



European Union  
Election Observation Mission

# PARAGUAY 2023

Final Report



## General and departamental elections

30 April 2023



# **Republic of Paraguay**

## **FINAL REPORT**

**GENERAL AND DEPARTMENTAL ELECTIONS  
30 April 2023**

## **EUROPEAN UNION ELECTION OBSERVATION MISSION**

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## I. Executive Summary

- On 30 April, Paraguayans elected the president and vice-president, members of Congress (Senate and Chamber of Deputies), 17 governors and members of 17 departmental assemblies. A total of 42 political organisations, represented by 9,092 candidates, participated in the elections with 13 candidates and their respective deputies contesting the presidential office. Despite the considerable number of candidates, the election campaign was dominated from the beginning by the two main political organisations, *Asociación Nacional Republicana* (ANR) – *Partido Colorado* with Santiago Peña/Pedro Alliana and the coalition *Concertación Nacional para un Nuevo Paraguay* (*Concertación Nacional*) led by *Partido Liberal Radical Auténtico* (PLRA) with Efraín Alegre/Soledad Núñez. At a later stage of the campaign, *Partido Cruzada Nacional* of Paraguayo Cubas also became a serious contender.
- The EU Election Observation Mission (EU EOM) assessed the overall conduct of voting as good or very good in 94 per cent of the observed polling stations and described the process as transparent. Party agents (*veedores*) were present in all observed polling stations, with ANR having the highest presence. EU observers reported cases where assisted voting took place contrary to legal provisions in 19 per cent of the polling stations visited. Also, in 19 per cent of observed polling stations, EU observers reported illegal activities within the 200-meter perimeter, such as campaign material and activities, and the presence of party stands. More than half of the observer teams observed organised transportation of voters in the vicinity of the voting centre. The EU EOM directly observed seven cases of vote buying and five cases of indications of vote buying.
- The EU EOM observed the provisional and final tabulation process in all 10 Electoral Tribunals and at the Superior Tribunal of Electoral Justice (TSJE), and assessed both stages of the tabulation process as well organised, professional, and transparent. Representatives of political organisations (*apoderados*) had access to the entire process. The final tabulation at the TSJE was broadcast live via the YouTube channel of the election administration.
- The TSJE announced the official election results on 24 May 2023. The official election results were similar to the ones captured by TREP. Voter participation reached 63 per cent, equivalent to 3,022,946 voters. ANR - *Partido Colorado* won all elections with Santiago Peña and Pedro Alliana winning the presidency with 42.93 per cent of the valid votes. The difference between the two main presidential candidate bids was significant as the *Concertación's* candidates Efraín Alegre and Soledad Núñez obtained 27.61 per cent and *Cruzada Nacional's* Paraguayo (Payo) Cubas 23.02 per cent. In the gubernatorial elections, *ANR – Partido Colorado* won 15 of the 17 places. The party also secured 23 of the 45 Senate seats and 48 of the 80 seats of the Chamber of Deputies. There was an increase in the number of elected women, reaching 23.2 per cent in Congress – 11 senators and 18 members of the Chamber of Deputies. Two women were elected as governors and 71 as councilors for the 257 seats at departmental assemblies, representing 27.6 per cent.
- The election administration at central level demonstrated professionalism and transparency in handling the election process. Political parties had access to all stages of the preparations and could present their concerns to the electoral authorities. Since mid-March, the election administration conducted detailed presentations (*auditoria*) of the voting and transmission of results technology used for elections to political parties' representatives with technical expertise on election technology. Most political parties had their concerns addressed and showed a satisfactory level of confidence in the election technology used. Nevertheless, *Cruzada Nacional* remained with some of their concerns unaddressed by the TSJE, namely the possibility of conducting an audit of the software of the voting machines, which was not possible at that stage.
- Traditional campaign activities remained low-key throughout the entire campaign period and largely devoid of policy proposals, although more activity was observed in the days before elections. Fundamental freedoms were generally respected, and candidates could campaign without restrictions. The high costs involved in campaigning in both primary and general elections

made candidates resort to minor campaign events and social media. A state subsidy for campaigning is provided by law, but it is only disbursed after elections. Therefore, most parties and candidates seek bank loans to be able to finance their campaign activities and/or rely on private sources with widespread concerns, expressed by interlocutors, of financial resources coming from organised crime and drug trafficking funding the campaign. Most interlocutors claimed to be disappointed by the effects of the adoption of the preferential vote, given that the competition between candidates of the same list, prompted by the preferential vote, individualised the campaign and contributed to the disappearance of a party platform, or a party manifesto, to refer to whilst canvassing.

- The campaign in social media has also been lacklustre. Two thirds of the analysed posts across all social media networks provided nothing more than mere visibility to candidates, showing footage or photos of their campaign events or details of their personal lives. Almost none of the candidates competing in the presidential and senatorial races engaged in persistent offensive discourse against their competitors through their official social media accounts. The notable exception was Paraguayo Cubas, who made several derogatory comments towards his opponents. There were also several pages that were not formally affiliated with any candidate or political organisation but paid for political ads and launched attacks against presidential candidates. These pages included *Sucia Política*, *PY Elige*, *Se Van Paraguay*, *Mujeres Ganar* and *En La Tecla*. The amount of paid political advertising on social media networks owned by Meta Platforms Inc. varied substantially between presidential candidates, with Santiago Peña spending two and a half times more than Efraín Alegre. The law does not regulate the campaign silence on social media resulting in candidates engaging in campaigning on online platforms.
- Despite the significant number of media organisations in the country, private ownership is concentrated in three main media groups, each with clear political editorial lines dominating the tone of the coverage given to the different candidates. Presidential elections dominated more than half of the coverage of the election campaign. While the *Nación Media* Group (*La Nación*) and *Canal Trece* were highly critical of the *Concertación* candidates, with most of their coverage using a negative tone, Zuccolillo (*ABC Color* and *ABC Cardinal*) used a negative tone towards the *ANR – Partido Colorado* candidates. The Vierci Groups television channels (*SNT* and *Telefuturo*) provided a more balanced coverage of contestants. While campaign spots of *ANR – Partido Colorado* and *Concertación* were regularly broadcast on radio and television, most other candidates did not make significant use of these means due to their high cost, with claims that rates may fluctuate from one candidate to another, contrary to legal provisions. EU observers reported that less popular candidates were encouraged by media outlets to pay for their participation in interviews or programmes. The absence of presidential debates impoverished the discussions on future government proposals and policies diminishing the opportunity for voters to make an informed choice.
- Two organisations, *Alma Cívica* and *Decidamos*, requested accreditation of national observers from the TSJE, but were refused. *Decidamos* saw its request rejected due to the interpretation of the TSJE that election observation missions should not carry out a quick count, although there is a practice of national observer missions in Paraguay and in Latin America carrying out such exercise. Nevertheless, the TSJE did not oppose to the deployment of *Decidamos/Sakã* of 600 volunteers to 300 voting centres across the country despite not being accredited as observers. The results projection based on their quick count coincided with the preliminary results published by the TSJE. The EU EOM highlights the fact that *Decidamos* could not officially participate in the electoral process, which undermined the full engagement of civil society in the electoral process.

The following priority recommendations are offered for consideration and action to the Government of Paraguay, the Congress, the Superior Tribunal of Electoral Justice, political organisations, civil society and the international community. Discussions on implementation of the following priority recommendations should be considered as early as possible in order to address in a timely manner the shortcomings identified in the 2023 electoral process, many of which were also highlighted in the 2018 EOM report. A comprehensive list of recommendations can be found in chapter XVIII, as well as a detailed table of recommendations in Annex I to this report.

