Constitution of the Republic of Paraguay, 1992

PREAMBLE

The Paraguayan people, through their legitimate representatives gathered in the National Constituent Convention, invoking God, recognising human dignity in order to ensure freedom, equality and justice, reaffirming the principles of republican, representative, participatory and pluralistic democracy, ratifying national sovereignty and independence, and integrated into the international community, APPROVES AND PROMULGATES this Constitution.

Asunción, 20 June 1992

PART I.
FUNDAMENTAL DECLARATIONS, RIGHTS, DUTIES AND GUARANTEES

TITLE I.
OF FUNDAMENTAL DECLARATIONS

Article 1 - FORM OF STATE AND GOVERNMENT

The Republic of Paraguay shall forever be free and independent. It is constituted as a social state governed by the rule of law, unitary, indivisible, and decentralised in the manner established by this Constitution and the laws.

The Republic of Paraguay adopts representative, participatory, and pluralistic democracy for its government, founded on the recognition of human dignity.

Article 2 - SOVEREIGNTY

In the Republic of Paraguay, sovereignty resides in the people, who exercise it in accordance with the provisions of this Constitution.

Article 3 - PUBLIC POWER

The people exercise public power through suffrage. The government is exercised by the legislative, executive, and judicial branches in a system of separation, balance, coordination, and reciprocal control. None of these branches may attribute to itself or grant to another branch or to any individual or collective entity extraordinary powers or the sum of public power.

Dictatorship is outlawed.

TITLE II.
RIGHTS, DUTIES AND GUARANTEES

CHAPTER I.
ON LIFE AND THE ENVIRONMENT

SECTION I.
ON LIFE

Article 4 - THE RIGHT TO LIFE

The right to life is inherent to the human person. Its protection is guaranteed, in general, from conception. The death penalty is abolished. Every person shall be protected by the State in their physical and mental integrity, as well as in their honour and reputation. The law shall regulate the freedom of persons to dispose of their own bodies, solely for scientific or medical purposes.

Article 5 - TORTURE AND OTHER CRIMES

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Genocide and torture, as well as the enforced disappearance of persons, kidnapping and murder for political reasons, are not subject to any statute of limitations.

Article 6 - QUALITY OF LIFE

Quality of life shall be promoted by the State through plans and policies that recognise conditioning factors such as extreme poverty and the impediments of disability or age.

The State shall also promote research on population factors and their links to economic and social development, environmental preservation, and the quality of life of inhabitants.

SECTION II.
THE
ENVIRONMENT

Article 7 - THE RIGHT TO A HEALTHY ENVIRONMENT

Every person has the right to live in a healthy and ecologically balanced environment.

The preservation, conservation, restoration, and improvement of the environment, as well as its reconciliation with comprehensive human development, are priority objectives of social interest. These objectives shall guide relevant legislation and government policy.

Article 8 - ENVIRONMENTAL PROTECTION

Activities that may cause environmental disruption shall be regulated by law. Likewise, the law may restrict or prohibit those activities that it deems dangerous.

The manufacture, assembly, importation, commercialisation, possession or use of nuclear, chemical and biological weapons, as well as the introduction of toxic waste into the country, is prohibited. The law may extend this prohibition to other dangerous elements; it shall also regulate the trafficking of genetic resources and their technology, safeguarding national interests.

Environmental crimes shall be defined and punished by law. Any damage to the environment shall entail the obligation to restore and compensate.

CHAPTER II
FREEDOM

Article 9 - FREEDOM AND SECURITY OF PERSONS

Every person has the right to be protected in their liberty and security.

No one is obliged to do what the law does not command, nor deprived of what it does not prohibit.

Article 10 - PROHIBITION OF SLAVERY AND OTHER FORMS OF SERVITUDE

Slavery, personal servitude and human trafficking are prohibited. The law may establish social charges in favour of the State.

Article 11 - DEPRIVATION OF LIBERTY

No one shall be deprived of their physical liberty or prosecuted except on the grounds and under the conditions established by this Constitution and the laws.

Article 12 - DETENTION AND ARREST

No one shall be detained or arrested without a written order from a competent authority, except in cases where they are caught in the act of committing a crime punishable by corporal punishment. All persons detained have the right to:

1. be informed, at the time of the arrest, of the reason for the arrest, of their right to remain silent and to be assisted by a defence lawyer of their choice. At the time of the arrest, the authority is obliged to show the written order that authorised it;
2. the detention to be immediately communicated to their family members or persons indicated by the detainee;
3. be allowed to communicate freely, unless, exceptionally, they are placed in solitary confinement by order of a competent court; solitary confinement shall not apply to their defence counsel and shall in no case exceed the period prescribed by law;
4. that an interpreter be provided, if necessary, and that
5. be brought before the competent judicial magistrate within a period not exceeding twenty-four hours, so that the latter may take the appropriate legal action.

Article 13 - NO DEPRIVATION OF LIBERTY FOR DEBTS

Deprivation of liberty for debt is not permitted, except by order of a competent judicial authority issued for failure to comply with maintenance obligations or as a substitute for fines or judicial bonds.

Article 14 - NON-RETROACTIVITY OF THE LAW

No law shall have retroactive effect, unless it is more favourable to the accused or convicted person.

Article 15 - PROHIBITION OF TAKING THE LAW INTO ONE'S OWN HANDS

No one may take the law into their own hands or claim their rights through violence. However, legitimate self-defence is guaranteed.

Article 16 - DEFENCE IN COURT

The defence of persons and their rights in court is inviolable. Everyone has the right to be tried by competent, independent and impartial courts and judges.

Article 17 - PROCEDURAL RIGHTS

In criminal proceedings, or in any other proceedings that could result in punishment or sanctions, every person has the right to:

1. be presumed innocent;
2. be tried in a public hearing, except in cases determined by the judge to safeguard other rights;
3. not be convicted without a prior trial based on a law prior to the proceedings, nor be tried by special courts;
4. not be tried more than once for the same offence. Proceedings that have been concluded may not be reopened, except in the case of a favourable review of criminal sentences established in cases provided for by procedural law;
5. that they defend themselves or be assisted by defence counsel of their choice;
6. that the State provide him with a free defence lawyer, if he does not have the financial means to pay for one;
7. prior and detailed communication of the charges, as well as access to copies, resources and time necessary for the preparation of their defence in free communication;
8. to offer, examine, control and challenge evidence;
9. that evidence obtained or proceedings conducted in violation of legal norms shall not be used against them;
10. access, either personally or through their defence counsel, to the proceedings, which in no case may be kept secret from them. The preliminary investigation shall not be prolonged beyond the period established by law, and
11. compensation from the State in the event of conviction due to judicial error.

Article 18 - RESTRICTIONS ON TESTIMONY

No one may be compelled to testify against themselves, their spouse or partner, or their relatives within the fourth degree of consanguinity or second degree of affinity.

The unlawful acts or dishonour of the accused shall not affect their relatives or close friends.

Article 19 - PREVENTIVE DETENTION

Pre-trial detention shall only be ordered when it is essential to the proceedings of the trial. In no case shall it be extended for a period longer than the minimum sentence established for the same offence, in accordance with the classification of the offence made in the respective order.

Article 20 - PURPOSE OF SENTENCES

The purpose of custodial sentences shall be the rehabilitation of convicted persons and the protection of society.

The penalties of confiscation of property and banishment are prohibited.

Article 21 - IMPRISONMENT

Persons deprived of their liberty shall be detained in appropriate facilities, avoiding promiscuity between the sexes. Minors shall not be detained with adults.

The detention of arrested persons shall be in places other than those intended for those serving sentences.

Article 22 - PUBLICATION OF PROCEEDINGS

Publication of ongoing legal proceedings must be carried out without prejudice. The

defendant shall not be presented as guilty before the final judgement. **Article 23 -**

PROOF OF TRUTH

Proof of truth and notoriety shall not be admissible in proceedings brought on the basis of publications of any kind that affect the honour, reputation or dignity of individuals and that refer to privately prosecutable offences or private conduct that this Constitution or the law declares exempt from public authority.

Such evidence shall be admissible when the proceedings are brought on the basis of the publication of criticism of the public conduct of State officials, and in other cases expressly established by law.

Article 24 - RELIGIOUS AND IDEOLOGICAL FREEDOM

Religious freedom, freedom of worship and ideological freedom are recognised, with no limitations other than those established in this Constitution and in the law. No religion shall have official status.

The relations between the State and the Catholic Church are based on independence, cooperation and autonomy.

The independence and autonomy of churches and religious denominations are guaranteed, with no limitations other than those imposed by this Constitution and the law.

No one may be harassed, investigated or compelled to testify because of their beliefs or ideology.

Article 25 - EXPRESSION OF PERSONALITY

Everyone has the right to freely express their personality, to be creative, and to shape their own identity and image.

Ideological pluralism is guaranteed.

Article 26 - FREEDOM OF EXPRESSION AND OF THE PRESS

Freedom of expression and freedom of the press are guaranteed, as is the dissemination of thought and opinion, without censorship and with no limitations other than those provided for in this Constitution; consequently, no law shall be enacted that prevents or restricts them. There shall be no press offences, only common offences committed through the press.

Every person has the right to generate, process or disseminate information, as well as to use any lawful and appropriate means for such purposes.

Article 27 - USE OF THE MASS MEDIA

The use of the media is in the public interest; consequently, they may not be closed down or suspended.

The press without responsible management shall not be permitted.

Any discriminatory practice in the provision of supplies to the press is prohibited, as is interfering with radio frequencies and obstructing, in any way, the free circulation, distribution and sale of newspapers, books, magazines or other publications with responsible management or authorship.

Informational pluralism is guaranteed.

The law shall regulate advertising for the purpose of better protecting the rights of children, young people, the illiterate, consumers and women.

Article 28 - THE RIGHT TO BE INFORMED

The right of individuals to receive accurate, responsible, and impartial information is recognised.

Public sources of information are freely available to all. The law shall regulate the modalities, deadlines and penalties applicable to them, in order to ensure that this right is effective.

Any person affected by the dissemination of false, distorted or ambiguous information has the right to demand its rectification or clarification by the same means and under the same conditions as it was disclosed, without prejudice to other compensatory rights.

Article 29 - FREEDOM OF JOURNALISM

The exercise of journalism, in any of its forms, is free and not subject to prior authorisation. Journalists working in the mass media, in the performance of their duties, shall not be compelled to act against the dictates of their conscience or to reveal their sources of information.

Columnists have the right to publish their signed opinions, without censorship, in the media outlet where they work. Management may absolve itself of responsibility by stating its disagreement.

Journalists are recognised as having copyright over the product of their intellectual, artistic or photographic work, whatever the technique used, in accordance with the law.

Article 30 - ELECTROMAGNETIC COMMUNICATION SIGNALS

The transmission and propagation of electromagnetic communication signals are in the public domain of the State, which, in exercising its national sovereignty, shall promote their full use in accordance with the rights of the Republic and in accordance with ratified international conventions on the subject.

The law shall ensure, on the basis of equal opportunity, free access to the use of the electromagnetic spectrum, as well as to electronic instruments for the accumulation and processing of public information, with no limitations other than those imposed by international regulations and technical standards. The authorities shall ensure that these elements are not used to violate personal or family privacy or the other rights established in this Constitution.

Article 31 - STATE MASS MEDIA

The organisation and operation of the media dependent on the State shall be regulated by law, and democratic and pluralistic access to them by all social and political sectors, with equal opportunities, shall be guaranteed.

Article 32 - FREEDOM OF ASSEMBLY AND DEMONSTRATION

People have the right to assemble and demonstrate peacefully, without weapons and for lawful purposes, without the need for permission, as well as the right not to be forced to participate in such acts. The law may only regulate their exercise in public places, at certain times, preserving the rights of third parties and the public order established by law.

Article 33 - THE RIGHT TO PRIVACY

Personal and family privacy, as well as respect for private life, are inviolable. The conduct of individuals, insofar as it does not affect public order established by law or the rights of third parties, is exempt from public authority.

The right to protection of privacy, dignity and the private image of individuals is guaranteed.

Article 34 - THE RIGHT TO THE INVIOLABILITY OF PRIVATE PREMISES

All private premises are inviolable. They may only be searched or closed by court order and in accordance with the law. Exceptionally, they may also be searched or closed in cases of flagrante delicto or to prevent their imminent perpetration, or to prevent damage to persons or property.

Article 35 - IDENTIFICATION DOCUMENTS

Identification documents, licences or certificates belonging to individuals may not be seized or retained by the authorities. The authorities may not deprive individuals of these documents, except in cases provided for by law.

Article 36 - THE RIGHT TO THE INVIOLABILITY OF DOCUMENTARY HERITAGE AND PRIVATE COMMUNICATION

The documentary heritage of individuals is inviolable. Records, regardless of their technical form, printed matter, correspondence, writings, telephone, telegraphic or other communications, collections or reproductions, testimonies and objects of testimonial value, as well as their respective copies, may not be examined, reproduced, intercepted or seized except by court order in cases specifically provided for by law, and provided that they are indispensable for the clarification of matters within the competence of the relevant authorities. The law shall determine special procedures for the examination of commercial accounts and mandatory legal records.

Documentary evidence obtained in violation of the foregoing shall be inadmissible in court.

In all cases, strict confidentiality shall be maintained regarding matters not related to the investigation.

Article 37 - THE RIGHT TO CONSCIENTIOUS OBJECTION

Conscientious objection on ethical or religious grounds is recognised in cases where this Constitution and the law allow it.

Article 38 - THE RIGHT TO DEFEND DIFFUSE INTERESTS

Every person has the right, individually or collectively, to demand that public authorities take measures to defend the environment, the integrity of the habitat, public health, the national cultural heritage, consumer interests and others which, by their legal nature, belong to the community and relate to the quality of life and collective heritage.

Article 39 - THE RIGHT TO FAIR AND ADEQUATE COMPENSATION

Every person has the right to fair and adequate compensation for any damage or harm caused by the State. The law shall regulate this right.

Article 40 - THE RIGHT TO PETITION THE AUTHORITIES

Every person, individually or collectively and without special requirements, has the right to petition the authorities in writing, who must respond within the time limit and in the manner determined by law. Any petition that does not receive a response within that time limit shall be deemed to have been denied.

Article 41 - THE RIGHT TO FREEDOM OF MOVEMENT AND RESIDENCE

All Paraguayans have the right to reside in their homeland. Residents may move freely throughout the national territory, change their domicile or residence, leave the Republic or return to it, and, in accordance with the law, bring their property into or take it out of the country. Migration shall be regulated by law, with due observance of these rights.

The entry of foreigners without permanent residence in the country shall be regulated by law, taking into account international agreements on the matter.

Foreigners with permanent residence in the country shall not be compelled to leave it except by virtue of a court order.

Article 42 - FREEDOM OF ASSOCIATION

Every person is free to associate or join a union for lawful purposes, and no one is obliged to belong to a particular association. The form of professional membership shall be regulated by law. Secret associations and those of a paramilitary nature are prohibited.

Article 43 - THE RIGHT TO ASYLUM

Paraguay recognises the right of territorial and diplomatic asylum for any person persecuted for political reasons or crimes, or for related common crimes, as well as for their opinions or beliefs. The authorities shall immediately grant personal documentation and the corresponding safe conduct.

