in order to request, through the appropriate channels, the adoption of urgent protective measures if the facts so warrant.
- b) Create a registry of all requests for protective measures.

The transcription of the request shall be made promptly and within (24) hours from the time the request was submitted. Such record shall be made available to all members of the Mechanism.

### **Article 30.- Primary evaluation.**

Upon receipt of the complaint, the Executive Secretary shall conduct primary risk assessment and request the adoption or not of protective measures, in accordance with the procedure established in Article 24, within a period not exceeding 48 hours from the receipt of the complaint.

If the existence of an imminent risk of danger or reprisal is presumed, the period for applying urgent measures should not exceed six (6) hours, subject to the prior consent of the beneficiary.

All prevention and/or protection measures must be reported to the Protection Committee for ratification, modification or extension within 24 hours.

**Article 31.- Term for the implementation of the Protection Plan.**

The Executive Secretary, in coordination with the requesting person or community, shall submit to the MPPD Commission the Protection Plan appropriate to the level of risk in which the requesting person or community finds itself, with the celerity that corresponds to the particular request, within a period of no more than 30 days.

The protection measures shall be temporary, modifiable, proportional, appropriate and necessary with respect to the threat or state of vulnerability of the beneficiaries.

Unjustified delay on the part of the members of the Executive Secretariat in adopting protection measures and plans shall be considered grounds for removal from office.

**Article 32.- Implementation of the measures.**

Once the Protection Plan has been approved, the Executive Secretariat will take the necessary steps to ensure that the various competent authorities take the necessary actions to immediately safeguard the life, integrity, freedom and security of the affected persons.

**Article 33.- Review of measures.**

The Mechanism will carry out a periodic review of the measures adopted according to the risk or danger and may modify, extend, or cancel such measures when the circumstances of the case so warrant.

The beneficiary will have the right to request a review of the plan granted, when he/she considers that the measures are not sufficient to reduce the risk or when the circumstances of the case have changed.

**Article 34.- Recommendations.**

The Mechanism will be obliged to formulate permanent recommendations to the beneficiary population in order to reduce vulnerabilities and increase capacities to face the risk.

**Article 35.- Ex officio complaints.**

The MPPD shall file an ex officio report before the competent authorities when it becomes aware of the commission of punishable acts covered by this law.

**Article 36.- Reserved information.**

The information and documentation related to the protection measures granted to the beneficiaries shall be confidential, under the terms established in the applicable legislation. The content of such information and documentation may only be examined within the framework of judicial proceedings, by order of the competent judge.

Any person or authority related to the Mechanism is obliged not to disclose information and to keep confidentiality, with the warning of civil, administrative or criminal actions arising from non-compliance.

**Article 37.- Information of a public nature.**

Non-reserved public information on the Mechanism and the application of this Law shall be governed in accordance with the provisions of Law No. 5.282/14 "On free citizen access to public information and government transparency".

**Article 38.- Budget.**

The financial resources destined to the effective implementation of the present Law will be constituted by the budget items approved in the General Budget of the Nation, at the request of the National Mechanism for the Protection of Journalists and Human Rights Defenders. Likewise, it is constituted by the following resources and assets:

1. Contributions and grants from institutions;
2. Donations, inheritances and legacies, as well as national and international cooperation of lawful origin, from natural or legal, public or private persons;
3. Those granted by special laws; and,
4. Others obtained in any capacity.

# CHAPTER VIII

## II. DISPOSICIONES II. DISPOSICIONES

### Article 39.- Modifications.

Modify the following articles:

- a) Article 17 of the Code of Criminal Procedure, Law 1286/98, which is worded as follows follows:

**Article 17. PRIVATE ACTION.** The following punishable acts shall be prosecuted exclusively by private action:

- 1) physical abuse;
- 2) injury;
- 3) Culpable injury;
- 4) threat;
- 5) medical treatment without consent;
- 6) violation of domicile;
- 7) injury to privacy;
- 8) violation of the secrecy of communication;
- 9) slander;
- 10) defamation;
- 11) injury;
- 12) denigration of the memory of a dead person;
- 13) damage;
- 14) unauthorized use of motor vehicle; and
- 15) infringement of copyright or inventor's rights.

In these cases, proceedings shall be brought only by complaint of the victim or his legal representative, in accordance with the special procedure regulated in this code.

When the punishable acts set forth in paragraphs 2, 4, 6 and 7 are committed against persons or communities subject to the protection of Law XX "On the Protection of Journalists and Human Rights Defenders", the criminal action shall be public, provided that the conduct is a consequence of the work performed by the victim.

- b) Article 122 of Law No. 1160/97 "Paraguayan Penal Code", which is worded as follows:

### Article 122.- Threat.

1. Whoever threatens another with a punishable act against life, against physical integrity or against things of considerable value, or with sexual coercion, in such a way as to alarm, intimidate or reduce his freedom of determination, shall be punished with deprivation of liberty for up to one year or with a fine.

2. In such cases, the provisions of article 110, paragraph 2 shall apply.

3º When the threat is committed against persons or communities subject to the protection of Law XX "On the Protection of Journalists and Human Rights Defenders", the criminal action shall be public, provided that the conduct is a consequence of the work performed by the victim.

**Article 40.- Validity.**

This Law shall enter into force one (1) year after its publication.

**Article 41.- Communicate to the Executive Branch.**





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