1. A comprehensive revision of the electoral legal framework should be undertaken to address the ambiguity and inconsistency of some legal provisions and to adapt the law to the new electoral system and the use of electoral technology.
2. Establish the independent institutional mechanism, as provided in the 2023 bill on the protection of journalists and human rights advocates to ensure the effective application of sanctions for attacks against journalists.
3. The election administration should consider the implementation of a broad and comprehensive voter education campaign, including the role of the election administration, political rights and the participation of citizens in addition to voting procedures.
4. Review the conditions for assisted voting to prohibit assistance from party agents and polling station staff and consider registering the cases of assisted voting in the polling stations records.
5. Consider the approval of a law on national election observation, containing rights and obligations of observers and promoting thereof their participation in the electoral process.
6. Develop an organised and permanent platform of civil society organisations conducting election observation. These organisations could develop a clear methodology for observation of the pre-electoral, election day and post-election period.
7. Review the system of complaints and appeals in order to provide an effective and timely remedy for aggrieved parties, including the type of action for judicial review/appeal.
8. To promote the equal participation of women in political and public life, it is important to give effect to the principle established by article 48 of the Constitution. This could include the adoption of specific provisions for the effective political participation of women.
9. Make institutional efforts for a more inclusive civil registration of indigenous people ensuring the protection of rights of indigenous persons and their participation in public life and political affairs of their country.

## II. Introduction

The European Union deployed an Election Observation Mission (EU EOM) to Paraguay to observe the 2023 general and departmental elections following an invitation from the Government and the Superior Tribunal of Electoral Justice (TSJE). The EU EOM was present in Paraguay from 13 March until 22 May. The Mission was led by Chief Observer, Gabriel Mato, Member of the European Parliament. The EU EOM deployed 124 observers from the 26 EU Member States, Canada and Norway to all departments in the country.

The mandate of the EU EOM was to conduct a comprehensive assessment of the electoral process in accordance with Paraguay's national and international commitments for democratic elections as well as the laws of Paraguay. The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation endorsed at the United Nations in October 2005.

This report presents a detailed assessment of the findings of the mission on the various stages of the electoral process and includes a series of recommendations aiming at contributing to the improvement of the process in future elections.

## III. Political Background

On 30 April, Paraguayans elected the president and vice-president, members of Congress (Senate and Chamber of Deputies), 17 governors and members of 17 departmental assemblies. A total of 42 political organisations, represented by 9,092 candidates, participated in the elections with 13 candidates and their respective deputies contesting the presidential office.

The elections took place in a highly polarised environment, where distrust in state institutions and political structures prevailed. Serious corruption allegations involving high-level officials marked the campaign narrative as well as widespread concerns over the growing influence of organised crime and drug trafficking in politics. Recent appointments to key state institutions aiming for more accountable institutions, were welcomed by the public. This was initiated with the appointment of two new ministers to the TSJE, both with well-respected backgrounds, as well as the appointments of the Public Prosecutor and of one minister to the Supreme Court.

Despite the considerable number of candidates, the election campaign was dominated from the beginning by the two main political organisations, *Asociación Nacional Republicana* (ANR) – *Partido Colorado* with Santiago Peña/Pedro Alliana and the coalition *Concertación Nacional para un Nuevo Paraguay* (*Concertación Nacional*) led by *Partido Liberal Radical Auténtico* (PLRA) with Efraín Alegre/Soledad Núñez. At a later stage of the campaign, *Partido Cruzada Nacional* of Paraguay Cubas also became a serious contender.

ANR – *Partido Colorado* put forward the presidential candidacy of Santiago Peña/Pedro Alliana after a split of the party between two candidacies, corresponding to the two main movements within ANR: *Honor Colorado* and *Fuerza Republicana*. Santiago Peña represented *Honor Colorado*, led by former president Horacio Cartes, who was also elected president of the party during the December 2022 primaries, after competing against Mario Abdo Benítez, the president of Paraguay. *Fuerza Republicana* led by Mario Abdo Benítez put forward the candidacy of Arnoldo Wiens. The designation of Horacio Cartes, vice-president Hugo Velázquez and other persons linked to the party as “significantly corrupt” by the United States (US) Office of Foreign Assets Control resulted in Cartes' supporters accusing the US of interference in the elections.

Efraín Alegre of the PLRA competed under the coalition *Concertación Nacional* created in 2022. The coalition comprised of most opposition parties with seats in Congress, belonging to a diverse ideological spectrum: the centrist PLRA, the left-wing coalition *Frente Guasú* of Fernando Lugo, the centre left *Partido Encuentro Nacional*, and the right-wing *Partido Patria Querida* (PPQ), among

others. These political parties participated in the presidential and gubernatorial elections under the *Concertación*'s ticket but competed individually for the remaining elections.

Dissatisfied with the selection of the *Concertación* presidential ticket, some members of *Frente Guasú* supported the presidential candidate Euclides Acevedo, a former Foreign and Interior Minister in Mario Abdo's government. The former president Fernando Lugo of *Frente Guasú*, and a candidate to the Senate, returned to the country after spending six months in Argentina for medical reasons. He was not elected.

Official results were announced on 24 May confirming the majority of the vote of ANR - *Partido Colorado* in all elections. Santiago Peña and Pedro Alliana won presidential elections with 42.93 per cent of the votes, followed by the *Concertación*'s candidates with 27.61 per cent and *Cruzada Nacional* with 23.02 per cent. The ANR – *Partido Colorado* also secured 23 of the 45 seats of the Senate and 48 of the 80 seats of the Chamber of Deputies.

#### IV. Legal Framework

##### A. Universal and Regional Principles and Commitments

Paraguay is a party to the main international and regional treaties containing the principles for the conduct of democratic elections. These include the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, the Convention on the Rights of People with Disabilities, the Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the Convention Against Corruption, the International Convention on the Protection of the Right of all Migrant Workers and Members of their Families, and the Indigenous and Tribal Peoples Convention (ILO C169). As a member of the Organisation of American States (OAS), Paraguay is committed to the American Convention on Human Rights, the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities and the Inter-American Democratic Charter of 2001. Paraguay is also a party to the Ushuaia Protocol on Democratic Commitment in Mercosur. Paraguay is yet to ratify the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance.

##### B. National Electoral Legislation

The legislative framework governing the 30 April elections is set out in the 1992 Constitution and in several dispersed laws, despite the existence of a so-called Electoral Code, adopted in 1996 and amended several times. Additional legislation includes the Law on Electoral Justice (635/1995), the Law on Coalitions - *Concertaciones* (3212/2007), the Law on Departmental Government (426/1994), the Law on Permanent Voter Register (772/1995 and amendments 5583/2016, 6951/2022), the Law on Political Financing (4743/2012 and amendments 6167/2018 and 6501/2020). Some other applicable provisions may be found in the Criminal Code, the Civil Code, the Civil Procedural Code and the Law on Free Citizen Access to Public Information and Government Transparency (5282/2014). Several binding resolutions were also issued by the TSJE, regulating different aspects of the electoral process. The number of dispersed laws that amend provisions of the Electoral Code but that simultaneously introduce new provisions that are not integrated in the Electoral Code creates some ambiguity and inconsistencies resulting in legal uncertainty and difficulties for stakeholders to familiarise with the legal framework. This includes, among other, references in the law to ballot papers, the role of political party representatives in case of conflict between candidates of the same list, different deadlines to submit appeals provided by different laws.

In the absence of a wider legislative reform, amendments were recently introduced to the legal framework governing elections, addressing some of the shortcomings identified by previous EU



EOMs. These include the removal of unreasonable criteria for the disqualification of voters,<sup>1</sup> the introduction of new campaign financing provisions aimed at increasing accountability and applicable to primaries, the inclusion of the legal figure of coalitions (*concertaciones*) in the Law on Political Finance and the introduction into the law of the right to vote for Paraguayans living abroad, previously absent from the legislation.<sup>2</sup> Nevertheless, other important issues, such as measures to facilitate women's political participation, an adequate legal framework governing the participation of national election observers, and the decriminalisation of defamation in favour of civil laws in line with international standards on freedom of expression and media remain unaddressed.

Part of the legal framework also comprises regulations issued by the TSJE, further detailing procedures and specific aspects of the electoral process. However, approval and dissemination of some of these regulations came at times late in the process, such as the ones regulating the auditing of polling station materials and the tabulation of election results, providing limited time for political actors to be familiar with provisions. In addition, access to regulations at the TSJE website was interrupted for a week before election. The TSJE planned to publish on its website two lists of voters: one with the name of voters that did not vote on election day; and a second one with the name of voters that failed to pay the fine. This publication disclosing voters' details could hurt the right to privacy and data protection.