No political asylum seeker shall be forcibly transferred to the country whose authorities are persecuting them.

Article 44 - TAXES

No one shall be compelled to pay taxes or perform personal services that have not been established by law. No excessive bonds shall be required, nor shall excessive fines be imposed.

Article 45 - RIGHTS AND GUARANTEES NOT SET FORTH

The enumeration of rights and guarantees contained in this Constitution shall not be construed as denying others that, being inherent to human personality, are not expressly mentioned herein. The absence of regulatory law may not be invoked to deny or undermine any right or guarantee.

CHAPTER III
EQUALITY

Article 46 - EQUALITY OF PERSONS

All inhabitants of the Republic are equal in dignity and rights. Discrimination is not permitted. The State shall remove obstacles and prevent factors that maintain or promote discrimination.

Protections established against unjust inequalities shall not be considered discriminatory but rather egalitarian factors.

Article 47 - GUARANTEES OF EQUALITY

The State shall guarantee to all inhabitants of the Republic:

1. equality of access to justice, to which end it shall remove any obstacles that prevent it;
2. equality before the law;
3. equality of access to non-elective public office, with no requirements other than suitability; and
4. equal opportunities in sharing the benefits of nature, material goods and culture.

Article 48 - EQUAL RIGHTS OF MEN AND WOMEN

Men and women have equal civil, political, social, economic and cultural rights. The State shall promote the conditions and create the mechanisms necessary to ensure that equality is real and effective, removing obstacles that prevent or hinder its exercise and facilitating the participation of women in all areas of national life.

CHAPTER IV
RIGHTS OF THE FAMILY

Article 49 - PROTECTION OF THE FAMILY

The family is the foundation of society. Its comprehensive protection shall be promoted and guaranteed. This includes the stable union of men and women, their children, and the community formed by either parent and their descendants.

Article 50 - THE RIGHT TO FORM A FAMILY

Every person has the right to form a family, in whose formation and development women and men shall have the same rights and obligations.

Article 51 - MARRIAGE AND THE EFFECTS OF DE FACTO UNIONS

The law shall establish the formalities for the celebration of marriage between a man and a woman, the requirements for entering into marriage, the causes for separation, dissolution and its effects, as well as the regime for the administration of property and other rights and obligations between spouses.

De facto unions between men and women, without legal impediments to marriage, which meet the conditions of stability and uniqueness, shall have effects similar to marriage, within the conditions established by law.

Article 52 - MARRIAGE

The union of a man and a woman in marriage is one of the fundamental components in the formation of a family.

Article 53 - CHILDREN

Parents have the right and obligation to care for, feed, educate and protect their minor children. They shall be punished by law in the event of failure to fulfil their duties of care and support.

Adult children are obliged to assist their parents in case of need.

The law shall regulate the assistance to be provided to large families and female heads of household.

All children are equal before the law. This will enable paternity investigations. Any reference to filiation in personal documents is prohibited.

Article 54 - PROTECTION OF THE CHILD

The family, society and the State have an obligation to guarantee children's harmonious and comprehensive development, as well as the full exercise of their rights, protecting them against abandonment, malnutrition, violence, abuse, trafficking and exploitation. Any person may demand that the competent authority enforce these guarantees and punish offenders.

In the event of a conflict, the rights of the child shall prevail.

Article 55 - MOTHERHOOD AND FATHERHOOD

Responsible motherhood and fatherhood shall be protected by the State, which shall promote the creation of institutions necessary for these purposes.

Article 56 - YOUTH

Conditions shall be promoted for the active participation of young people in the political, social, economic and cultural development of the country.

Article 57 - SENIOR CITIZENS

All senior citizens have the right to comprehensive protection. The family, society and public authorities shall promote their well-being through social services that address their needs in terms of food, health, housing, culture and leisure.

Article 58 - RIGHTS OF PERSONS WITH DISABILITIES

Persons with disabilities shall be guaranteed health care, education, recreation and vocational training for full social integration.

The State shall organise a policy of prevention, treatment, rehabilitation and integration of persons with physical, mental and sensory disabilities, to whom it shall provide the specialised care they require.

They shall be recognised as having the rights that this Constitution grants to all inhabitants of the Republic, with equal opportunities, in order to compensate for their disadvantages.

Article 59 - FAMILY PROPERTY

The family property is recognised as an institution of social interest, the regime of which shall be determined by law. It shall consist of the family home or farm, and its furniture and work equipment, which shall be exempt from seizure.

Article 60 - PROTECTION AGAINST VIOLENCE

The State shall promote policies aimed at preventing violence in the family and other causes that destroy its solidarity.

Article 61 - FAMILY PLANNING AND MATERNAL AND CHILD HEALTH

The State recognises the right of individuals to decide freely and responsibly on the number and spacing of their children, as well as to receive, in coordination with the relevant agencies, education, scientific guidance and adequate services in this area.

Special reproductive health and maternal and child health plans shall be established for low-income populations.

CHAPTER V
INDIGENOUS PEOPLES

Article 62 - INDIGENOUS PEOPLES AND ETHNIC GROUPS

This Constitution recognises the existence of indigenous peoples, defined as cultural groups that predate the formation and organisation of the Paraguayan State.

Article 63 - ETHNIC IDENTITY

The right of indigenous peoples to preserve and develop their ethnic identity in their respective habitats is recognised and guaranteed. They also have the right to freely apply their systems of political, social, economic, cultural and religious organisation, as well as to voluntarily submit to their customary rules for the regulation of internal coexistence, provided that these do not violate the fundamental rights established in this Constitution. Indigenous customary law shall be taken into account in jurisdictional conflicts.

Article 64 - COMMUNITY PROPERTY

Indigenous peoples have the right to communal ownership of land, in sufficient size and quality for the conservation and development of their unique ways of life. The State shall provide them with these lands free of charge, which shall be unseizable, indivisible, non-transferable, imprescriptible, not subject to contractual obligations or leasing; they shall also be exempt from taxation.

The removal or transfer of their habitat without their express consent is prohibited.

Article 65 - THE RIGHT TO PARTICIPATION

Indigenous peoples are guaranteed the right to participate in the economic, social, political and cultural life of the country, in accordance with their customary practices, this Constitution and national laws.

Article 66 - EDUCATION AND ASSISTANCE

The State shall respect the cultural characteristics of indigenous peoples, especially with regard to formal education. It shall also take measures to protect them against demographic decline, the destruction of their habitat, environmental pollution, economic exploitation and cultural alienation.

Article 67 - EXEMPTION

Members of indigenous peoples are exempt from performing social, civil, or military services, as well as from public duties established by law.

CHAPTER VI
ON HEALTH

Article 68 - THE RIGHT TO HEALTH

The State shall protect and promote health as a fundamental right of the individual and in the interest of the community.

No one shall be deprived of public assistance to prevent or treat diseases, epidemics or plagues, or of relief in cases of disasters and accidents.

Every person is obliged to comply with the health measures established by law, with respect for human dignity.

Article 69 - THE NATIONAL HEALTH SYSTEM

A national health system shall be promoted to implement integrated health actions, with policies that enable the coordination, harmonisation and complementarity of public and private sector programmes and resources.

Article 70 - SOCIAL WELFARE SYSTEM

The law shall establish social welfare programmes through strategies based on health education and community participation.

Article 71 - DRUG TRAFFICKING, DRUG ADDICTION AND REHABILITATION

The State shall suppress the illicit production and trafficking of narcotic substances and other dangerous drugs, as well as acts intended to legitimise money derived from such activities. It shall also combat the illicit consumption of such drugs. The law shall regulate the production and medicinal use of such drugs.

Preventive education and rehabilitation programmes for addicts shall be established, with the participation of private organisations.

Article 72 - QUALITY CONTROL

The State shall ensure the quality control of food, chemical, pharmaceutical and biological products at the stages of production, importation and marketing. It shall also facilitate access to essential medicines for those with limited resources.

CHAPTER VII
ON EDUCATION AND CULTURE

Article 73 - THE RIGHT TO EDUCATION AND ITS PURPOSES

Everyone has the right to comprehensive and lifelong education, which as a system and process is carried out in the context of the culture of the community. Its purposes are the full development of the human personality and the promotion of freedom and peace, social justice, solidarity, cooperation and integration among peoples; respect for human rights and democratic principles; the affirmation of commitment to the homeland, cultural identity and intellectual, moral and civic formation, as well as the elimination of discriminatory educational content.

The eradication of illiteracy and job training are permanent objectives of the education system.

Article 74 - THE RIGHT TO LEARN AND FREEDOM OF TEACHING

The right to learn and equal opportunities to access the benefits of humanistic culture, science and technology are guaranteed, without discrimination.

Freedom to teach is also guaranteed, with no requirements other than suitability and ethical integrity, as well as the right to religious education and ideological pluralism.

Article 75 - EDUCATIONAL RESPONSIBILITY

Education is the responsibility of society and falls in particular to the family, the local authority and the State.

The state shall promote nutritional supplement programmes and the provision of school supplies for low-income students.

Article 76 - STATE OBLIGATIONS

Basic school education is compulsory. It shall be free in public schools. The State shall promote secondary, technical, agricultural, industrial, and higher or university education, as well as scientific and technological research.

The organisation of the education system is the essential responsibility of the State, with the participation of the various educational communities. This system shall cover the public and private sectors, as well as the school and extracurricular spheres.

Article 77 - TEACHING IN THE MOTHER TONGUE

Teaching at the beginning of the school process will be conducted in the student's official mother tongue. Students will also be taught the knowledge and use of both official languages of the Republic.

In the case of ethnic minorities whose mother tongue is not Guaraní, one of the two official languages may be chosen.

Article 78 - TECHNICAL EDUCATION

The State shall promote job training through technical education in order to develop the human resources required for national development.

Article 79 - UNIVERSITIES AND HIGHER EDUCATION INSTITUTIONS

The main purpose of universities and higher education institutions shall be higher professional education, scientific and technological research, and university extension programmes.

Universities are autonomous. They shall establish their statutes and forms of government and shall draw up their curricula in accordance with educational policy and national development plans. Freedom of teaching and academic freedom are guaranteed. Both public and private universities shall be established by law, which shall determine the professions that require university degrees for their practice.

Article 80 - FUNDS FOR SCHOLARSHIPS AND GRANTS

The law shall provide for the establishment of funds for scholarships and other grants, with the aim of facilitating the intellectual, scientific, technical or artistic training of individuals, with preference given to those who lack resources.

Article 81 - CULTURAL HERITAGE

The necessary measures shall be taken for the conservation, rescue and restoration of objects, documents and spaces of historical, archaeological, palaeontological, artistic or scientific value, as well as their respective physical environments, which form part of the cultural heritage of the Nation.

The State shall define and register those located in the country and, where appropriate, shall arrange for the recovery of those located abroad. The competent bodies shall be responsible for safeguarding and rescuing the various expressions of the oral culture and collective memory of the Nation, cooperating with individuals who pursue the same objective. The inappropriate use and denaturalising use of such assets, their destruction, their malicious alteration, their removal from their places of origin and their alienation for export purposes are prohibited.

Article 82 - RECOGNITION OF THE CATHOLIC CHURCH

The leading role of the Catholic Church in the historical and cultural formation of the Nation is recognised.

Article 83 - CULTURAL DISSEMINATION AND TAX EXEMPTION

Objects, publications, and activities that are of significant value for cultural dissemination and education shall not be subject to fiscal or municipal taxes. The law shall regulate these exemptions and establish a system of incentives for the introduction and incorporation into the country of the elements necessary for the

practice of the arts and scientific and technological research, as well as for their dissemination in the country and abroad.

Article 84 - PROMOTION OF SPORTS

The State shall promote sports, especially non-professional sports, that encourage physical education, providing financial support and tax exemptions to be established by law. It shall also encourage national participation in international competitions.

Article 85 - MINIMUM BUDGET

The resources allocated to education in the General Budget of the Nation shall not be less than twenty per cent of the total allocated to the Central Administration, excluding loans and donations.

CHAPTER VIII
LABOUR

SECTION I
LABOUR RIGHTS Article 86 - THE RIGHT

TO WORK

All inhabitants of the Republic have the right to lawful, freely chosen work and to perform it in dignified and fair conditions.

The law shall protect work in all its forms, and the rights it grants to workers are inalienable.

Article 87 - FULL EMPLOYMENT

The State shall promote policies aimed at employment and the professional training of human resources, giving preference to national workers.

Article 88 - NON-DISCRIMINATION

No discrimination shall be permitted among workers on the basis of ethnicity, sex, age, religion, social status, or political or trade union preferences.

The work of persons with physical or mental limitations or disabilities shall be specially protected.

Article 89 - WOMEN'S WORK

Workers of both sexes have the same labour rights and obligations, but maternity shall be subject to special protection, which shall include care services and the corresponding leave, which shall not be less than twelve weeks. Women shall not be dismissed during pregnancy or while on maternity leave.

The law shall establish the regime for paternity leave.

Article 90 - WORK BY MINORS

Priority shall be given to the rights of child workers in order to ensure their normal physical, intellectual and moral development.

Article 91 - WORKING HOURS AND REST PERIODS

The maximum duration of the ordinary working day shall not exceed eight hours per day and forty-eight hours per week, during daylight hours, except as legally established for special reasons. The law shall establish more favourable working hours for unhealthy, dangerous, arduous or night work, or work carried out in continuous rotating shifts.

Breaks and annual leave shall be remunerated in accordance with the law.

Article 92 - REMUNERATION FOR WORK

Workers have the right to enjoy remuneration that ensures a free and dignified existence for themselves and their families.

The law shall establish the minimum living wage, the annual bonus, the family allowance, the recognition of a higher than basic wage for unhealthy or hazardous working hours, and overtime, night work and work on public holidays. Basically, equal pay for equal work applies.

Article 93 - ADDITIONAL BENEFITS FOR WORKERS

The State shall establish an incentive scheme for companies that offer additional benefits to their workers. Such emoluments shall be independent of the respective salaries and other legal benefits.

Article 94 - JOB SECURITY AND COMPENSATION

The right to job security is guaranteed within the limits established by law, as is the right to compensation in the event of unfair dismissal.

Article 95 - SOCIAL SECURITY

The compulsory and comprehensive social security system for dependent workers and their families shall be established by law. Its extension to all sectors of the population shall be promoted.

Social security services may be public, private or mixed, and in all cases shall be supervised by the State.

The financial resources of social insurance shall not be diverted from their specific purposes and shall be available for this objective, without prejudice to profitable investments that may increase their assets.

Article 96 - FREEDOM OF ASSOCIATION

All public and private sector workers have the right to organise in trade unions without prior authorisation. Members of the armed forces and police are exempt from this right. Employers enjoy the same freedom of organisation. No one may be compelled to belong to a trade union.

For a trade union to be recognised, it is sufficient to register it with the competent administrative body.

The election of union officials and the functioning of trade unions shall be governed by the democratic practices established by law, which shall also guarantee the stability of union leaders.

Article 97 - COLLECTIVE AGREEMENTS

Trade unions have the right to promote collective action and to conclude agreements on working conditions.

The State shall promote conciliatory solutions to labour disputes and social dialogue. Arbitration shall be optional.