*Recommendation: A comprehensive revision of the electoral legal framework should be undertaken to address the ambiguity and inconsistency of some legal provisions and to adapt the law to the new electoral system and the use of electoral technology.*

### C. The Electoral System

The president and vice-president are elected by simple majority for a five-year term with no possibility of re-election. Members of Congress (Senate and Chamber of Deputies) and departmental assemblies are elected through a proportional representation system - senators in a single national constituency whereas members of the Chambers of Deputies in 18 electoral constituencies (one for each of the 17 departments plus the capital). The 17 departmental governors are elected by simple majority.

An amendment to the electoral system was approved in 2019 with the support of the majority of political organisations, introducing what is referred to as preferential voting, consisting of open party lists to both chambers of Congress and departmental assembly elections. For the first time, voters chose not only the political organisation, but also the candidate of their preference within the list. Most interlocutors claimed to be disappointed by the effects of the adoption of the preferential vote as it was perceived as giving an advantage to candidates with significant financial resources to campaign.

## V. Election Administration

### A. Structure and Composition

The administration of elections falls under the responsibility of the Superior Tribunal of Electoral Justice - *Tribunal Superior de Justicia Electoral* (TSJE) and its lower levels: 10 Electoral Tribunals (*Tribunales Electorales*) and 17 Electoral Courts (*Juzgados Electorales*). The Supreme Court serves as the appellate body for decisions of the TSJE, and the Public Prosecutor office deals with all electoral offences.

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<sup>1</sup> Law 6971/2022 eliminated the disqualification of hearing and speech impaired citizens who cannot make themselves understood, and non-convicted prisoners.

<sup>2</sup> Amendments were introduced by Laws 6167/2018, 6501/2020, 6951/2022.

The TSJE is comprised of three members with the status of ministers. Two new ministers, Jorge Bogarín, representing the third political force and César Rossel representing the PLRA, were appointed by the Senate on 1 June 2022. Together with the incumbent ANR representative, Jaime Bestard, these appointments strengthened the principle of mutual control between the main political forces.

A total of 12 out of the 30 posts for Electoral Tribunal magistrates were vacant due to their retirement.<sup>3</sup> The TSJE appointed as interim magistrates some of the judges of the Electoral Courts and magistrates of other Electoral Tribunals, who sat in both bodies at the same time. The shortage of human resources further increased the workload of the remaining magistrates, although this had little impact for the preparation of election day.

Challenges to the impartiality of three judges of the Electoral Courts were submitted by the *Concertación* based on confirmed close family ties with high-level officials of the *ANR - Partido Colorado*. While one of these judges voluntarily resigned, the others remained in office, as the TSJE found that those were not sufficient reasons to dismiss them. The Law on Electoral Justice provides that the dismissal of judges if a violation was committed and is silent on potential conflict of interests generated by family ties.

Temporary supporting bodies include the civic boards (*juntas cívicas*) established 60 days before elections in the 263 districts, and polling stations whose three members are appointed 15 days before election day.<sup>4</sup> Members of civic boards (*juntas cívicas*) were appointed by the Electoral Tribunals among candidates presented by political organisations and in proportion to the result obtained in the last elections to the Senate.<sup>5</sup> Unlike in previous elections, civic boards were no longer allowed to open the boxes with electoral material for audit purposes.<sup>6</sup> The main role of civic boards was to check the conditions of the voting centres in the weeks before election day and to handle accreditation requests for party agents. The usefulness of civic boards, composed of representatives of political parties who did not necessarily have any election related experience, was questionable.

Polling station members were nominated by political parties in proportion to the result obtained in the last Congress elections. According to the lists published by the TSJE a week before election day, most polling stations had a plural composition: 11,880 polling stations (97 per cent) were composed of representatives of three political parties, whereas 379 polling stations (3 per cent) had either two members of ANR or two of PLRA, as well as a representative of the third space.

In addition to these bodies foreseen by law, other structures were created within the election administration to organise the elections more efficiently. Within the election administration, a National Commission for Elections<sup>7</sup> created by a resolution of the TSJE was tasked with the logistical and technical electoral preparations. Several weeks before election day, departmental coordinators were deployed to ensure the coordination of election preparations with the Electoral Courts, civic boards, and the district offices of the Electoral Register. The EU EOM experienced excellent cooperation and access to information at all levels of the election administration.

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<sup>3</sup> The appointment of magistrates is a lengthy procedure that falls under the competence of the Council of the Judiciary (*Consejo de la Magistratura*) and the Supreme Court of Justice (*Corte Suprema de Justicia*)."

<sup>4</sup> There are 262 districts corresponding to 262 civic boards plus the district of Asunción divided in six parishes each also with a civic board.

<sup>5</sup> Out of 268 civic boards, 242 (90 per cent) were composed of two representatives of ANR, two of PLRA and one of *Frente Guasú*. The remaining 26 boards were composed of three representatives of ANR and two of PLRA, mostly because *Frente Guasú* did not present a candidate or because the presented candidate did not fulfil the legal requirements (for example, in four cases, the candidate was not a registered voter in that district).

<sup>6</sup> TSJE Resolution 48/2023, adopted after approval of the main political parties.

<sup>7</sup> Comprising the heads of several logistical, technical, and administrative units; cf. TSJE Resolution 136/2022.

## B. The Administration of Elections and Electoral Technology

The election administration at central level demonstrated professionalism and transparency in handling the election process. Political parties had access to all stages of the preparations and could present their concerns to the electoral authorities. Since mid-March, the election administration conducted auditing exercises (*auditoria*) of the voting and transmission of results technology used for elections. These were detailed presentations to political parties' representatives with technical expertise on election technology, rather than a real audit of the system. Most political parties had their concerns addressed and showed a satisfactory level of confidence in the election technology used. Nevertheless, *Cruzada Nacional* remained with some of their concerns unaddressed by the TSJE, namely the possibility of conducting an audit of the software of the voting machines, which was not possible at that stage.

The electronic system implemented was comprised of the electronic voting machines and a system for transmission of preliminary election results, known as TREP. Law 6318/2019 requires that the electronic voting system issues a printed ballot for each vote cast, which is then deposited in a conventional ballot box, allowing for verification. The ballot contains the voter's choice printed and an integrated Radio Frequency Identification (RFID) chip with the same information. The voting machine does not store any information on votes cast. During counting, a reading programme is activated in the voting machine by which the RFID chip contained in each bulletin is read and accounted for. This electronic system was also used in the 2021 municipal elections and in the December 2022 primaries.

An important challenge in the electoral process was a shortage of voting machines. In September 2022, a fire at one of the TSJE warehouses destroyed 7,900 electronic voting machines and all the devices used for the transmission of preliminary election results (TREP). Whilst TREP devices (laptops, scanners, and modems) could be replaced in time for the December primary elections, the replacement of all destroyed voting machines was not possible due to supply chain issues related to the company providing them. Therefore, only approximately 15,500 voting machines, which at the time were stored in a different warehouse, were available for the elections. Consequently, the TSJE reduced the number of polling stations despite generally maintaining the same number of polling centres as in past elections. The solution adopted was to increase the number of voters per polling station from 200 in past elections to 400 voters.

The election results are transmitted using the widely trusted TREP system. The TREP is an informal, non-binding information system aimed at increasing the level of transparency. Election results are transmitted from polling centres (*Centros de transmisión – CTX*) either by scanning a copy of the results form or swiping the results stored in the RFID chip and the QR code (Digital System) or via telephone (Voice). The transmission process was monitored by the Electoral Information and Monitoring Centre (*Centro de Información Y Monitoreo Electoral - CIME*).<sup>8</sup>

Training for polling staff is not compulsory and therefore the election administration remains with little control over the preparedness and competence of polling station members and over their understanding and consistent application of election procedures. Political parties could request training from the district offices of the Electoral Register. As these district offices lacked funds, the extent of the trainings depended on the ability of political parties to fund such training sessions. The EU observers reported that ANR organised training for all its designated polling station members, whereas the proportion of trained staff from PLRA and especially from *Frente Guasú* was much lower.