Article 98 - THE RIGHT TO STRIKE AND WORK STOPPAGE

All workers in the public and private sectors have the right to resort to strike action in the event of a conflict of interests. Employers enjoy the right to lockout under the same conditions.

The rights to strike and work stoppage do not apply to members of the Armed Forces of the Nation or the police.

The law shall regulate the exercise of these rights in such a way that they do not affect public services that are essential to the community.

Article 99 - COMPLIANCE WITH LABOUR REGULATIONS

Compliance with labour standards and occupational health and safety regulations shall be subject to supervision by the authorities established by law, which shall establish penalties for violations.

Article 100 - THE RIGHT TO HOUSING

All inhabitants of the Republic have the right to decent housing.

The State shall establish the conditions for the effective exercise of this right and shall promote social housing plans, especially those intended for low-income families, through appropriate financing systems.

SECTION II
PUBLIC SERVICE

Article 101 - PUBLIC OFFICIALS AND EMPLOYEES

Civil servants and public employees are at the service of the country. All Paraguayans have the right to hold public office and employment.

The law shall regulate the various careers in which such civil servants and employees provide services, which, without prejudice to others, are the judicial, teaching, diplomatic and consular, scientific and technological research, civil service, military and police careers.

Article 102 - LABOUR RIGHTS OF PUBLIC SERVANTS AND EMPLOYEES

Public officials and employees shall enjoy the rights established in this Constitution in the section on labour rights, under a uniform regime for the various careers within the limits established by law and with the protection of acquired rights.

Article 103 - RETIREMENT SYSTEM

Within the national social security system, the law shall regulate the pension scheme for civil servants and public employees, provided that the autonomous bodies created for this purpose agree to allow contributors and pensioners to administer these entities under state control. All those who, under any title, provide services to the State shall participate in the same scheme.

The law shall guarantee the updating of retirement benefits on an equal footing with active civil servants.

Article 104 - MANDATORY DECLARATION OF ASSETS AND INCOME

Civil servants and public employees, including those elected by popular vote, those of state, binational, autonomous, and decentralised entities, and, in general, those who receive permanent remuneration from the State, shall be required to file a sworn declaration of assets and income within fifteen days of taking office and within the same period upon leaving office.

Article 105 - PROHIBITION OF DOUBLE REMUNERATION

No person may receive more than one salary or remuneration simultaneously as a civil servant or public employee, with the exception of those derived from teaching.

Article 106 - RESPONSIBILITY OF PUBLIC OFFICIALS AND EMPLOYEES

No civil servant or public employee is exempt from liability. In cases of transgressions, crimes or offences committed in the performance of their duties, they are personally liable, without prejudice to the subsidiary liability of the State, which has the right to recover any payments made in this regard.

CHAPTER IX
ECONOMIC RIGHTS AND AGRARIAN REFORM

SECTION I
ECONOMIC RIGHTS

Article 107 - FREEDOM OF COMPETITION

Everyone has the right to engage in the lawful economic activity of their choice, within a system of equal opportunities.

Competition in the market is guaranteed. The creation of monopolies and the artificial raising or lowering of prices that hinder free competition shall not be permitted. Usury and the unauthorised trade in harmful articles shall be punished by criminal law.

Article 108 - FREE CIRCULATION OF GOODS

Domestically produced or manufactured goods, and those of foreign origin that have been legally imported, shall circulate freely within the territory of the Republic.

Article 109 - PRIVATE PROPERTY

Private property is guaranteed, the content and limits of which shall be established by law, taking into account its economic and social function, in order to make it accessible to all.

Private property is inviolable.

No one may be deprived of their property except by virtue of a court ruling, but expropriation for reasons of public utility or social interest is permitted, to be determined in each case by law. This shall guarantee the prior payment of fair compensation, established by agreement or by court ruling, except in the case of unproductive large estates intended for agrarian reform, in accordance with the procedure for expropriation to be established by law.

Article 110 - COPYRIGHT AND INTELLECTUAL PROPERTY

Every author, inventor, producer or trader shall enjoy exclusive ownership of their work, invention, trademark or trade name, in accordance with the law.

Article 111 - TRANSFER OF PUBLIC ENTERPRISES

Whenever the State decides to transfer public enterprises or its participation in them to the private sector, it shall give preferential purchase options to the workers and sectors directly involved with the enterprise. The law shall regulate the manner in which such options shall be established.

Article 112 - STATE OWNERSHIP

The State has sovereignty over hydrocarbons, solid, liquid and gaseous minerals found in their natural state within the territory of the Republic, with the exception of stone, earth and calcareous substances.

The State may grant concessions to public or private, mixed, national or foreign persons or companies for the prospecting, exploration, research, search or exploitation of deposits for a limited period of time.

The law shall regulate the economic regime that takes into account the interests of the State, those of the concessionaires and those of the owners who may be affected.

Article 113 - PROMOTION OF COOPERATIVES

The State shall promote cooperative enterprises and other forms of association for the production of goods and services, based on solidarity and social profitability, and shall guarantee their free organisation and autonomy.

The principles of cooperativism as an instrument of national economic development shall be disseminated through the education system.

SECTION II
AGRICULTURAL REFORM

Article 114 - OBJECTIVES OF AGRARIAN REFORM

Agrarian reform is one of the fundamental factors for achieving rural well-being. It consists of the effective incorporation of the peasant population into the economic and social development of the Nation. Equitable systems of land distribution, ownership and tenure shall be adopted; credit and technical, educational and health assistance shall be organised; the creation of agricultural cooperatives and other similar associations shall be encouraged; and production, industrialisation and market rationalisation shall be promoted for the comprehensive development of agriculture.

Article 115 - THE BASES OF AGRARIAN REFORM AND RURAL DEVELOPMENT

Agrarian reform and rural development shall be carried out in accordance with the following principles:

1. The adoption of a tax system and other measures that stimulate production, discourage large estates and guarantee the development of small and medium-sized rural properties, according to the specific characteristics of each area;
2. the rationalisation and regularisation of land use and farming practices to prevent degradation, as well as the promotion of intensive and diversified agricultural production;
3. the promotion of small and medium-sized agricultural enterprises;
4. the planning of rural settlements; the allocation of plots of land to beneficiaries of agrarian reform, providing the necessary infrastructure for their settlement and establishment, with an emphasis on roads, education and health;

5. the establishment of systems and organisations that ensure fair prices for primary producers;
6. the granting of low-cost agricultural loans without intermediaries;
7. the defence and preservation of the environment;
8. the creation of agricultural insurance;
9. support for rural women, especially those who are heads of households;
10. the participation of rural women, on an equal footing with men, in agrarian reform plans;
11. the participation of those affected by agrarian reform in the respective process; and the promotion of peasant organisations in defence of their economic, social and cultural interests.
12. preferential support for fellow citizens in agrarian reform plans;
13. the education of farmers and their families, in order to train them as active agents of national development;
14. the creation of regional centres for the study and agrological classification of soils, in order to establish agricultural crops in suitable regions;
15. the adoption of policies that stimulate the population's interest in agricultural work, creating professional training centres in rural areas; and
16. the promotion of internal migration, taking into account demographic, economic and social reasons.

Article 116 - UNPRODUCTIVE LARGE ESTATES

With the aim of progressively eliminating unproductive large estates, the law shall take into account the natural suitability of the land, the needs of the population linked to agriculture, and the provisions advisable for the balanced development of agricultural, livestock, forestry and industrial activities, as well as the sustainable use of natural resources and the preservation of ecological balance.

The expropriation of unproductive large estates intended for agrarian reform shall be established in each case by law, and payment shall be made in the manner and within the time limit determined therein.

CHAPTER X
POLITICAL RIGHTS AND DUTIES Article 117 -

POLITICAL RIGHTS

Citizens, without distinction of sex, have the right to participate in public affairs, directly or through their representatives, in the manner determined by this Constitution and the laws.

Women's access to public office shall be promoted.

Article 118 - SUFFRAGE

Suffrage is the right, duty, and public function of the elector.

It constitutes the basis of the democratic and representative system. It is founded on universal, free, direct, equal and secret suffrage; on public and supervised voting; and on the system of proportional representation.

Article 119 - SUFFRAGE IN INTERMEDIATE ORGANISATIONS

The same principles and rules of suffrage shall apply to elections in intermediate, political, trade union and social organisations.

Article 120 - VOTERS

Paraguayan citizens residing in the national territory, without distinction, who have reached the age of eighteen, are voters.

Citizens are voters and eligible for election, with no restrictions other than those established in this Constitution and in the law.

Foreigners with permanent residency shall have the same rights in municipal elections.

Article 121 - REFERENDUMS

Legislative referendums, decided by law, may or may not be binding. This institution shall be regulated by law.

Article 122 - MATTERS THAT MAY NOT BE SUBJECT TO REFERENDUM

The following matters may not be subject to referendum:

1. International relations, treaties, conventions or international agreements;
2. expropriations;
3. national defence;
4. restrictions on real estate ownership;
5. matters relating to tax, monetary and banking systems, the contracting of loans, the General National Budget, and
6. national, departmental and municipal elections.

Article 123 - POPULAR INITIATIVE

Voters are recognised as having the right to popular initiative to propose bills to Congress. The form of the proposals, as well as the number of voters who must sign them, shall be established by law.

Article 124 - THE NATURE AND FUNCTIONS OF POLITICAL PARTIES

Political parties are legal entities under public law. They must express pluralism and contribute to the formation of elected authorities, the orientation of national, departmental or municipal policy, and the civic education of citizens.

Article 125 - FREEDOM OF ORGANISATION IN POLITICAL PARTIES OR MOVEMENTS

All citizens have the right to freely associate in political parties and movements to participate, through democratic methods, in the election of the authorities provided for in this Constitution and in the laws, as well as in the orientation of national policy. The law shall regulate the constitution and functioning of political parties and movements in order to ensure their democratic character.

The legal status of political parties and movements may only be revoked by court order.

Article 126 - PROHIBITIONS ON POLITICAL PARTIES AND MOVEMENTS

Political parties and movements, in their operation, may not:

1. receive financial assistance, directives or instructions from foreign organisations or States;
2. establish structures that, directly or indirectly, involve the use or appeal to violence as a method of political activity; and
3. be constituted for the purpose of forcibly replacing the regime of freedom and democracy, or endangering the existence of the Republic.

CHAPTER XI
DUTIES

Article 127 - COMPLIANCE WITH THE LAW

Every person is obliged to comply with the law; criticism of the laws is free, but preaching disobedience to them is not permitted.

Article 128 - THE PRIMACY OF THE GENERAL INTEREST AND THE DUTY TO COOPERATE

Under no circumstances shall the interests of individuals take precedence over the general interest. All inhabitants must cooperate for the good of the country, providing the services and performing the functions defined as public duties, as determined by this Constitution and the law.

Article 129 - MILITARY SERVICE

Every Paraguayan has the obligation to prepare and assist in the armed defence of the homeland.

To this end, compulsory military service is established. The law shall regulate the conditions under which this duty shall be carried out.

Military service shall be performed with full dignity and respect for the individual. In times of peace, it may not exceed twelve months.

Women shall not perform military service except as auxiliaries, in case of necessity, during international armed conflict.

Those who declare their conscientious objection shall perform service for the benefit of the civilian population, through assistance centres designated by law and under civil jurisdiction. The regulation and exercise of this right shall not be punitive in nature nor shall it impose burdens greater than those established for military service.

Military service not specified by law, or for the private benefit or profit of individuals or private entities, is prohibited.

The law shall regulate the contribution of foreigners to national defence.

Article 130 - OF THOSE MERITORIOUS TO THE COUNTRY

Veterans of the Chaco War and other international armed conflicts fought in defence of the homeland shall enjoy honours and privileges; pensions that allow them to live decently; preferential, free and comprehensive health care, as well as other benefits, in accordance with the provisions of the law.

Their widows and minor or disabled children shall succeed them in receiving economic benefits, including those of veterans who died prior to the enactment of this Constitution.

The benefits granted to those who have rendered distinguished service to the country shall not be subject to restrictions and shall take effect immediately, with no requirement other than reliable certification.

Former Bolivian prisoners of war who, since the signing of the Peace Treaty, have chosen to integrate permanently into the country shall be treated as veterans of the Chaco War in terms of economic benefits and welfare services.

CHAPTER XII
CONSTITUTIONAL GUARANTEES Article 131 -

GUARANTEES

In order to give effect to the rights enshrined in this Constitution, the guarantees contained in this chapter are established, which shall be regulated by law.

Article 132 - ON UNCONSTITUTIONALITY

The Supreme Court of Justice has the power to declare legal provisions and judicial decisions unconstitutional, in the manner and to the extent established in this Constitution and in the law.

Article 133 - HABEAS CORPUS

This guarantee may be invoked by the affected party, either personally or through an intermediary, without the need for power of attorney, by any reliable means, and before any judge of first instance of the respective judicial district.

Habeas Corpus may be:

1. **Preventive:** by virtue of which any person in imminent danger of being unlawfully deprived of their physical liberty may request an examination of the legitimacy of the circumstances which, in the opinion of the affected party, threaten their liberty, as well as an order to cease such restrictions.
2. **Remedial:** whereby any person who has been unlawfully deprived of their liberty may seek rectification of the circumstances of the case. The magistrate shall order the detainee to appear, with a report from the public or private agent who detained them, within twenty-four hours of the petition being filed. If the defendant fails to do so, the judge shall go to the place where the person is being held, and there shall hear the merits of the case and order their immediate release, as if the detainee had been presented and the report filed. If there are no legal grounds for deprivation of liberty, the judge shall order immediate release; if there is a written order from a judicial authority, the judge shall forward the case file to the person who ordered the arrest.
3. **Generic:** by virtue of which rectification may be demanded in circumstances which, not being covered by the two previous cases, restrict liberty or threaten personal safety. Likewise, this guarantee may be invoked in cases of physical, psychological or moral violence that aggravate the conditions of persons legally deprived of their liberty.

The law shall regulate the various forms of habeas corpus, which shall proceed even during a state of emergency. The procedure shall be brief, summary, and free of charge, and may be initiated ex officio.

Article 134 - AMPARO

Any person who, due to a manifestly unlawful act or omission by an authority or a private individual, considers themselves to be seriously harmed, or in imminent danger of being harmed, in their rights or guarantees enshrined in this Constitution or in the law, and who, due to the urgency of the case, cannot be remedied through ordinary channels, may seek amparo before the competent magistrate. The procedure shall be brief, summary, free of charge, and subject to popular action in the cases provided for by law.

The magistrate shall have the power to safeguard the right or guarantee, or to immediately restore the infringed legal situation.

In the case of an electoral matter or a matter relating to political organisations, the electoral courts shall have jurisdiction.

Amparo may not be invoked in the processing of legal cases, against acts of judicial bodies, or in the process of drafting, sanctioning, and enacting laws.

The law shall regulate the respective procedure. Judgments handed down in amparo proceedings shall not become final.

Article 135 - HABEAS DATA

Every person may access information and data about themselves or their property held in official or private records of a public nature, as well as know how such information and data are used and for what purpose. They may request the competent magistrate to update, rectify or destroy such information and data if they are erroneous or unlawfully affect their rights.

Article 136 - JURISDICTION AND RESPONSIBILITY OF MAGISTRATES

No judicial magistrate with jurisdiction may refuse to hear the actions or appeals provided for in the preceding articles; if they do so without justification, they shall be prosecuted and, where appropriate, removed from office.

In the decisions handed down, the judge shall also rule on the responsibilities incurred by the authorities as a result of the unlawful conduct and, if there are circumstances that prima facie evidence the commission of a crime, shall order the arrest or suspension of those responsible, as well as any precautionary measures that may be appropriate for the greater effectiveness of such responsibilities.
Likewise, if he has jurisdiction, he shall conduct the relevant preliminary investigation and involve the Public Prosecutor's Office; if he does not have jurisdiction, he shall refer the case to the competent judge for further proceedings.

PART III
THE POLITICAL SYSTEM OF THE REPUBLIC

TITLE I
THE NATION AND THE STATE

CHAPTER I
GENERAL DECLARATIONS

Article 137 - ON THE SUPREMACY OF THE CONSTITUTION

The supreme law of the Republic is the Constitution. The Constitution, approved and ratified international treaties, conventions and agreements, laws enacted by Congress and other legal provisions of lower hierarchy, sanctioned accordingly, constitute national positive law in the order of precedence set forth.

Anyone who attempts to change this order, outside the procedures provided for in this Constitution, shall be guilty of offences that shall be defined and punished by law.

This Constitution shall not lose its validity or cease to be observed by acts of force, nor shall it be repealed by any means other than those provided for therein.

All provisions or acts of authority contrary to the provisions of this Constitution shall be invalid.

Article 138 - THE VALIDITY OF THE LEGAL SYSTEM

Citizens are authorised to resist such usurpers by all means at their disposal. In the event that such a person or group of persons, invoking any principle or representation contrary to this constitution, holds public power, their acts shall be declared null and void, non-binding and, therefore, the people, in exercising their right to resist oppression, shall be exempt from compliance.

Foreign states that, for any reason, are associated with such usurpers may not invoke any pact, treaty, or agreement signed or authorised by the usurping government to subsequently demand it as an obligation or commitment of the Republic of Paraguay.

Article 139 - SYMBOLS

The symbols of the Republic of Paraguay are:

1. the flag of the Republic;
2. the national seal, and
3. the national anthem.

The law shall regulate the characteristics of the symbols of the Republic not provided for in the resolution of the Extraordinary General Congress of 25 November 1942, and shall determine their use.

Article 140 - ON LANGUAGES

Paraguay is a multicultural and bilingual country.

Spanish and Guaraní are the official languages. The law shall establish the modalities for the use of both languages.

Indigenous languages, as well as those of other minorities, form part of the cultural heritage of the Nation.

CHAPTER II
ON INTERNATIONAL RELATIONS

Article 141 - INTERNATIONAL TREATIES

International treaties validly concluded, approved by law of Congress, and whose instruments of ratification have been exchanged or deposited, form part of the domestic legal system with the hierarchy determined by Article 137.

Article 142 - DENUNCIATION OF TREATIES

International treaties relating to human rights may only be denounced in accordance with the procedures governing amendments to this Constitution.

Article 143 - INTERNATIONAL RELATIONS

The Republic of Paraguay, in its international relations, accepts international law and adheres to the following principles:

1. national independence;
2. self-determination of peoples;
3. legal equality among States;
4. international solidarity and cooperation;
5. international protection of human rights;
6. free navigation of international rivers;
7. non-intervention, and
8. condemnation of all forms of dictatorship, colonialism and imperialism.

Article 144 - RENUNCIATION OF WAR

The Republic of Paraguay renounces war, but upholds the principle of self-defence. This declaration is compatible with Paraguay's rights and obligations as a member of the United Nations and the Organisation of American States, or as a party to integration treaties.

Article 145 - ON THE SUPRANATIONAL LEGAL ORDER

The Republic of Paraguay, on an equal footing with other States, recognises a supranational legal order that guarantees the validity of human rights, peace, justice, cooperation and development in the political, economic, social and cultural spheres.

Such decisions may only be adopted by an absolute majority of each Chamber of Congress.

CHAPTER III
NATIONALITY AND CITIZENSHIP Article 146 -

NATURAL NATIONALITY

The following are considered natural Paraguayan nationals:

1. persons born in the territory of the Republic;
2. children of a Paraguayan mother or father who, while one or both are in the service of the Republic, are born abroad;
3. children of a Paraguayan mother or father born abroad, when the latter settle permanently in the Republic, and
4. infants of unknown parents, taken in within the territory of the Republic.

The formalisation of the right enshrined in paragraph 3 shall be effected by a simple declaration by the interested party, when he or she is over eighteen years of age. If he or she has not yet reached that age, the declaration of his or her legal representative shall be valid until that age, subject to ratification by the interested party.

Article 147 - NON-DEPRIVATION OF NATURAL NATIONALITY

No natural Paraguayan shall be deprived of their nationality, but may voluntarily renounce it.

Article 148 - NATIONALITY BY NATURALISATION

Foreigners may obtain Paraguayan nationality by naturalisation if they meet the following requirements:

1. legal age;
2. minimum residence of three years in the national territory;
3. exercise in the country of some profession, trade, science, art or industry, and
4. good conduct, as defined by law.

Article 149 - MULTIPLE NATIONALITY

Multiple nationality may be permitted by means of an international treaty based on reciprocity of constitutional rank between the States of origin and adoption.

Article 150 - LOSS OF NATIONALITY

Naturalised Paraguayans shall lose their nationality by virtue of unjustified absence from the Republic for more than three years, as declared by a court of law, or by the voluntary acquisition of another nationality.

Article 151 - HONORARY NATIONALITY

Foreigners who have rendered eminent services to the Republic may be distinguished with honorary nationality by law of Congress.

Article 152 - CITIZENSHIP

The following are citizens:

1. any person of Paraguayan nationality, from the age of eighteen, and
2. any person of Paraguayan nationality by naturalisation, after two years of having obtained it.

Article 153 - SUSPENSION OF THE EXERCISE OF CITIZENSHIP

The exercise of citizenship shall be suspended:

1. upon the adoption of another nationality, except in cases of international reciprocity;
2. by incapacity declared in court, which prevents the person from acting freely and with discernment, and
3. when the person is serving a prison sentence.

The suspension of citizenship shall end when the cause determining it ceases to exist.

Article 154 - EXCLUSIVE JURISDICTION OF THE JUDICIARY

The law shall establish the rules on acquisition, recovery and option of nationality, as well as on the suspension of citizenship.

The Judiciary shall have exclusive jurisdiction to hear these cases.

CHAPTER IV
TERRITORIAL ORGANISATION OF THE REPUBLIC

SECTION I
GENERAL PROVISIONS

Article 155 - TERRITORY, SOVEREIGNTY AND INALIENABILITY

The national territory may never be ceded, transferred, leased, or in any way alienated, even temporarily, to any foreign power. States that maintain diplomatic relations with the Republic, as well as international organisations of which it is a member, may only acquire the real estate necessary for the headquarters of their representations, in accordance with the provisions of the law. In such cases, national sovereignty over the land shall always be preserved.

Article 156 - POLITICAL AND ADMINISTRATIVE STRUCTURE

For the purposes of the political and administrative structure of the State, the national territory is divided into departments, municipalities, and districts, which, within the limits of this Constitution and the laws, enjoy political, administrative, and regulatory autonomy for the management of their interests, and self-sufficiency in the collection and investment of their resources.

Article 157 - THE CAPITAL

The City of Asunción is the Capital of the Republic and the seat of the powers of the State. It is constituted as a Municipality and is independent of any Department. The law shall establish its boundaries.

Article 158 - NATIONAL SERVICES

The creation and operation of national services within the jurisdiction of departments and municipalities shall be authorised by law.

Departmental services may also be established through agreements between the respective departments and municipalities.

Article 159 - DEPARTMENTS AND MUNICIPALITIES

The creation, merger or modification of departments and their capitals, municipalities and districts, where applicable, shall be determined by law, taking into account their socio-economic, demographic, ecological, cultural and historical conditions.

Article 160 - REGIONS

Departments may be grouped into regions for the better development of their respective communities. Their constitution and functioning shall be regulated by law.

SECTION II
DEPARTMENTS

Article 161 - DEPARTMENTAL GOVERNMENT

The government of each department shall be exercised by a governor and a departmental council. They shall be elected by direct vote of the citizens residing in the respective departments, in elections coinciding with the general elections, and shall serve for a term of five years.

The governor represents the Executive Branch in the execution of national policy. He or she may not be elected.

The law shall determine the composition and functions of the departmental boards.

Article 162 - REQUIREMENTS

To be governor, one must:

1. be a natural-born Paraguayan;
2. be at least thirty years of age; and
3. be a native of the department and have resided there for at least one year. If the candidate is not a native of the department, he or she must have resided there for at least five years. Both periods shall be counted immediately prior to the elections.

The disqualifications for candidates for governor shall be the same as those for the President and Vice-President of the Republic.

To be a member of the departmental board, the same requirements apply as for the office of governor, with the exception of age, which must be twenty-five years of age.

Article 163 - COMPETITION

The departmental government is responsible for:

1. coordinate its activities with those of the various municipalities in the department; organise common departmental services, such as public works, energy and drinking water supply, and others that jointly affect more than one municipality, as well as promoting cooperation associations between them;
2. preparing the departmental development plan, which must be coordinated with the National Development Plan, and drawing up the annual budget, to be considered in the General Budget of the Nation;
3. coordinate departmental action with the activities of the central government, especially those related to the department's national offices, primarily in the areas of health and education;
4. arrange for the integration of the Departmental Development Councils; and
5. the other powers established by this Constitution and the law.

Article 164 - RESOURCES

The resources of the departmental administration are:

1. the corresponding portion of taxes, fees, and contributions defined and regulated by this constitution and by law;
2. allocations or subsidies allocated to them by the national government;
3. their own revenues determined by law, as well as donations and legacies; and
4. other resources established by law.

Article 165 - INTERVENTION

Departments and municipalities may be intervened by the Executive Power, with the prior agreement of the Chamber of Deputies, in the following cases:

1. at the request of the departmental or municipal council, by an absolute majority decision;
2. due to the disintegration of the departmental or municipal council, which makes its functioning impossible, and
3. for serious irregularities in the execution of the budget or in the administration of its assets, following a ruling by the Comptroller General of the Republic.

The intervention shall not last for more than ninety days, and if it results in the existence of the case provided for in paragraph 3, the Chamber of Deputies, by an absolute majority, may remove the governor or mayor, or the departmental or municipal council, and the Superior Court of Electoral Justice shall call new elections to constitute the authorities that will replace those who have ceased their functions, within ninety days following the resolution issued by the Chamber of Deputies.

SECTION III
OF MUNICIPALITIES

Article 166 - AUTONOMY

Municipalities are local government bodies with legal personality which, within their jurisdiction, have political, administrative and regulatory autonomy, as well as autonomy in the collection and investment of their resources.

Article 167 - MUNICIPAL GOVERNMENT

The government of municipalities shall be in charge of a mayor and a municipal council, who shall be elected by direct suffrage by legally qualified persons.

Article 168 - POWERS

The powers of municipalities, within their territorial jurisdiction and in accordance with the law, shall be:

1. free management of matters within their competence, particularly in the areas of urban planning, the environment, supply, education, culture, sport, tourism, health and social care, credit institutions, inspection bodies and the police;
2. the administration and disposal of their assets;
3. the preparation of their income and expenditure budget;
4. participation in national revenues;
5. regulating the amount of fees charged for services actually provided, which may not exceed the cost of those services;
6. the enactment of ordinances, regulations and resolutions;
7. access to private credit and public credit, both national and international;
8. the regulation and control of traffic, public transport and other matters relating to the movement of vehicles, and
9. any other powers established by this Constitution and the law.

Article 169 - PROPERTY TAX

Municipalities and departments shall be responsible for all taxes levied directly on real estate. Their collection shall be the responsibility of the municipalities. Seventy per cent of the amount collected by each municipality shall remain in its possession, fifteen per cent shall remain in the possession of the respective department, and the remaining fifteen per cent shall be distributed among the municipalities with the least resources, in accordance with the law.

Article 170 - PROTECTION OF RESOURCES

No State institution, autonomous, self-governing or decentralised entity may appropriate the income or revenues of municipalities.

Article 171 - CATEGORIES AND REGIMES

The different categories and regimes of municipalities shall be established by law, taking into account population, economic development, geographical, ecological, cultural and historical conditions, and other factors determining their development.

Municipalities may associate with each other to jointly pursue their objectives and, by law, with municipalities in other countries.

CHAPTER V
PUBLIC FORCE

Article 172 - COMPOSITION

The Public Force is composed exclusively of the military and police forces.

Article 173 - THE ARMED FORCES

The Armed Forces of the Nation constitute a national institution that shall be organised on a permanent, professional, non-deliberative, obedient basis, subordinate to the powers of the State and subject to the provisions of this Constitution and the laws. Their mission is to safeguard territorial integrity and defend the legitimately constituted authorities, in accordance with this Constitution and the laws. Their organisation and strength shall be determined by law.

Active-duty military personnel shall comply with laws and regulations and may not join any political party or movement, nor engage in any type of political activity.

Article 174 - MILITARY COURTS

Military courts shall only try crimes or offences of a military nature, classified as such by law, and committed by active-duty military personnel. Their rulings may be appealed before the ordinary courts.

In the case of an act that is punishable under both ordinary criminal law and military criminal law, it shall not be considered a military offence unless it was committed by a member of the armed forces on active duty and in the exercise of military functions. In case of doubt as to whether the offence is a common or military offence, it shall be considered a common offence.
Only in the event of international armed conflict, and in the manner provided by law, may these courts have jurisdiction over civilians and retired military personnel.

Article 175 - THE NATIONAL POLICE

The National Police is a professional, non-deliberative, obedient institution, organised on a permanent basis and hierarchically dependent on the executive branch of government responsible for the internal security of the nation.

Within the framework of this Constitution and the laws, its mission is to preserve the legally established public order, as well as the rights and security of persons and entities and their property; to prevent crime; to execute the orders of the competent authority and, under judicial direction, to investigate crimes. The law shall regulate its organisation and powers.

The command of the National Police shall be exercised by a senior officer from its permanent staff. Police officers on active duty may not join any political party or movement, nor engage in any type of political activity.

The creation of independent police forces may be established by law, which shall set forth their powers and respective jurisdictions at the municipal level and within the other branches of government.

CHAPTER VI
STATE ECONOMIC POLICY

SECTION I
NATIONAL ECONOMIC DEVELOPMENT

Article 176 - ECONOMIC POLICY AND THE PROMOTION OF DEVELOPMENT

The fundamental purpose of economic policy shall be to promote economic, social, and cultural development.

The State shall promote economic development through the rational use of available resources, with the aim of fostering orderly and sustained economic growth, creating new sources of employment and wealth, increasing the national heritage and ensuring the well-being of the population. Development shall be promoted through comprehensive programmes that coordinate and guide national economic activity.

Article 177 - NATURE OF DEVELOPMENT PLANS

National development plans shall be indicative for the private sector and mandatory for the public sector.