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<sup>8</sup> The CIME is under the Directorate of Information and Communication Technologies. It comprises a technical team of 166 people responsible for answering questions at the national level from the Local Coordinators, Technical Support and CTX stationed in voting centers.

### C. Voter Education

Voter education promoted by the election administration focused on information on the use of voting machines. An online simulator of the voting machine was available since February while machines for training purposes were available at district offices of the Electoral Register and taken to public spaces (supermarkets and bus stations) for voters to practice. However, due to the lack of dedicated resources, these activities were limited to urban areas. All interlocutors expressed their concerns about the poor knowledge of voters regarding the use of voting machines and the difficulty in finding the candidate of their choice.

The electoral administration was present on Facebook, Instagram, Twitter and TikTok, where it published a wide array of public and voter education information. Posts about the online voting simulator stood out as they were widely disseminated and shared by the candidates in their official networks, inviting voters to practice the voting process step by step. The quantity of posts containing varied information about the elections steadily increased throughout the campaign period reaching 57 in the day before elections, peaking at 193 posts on election day and decreasing notably thereafter.

Numerous themed social media information campaigns were launched by the electoral administration, addressing accessible voting, informed and educated choice, and first-time voters (*Voto Accesible*, *Voto Informado*, *Educación para Elegir* and *Mi primer Voto*). For the *Voto Informado* campaign, the election administration created a series of voter education videos. The EU EOM media monitoring identified a low volume of the campaign #*VotoInformado* (Informed Vote) spots on radio, television channels and media websites and no virality in social media. Initially two to three spots on average were aired on prime-time evening programming and closer to elections there was an increase on the frequency of these spots. All major political groupings created their own voter education videos and shared them on social media, instead of using the spots prepared by the electoral administration. The only political actor that shared TSJE *Voto Informado* content was the *Concertación*.

*Recommendation: The election administration should consider the implementation of a broad and comprehensive voter education campaign, including the role of the election administration, political rights and the participation of citizens in addition to voting procedures.*

## VI. Voter Register

### A. The Right to Vote

The Constitution grants voting rights to Paraguayan citizens who are aged 18 years or older. Previous disqualifications imposed by the Electoral Code on the right to vote considered unreasonable were removed through the approval of law 6971/22 in August 2022. These included hearing and speech impaired individuals who could not make themselves understood, persons in custody and convicted persons. However, unreasonable disqualifications remain for conscripted soldiers, students at the military and police academies and convicted persons, whose conviction includes the loss of political rights.<sup>9</sup>

In Paraguay, voting is compulsory, and absentees face a fine of 0.5 to 1 minimum daily wage (currently Gs. 98.000, ca. 12 EUR). Exemptions are granted for persons over 75 years old, persons in detention, persons suffering from health conditions or those with a professional reason (magistrates and judicial officials working in the elections or other public servants). The TSJE issued a resolution just three days before election day to regulate the modalities to collect this fine.

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<sup>9</sup> Article 25 ICCPR, United Nations Human Rights Commission, General Comment No. 25, paragraph 10: “The right to vote at elections and referendums must be established by law and may be subject only to reasonable restrictions (...). It is unreasonable to restrict the right to vote on the ground of physical disability or to impose literacy, educational or property requirements.”

## B. Voter Registration

A total of 4,782,940 voters were registered to participate in the elections, an increase of 12.76 per cent from 2018. Women represented 49.4 per cent of registered voters and 41.75 per cent of the electorate was under the age of 35. Almost half of the voting population (47.09 per cent) was concentrated in the capital Asunción and the departments of Central and Alto Paraná. Out-of-country voting also took place, with 41,505 Paraguayans registered to vote in Argentina, Brazil, Spain and the United States.

Voter registration falls under the responsibility of the election administration (Voter Registration Department – *Dirección del Registro Electoral*). The Permanent Voter Register (RCP – *Registro Cívico Permanente*) is continuously purged and updated, however, for the upcoming elections the cut-off date to extract voters' details was 31 May 2022. Addresses changes requested after this date were not reflected in the voter lists for these elections. Voters who turned 18 after this date were included in the voter register.

For these elections, a dual system of active and passive voter registration was still in place.<sup>10</sup> Since 2012, citizens who turn 18 and have an ID card are automatically included in the permanent voter register, through an import of their records from the national ID card database.<sup>11</sup> In cases where this database does not contain the voter's address (about four per cent of voters per year), the election administration assigns this voter to a voting centre in their district of birth. As a result, young voters who did not update their address at a local voter registration office may have been assigned to a voting centre that does not correspond to their actual residence. In parallel to passive registration, voters who turned 18 before 2012 and had never registered to vote could register at the district level offices of the election administration.

To improve the accuracy of voter lists, the TSJE issued a resolution excluding voters over 100 years of age who had not voted in the last three elections and whose ID card had expired for more than 10 years and who could not be found at their registered place of residence.<sup>12</sup> These voters were still entitled to vote after an identity check at the polling station, where they would have to be registered on a separate list.

## VII. Registration of Political Parties and Candidates

### A. Registration of Political Parties

The registration of political parties is governed by the Constitution and the Electoral Code and is under the jurisdiction of the Capital Electoral Tribunal (*Tribunal Electoral de la Capital*). The Constitution guarantees the political rights of citizens including the right to form, join and participate in the activities of a political party.<sup>13</sup> Apart from political parties, the electoral law also extends the right to participate in elections to an alliance, a coalition or a political movement. In general, the requirements for the registration of political groups are inclusive and in line with international principles related to freedom of association.<sup>14</sup>

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<sup>10</sup> Active registration was abolished through law 6951/22 which provides for the automatic registration of all eligible voters by importing all data from the Civil Register and the national ID card database. This law came into force on 17 August 2022, but did not apply to the 2023 general elections as the cut-off date for the voter lists was 31 May 2022.

<sup>11</sup> Law 4559/12 established the automatic registration in the Permanent Voter Register.

<sup>12</sup> TSJE Resolution 22/2023 of 17 February 2023. A comparison of the voter lists with the population data from the National Institute of Statistics (*Instituto Nacional de Estadística*) showed an over-registration of persons over 60 years of age, suggesting that some deceased persons were still included in the voter lists.

<sup>13</sup> Article 22 and 25 ICCPR, United Nations Human Rights Commission, General Comment No. 25, paragraph 26: "The right to freedom of association, including the right to form and join organizations and associations concerned with political and public affairs, is an essential adjunct to the rights protected by article 25."

<sup>14</sup> Article 22 and 25 ICCPR, United Nations Human Rights Commission, General Comment No 25, paragraph 26.

Political parties are required to adhere to certain principles and guarantee internal democracy and have a national reach and character. Political parties must present a list of members equivalent at least to 0.50 per cent of the valid votes in the previous election for the Senate,<sup>15</sup> and a party structure in the capital and at least four other departments.

The Capital Electoral Tribunal is responsible for deciding on applications to register a political party. In case registration is refused, the decision may be appealed to the TSJE. Registration may be cancelled if the political party receives finance from illegal sources, does not hold internal elections for two consecutive electoral periods, does not participate in two consecutive elections or does not reach one per cent of the total valid votes cast in two consecutive elections.

Political parties represented in Congress are entitled to two different state subsidies: one allocated annually to parties that obtained at least two per cent of the total votes cast for Congress in the previous elections; and a second amount for campaign purposes is given after elections in proportion to the votes obtained in the elections. The parties must submit annual reports on their accounts to the TSJE, detailing their spending of the funds received from the state.

The Constitution provides that the dissolution of political parties and movements may only result of a judicial ruling. However, the Electoral Code states that political parties and movements will cease to exist if they do not obtain at least one per cent of the votes in the last two elections for Congress and, for movements, if they do not compete in the elections which they were created to participate in. While political parties are only allowed to operate at the national level, political movements may also operate at regional level. The alliances formed for elections cease to exist after the declaration of official election results. A coalition is a political-electoral organisation formed between two or more political parties or movements. Alliances only receive the state campaign subsidy, while political parties, political movements and coalitions also receive the annual state subsidy.