SECTION II
FINANCIAL ORGANISATION

Article 178 - STATE RESOURCES

In order to fulfil its purposes, the State shall establish taxes, fees, contributions and other resources; it shall exploit, either directly or through concessionaires, the assets under its private domain, on which it shall determine royalties, compensation or other rights, under conditions that are fair and convenient for national interests; it shall organise the exploitation of public services and collect the fees established for such rights; takes out domestic or international loans for national development programmes; regulates the country's financial system; and organises, establishes and composes the monetary system.

Article 179 - CREATION OF TAXES

All taxes, regardless of their nature or name, shall be established exclusively by law, in accordance with fair economic and social principles, as well as policies favourable to national development.

It is also the exclusive prerogative of the law to determine the taxable matter, the persons liable for taxation, and the nature of the tax system.

Article 180 - DOUBLE TAXATION

The same taxable event may not be subject to double taxation. In international relations, the State may enter into agreements to avoid double taxation, on the basis of reciprocity.

Article 181 - EQUALITY OF TAXATION

Equality is the basis of taxation. No tax shall be confiscatory in nature. Its creation and validity shall take into account the taxpaying capacity of the inhabitants and the general conditions of the country's economy.

TITLE II
THE STRUCTURE AND ORGANISATION OF THE STATE

CHAPTER I
THE LEGISLATIVE BRANCH

SECTION I
GENERAL PROVISIONS Article 182 -

COMPOSITION

Legislative power shall be exercised by Congress, composed of a Senate and a House of Representatives.

The members and alternates of both Chambers shall be directly elected by the people, in accordance with the law.

Substitute members shall replace incumbent members in the event of death, resignation or incapacity, for the remainder of the constitutional term or for the duration of the incapacity, if it is temporary. In all other cases, the rules of each Chamber shall apply.

Article 183 - MEETINGS OF CONGRESS

Only both Chambers, meeting in Congress, shall have the following duties and powers:

1. to receive the oath or promise of office of the President of the Republic, the Vice-President, and the members of the Supreme Court of Justice;

2. granting or denying the President of the Republic the corresponding permission, in the cases provided for by this Constitution;
3. authorising the entry of foreign armed forces into the territory of the Republic and the departure of national armed forces, except in cases of mere courtesy;
4. receive Heads of State or Government from other countries, and
5. the other duties and powers established by this Constitution.

The President of the Senate and the President of the Chamber of Deputies shall preside over the meetings of Congress as President and Vice-President, respectively.

Article 184 - SESSIONS

Both Houses of Congress shall meet annually in ordinary sessions from 1 July of each year until 30 June of the following year, with a recess from 21 December to 1 March, on which date the President of the Republic shall deliver his report. The two Houses shall be convened for extraordinary sessions or shall extend their sessions by decision of one-fourth of the members of either House; by resolution of two-thirds of the members of the Permanent Commission of Congress; or by decree of the Executive Branch. The President of Congress or the President of the Permanent Commission shall convene them within a peremptory period of forty-eight hours.

Extensions of sessions shall be carried out in the same manner. Extraordinary sessions shall be convened to deal with a specific agenda, and shall be closed once that agenda has been exhausted.

Article 185 - JOINT SESSIONS

The Chambers shall meet jointly in the cases provided for in this Constitution and in the Rules of Procedure of Congress, which shall establish the necessary formalities.

The legal quorum shall be half plus one of the total number of members of each Chamber. Except in cases where this Constitution establishes qualified majorities, decisions shall be taken by a simple majority of the votes of the members present.

For voting in the Houses of Congress, a simple majority shall be understood to mean half plus one of the members present; a two-thirds majority shall be understood to mean two-thirds of the members present; an absolute majority shall be understood to mean the legal quorum; and an absolute two-thirds majority shall be understood to mean two-thirds of the total number of members of each House.

The provisions of this Article shall also apply to sessions of both Houses meeting in Congress.

The same quorum and majority requirements shall apply to any elected collegiate body provided for in this Constitution.

Article 186 - COMMITTEES

The chambers shall function in plenary session and in unicameral or bicameral committees.

All committees shall be composed, as far as possible, proportionally, in accordance with the political groups represented in the Chambers.

At the beginning of the annual sessions of the legislature, each Chamber shall appoint permanent advisory committees. These committees may request reports or opinions from individuals and public or private entities in order to produce their opinions or facilitate the exercise of the other powers vested in Congress.

Article 187 - ELECTION AND TERM OF OFFICE

Senators and deputies, both full and alternate, shall be elected in elections held simultaneously with the presidential elections.

Legislators shall serve a five-year term, beginning on 1 July, and may be re-elected.

Permanent or temporary vacancies in the Chamber of Deputies shall be filled by the substitutes elected in the same department, and those in the Senate by the substitutes on the list proclaimed by the Electoral Justice.

Article 188 - OATH OR PROMISE

Upon joining the chambers, senators and deputies shall take an oath or pledge to perform their duties properly and to act in accordance with the provisions of this Constitution.

Neither chamber may hold sessions, deliberate, or adopt decisions without the presence of an absolute majority. A smaller number may, however, compel absent members to attend sessions under the terms established by each chamber.

Article 189 - LIFETIME SENATORSHIPS

Former democratically elected presidents of the Republic shall be senators for life of the Nation, unless they have been impeached and found guilty. They shall not form part of the quorum. They shall have a voice but no vote.

Article 190 - RULES OF PROCEDURE

Each Chamber shall draft its own rules of procedure. By a two-thirds majority, it may reprimand or censure any of its members for misconduct in the exercise of their functions and suspend them for up to sixty days without pay. By an absolute majority, it may remove them for physical or mental incapacity, as declared by the Supreme Court of Justice. In cases of resignation, the decision shall be made by a simple majority of votes.

Article 191 - IMMUNITIES

No member of Congress may be prosecuted for opinions expressed in the performance of their duties. No Senator or Deputy may be arrested from the day of their election until the end of their term of office, unless they are caught in flagrante delicto and deserve corporal punishment. In this case, the

shall place them under house arrest, immediately report the incident to the respective Chamber and the competent judge, to whom they shall forward the case file as soon as possible.

When a case is brought against a Senator or Deputy before the ordinary courts, the judge shall communicate this, with a copy of the background information, to the respective Chamber, which shall examine the merits of the summary proceedings and, by a two-thirds majority, shall decide whether or not to waive immunity, so that the case may be brought to trial. If so, their privileges shall be suspended.

Article 192 - REQUEST FOR INFORMATION

The Chambers may request from the other branches of government, autonomous, self-governing and decentralised entities, and public officials, any reports on matters of public interest that they deem necessary, with the exception of judicial activity.

Those affected are obliged to respond to requests for reports within the period specified, which may not be less than fifteen days.

Article 193 - SUMMONS AND INTERPELLATION

Each Chamber, by absolute majority, may summon and question individually ministers and other senior officials of the Public Administration, as well as directors and administrators of autonomous, self-governing and decentralised entities, those of entities that administer State funds and those of companies with majority State participation, when a law is being discussed or a matter concerning their respective activities is being studied. The questions must be communicated to the summoned party at least five days in advance. Except for just cause, it shall be mandatory for those summoned to attend the proceedings, answer the questions and provide all the information requested of them.

The law shall determine the participation of the majority and the minority in the formulation of questions.

The President of the Republic, the Vice-President, or members of the Judiciary may not be summoned or questioned in matters of jurisdiction.

Article 194 - VOTE OF NO CONFIDENCE

If the person summoned does not appear before the respective Chamber, or if the Chamber considers their statements unsatisfactory, both Chambers, by an absolute majority of two-thirds, may issue a vote of no confidence against them and recommend their removal from office to the President of the Republic or their superior.

If the motion of censure is not approved, no other motion on the same subject shall be presented against the same Minister or official during that session.

Article 195 - INVESTIGATIVE COMMITTEES

Both Houses of Congress may establish joint investigative committees on any matter of public interest, as well as on the conduct of their members.

The directors and administrators of autonomous, self-governing and decentralised entities, those of entities that administer State funds, those of companies with majority State participation, public officials and private individuals are obliged to appear before both Houses and provide them with the information and documentation they require. The law shall establish penalties for failure to comply with this obligation.

The President of the Republic, the Vice-President, the ministers of the Executive Branch and the judicial magistrates, in jurisdictional matters, may not be investigated.

The activities of the investigative commissions shall not affect the exclusive powers of the Judiciary, nor shall they infringe upon the rights and guarantees enshrined in this Constitution. Their conclusions shall not be binding on the courts nor shall they undermine judicial decisions, without prejudice to the outcome of the investigation, which may be communicated to the ordinary courts.

Judges shall order, in accordance with the law, the proceedings and evidence required for the purposes of the investigation.

Article 196 - INCOMPATIBILITIES

Advisors to public agencies, civil servants, and other employees on the payroll of the State or municipalities, regardless of their title or remuneration, may be elected but may not perform legislative functions while they remain in those positions.

The partial exercise of teaching and scientific research are exempt from the incompatibilities established in this Article.

No Senator or Deputy may be a member of companies that operate public services or hold State concessions, nor may they provide legal advice or representation to such companies, either directly or through an intermediary.

Article 197 - DISQUALIFICATIONS

The following may not be candidates for senator or deputy:

1. those convicted by final judgment to custodial sentences, for the duration of the sentence;
2. those sentenced to disqualification from public office, for the duration of that sentence;
3. those convicted of electoral offences, for the duration of their sentence;
4. judges, representatives of the Public Prosecutor's Office, the Attorney General of the Republic, the Deputy Comptroller, and members of the Electoral Justice System;
5. ministers or religious leaders of any faith;

6. representatives or agents of national or foreign companies, corporations, or entities that are concessionaires of state services or that carry out works or provide goods to the State;
7. military and police personnel on active duty;
8. candidates for President or Vice-President of the Republic; and
9. owners or co-owners of media outlets.

Citizens affected by the disqualifications provided for in paragraphs 4, 5, 6, and 7 shall cease to be disqualified from standing as candidates at least ninety days before the date of registration of their lists with the Superior Court of Electoral Justice.

Article 198 - RELATIVE DISQUALIFICATION

Ministers of the executive branch, undersecretaries of state, the presidents of councils or general administrators of decentralised, autonomous, self-governing, binational or multinational entities, those of companies with majority state participation, and governors and mayors, unless they resign from their respective positions and their resignations are accepted at least ninety days before the date of the elections.

Article 199 - PERMISSIONS

Senators and deputies may only accept positions as ministers or diplomats. In order to perform these duties, they must request permission from the respective Chamber, to which they may return at the end of their term of office.

Article 200 - ELECTION OF AUTHORITIES

Each Chamber shall constitute its authorities and appoint its employees.

Article 201 - LOSS OF OFFICE

Senators and deputies shall lose their office, in addition to the cases already provided for, for the following reasons:

1. violation of the rules on disqualifications and incompatibilities provided for in this Constitution, and
2. the proven misuse of influence.

Senators and deputies shall not be subject to binding mandates.

Article 202 - DUTIES AND POWERS

The duties and powers of Congress are as follows:

1. ensure compliance with this Constitution and the laws;
2. to enact codes and other laws, amend or repeal them, interpreting this Constitution;
3. establishing the political division of the territory of the Republic, as well as regional, departmental, and municipal organisation;

4. legislate on tax matters;
5. approve the General National Budget Law annually;
6. enact the Electoral Law;
7. determine the legal regime for the disposal and acquisition of fiscal, departmental and municipal property;
8. issue internal resolutions and agreements, as well as make statements, in accordance with its powers;
9. approve or reject treaties and other international agreements signed by the executive branch;
10. approve or reject the contracting of loans;
11. authorise, for a specified period, concessions for the exploitation of national and multinational public services or State property, as well as for the extraction and processing of solid, liquid and gaseous minerals;
12. enact laws for the organisation of the administration of the Republic, for the creation of decentralised entities and for the regulation of public credit;
13. issue emergency laws in cases of disaster or public calamity;
14. receive the constitutional oath of office from the President of the Republic, the Vice-President and other officials, in accordance with the provisions of this Constitution;
15. receive from the President of the Republic a report on the general situation of the country, on its administration and on government plans, in the manner provided for in this Constitution;
16. to accept or reject the resignation of the President of the Republic and that of the Vice-President;
17. to grant the agreements and make the appointments prescribed by this Constitution, as well as the appointments of representatives of Congress to other organs of the State;
18. grant amnesties;
19. decide on the transfer of the capital of the Republic to another location within the national territory, by an absolute majority of two-thirds of the members of each Chamber;
20. approve or reject, in whole or in part and following a report from the Comptroller General of the Republic, the details and justification of public finance income and expenditure in relation to budget execution;
21. regulate river, maritime, air and space navigation, and
22. other duties and powers established by this Constitution.

SECTION II
ON THE FORMATION AND PASSAGE OF LAWS Article

203 - ORIGIN AND INITIATIVE

Laws may originate in either Chamber of Congress, upon proposal by its members; upon proposal by the Executive Branch; upon popular initiative or that of the Supreme Court of Justice, in the cases and under the conditions provided for in this Constitution and in the law.

The exceptions regarding the origin of laws in favour of one or the other Chamber or the Executive Branch are exclusively those expressly established in this Constitution.

All bills shall be presented with an explanatory memorandum.

Article 204 - APPROVAL AND PROMULGATION OF BILLS

Once a bill has been approved by the Chamber of origin, it shall immediately be submitted to the other Chamber for consideration. If the latter also approves it, the bill shall be enacted and, if the Executive Branch gives its approval, it shall be promulgated as law and published within five days.

Article 205 - AUTOMATIC PROMULGATION

Any bill that is not objected to or returned to the Chamber of origin within six working days, if the bill contains up to ten articles, or twelve working days, if the articles exceed twenty, shall be considered approved by the Executive Branch. In all these cases, the bill shall be automatically enacted and its publication shall be ordered.

Article 206 - PROCEDURE FOR TOTAL REJECTION

When a bill approved by one of the Houses is rejected in its entirety by the other, it shall be returned to the former for reconsideration. When the House of origin ratifies it by an absolute majority, it shall be returned to the reviewing House, which may only reject it again by an absolute majority of two-thirds; if this is not obtained, the bill shall be deemed to have been approved.

Article 207 - PROCEDURE FOR PARTIAL AMENDMENT

A bill approved by the House of origin, which has been partially amended by the other, shall be returned to the former, where only each of the amendments made by the reviewing House shall be discussed.

In such cases, the following shall apply:

1. if all the amendments are accepted, the bill shall be approved;
2. If all amendments are rejected by an absolute majority, they shall be returned to the reviewing Chamber, and if the latter ratifies its previous decision by an absolute majority, the bill shall be enacted; if it does not ratify it, the bill approved by the originating Chamber shall be enacted, and
3. if some amendments are accepted and others rejected, the bill shall be returned to the reviewing Chamber, where only the rejected amendments shall be discussed as a whole, and if they are accepted by an absolute majority or rejected, the bill shall be approved in the form decided by the Chamber.

The bill approved, with any of the alternatives provided for in this Article, shall be sent to the Executive Branch for promulgation.

Article 208 - PARTIAL OBJECTION

A bill that is partially objected to by the Executive Branch shall be returned to the Chamber of origin for study and ruling on the objections. If this Chamber rejects them by an absolute majority, the bill shall be sent to the reviewing Chamber, where it shall follow the same procedure. If the latter also rejects the objections by the same majority, the original approval shall be confirmed, and the Executive Branch shall enact and publish it. If the Chambers withdraw their objections, the bill may not be repeated in the sessions of that year.

Objections may be accepted or rejected in whole or in part by both Houses of Congress. If the objections are accepted in whole or in part, both Houses may decide, by an absolute majority, to approve the unobjected portion of the bill, in which case it shall be enacted and published by the Executive Branch.

Objections shall be dealt with by the House of origin within sixty days of their submission to that House, and in the same manner by the reviewing House.

Article 209 - TOTAL OBJECTION

If a bill is rejected in its entirety by the Executive Branch, it shall be returned to the Chamber of origin, which shall discuss it again. If the Chamber confirms the initial approval by an absolute majority, it shall be sent to the reviewing Chamber; if the latter also approves it by the same majority, the Executive Branch shall enact and publish it. If the Chambers disagree on the total rejection, the bill may not be repeated in the sessions of that year.

Article 210 - URGENT PROCEDURE

The Executive Branch may request urgent consideration of bills it submits to Congress. In such cases, the bill shall be considered by the Chamber of origin within thirty days of its receipt, and by the reviewing chamber within the following thirty days. The bill shall be deemed approved if it is not rejected within the specified time limits.

Urgent consideration may be requested by the Executive Branch even after the bill has been submitted, or at any stage of its processing. In such cases, the time limit shall begin to run from the date of receipt of the request.

Each Chamber may, by a two-thirds majority, revoke the urgent procedure at any time, in which case the ordinary procedure shall apply from that moment onwards.

The Executive Branch may request that Congress give urgent consideration to only three bills during the ordinary legislative period, unless the Chamber of origin, by a two-thirds majority, agrees to give such consideration to other bills.

Article 211 - AUTOMATIC APPROVAL

A bill presented in one House or the other, and approved by the House of origin in regular sessions, shall be sent to the reviewing House, which shall dispatch it within a non-extendable period of three months, after which, and upon written communication from the President of the House of origin to the reviewing House, it shall be deemed that the latter has given its favourable vote, and it shall be sent to the Executive

for promulgation and publication. The indicated term shall be interrupted from 21 December to 1 March. The reviewing House may dispatch the bill in the following regular session, provided that it does so within the time remaining before the expiry of the non-extendable three-month period.

Article 212 - WITHDRAWAL OR ABANDONMENT

The Executive Branch may withdraw from Congress any bills it has sent, or withdraw them, unless they have been approved by the Chamber of origin.

Article 213 - PUBLICATION

The law shall not be binding until it has been promulgated and published. If the Executive Branch fails to fulfil its duty to publish laws in accordance with the terms and conditions established by this Constitution, the President of Congress or, failing that, the President of the Chamber of Deputies, shall order their publication.

Article 214 - FORMULAS

The formula to be used in the enactment of laws is: "The Congress of the Paraguayan Nation enacts with the force of law." For the promulgation of laws, the formula is: "Let it be considered law of the Republic, published and inserted in the Official Register."

Article 215 - DELEGATED COMMITTEE

Each Chamber, by an absolute majority vote, may delegate to committees the consideration of bills, resolutions, and declarations. By a simple majority, it may withdraw them at any stage prior to approval, rejection, or enactment by the committee.

The General Budget of the Nation, codes, international treaties, bills of a fiscal and military nature, those related to the organisation of the powers of the State and those originating from popular initiative may not be delegated.

Article 216 - THE NATIONAL GENERAL BUDGET

The draft General National Budget Bill shall be presented annually by the Executive Branch no later than 1 September, and its consideration by Congress shall have absolute priority. A bicameral commission shall be formed which, upon receiving the bill, shall study it and submit its opinion to their respective Chambers within a period not exceeding sixty calendar days. Upon receiving the opinions, the Chamber of Deputies shall study the bill in plenary sessions and shall dispatch it within a period not exceeding fifteen calendar days. The Senate shall have the same period of time to study the bill, with the amendments introduced by the Chamber of Deputies, and if it approves them, the bill shall be enacted. Otherwise, the bill shall be returned with the objections to the other Chamber, which shall issue its opinion within ten calendar days, exclusively on the

points of disagreement with the Senate, proceeding in the manner provided for in Article 208, paragraphs 1, 2, and 3, always within ten calendar days.

All the deadlines established in this Article are peremptory, and failure to dispatch any of the bills shall be understood as approval. The Chambers may reject the bill submitted for their consideration by the Executive Branch in its entirety, only by an absolute majority of two-thirds in each of them.

Article 217 - VALIDITY OF THE BUDGET

If, for any reason, the Executive Branch has not submitted the draft General National Budget to the Legislative Branch within the established deadlines, or if it has been rejected in accordance with the previous Article, the Budget for the current fiscal year shall remain in force.

SECTION III
THE PERMANENT COMMISSION OF CONGRESS

Article 218 - COMPOSITION

Fifteen days before entering recess, each Chamber shall appoint by absolute majority the senators and deputies who, in the number of six and twelve as incumbents and three and six as alternates, respectively, shall form the Permanent Commission of Congress, which shall exercise its functions from the beginning of the congressional recess period until the resumption of regular sessions.

Once the members of the Permanent Committee have met, they shall appoint a President and other authorities, and written notice shall be given to the other branches of government.

Article 219 - DUTIES AND POWERS

The duties and powers of the Permanent Commission of Congress are:

1. to ensure compliance with this Constitution and the laws;
2. to issue its own rules of procedure;
3. to convene the Chambers for preparatory sessions, so that the annual opening of Congress may take place at the appropriate time;
4. to convene and organise extraordinary sessions of both Chambers, in accordance with the provisions of this Constitution;
5. to authorise the President of the Republic, during the recess of Congress, to be temporarily absent from the national territory, in the cases provided for in this Constitution; and
6. perform the other duties and powers established by this Constitution.

Article 220 - FINAL REPORTS

At the end of its proceedings, the Permanent Commission of Congress shall submit a final report to each Chamber and shall be accountable to them for the measures it has adopted or authorised.

SECTION IV
THE CHAMBER OF DEPUTIES Article

221 - COMPOSITION

The Chamber of Deputies is the Chamber of departmental representation. It shall be composed of at least eighty full members and an equal number of alternates, elected directly by the people in departmental polling stations. The city of Asunción shall constitute an Electoral College with representation in said Chamber. The departments shall be represented by at least one full deputy and one alternate; the Superior Court of Electoral Justice, prior to each election and in accordance with the number of voters in each department, shall establish the number of seats corresponding to each of them. The law may increase the number of deputies in accordance with the increase in the number of voters.

To be elected as a full or alternate deputy, one must be a natural Paraguayan citizen and be at least twenty-five years of age.

Article 222 - EXCLUSIVE POWERS OF THE CHAMBER OF DEPUTIES

The following are the exclusive powers of the Chamber of Deputies:

1. initiate consideration of bills relating to departmental and municipal legislation;
2. appoint or propose magistrates and officials, in accordance with the provisions of this constitution and the law;
3. grant approval for the intervention of departmental and municipal governments; and
4. exercise any other exclusive powers established by this Constitution.

SECTION V
THE SENATE Article 223 -

COMPOSITION

The Senate shall consist of at least forty-five full members and thirty alternates, elected directly by the people in a single national constituency. The law may increase the number of senators in accordance with the increase in the number of voters.

To be elected as a full or alternate senator, one must be a natural Paraguayan citizen and be at least thirty-five years of age.

Article 224 - EXCLUSIVE POWERS OF THE SENATE

The following are the exclusive powers of the Senate:

1. to initiate consideration of bills relating to the approval of international treaties and agreements;
2. approve military and National Police promotions from the rank of Army Colonel or its equivalent in other branches and services, and from the rank of Chief Superintendent in the National Police;
3. to approve the appointment of ambassadors and ministers plenipotentiary abroad;
4. appoint or propose magistrates and officials in accordance with the provisions of this Constitution;
5. authorise the deployment of permanent Paraguayan military forces abroad, as well as the entry of foreign military troops into the country;
6. give consent for the appointment of the President and directors of the Central Bank of the State;
7. approve the appointment of Paraguayan directors of binational entities; and
8. the other exclusive powers established by this Constitution.

SECTION VI
IMPEACHMENT

Article 225 - PROCEDURE

The President of the Republic, the Vice-President, the ministers of the Executive Branch, the ministers of the Supreme Court of Justice, the Attorney General, the Ombudsman, the Comptroller General of the Republic, the Deputy Comptroller, and the members of the Superior Court of Electoral Justice may only be impeached for poor performance of their duties, for crimes committed in the exercise of their offices, or for common crimes.

The accusation shall be made by the Chamber of Deputies, by a two-thirds majority. It shall be incumbent upon the Senate, by an absolute two-thirds majority, to try in public the accused by the Chamber of Deputies and, if necessary, to declare them guilty, for the sole purpose of removing them from office. In cases of alleged crimes, the case files shall be transferred to the ordinary courts.

CHAPTER II
THE EXECUTIVE BRANCH
SECTION I
THE PRESIDENT OF THE REPUBLIC AND THE VICE-PRESIDENT

Article 226 - THE EXERCISE OF EXECUTIVE POWER

Executive power is exercised by the President of the Republic.

Article 227 - THE VICE-PRESIDENT

There shall be a Vice-President of the Republic who, in the event of the President's temporary incapacity or absence, or permanent vacancy of said office, shall immediately replace him, with all his powers.

Article 228 - REQUIREMENTS

To be President of the Republic or Vice-President, the following requirements must be met:

1. be a natural Paraguayan citizen;
2. be at least thirty-five years of age; and
3. be in full exercise of one's civil and political rights.

Article 229 - TERM OF OFFICE

The President of the Republic and the Vice-President shall serve a non-renewable term of five years, beginning on 15 August following the elections. They may not be re-elected under any circumstances. The Vice-President may only be elected President for the subsequent term if he or she has ceased to hold office six months prior to the general elections. Anyone who has served as President for more than twelve months may not be elected Vice-President of the Republic.

Article 230 - PRESIDENTIAL ELECTIONS

The President of the Republic and the Vice-President shall be elected jointly and directly by the people, by simple majority vote, in general elections to be held between ninety and one hundred and twenty days before the expiry of the current constitutional term.

Article 231 - ASSUMPTION OF OFFICE

In the event that, on the date on which the President of the Republic and the Vice-President are to take office, they have not been proclaimed in the manner provided for in this Constitution, or the elections have been annulled, the outgoing President shall hand over power to the President of the Supreme Court of Justice, who shall exercise it until the transfer takes place, with his judicial functions being suspended.

Article 232 - TAKING OFFICE

The President of the Republic and the Vice-President shall take office before Congress, swearing or promising to fulfil their constitutional duties with loyalty and patriotism. If, on the appointed day, Congress does not reach a quorum to meet, the ceremony shall be held before the Supreme Court of Justice.

Article 233 - ABSENCES

The President of the Republic, or whoever is replacing him in office, may not leave the country without giving prior notice to Congress and the Supreme Court of Justice. If the absence is to be for more than five days, the authorisation of the Senate shall be required. During the recess of the Chambers, authorisation shall be granted by the Permanent Commission of Congress.

Under no circumstances may the President of the Republic and the Vice-President be absent from the national territory at the same time.

Article 234 - ON THE ABSENCE OF A HEAD OF STATE

In the event of the impediment or absence of the President of the Republic, he shall be replaced by the Vice-President, and in the absence of the latter, successively by the President of the Senate, the President of the Chamber of Deputies and the President of the Supreme Court of Justice.

The elected Vice-President shall assume the presidency of the Republic if it becomes vacant before or after the proclamation of the President, and shall exercise it until the end of the constitutional term.

If the Vice-Presidency becomes permanently vacant during the first three years of the constitutional term, elections shall be called to fill the vacancy. If it occurs during the last two years, Congress shall, by an absolute majority of its members, appoint someone to hold the office for the remainder of the term.

Article 235 - DISQUALIFICATIONS

The following individuals are ineligible to run for President or Vice-President of the Republic:

1. Ministers of the Executive Branch, deputy ministers or undersecretaries and officials of equivalent rank, directors-general of public agencies, and presidents of councils, directors, managers, or general administrators of decentralised, autonomous, binational, or multinational entities, as well as those of companies with majority state participation;
2. judges and members of the Public Prosecutor's Office;
3. the Ombudsman, the Comptroller General of the Republic and the Deputy Comptroller, the Attorney General of the Republic, the members of the Council of the Magistracy and the members of the Superior Court of Electoral Justice;
4. representatives or agents of national or foreign companies, corporations or entities that are concessionaires of state services, or that carry out works or supply goods to the State;
5. ministers of any religion or cult;
6. municipal mayors and governors;
7. active members of the Armed Forces of the Nation and the National Police, unless they retired at least one year prior to the date of the general elections;
8. owners or co-owners of media outlets; and
9. the spouse or relatives within the fourth degree of consanguinity or second degree of affinity of the person who is in office as president at the time of the election or who has held that office at any time during the year prior to the election.

In the cases provided for in paragraphs 1, 2, 3, and 6, those affected must have resigned and ceased to exercise their respective positions at least six months before election day, except in cases of permanent vacancy of the Vice Presidency.

Article 236 - DISQUALIFICATION FOR VIOLATING THE CONSTITUTION

Military leaders or civilian leaders of a coup d'état, armed revolution, or similar movements that violate the order established by this Constitution, and who consequently assume executive power or military command proper to general officers, shall be disqualified from holding any public office for two consecutive constitutional terms, without prejudice to their respective civil and criminal responsibilities.

Article 237 - INCOMPATIBILITIES

The President of the Republic and the Vice-President may not hold public or private office, whether remunerated or not, while in office. Nor may they engage in any commercial, industrial or professional activity, and must devote themselves exclusively to their duties.

Article 238 - DUTIES AND POWERS OF THE PRESIDENT OF THE REPUBLIC

The duties and powers of the President of the Republic are as follows:

1. to represent the State and direct the general administration of the country;
2. comply with and enforce this Constitution and the laws;
3. participate in the formation of laws, in accordance with this Constitution, promulgate them and have them published, regulate them and monitor their compliance;
4. to veto, in whole or in part, laws passed by Congress, formulating the observations or objections he deems appropriate;
5. issue decrees which, in order to be valid, require the countersignature of the relevant Minister;
6. appoint and remove ministers of the Executive Branch, the Attorney General of the Republic, and civil servants whose appointment and tenure are not otherwise regulated by this Constitution or by law;
7. manage the foreign relations of the Republic. In the event of external aggression, and with the prior authorisation of Congress, declare a state of national defence or make peace; negotiate and sign international treaties; receive the heads of diplomatic missions from foreign countries and admit their consuls and appoint ambassadors, with the agreement of the Senate;
8. report to Congress, at the beginning of each annual session, on the actions taken by the Executive Branch, as well as report on the general situation of the Republic and plans for the future;
9. is Commander-in-Chief of the Armed Forces of the Nation, a position that cannot be delegated. In accordance with the law, he issues military regulations, commands the Armed Forces, organises and distributes. He appoints and removes the commanders of the Public Force. He adopts the necessary measures for national defence. He provides, on his own authority, the ranks in all branches of the armed forces, up to lieutenant colonel or their equivalents and, with the agreement of the Senate, the higher ranks;
10. pardon or commute sentences imposed by the judges and courts of the Republic, in accordance with the law and with the report of the Supreme Court of Justice;

11. to call extraordinary sessions of Congress, of either Chamber or of both at the same time, which shall deal only with those matters submitted for their respective consideration;
12. propose bills to Congress, which may be presented with a request for urgent consideration, under the terms established in this Constitution;
13. to arrange for the collection and investment of the Republic's revenues, in accordance with the General Budget of the Nation and with the laws, reporting annually to Congress on its execution;
14. prepare and submit the annual draft General National Budget to the Chambers for consideration;
15. enforce the provisions of the authorities created by this Constitution, and
16. the other duties and powers established by this Constitution.