#### *B. Registration of Candidates*

The Constitution establishes the requirements to stand for office, namely holding Paraguayan nationality and being of a minimum age (25 years old for the Chamber of Deputies and departmental assemblies, 30 years old for governor and 35 years old for senators and for the presidential office). The requirements of nationality and age imposed on the right to stand for office are reasonable. Public officials, such as members of the judiciary, the government or governors, are required to resign from office approximately six months before elections. Media owners are ineligible to be candidates. Disqualifications include persons that have been convicted to a prison sentence. Persons that are detained but not yet convicted are not disqualified to be a candidate. This is the case for the recently elected senator Rafael Esquivel, known as Mbururú, of *Cruzada Nacional*, who was detained since August 2022 accused of multiple crimes, including rape and allegations of sexual abuse of children. After his election, several civil society organisations and the Minister of Childhood and Youth publicly objected to his election and a possible swearing-in.

Following the primary elections in December 2022, political organisations could submit their candidates from 19 December 2022 to 17 January 2023. The election administration implemented an online candidate registration system that facilitated the technical procedures for submission. Nevertheless, the required documentation still needed to be physically submitted to the Electoral Court of the Capital, which handles the candidate nomination process for the entire country. A total of 9,092 candidates representing 42 political organisations submitted their candidacies. Thirteen candidates with their respective deputies were contesting the presidential office. For the two chambers of Congress, 1,350 candidates were competing for the Senate and 2,108 for the Chamber of Deputies. In addition, 113 candidates competed for governor and 5,495 candidates for the 17 departmental assemblies.

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<sup>15</sup> For the creation of new political parties or movements that wished to compete for the 2023 general elections, the required number of members was around 12,000.

The candidate registration process was inclusive with very few complaints. The TSJE received a total of 14 appeals against decisions of the Electoral Tribunal of the Capital on candidate registration. Of these, 12 appeals were rejected by the TSJE, confirming the decisions of the Electoral Tribunal. For the remaining two, the decisions of the Electoral Court in rejecting the candidacies for governor in Amambay (*Partido Popular Tekojoja*) and for Cordillera (*Frente Guasú Ñemongeta*) were reversed on reasonable grounds. In the most high-profile case, the eligibility of Fernando Lugo (*Frente Guasú*) to compete for the Senate, was challenged by the *Movimiento Libertas* of the PLRA. The case was rejected due to the lack of legitimacy of the plaintiff to submit a complaint.

## VIII. Election Campaign and Pre-Election Environment

### A. Election Campaign

The election campaign took place between 27 February and 27 April. Traditional campaign activities remained low-key throughout the entire campaign period, although more activity was observed in the days before elections. The high costs involved in campaigning in both primary and general elections made candidates resort to minor campaign events and social media, seen as a more affordable and effective channel. The introduction of the preferential vote in addition to the openly recognised and accepted practice of political parties providing voters with transportation and paying for their support/vote has generated a huge financial burden on candidates. Candidates now have to choose between spending their resources disseminating their policies during the 60-day campaign period or providing for election day transportation.

EU observers attended 92 campaign events, mostly small, throughout the country. Fundamental freedoms were respected, and candidates could campaign without restrictions. The two-day silence period was observed with campaign materials being removed in some municipalities. Most interlocutors claimed to be disappointed by the effects of the adoption of the preferential vote, given that the competition between candidates of the same list, prompted by the preferential vote, individualised the campaign and contributed to the disappearance of a party platform or a party manifesto to refer to whilst canvassing.

EU observers confirmed the misuse of state resources during the campaign. This was the case in Ciudad del Este where a municipality was managing the campaign of Yo Creo; in San Pedro, an official letter from the municipality of Rosario called for the vote to the ANR candidate; municipal workers wearing the municipality's uniform at ANR campaign events in Independencia, Guairá; municipal workers wearing the ANR T-shirt in the municipality of Loma de Plata, Boquerón, during work.

### B. Campaign Finance

Campaign finance is regulated by the Electoral Code, some provisions of law 4743/2012 such as the limits on campaign expenditure, law 6167/2018 that extended financial control for primary elections, addressing a previous EU EOM 2018 recommendation, and finally law 6501/2020 aiming at increasing the traceability of funds and establishing measures to prevent money laundering.

A state subsidy for campaign is provided by law, but it is only disbursed after election and upon submission of campaign financial statements and based on the number of votes obtained in Congress and departmental elections. Therefore, most parties and candidates seek bank loans to be able to finance their campaign activities and/or rely on private sources. There were widespread concerns expressed by interlocutors of financial resources coming from organised crime and drug trafficking funding the campaign. The EU EOM was not in a position to verify these allegations.

There are two units at the TSJE dedicated to political financing: the Technical Unit for Political Financing (*Unidad Técnica de Financiamiento Político*) responsible for receiving the documentation on income and expenditure during campaign, and the Specialised Unit for Political Financing

Oversight (*Unidad Especializada de Fiscalización de Financiamiento Político*) in charge of overseeing that documentation submitted is in line with legal provisions and that, following a risk analysis, ensure that there is no financing from illicit sources. The risk analysis is conducted in collaboration with the Secretariat for the Prevention of Money or Asset Laundering (*Secretaría de Prevención de Lavado de Dinero o Bienes* - SEPRELAD).

Although two TSJE's units are dedicated to political financing, most interlocutors acknowledged that the process became so bureaucratic that most candidates and political parties declare the minimum possible. Small private contributions, for example, must be made through the official bank account. These donations are often not declared to avoid bureaucracy. Some political parties had also had difficulties in opening a bank account on time despite the agreement between the TSJE and the state bank – *Banco Nacional de Fomento* (BNF) facilitating the opening of bank accounts for campaign purposes.

The TSJE, through one of its technical units, may proceed to inspect the financial statements, however, it does not have a real capacity to audit accounts due to limited human resources. Primary elections have been an example of this, where a high percentage of financial statements submitted by internal movements of the political organisations (45 out of 65) declared zero income and zero expenditure, which seems unlikely. For the 30 April elections, only 86 per cent of the 9.092 candidates submitted their affidavits and 93 per cent after primary elections. Candidates as well as political organisations also had to submit detailed financial statements within thirty and sixty days after the elections, respectively. The TSJE publishes the affidavits of the candidates' income and expenses for campaign and post-election financial statements, which might increase the pressure on candidates and political organisations to comply with the rules.

*Recommendation: Consider the disbursement of a campaign subsidy to political parties before the election campaign based on objective and reasonable criteria to improve the level playing field between contestants and reduce the opportunities for financing from illicit sources.*

*Recommendation: Reinforce human resources and training of the Specialised Unit for Political Finance Control to improve its capacity to monitor campaign income and expenditures.*

## **IX. National and International Election Observation**

### *A. National Election Observers*

Despite previous recommendations for the adoption of a law, national election observation is regulated by a TSJE resolution. The resolution was adopted in February 2023 and amended in March, addressing some concerns of civil society organisations, such as the ban on all public officials from acting as election observers, which now applies only to senior positions.<sup>16</sup> The regulation on national observation fails to provide an expeditious mechanism for appealing TSJE decisions concerning refusal of accreditation.

*Recommendation: Consider the approval of a law on national election observation containing rights and obligations of observers and promoting thereof their participation in the electoral process.*

Two organisations, *Alma Cívica* and *Decidamos*, requested accreditation but were refused resulting in the absence of official national observers in these elections. *Alma Cívica* was denied accreditation due to the existence of close links between its executive committee and the *Concertación's* vice-presidential candidate and her husband, who was also a candidate for the Senate.

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<sup>16</sup> A draft bill on domestic observation submitted by *Frente Parlamentario contra la Corrupción y la Impunidad* is pending in Congress.



*Decidamos*, on behalf of *Sakã (Transparency)* - a platform of civil society organisations<sup>17</sup> for national observation, planned to deploy 800 observers and to conduct a quick count, but saw its request rejected due to the understanding of the TSJE that election observation missions were not allowed to carry out a quick count, although there is a practice of national observer missions in Paraguay and in Latin America carrying out such exercise.<sup>18</sup>

The TSJE did not oppose to the deployment of *Decidamos/Sakã* of 600 volunteers to 300 voting centres across the country. They were able to carry out their observation activities without obstacles in all but three voting centres, where ANR party agents obstructed their access. The results projection based on their quick count coincided with the preliminary results published by the TSJE.

The EU EOM emphasises the fact that *Decidamos* could not officially participate in the electoral process which undermined the full engagement of civil society in the public affairs of the country. As referred to by the EU EOM in 2018, the absence of an organised civil society movement that could not only monitor the electoral process but also advocate for political rights of citizens remains one of the shortcomings of these elections.

*Recommendation: Develop an organised and permanent platform of civil society organisations conducting election observation. These organisations could develop a clear methodology for observation of the pre-electoral, election day and post-election period.*

#### *B. International Election Observers*

Besides the EU EOM, several other international observation missions were deployed in Paraguay. These included the Organisation of American States (OAS), the Inter-American Union of Electoral Bodies (UNIORE), the Association of World Election Bodies (A-WEB), the Permanent Conference of Political Parties of Latin America and the Caribbean (COPPPAL), and the American Electoral Magistrates Association - *Asociación de Magistradas Electorales de las Américas* (AMEA). In total, the election administration accredited 400 international observers.

The OAS Election Observation Mission headed by Ambassador Luis Lauredo (USA) comprised 60 observers and was present in Paraguay from 20 April to 2 May. The UNIORE Election Observation Mission was composed of 40 observers led by the UNIORE President Román Jáquez Liranzo. The 10-observer team of A-WEB was in Paraguay from 25 April to 1 May. Finally, the COPPPAL mission was led by Ambassador Marta Maurás from Chile and published a post-electoral report with an analysis of TREP results, focusing on voter turnout and the political participation of women.<sup>19</sup> The OAS Election Observation Mission's preliminary report<sup>20</sup> was published on 2 May.

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<sup>17</sup> *Sakã* includes *Decidamos*, *Centro de Documentación y Estudios (CDE)* and *Centro de Información y Recursos para el Desarrollo (CIRD)*.

<sup>18</sup> *Sakã* conducted a quick count for the 1991 municipal and constituent elections and for the 1993, 1998, and 2008 general elections. At regional level, Bolivia (*Tu voto cuenta*, 2020 general elections), Ecuador (*Participación Ciudadana*, 2017 presidential elections), Guatemala (*Acción Ciudadana*, 2019 general elections), Honduras (*Asociación para una Sociedad más Justa*, 2009 and 2013 general elections), Peru (*Transparencia*, 1995, 2000, 2001, 2006 and 2011 general elections), Dominican Republic (*Participación Ciudadana*, all presidential elections from 1996 to 2020).

<sup>19</sup> [https://mcusercontent.com/23f5c2e3a233fab59db9c015b/files/0de7dc15-7ded-476d-7a81-07a46f3ee481/INFORME\\_POSTELECTORAL\\_PARAGUAY\\_2023\\_1 .pdf](https://mcusercontent.com/23f5c2e3a233fab59db9c015b/files/0de7dc15-7ded-476d-7a81-07a46f3ee481/INFORME_POSTELECTORAL_PARAGUAY_2023_1.pdf)

<sup>20</sup> <http://www.oas.org/fpdb/press/Informe-Preliminar-Paraguay-2023.pdf>

## X. Media and Elections

### A. Media Environment

Despite the significant number of media organisations operating in the country, private ownership is concentrated in three main media groups – Nación Media, Vierci and Zuccolillo, dominating the media landscape. News coverage on independent political leanings find their space in a few native digital media platforms<sup>21</sup> with limited scope.

Television remains the primary source of information, followed by social media, radio stations, digital media, and print newspapers. Community radio stations operate in rural areas, but their numbers and influence are in decline due to lack of financial resources. State-owned media, operating with low budget and limited human resources, run as a governmental tool to promote government policies, rather than as a public service. EU observers reported cases of local media with direct links to candidates or their family members, which compromised impartiality of reporting and plurality of voices.

### B. Media Legal Framework

The Constitution guarantees freedom of expression and freedom of the press. Nevertheless, journalists face serious difficulties when reporting on corruption, organised crime, and drug trafficking, especially in the departments bordering Brazil. Since the restoration of democracy in 1989, a total of 21 journalists have been murdered, most due to investigating corruption cases in border areas. Over the last eight months, two journalists were killed in Pedro Juan Caballero, the departmental capital of Amambay. As a result, media practitioners admit to exercising self-censorship when covering news related to these topics. Defamation remains a criminal offence, which is contrary to international principles on freedom of opinion and expression.

*Recommendation: Decriminalise defamation in favour of civil laws, in line with international standards on freedom of expression and media, including in the electoral context.*

Although freedom of expression and freedom of the press were respected during the electoral period, a verbal refusal by the *Concertación*'s press chief to provide *La Nación* access to the early morning press point of Efraín Alegre resulted in a public condemnation by the Journalists Union of attempts of censorship. Also, the Platform for the Safety of Journalists issued a statement condemning the call of political actors, namely Paraguayo Cubas, for violence against journalists and denouncing the threats and physical violence against journalists during the demonstrations following elections. In April 2023, a bill was submitted to the Senate containing provisions for the creation of a protection mechanism ensuring freedom of expression and the safety of journalists.

*Recommendation: Establish the independent institutional mechanism as provided in the 2023 bill on the protection of journalists and human rights advocates to ensure the effective application of sanctions for attacks against journalists.*

The Electoral Code established the period for political advertisement in the media from 29 March to 27 April. Both the Electoral Code and the TSJE resolution 29/2023 also establish that public and private media should allocate free space for political advertisement 10 days before the closing of the campaign. The Electoral Courts are responsible for overseeing the compliance with this regulation. Free spaces were mainly used by candidates with less resources. Although newspapers clearly identified the one-page allocated to campaign free spaces, radio and television failed to identify these with a proper disclaimer.

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<sup>21</sup> Native digital media refers to media that had its origin online as opposed to media that had its origin by traditional means- broadcast or paper-based publication and adhere to the online platforms.

The Electoral Code establishes opinion polls cannot be published 15 days prior to election day. The constitutionality of this provision was previously challenged in the Supreme Court by several media groups claiming it restricts freedom of expression. The Supreme Court ruled against these petitions except for the *Nación* Media group, which, in the absence of a ruling, benefited from an injunction since 2017 allowing for the non-application of this legal provision to the plaintiffs until a decision is issued. However, other two media have had their case already addressed by the court, refusing the unconstitutionality of this provision. As Supreme Court decisions regarding the unconstitutionality of legal provisions only have effect on the parties that challenged them in court and not on all citizens (*inter partes* effects and not *erga omnes*), *Nación* was the only media group allowed to disseminate polls without restrictions. Similarly to previous elections, this was detrimental to the principle of equality before the law and, therefore, introduced an uneven playing field element for contestants.

*Recommendation: Ensure that effects of rulings declaring the unconstitutionality of legal provisions, such as the case for the publication of opinion polls and exit polls, are applicable to all citizens and legal persons (erga omnes) and not only to the parties submitting the case (inter partes), thereby guaranteeing equality before the law.*

In April 2023, the Chamber of Deputies passed a draft law for the extension of the campaign period, including in the media, and sanctions for offenders. These amendments to the Electoral Code would extend the campaign period starting after candidate nominations up to 48 hours before election day. The proposal also includes provision for sanctions to be imposed on candidates and not on the political group.

### C. Monitoring of Media Coverage of Elections

The EU EOM Media Monitoring Unit started its monitoring activities on 20 March until 27 April with a sample including four TV channels, three radio stations, and four newspapers with nationwide coverage, along with their online versions and Facebook pages. TV channels include the state-owned *Paraguay TV*, the private *Telefuturo*, *SNT* and *Canal Trece*. The three radio stations monitored are the state-owned *Radio Nacional del Paraguay*, and the private stations *Radio Monumental* and *Radio Abc Cardinal*. The four newspapers are *Última Hora*, *Abc Color*, *La Nación* and *Extra*.