Article 239 - DUTIES AND POWERS OF THE VICE-PRESIDENT OF THE REPUBLIC

The duties and powers of the Vice-President of the Republic are as follows:

1. immediately replace the President of the Republic, in the cases provided for by this Constitution;
2. represent the President of the Republic nationally and internationally, by appointment of the latter, with all the prerogatives corresponding to the President, and
3. participate in the deliberations of the Council of Ministers and coordinate relations between the Executive and Legislative Branches.

SECTION II
MINISTERS AND THE COUNCIL OF MINISTERS

Article 240 - FUNCTIONS

The direction and management of public affairs are entrusted to the ministers of the Executive Branch, whose number and functions shall be determined by law. In the event of the temporary absence of one of them, he shall be replaced by one of the deputy ministers of the relevant department.

Article 241 - REQUIREMENTS, INCOMPATIBILITIES AND IMMUNITIES

The requirements for becoming a minister are the same as those for becoming a member of Parliament. They also have the same incompatibilities as those established for the President of the Republic, except for the exercise of teaching. They cannot be deprived of their liberty, except in the cases provided for members of Parliament.

Article 242 - DUTIES AND POWERS OF MINISTERS

Ministers are the heads of administration of their respective portfolios, in which, under the direction of the President of the Republic, they promote and execute policy relating to matters within their competence.

They are jointly responsible for the acts of government they endorse.

Each year, they shall submit a report on their activities to the President of the Republic, which shall be brought to the attention of Congress.

Article 243 - DUTIES AND POWERS OF THE COUNCIL OF MINISTERS

Convened by the President of the Republic, the Ministers meet in Council to coordinate executive tasks, promote government policy and adopt collective decisions:

The Council is responsible for:

1. deliberate on all matters of public interest submitted to it by the President of the Republic, acting as an advisory body, as well as consider legislative initiatives, and
2. to arrange for the periodic publication of its resolutions.

SECTION III
THE ATTORNEY GENERAL'S OFFICE Article 244 -

COMPOSITION

The Attorney General's Office of the Republic is headed by an Attorney General and other officials determined by law.

Article 245 - REQUIREMENTS AND APPOINTMENT

The Attorney General of the Republic must meet the same requirements as those required to be the State Prosecutor General. He or she is appointed and removed by the President of the Republic. Incompatibilities shall be established by law.

Article 246 - DUTIES AND POWERS

The duties and powers of the Attorney General of the Republic are as follows:

1. to represent and defend, judicially or extrajudicially, the patrimonial interests of the Republic;
2. to rule on cases and with the effects specified in the laws;
3. to provide legal advice to the Public Administration in the manner determined by law; and
4. any other duties and powers established by law.

CHAPTER III
THE JUDICIARY

SECTION I
GENERAL PROVISIONS

Article 247 - FUNCTION AND COMPOSITION

The Judiciary is the guardian of this Constitution. It interprets, complies with, and enforces it.

The administration of justice is the responsibility of the Judiciary, exercised by the Supreme Court of Justice, the courts and the tribunals, in the manner established by this Constitution and the law.

Article 248 - THE INDEPENDENCE OF THE JUDICIARY

The independence of the Judiciary is guaranteed. Only the Judiciary may hear and decide on contentious matters.

In no case may members of the other branches of government, or other officials, assume judicial powers that are not expressly established in this Constitution, revive expired proceedings, paralyse existing ones, or intervene in any way in trials. Acts of this nature shall be null and void.
All of this is without prejudice to arbitration decisions in the field of private law, with the modalities determined by law to ensure the right to defence and equitable solutions.

Those who undermine the independence of the judiciary and its magistrates shall be disqualified from holding any public office for five consecutive years, in addition to the penalties established by law.

Article 249 - BUDGETARY AUTONOMY

The Judiciary enjoys budgetary autonomy. The General National Budget shall allocate to it an amount not less than three per cent of the Central Administration budget.

The budget of the Judiciary shall be approved by Congress, and the Comptroller General of the Republic shall verify all its expenditures and investments.

Article 250 - OATH OR AFFIRMATION

The ministers of the Supreme Court of Justice shall take an oath or make a pledge before Congress upon assuming office. The members of the other courts and tribunals shall do so before the Supreme Court of Justice.

Article 251 - APPOINTMENT

The members of the courts and tribunals throughout the Republic shall be appointed by the Supreme Court of Justice, upon the recommendation of a shortlist of three candidates proposed by the Judicial Council.

Article 252 - IRREMOVABILITY OF MAGISTRATES

Magistrates shall be irremovable from office, seat, or rank during the term for which they were appointed. They may not be transferred or promoted without their prior and express consent. They shall be appointed for terms of five years, beginning on the date of their appointment.

Magistrates who have been confirmed for two terms following their election shall become irremovable from office until the age limit established for members of the Supreme Court of Justice.

Article 253 - THE TRIAL AND REMOVAL OF MAGISTRATES

Judicial magistrates may only be prosecuted and removed from office for committing crimes or for poor performance of their duties as defined by law, by decision of a jury for the prosecution of magistrates. This jury shall be composed of two ministers of the Supreme Court of Justice, two members of the Judicial Council, two senators and two deputies; the latter four must be lawyers. The law shall regulate the functioning of the Jury for the Prosecution of Magistrates.

Article 254 - INCOMPATIBILITIES

Magistrates may not hold any other public or private office, whether remunerated or not, while in office, except for part-time teaching or scientific research. Nor may they engage in any commercial, industrial, professional or political activity, or hold office in official or private bodies, parties, associations or political movements.

Article 255 - IMMUNITIES

No judicial magistrate may be accused or questioned in court for opinions expressed in the exercise of their duties. They may not be detained or arrested except in cases of flagrante delicto punishable by corporal punishment. If this occurs, the intervening authority must place them under house arrest, immediately notify the Supreme Court of Justice, and refer the case to the competent judge.

Article 256 - FORM OF TRIALS

Trials may be oral and public, in the manner and to the extent determined by law.

All judicial decisions must be based on this Constitution and on the law. Criticism of court rulings is permitted.

Labour proceedings shall be comprehensive and based on the principles of immediacy, economy and concentration.

Article 257 - THE OBLIGATION TO COOPERATE WITH THE JUSTICE SYSTEM

State bodies are subject to the dictates of the law, and persons exercising functions in the service of the State are obliged to provide the administration of justice with all the cooperation it requires for the fulfilment of its mandates.

SECTION II
THE SUPREME COURT OF JUSTICE

Article 258 - COMPOSITION AND REQUIREMENTS

The Supreme Court of Justice shall be composed of nine members. They shall be organised into chambers, one of which shall be constitutional, and shall elect its President from among its members each year. Its members shall bear the title of Minister.

The requirements for membership of the Supreme Court of Justice are: Paraguayan nationality, being at least thirty-five years of age, holding a university degree in law, and being of recognised good character. In addition, candidates must have practised for at least ten years in the legal profession, the judiciary, or as a university professor in legal matters, either jointly, separately, or successively.

Article 259 - DUTIES AND POWERS

The duties and powers of the Supreme Court of Justice are as follows:

1. to exercise oversight of all bodies of the Judiciary and to decide, in a single instance, conflicts of jurisdiction and competence, in accordance with the law;
2. to issue its own internal regulations. to submit an annual report on its activities, the state of the nation, and the needs of the national justice system to the executive and legislative branches;
3. hear and decide on ordinary appeals as determined by law;
4. hear and decide, in the first instance, habeas corpus petitions, without prejudice to the jurisdiction of other judges or courts;
5. hear and rule on matters of unconstitutionality;
6. hear and rule on appeals, in the manner and to the extent established by law;
7. to suspend, on its own initiative or at the request of the Jury for the Prosecution of Magistrates by an absolute majority vote of its members, judicial magistrates who are being prosecuted, in the exercise of their functions, until a final decision is issued in the case;
8. supervise detention and imprisonment facilities;
9. hear disputes over jurisdiction between the executive branch and departmental governments and between the latter and municipalities; and
10. the other duties and powers established by this Constitution and the laws.

Article 260 - DUTIES AND POWERS OF THE CONSTITUTIONAL CHAMBER

The duties and powers of the Constitutional Chamber are:

1. to hear and rule on the unconstitutionality of laws and other regulatory instruments, declaring the inapplicability of provisions contrary to this Constitution in each specific case, and in a ruling that shall only have effect in relation to that case, and
2. to decide on the unconstitutionality of final or interlocutory judgments, declaring null and void those that are contrary to this Constitution.

The procedure may be initiated by an action before the Constitutional Chamber of the Supreme Court of Justice, and by way of exception in any instance, in which case the background information shall be referred to the Court.

Article 261 - REMOVAL AND TERMINATION OF MINISTERS OF THE SUPREME COURT OF JUSTICE

The justices of the Supreme Court of Justice may only be removed by impeachment. They shall cease to hold office upon reaching the age of seventy-five.

SECTION III
THE JUDICIAL COUNCIL Article 262 -

COMPOSITION

The Council of the Judiciary is composed of:

1. one member of the Supreme Court of Justice, appointed by the Court;
2. a representative of the Executive Branch;
3. one Senator and one Deputy, both nominated by their respective Houses;
4. two registered lawyers, appointed by their peers in a direct election;
5. a professor from the law faculties of the National University, elected by their peers; and
6. a professor from law faculties with at least twenty years of operation at private universities, elected by their peers.

The law shall regulate the relevant election systems.

Article 263 - REQUIREMENTS AND TERM OF OFFICE

Members of the Judicial Council must meet the following requirements:

Be a Paraguayan national, be at least thirty-five years of age, hold a university degree in law, and, for a period of at least ten years, have effectively practised the profession, or held office in the judiciary, or taught law at university, either jointly, separately or alternatively.

They shall serve for a term of years and shall enjoy the same immunities as the Justices of the Supreme Court of Justice. They shall be subject to the incompatibilities established by law.

Article 264 - DUTIES AND POWERS

The duties and powers of the Council of the Judiciary are as follows:

1. to propose shortlists of candidates for the Supreme Court of Justice, after selection based on suitability, taking into account merits and aptitudes, and to submit them to the Senate for appointment, with the agreement of the executive branch;
2. propose to the Supreme Court of Justice, using the same selection and examination criteria, the names of candidates for the positions of members of lower courts, judges and prosecutors;
3. draw up its own rules of procedure, and
4. perform the other duties and powers established by this Constitution and the laws.

Article 265 - THE COURT OF AUDITORS AND OTHER MAGISTRACIES AND AUXILIARY BODIES

The Court of Auditors is hereby established. The law shall determine its composition and jurisdiction.

The structure and functions of other judicial magistrates and auxiliary bodies, as well as those of the judicial school, shall be determined by law.

SECTION IV
THE PUBLIC PROSECUTOR'S OFFICE

Article 266 - COMPOSITION AND FUNCTIONS

The Public Prosecutor's Office represents society before the courts of the State, enjoying functional and administrative autonomy in the performance of its duties and powers. These are exercised by the Attorney General and the public prosecutors, in the manner determined by law.

Article 267 - REQUIREMENTS

To be Attorney General, one must be a Paraguayan national; be at least thirty-five years of age; hold a university degree in law; and have effectively practised the profession or functions of a judicial magistrate or university professor in legal matters for at least five years, either jointly, separately or successively. The Attorney General has the same incompatibilities and immunities as those established for magistrates of the Judiciary.

Article 268 - DUTIES AND POWERS

The duties and powers of the Public Prosecutor's Office are:

1. to ensure respect for constitutional rights and guarantees;
2. promote public criminal proceedings to defend public and social heritage, the environment and other diffuse interests, as well as the rights of indigenous peoples;

3. to bring criminal proceedings in cases where, in order to initiate or continue them, no request from a party is necessary, without prejudice to the judge or court proceeding ex officio, when so determined by law;
4. gather information from public officials for the better performance of their duties, and
5. perform any other duties and powers established by law.

Article 269 - ELECTION AND TERM OF OFFICE

The Attorney General of the State shall be irremovable. He shall serve for a term of five years and may be re-elected. He shall be appointed by the Executive Branch, with the consent of the Senate, from a shortlist of three candidates proposed by the Council of the Judiciary.

Article 270 - PROSECUTORS

Prosecutors are appointed in the same manner as judges, as established by this Constitution. They remain in office and are removed from office by the same procedures. In addition, they have the same incompatibilities and immunities as those determined for members of the Judiciary.

Article 271 - TAKING OFFICE

The Attorney General shall take the oath or make the pledge before the Senate, while prosecutors shall do so before the Supreme Court of Justice.

Article 272 - THE JUDICIAL POLICE

The law may create a Judicial Police, dependent on the Judiciary, in order to collaborate directly with the Public Prosecutor's Office.

SECTION V
ELECTORAL JUSTICE Article 273 -

JURISDICTION

The Electoral Justice shall have exclusive jurisdiction over the convening, adjudication, organisation, management, supervision, and monitoring of acts and matters arising from general, departmental, and municipal elections, as well as the rights and titles of those elected.

Its jurisdiction also extends to matters arising from all types of popular consultations, as well as matters relating to elections and the functioning of political parties and movements.

Article 274 - INTEGRATION

The Electoral Justice System is composed of a Superior Electoral Court, tribunals, courts, public prosecutors' offices, and other bodies to be defined by law, which shall determine their organisation and functions.

Article 275 - THE HIGH COURT OF ELECTORAL JUSTICE

The Superior Court of Electoral Justice shall be composed of three members, who shall be elected and removed in the manner established for the ministers of the Supreme Court of Justice.

The members of the Superior Court of Electoral Justice must meet the following requirements: be of Paraguayan nationality, be at least thirty-five years of age, hold a university degree in law, and, for a period of at least ten years, have effectively practised the profession, or performed functions in the judiciary, or taught university courses in legal matters, jointly, separately, or alternatively.

The law shall determine in which cases their decisions may be appealed before the Supreme Court of Justice, which shall decide in summary proceedings.

CHAPTER IV
OTHER STATE AGENCIES

SECTION I
THE OMBUDSMAN

Article 276 - THE OMBUDSMAN

The Ombudsman is a parliamentary commissioner whose functions are to defend human rights, channel popular complaints and represent community interests. Under no circumstances shall he or she have judicial functions or executive powers.

Article 277 - AUTONOMY, APPOINTMENT AND REMOVAL

The Ombudsman shall enjoy autonomy and irremovability. He shall be appointed by a two-thirds majority of the Chamber of Deputies from a list of three candidates proposed by the Senate and shall serve for a term of five years, coinciding with the term of Congress. He may be re-elected. In addition, he may be removed for poor performance of his duties, through the impeachment procedure established in this Constitution.