Presidential elections dominated more than half of the total campaign media coverage (54 per cent), followed by the campaign for Senate with 33 per cent and Chamber of Deputies with 10 per cent. The coverage of the campaign for governors amounted to 2.5 per cent while the departmental assembly elections had almost no coverage reaching only 0.5 per cent. The media observed the legally imposed 48-hour silence period prior to elections.

The EU EOM media monitoring revealed that the tone of the media coverage the different candidates portrayed the editorial line of each media conglomerate: the newspaper *La Nación* (*Nación* Media group) and *Canal Trece* television (*Javier Bernardes* group), both with a pro-*Cartes* line, were highly critical of the *Concertación* candidates, focusing on corruption allegations of the *Concertación* presidential candidate during his tenure in the Ministry of Public Works and the vice-presidential candidate's links to civil society organisations. In total, 93 per cent of the coverage of *La Nación* and *Canal Trece*'s coverage given to the *Concertación* presidential ticket had a negative content. The television program *El Repasador*, broadcast on *Canal Trece*, has been pinpointed by interlocutors as using defamatory language against *Concertación* candidates, their relatives, and a former President of Uruguay.

The newspaper *ABC Color* and *ABC Cardinal* radio station (*Zuccolillo* Group) used a negative tone in 63 per cent and 50 per cent, respectively, when covering *ANR – Partido Colorado* candidates, also highlighting corruption issues in connection to the US sanctions to *Horacio Cartes* and the possibility of extraditions. The television channels *SNT* (*Albavisión*) and *Telefuturo* (*Vierci* Group) provided a more balanced coverage of contestants. *Radio Monumental* (*Vierci* Group) reported extensively on *Frente Guasú*. The newspaper *Extra* also reported extensively on *Frente Guasú* and *Lugo*, mostly in a neutral and positive tone.

Media organisations claimed significant losses in political advertising in their traditional platforms in comparison to previous elections. While campaign spots of the two main presidential bids, ANR – Partido Colorado and *Concertación*, were regularly broadcast on radio and television, most other candidates did not make significant use of these means due to their high cost, with claims that rates may fluctuate from one candidate to another contrary to legal provisions. EU observers reported that less popular candidates were encouraged by media outlets to pay for their participation in interviews or programmes, however, media outlets, namely the ones broadcasting at local level, failed to identify this as paid airtime.

Contrary to previous elections, the presidential debates planned for 2 and 16 April with the two main candidates - Santiago Peña and Efraín Alegre - were cancelled due to disagreements over its terms and format. The criteria adopted by DENDE - *Desarrollo en Democracia* - the organisation hosting the event, required candidates to have at least 15 per cent of the voting intention in recent surveys in order to participate in the debate. Santiago Peña refused to debate with only one candidate and declared that his participation was conditional on the participation of other two candidates. At the time, the other two candidates, Paraguayo Cubas and Euclides Acevedo, positioned in third and fourth places respectively, did not meet this threshold. The absence of presidential debates impoverished the discussions on future government proposals and policies diminishing the opportunity for voters to make an informed choice.

## **XI. Social Media and Elections**

Internet access in Paraguay reaches 77 per cent of the population (83.5 per cent of urban residents vs. 65.8 per cent of rural residents). Operator licences for Internet Service Providers are granted through tenders for a specified timeframe by the telecommunications regulator CONATEL. The most used social networks in Paraguay are the Meta platforms (Facebook with 3.5 million users and Instagram with 2.15 million users). Twitter is a distant third, with approximately 725 000 unique active users, whilst TikTok is rapidly gaining popularity.

The social media unit analysed 13,010 posts across Facebook, Instagram, Twitter and TikTok in the context of the 30 April elections. Analysis was focused on the activities of political groupings and candidates for presidential and senatorial elections, the electoral administration and other state institutions, as well as multiple third-party accounts publishing information related to the elections. Additional analyses were undertaken focused on campaign spending in online platforms owned by Meta Platforms Inc. and on ethnicity or gender-based digital violence.

### *A. Electoral Campaign on Social Media*

Facebook, accounting for 53 per cent of the analysed posts, was the most prominent platform for campaigning by candidates, followed by Twitter (26 per cent), Instagram (19 per cent) and TikTok (two per cent). The campaign in social media has been lacklustre and largely devoid of policy proposals, which were contained in seven per cent of the analysed posts. Two thirds of the analysed posts across all social media networks provided nothing more than mere visibility to candidates, for example showing footage or photos of their campaign events or details of their personal lives. Varied forms of voter education by candidates accounted for eight per cent of the posts, whilst opinion polls and surveys were contained in three per cent of the posts on social media. Opinion polls were the most frequently identified type of disinformation distributed across the online platforms in the context of these elections.

The most prolific political grouping on social media was *Cruzada Nacional*, followed by *Concertación Nacional* and *ANR – Partido Colorado*. The *Concertación* had a focused social media campaign, releasing campaign proposals on a weekly basis, with the vice-presidential candidate Soledad Núñez personally responding to her followers on social media platforms. Almost none of the candidates competing in the presidential and senatorial races engaged in persistent offensive

discourse against their competitors through their official social media accounts. The notable exception was Paraguayo Cubas, whose posts, in addition to those from the official page of his political party *Cruzada Nacional*, accounted for half of the offensive language used against candidates identified on Facebook. An analysis of replies on Twitter showed that Efraín Alegre and Soledad Núñez were the most attacked candidates on the platform, with allegations of corruption emerging as the main line of attack against both.

Santiago Peña was the most prolific candidate across the analysed online platforms, contributing 37 per cent of the posts created by presidential candidates, followed by Efraín Alegre (27 per cent) and Paraguayo Cubas (18 per cent). Senatorial candidates accounted for 39 per cent of the social media posts analysed in the context of the electoral campaign. One third of the analysed posts on Facebook, Instagram, and Twitter made by senatorial candidates belonged to Lilian Samaniego (*ANR – Partido Colorado*), Solvey Benitez (*30-A*), Celeste Amarilla (*Allianza Senadores por la Patria*), Lizarella Valiente (*ANR – Partido Colorado*) or Sixto Pereira (*Frente Guasú*). Several senatorial candidates created educational videos and visuals (10 per cent of posts), explaining the steps to vote for them using the machine, but did not engage in wider voter education activities.

Analysis of paid political advertising on social media in Paraguay revealed that there are several pages that are not formally affiliated with any candidate or political grouping but pay for political ads. Five pages invested more than Gs. 15,000,000 in political advertising with Meta Platforms Inc. (*Sucia Política*, *PY Elige*, *Se Van Paraguay*, *Mujeres Ganar* and *En La Tecla*). All the posts by *Mujeres Ganar* supported *Concertación* candidates. *Se Van Paraguay* was dedicated exclusively to attacking Santiago Peña, whilst *En la Tecla* and *PY Elige* showed strong support for him. Both pages posted positively about Euclides Acevedo and Paraguayo Cubas and launched attacks against Efraín Alegre and Soledad Núñez with allegations of corruption and probable electoral fraud. *Sucia Política* dedicated 73 per cent of its content to attacks, primarily at Efraín Alegre and Soledad Núñez, and to a lesser extent at Santiago Peña. The page periodically posted positively about Paraguayo Cubas and on several occasions about Euclides Acevedo.

Analysis of election related discourse in Paraguay on Facebook and Twitter in the week up to and including election day revealed that Facebook had a greater amount of positive content, with 32 per cent messages containing support towards a political grouping or candidate. Most of the supportive messages were directed at Paraguayo Cubas, followed by *ANR – Partido Colorado* with a third of the positive discourse. *ANR – Partido Colorado* was also the most criticised political actor on Facebook, attracting 44 per cent of the posts classified as criticisms or attacks. The *Concertación* candidates received a third of the criticisms and attacks whilst not getting almost any supporting messages, in comparison with the Facebook pages of candidates from other political groupings. Markedly different from Facebook, in Twitter 46 per cent of the analysed posts were identified as attacks and 19 per cent as criticism, whilst 20 per cent contained messages of support. The most attacked political actors in Twitter were *ANR – Partido Colorado* and the current government, whilst *Concertación* candidates enjoyed a higher level of support on the platform.