Article 278 - REQUIREMENTS, INCOMPATIBILITIES AND IMMUNITIES

The Ombudsman shall meet the same requirements as those required of Members of Parliament and shall have the same incompatibilities and immunities as those of judicial magistrates. During his term of office, he may not be a member of any branch of government or engage in any partisan political activity.

Article 279 - DUTIES AND POWERS

The duties and powers of the Ombudsman are:

1. to receive and investigate reports, complaints and claims against violations of human rights and other acts established by this Constitution and the law.
2. to request information from authorities at various levels, including police and security agencies in general, for the better performance of their duties, without any restrictions. They may access the sites where such acts are reported to have been committed. They also have the power to act ex officio;
3. issue public condemnation for acts or behaviour contrary to human rights;
4. report annually on its activities to the Houses of Parliament;
5. prepare and disseminate reports on the human rights situation which, in its opinion, require prompt public attention; and
6. perform such other duties and exercise such other powers as may be established by law.

Article 280 - REGULATION OF FUNCTIONS

The functions of the Ombudsman shall be regulated by law in order to ensure their effectiveness, and departmental or municipal ombudsmen may be appointed.

SECTION II
THE COMPTROLLER GENERAL OF THE REPUBLIC

Article 281 - NATURE, COMPOSITION AND TERM OF OFFICE

The Comptroller General of the Republic is the body responsible for overseeing the economic and financial activities of the State, departments and municipalities, in the manner determined by this Constitution and by law. It shall enjoy functional and administrative autonomy.

It shall be composed of a Comptroller and a Deputy Comptroller, who shall be Paraguayan nationals, at least thirty years of age, and graduates in Law or in Economic, Administrative or Accounting Sciences. Each of them shall be appointed by the Chamber of Deputies, by an absolute majority, from a shortlist of three candidates proposed by the Senate, by the same majority.

They shall serve for five years, which shall not coincide with the presidential term. They may be confirmed in office for only one additional term, subject to the same procedures. During that period, they shall enjoy irremovability and may not be removed except for committing crimes or for poor performance of their duties.

Article 282 - REPORT AND OPINION

The President of the Republic, in his capacity as head of the State administration, shall send the Comptroller's Office the settlement of the previous year's budget within four months of the following year. Within the following four months, the Comptroller's Office shall submit a report and opinion to Congress for consideration by each of the Chambers.

Article 283 - DUTIES AND POWERS

The duties and powers of the Comptroller General of the Republic are:

1. the control, supervision, and oversight of public assets and the patrimony of the State, those of regional or departmental entities, those of municipalities, those of the Central Bank and other State or mixed banks, those of autonomous, self-governing, or decentralised entities, as well as those of State or mixed companies;
2. overseeing the implementation and settlement of the General National Budget;
3. control of the execution and settlement of the budgets of all the departments mentioned in paragraph 1, as well as the examination of their accounts, funds and inventories;
4. auditing the national accounts of multinational companies or entities in which the State has a direct or indirect stake, in accordance with the terms of the respective treaties;
5. requesting reports on fiscal and asset management from any public, mixed or private person or entity that administers State funds, public services or assets, from regional or departmental entities and from municipalities, all of which must make available the documentation and supporting evidence required for the best performance of its functions;
6. the receipt of sworn statements of assets from public officials, as well as the creation of a register of such statements and the production of opinions on the correspondence between those statements, made upon assuming their respective positions, and those made by the aforementioned officials upon leaving office.
7. reporting any crime to the ordinary courts and the executive branch, being jointly liable, through omission or deviation, with the bodies under his control, when they act with deficiency or negligence, and
8. the other duties and powers established by this Constitution and the laws.

Article 284 - IMMUNITIES, INCOMPATIBILITIES AND REMOVAL

The Comptroller and Deputy Comptroller shall have the same immunities and incompatibilities prescribed for judicial magistrates. With regard to their removal, the procedure established for impeachment shall be followed.

SECTION III
THE CENTRAL BANK OF THE STATE

Article 285 - NATURE, DUTIES AND POWERS

A Central State Bank is established as a technical body. It has exclusive authority over monetary issuance and, in accordance with the economic policy objectives of the National Government, participates with other technical bodies of the State in the formulation of monetary, credit and exchange policies, being responsible for their execution and development, and preserving monetary stability.

Article 286 - PROHIBITIONS

The State Central Bank is prohibited from:

1. granting loans, directly or indirectly, to finance public expenditure outside the budget, except for:
    i. short-term advances of tax revenues budgeted for the respective year, and
    ii. in the event of a national emergency, with a well-founded resolution from the Executive Branch and the agreement of the Senate.
2. adopting any agreement that establishes, directly or indirectly, different or discriminatory rules or requirements relating to persons, institutions or entities that carry out operations of the same nature, and
3. operate with persons or entities not integrated into the national monetary or financial system, except for international organisations.

Article 287 - ORGANISATION AND FUNCTIONING

The law shall regulate the organisation and functioning of the Central Bank of the State, within the limitations provided for in this Constitution.

The Central Bank of the State shall be accountable to the Executive Branch and the National Congress for the implementation of the policies under its responsibility.

TITLE III
STATE OF EMERGENCY

Article 288 - DECLARATION, GROUNDS, DURATION AND TIME LIMITS

In the event of international armed conflict, whether formally declared or not, or serious internal unrest that poses an imminent threat to the rule of this Constitution or the regular functioning of the bodies created by it, Congress or the Executive Branch may declare a state of emergency in all or part of the national territory for a maximum period of sixty days. In the event that such a declaration is made by the Executive Branch, the measure must be approved or rejected by Congress within forty-eight hours.

The sixty-day period may be extended for successive periods of up to thirty days, for which an absolute majority of both Houses shall be required.

During parliamentary recess, the executive branch may, on a one-time basis, declare a state of emergency for a period not exceeding thirty days, but must submit it within eight days to Congress for approval or rejection, which shall be convened by right to a special session for that purpose only.

The decree or law declaring the state of emergency shall contain the reasons and facts invoked for its adoption, the duration of its validity and the territory affected, as well as the rights it restricts.

During the state of emergency, the executive branch may only order, by decree and on a case-by-case basis, the following measures: the detention of persons suspected

of participating in any of these acts, their transfer from one point to another within the Republic, and the prohibition or restriction of public gatherings and demonstrations.

In all cases, persons suspected of involvement shall have the option of leaving the country.

The executive branch shall immediately inform the Supreme Court of Justice of those detained under the state of emergency and of the place of their detention or transfer, in order to enable judicial inspection.

Those detained under the state of emergency shall be held in healthy and clean facilities not intended for common prisoners, or shall be confined to their own residences. Transfers shall always be made to populated and healthy locations.

The state of emergency shall not interrupt the functioning of the powers of the State, the validity of this Constitution, or, specifically, habeas corpus.

Congress, by an absolute majority of votes, may at any time decide to lift the state of emergency if it considers that the reasons for its declaration have ceased to exist.

Once the state of emergency has ended, the executive branch shall report to Congress, within a period of no more than five days, on the actions taken during the state of emergency.

TITLE IV
ON THE REFORM AND AMENDMENT OF THE CONSTITUTION

Article 289 - ON REFORM

The reform of this Constitution shall only proceed ten years after its enactment.

Twenty-five per cent of the legislators of either House of Congress, the President of the Republic, or thirty thousand voters may request the reform by means of a signed petition.

The declaration of the need for reform shall only be approved by an absolute majority of two-thirds of the members of each Chamber of Congress.

Once the need for reform has been decided, the Superior Court of Electoral Justice shall call elections within a period of one hundred and eighty days, in general elections that do not coincide with any other.

The number of members of the National Constituent Convention may not exceed the total number of members of Congress. Their eligibility requirements, as well as the determination of their incompatibilities, shall be established by law.

Convention members shall have the same immunities as those established for members of Congress.

Once the new Constitution has been approved by the National Constituent Convention, it shall be promulgated by operation of law.

Article 290 - AMENDMENTS

Three years after the promulgation of this Constitution, amendments may be made at the initiative of one-fourth of the legislators of either Chamber of Congress, the President of the Republic, or thirty thousand voters, in a signed petition.

The full text of the amendment must be approved by an absolute majority in the Chamber of origin. Once approved, it shall require the same treatment in the reviewing Chamber. If the required majority for approval is not reached in either Chamber, the amendment shall be deemed rejected and may not be resubmitted within one year.

Once the amendment has been approved by both Houses of Congress, the text will be sent to the Superior Court of Electoral Justice so that, within a period of one hundred and eighty days, a referendum may be called. If the result of the referendum is affirmative, the amendment will be approved and enacted, and incorporated into the institutional text.

If the amendment is repealed, no other amendment on the same subject may be proposed for three years.

The amendment procedure indicated above shall not be used, but rather the reform procedure, for those provisions that affect the method of election, the composition, the duration of terms of office, the powers of any of the branches of government, or the provisions of Chapters I, II, III, and IV of Title II, Part I.

Article 291 - THE POWERS OF THE NATIONAL CONSTITUENT CONVENTION

The National Constituent Convention is independent of the established powers. During its deliberations, it shall limit itself to its reform work, to the exclusion of any other task. It shall not assume the powers of the State, nor shall it be able to replace those who exercise them, or shorten or extend their term of office.

TITLE V
FINAL AND TRANSITIONAL PROVISIONS

Article 1.- This Constitution shall enter into force on the date of its promulgation. Its promulgation shall take effect at midnight on that same date.

The process of drafting this Constitution, its approval, its promulgation, and the provisions that comprise it are not subject to judicial review or any modification, except as provided for its reform or amendment.

The Constitution of 25 August 1967 and its amendment of 1977 are hereby repealed, without prejudice to the provisions of this title.

Article 2.- The President of the Republic, the President of Congress, and the President of the Supreme Court of Justice shall take an oath or make a promise to comply with and enforce

comply with this Constitution before the National Constituent Convention on 20 June 1992.

Article 3.- The President of the Republic, Senators, and Deputies shall continue in their respective functions until the new national authorities elected in the general elections to be held in 1993 take office. Their duties and powers shall be those established by this Constitution, both for the President of the Republic and for Congress, which may not be dissolved. Until the senators and deputies elected in the 1993 general elections take office, the process of drafting and enacting laws shall be governed by the provisions of Articles 154/167 of the 1967 Constitution.

Article 4.- The next election to appoint the President of the Republic, Vice-President, Senators and Deputies, Governors and members of the Departmental Boards shall be held simultaneously on the date determined by the Electoral Tribunal of the Capital, which shall be set for the period between 15 April and 15 May 1993. These authorities shall assume their functions on 15 August 1993, with the exception of the members of Congress, who shall do so on 1 July of the same year.

Article 5.- The other magistrates and officials shall remain in office until the end of the term determined for each of them by the 1967 Constitution and, if, at that time, their successors have not yet been appointed, they shall continue to serve on an interim basis until their replacement.

They may be replaced by other officials and magistrates who shall be appointed on an interim basis and in accordance with the mechanisms established by the 1967 Constitution. The officials and magistrates thus appointed shall remain in office until their replacements are appointed in accordance with the mechanisms determined by this Constitution.

The Comptroller General and Deputy Comptroller shall also remain in office until the officials determined by Article 281 of this Constitution are appointed.

Article 6.- Until the general elections are held in 1993 to elect the President of the Republic, Vice-President, Senators, Deputies, Governors, and members of the Departmental Boards, the same electoral bodies shall remain in office: the Central Electoral Board, the Sectional Electoral Board, and the Electoral Tribunals, which shall be governed by the electoral code in all matters that do not contradict this Constitution.

Article 7.- The appointment of officials and magistrates requiring the intervention of Congress or any of its Chambers, or for positions in institutions created by this Constitution or with a composition different from that established in 1967, may not be made until after the national authorities elected in 1993 take office, with the exception of the provisions of Article 9 of this title.

Article 8.- Judicial magistrates who are confirmed through the ordinary mechanisms established in this Constitution shall acquire tenure.

permanent as referred to in the second paragraph of Article 252. "On the immovability of magistrates," as of the second confirmation.

Article 9.- The members of the Jury for the Prosecution of Magistrates shall be appointed on the proposal of the respective powers within sixty days of the promulgation of this Constitution. Until the Council of the Magistracy is formed, the representatives who answer to that body shall be filled by a professor from each law faculty, on the proposal of their respective Governing Councils. This jury shall be responsible for hearing and judging all complaints currently before the Supreme Court of Justice. Until the respective law is enacted, Law 879/81, Code of Judicial Organisation, shall apply as appropriate.

The term of office of the members of the Jury for the Prosecution of Magistrates appointed under the provisions of this Article shall be established by law.

Article 10.- Until an Attorney General is appointed, the current officials serving in the respective area shall be vested with the powers determined by Article 246.

Article 11.- Until a Departmental Organic Law is enacted, Governors and Departmental Boards shall be composed of a minimum of seven members and a maximum of twenty-one members. The Electoral Court of Asunción shall establish the number of members of the Departmental Boards, taking into account the electoral density of the departments.

Article 12.- The current headquarters of the Government Delegations shall become the property of the departmental governments by right and free of charge.

Article 13.- If, on 1 October 1992, the Departments of Chaco and Nueva Asunción are still not organised for electoral purposes, the two Deputies corresponding to these Departments shall be elected in the polling stations of the Departments of Presidente Hayes, Boquero and Alto Paraguay, in accordance with the electoral turnout in these departments.

Article 14.- The office of Senator for Life shall be conferred upon the citizen who holds the Presidency of the Republic on the date of enactment of this Constitution, without benefiting any previous holder.

Article 15.- Until a new National Constituent Convention is convened, those who participated in this one shall enjoy the status of "Constitutional Citizen".

Article 16.- The assets acquired by the Convention or donated to it that form part of its patrimony shall be transferred free of charge to the Legislative Power.

Article 16.- The assets acquired by the Convention or donated to it that form part of its patrimony shall be transferred free of charge to the Legislative Power.

Article 17.- The deposit and preservation of all documentation produced by the National Constituent Convention, such as the journals and minutes of plenary sessions and those of the drafting committee, shall be entrusted to the Central Bank of the State, at

on behalf of and at the disposal of the Legislative Branch, until such time as the law provides for their transfer and safekeeping in the National Archives.

Article 18.- The Executive Branch shall immediately arrange for the official publication of 10,000 copies of this Constitution in Spanish and Guaraní.

In case of doubt as to interpretation, the text written in Spanish shall prevail. The

study of the National Constitution shall be promoted through the education system.

Article 19.- For the purposes of the limitations established by this Constitution on the re-election of elected officials of the various branches of government, the current term shall be included in the calculation.

Article 20.- The original text of the National Constitution shall be signed on all pages by the President and Secretaries of the National Constituent Convention.

The final Act of the Convention, approving and establishing the complete text of this Constitution, shall be signed by the President and the Secretaries of the National Constituent Convention. It shall also be signed by those members of the Convention who wish to do so, forming a single document whose custody shall be entrusted to the Legislative Power.

This Constitution is hereby enacted. Given in the deliberations of the National Constituent Convention on the twentieth day of June, nineteen hundred and ninety-two, in the city of Asunción, Capital of the Republic of Paraguay.

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