The two-day campaign silence period started on 28 April; however the law does not regulate the use of social media sites during this period. This led to candidates not respecting the electoral silence on social media, engaging in mostly neutral campaigning, with dominant themes seen in candidates' social media pages being visibility posts, information on the elections but also campaign proposals.

*Recommendation: Extend the legal framework applicable to traditional media outlets in relation to electoral campaigning to include online political campaign.*

#### *B. Social Media Activity on Election Day*

Monitoring of the publications of the accounts of candidates, parties and third-party pages that supported candidates during the campaign period delivered 438 posts, 44 per cent of which were on Facebook, 37 per cent on Twitter, 18 per cent on Instagram and one per cent on TikTok. The vast majority (93 per cent) provided visibility to candidates or information about how to vote and were

predominantly neutral in tone (87 per cent). The most prolific candidates on social media during election day were Soledad Núñez (30 posts on Instagram, 20 on Facebook, 20 on Twitter, 3 on TikTok), Paraguayo Cubas (30 posts on Facebook), and senatorial candidates Carlos Escauriza and Katty González, with 18 and 13 posts on Twitter respectively.

### C. *Paid Political Advertising*

Paid political advertising on online platforms is considered campaign related expenditure according to the legal framework governing the financing of political parties in Paraguay. Analysis was made of the investment in political advertising by candidates and non-affiliated pages that purchased political ads, based on information retrieved from the transparency pages of Meta Platforms Inc. Considering the relatively low spending by most candidates, the 10 pages that spent the equivalent of Gs. 40,000,000 (±€5,000) or more during the month before elections are included in this analysis. In total, 2,190 ads were identified, of which 10 per cent per advertiser were analysed for content and targeting.

*ANR-Partido Colorado* presidential candidate Santiago Peña was the biggest spender, investing over Gs. 550,000,000 for 180 advertisements on Meta Platforms, whilst his vice-presidential running mate Pedro Alliana did not advertise through his official Facebook account. The *Concertación* presidential pair, Efraín Alegre and Soledad Núñez, together spent approximately half of what Peña did, however for a much larger number of ads (280 for Núñez and 840 for Alegre), accounting for 51 per cent of all political ads by the Top 10 political advertisers in social media in Paraguay.

Geotargeting data shows that the distribution of political ads was concentrated in the capital Asunción, with 28 per cent of political ads shown to social media users there, as well as in the departments of Central (36 per cent), Alto Paraná (30 per cent) and Itapúa (6 per cent). Eighteen per cent of ads targeting men and 17 per cent of ads targeting women were focused on people aged 25 to 34, making this the most appealing age group for political advertising, followed by men aged 35 to 44 (17 per cent of targeted ads) and women aged 18 to 24 (12 per cent).

Video was the preferred format for 60 per cent of political ads, followed by infographics (31 per cent) and photos (9 per cent). Campaign proposals were contained in 21 per cent of ads, whilst 20 per cent were evaluated to be attacks against candidates. Information pages *Sucia Política* and *En La Tecla* had the largest number of attack-themed advertisements, mainly directed at Efraín Alegre and the *Concertación* candidates. The candidates did not use specific segmentation by interests, however the pages of Efraín Alegre and Soledad Núñez employed a strategy of using ad groups where the same image or video is used in different ads with varying targets of age, location, start dates and duration.

### D. *Digital Violence*

There were 2,995 women contesting for various positions in these elections and those of them active on online platforms, received a large number of comments and responses to their social media posts. To evaluate whether offensive discourse appearing in social media was gender based, the EU EOM analysed the responses generated on Twitter by the social media accounts of 16 female and 16 male candidates for Senate. Instances of digital violence in the posts were identified, based on whether they contained offensive discourse, then classified according to the theme of the attack. The data used for the analysis is comprised of 615 responses on Twitter, published between 20 March and 27 April 2023.

Gender based digital violence did not emerge as a significant issue in online platforms during this electoral process, however the multiple instances found indicated different foci of attacks for male vs. female candidates. Male candidates received a higher number of online attacks compared with female candidates (238 vs 170), whilst female candidates enjoyed a greater level of supporting posts (55 for men vs. 96 for women). Thirteen per cent of the attacks received by female candidates were directed at their performance, compared with five per cent for men. The most common attacks against men focused on their capacities, character, associations, and alleged participation in acts of

corruption. The attacks appearing for both genders, but mostly directed towards female candidates focused on appearance, behaviour, and performance, whilst those aimed exclusively at women targeted intellect, womanhood, and lifestyle, thereby reinforcing gender stereotypes.

Indigenous candidates had limited presence on online platforms, primarily using personal Facebook accounts, as opposed to public fan pages. Research into comments beneath publicly available posts from these private profiles found offensive discourse, focused on appearance and ability to hold office, against one indigenous female candidate, who had the largest social media presence.

*Recommendation: The election administration, in cooperation with national organisations engaging in fact-checking, should partner with online platforms to help in content moderation and reduce the spread of disinformation.*

## **XII. Participation of Women**

Participation of women in public life is guaranteed by the Constitution, with article 48 calling for mechanisms for real and effective equality to be adopted. However, no positive measures were implemented to encourage their political participation in elected positions.

The unsuccessful adoption of a parity law, in 2018, was a severe blow for the promotion of women political participation.<sup>22</sup> The parity draft bill was vetoed by the President Mario Abdo upon request of the group that worked on the bill, *Grupo Impulsor de la Paridad Democrática (GIPD)*, after several modifications were introduced to the bill by the Chamber of Deputies removing the parity clauses and therefore its original purpose. The Senate Gender Equity Commission, with the support of the (*GIPD*), has also developed a draft bill on political violence against women which is pending at the Senate since August 2022. Progress has been slow due to resistance of conservative political groups, claiming that political violence against women is already protected by law 5777/2016 on protection of all forms of violence against women.

Although the three-member ministerial composition of the TSJE does not include any women, 10 out of 17 judges at the Electoral Courts (*Juzgado Electoral*) were women and five of the 10 Electoral Tribunals (*Tribunal Electoral*) were presided over by women. The Supreme Court of Justice is comprised of nine members, only one of whom is a woman.

Paraguay is one of the countries in the region with the lowest levels of women's representation in Congress, reaching only 16.5 per cent in 2018<sup>23</sup> and 23.2 per cent in 2023 while the average in Latin America was 32.9 per cent.<sup>24</sup> The Electoral Code imposes a quota of at least 20 per cent of women for elected positions within political organisations' structures. However, TSJE claims it does not have the power to supervise internal party compliance. Nonetheless, some parties adopted either parity (PRLA, *Frente Guasú*, *Partido de Participación Ciudadana*) or a 30 per cent (ANR e *País Solidario*) of women participation.

For the 2023 elections, only one woman competed for the presidential office and six for vice-president. For Congress, 419 women competed for the 45-seat Senate (31 per cent), while 637 for the 80-seat Chamber of Deputies (30 per cent). Out of the 113 candidates for governor, only 15 were women (13 per cent) and 1,917 women presented candidatures for the 17 departmental assemblies (35 per cent). Women candidates represent 33 per cent from the total, which means a decrease with respect to 2018 figures (39 per cent).

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<sup>22</sup> Paraguay is one of the 7 out of the 18 countries in the region that have not approved a gender parity law. Other countries are: Argentina, Brazil, Colombia, Dominican Republic, El Salvador and Peru.

<sup>23</sup> In 2018, eight women were elected out of the 45 senators (18 per cent) and 12 women out of 80 members of the Chamber of Deputies (15 per cent). <https://tsje.gov.py/static/ups/docs/archivos/2018/mayo/acuerdo-sentencia-17-2018-completo.pdf>

<sup>24</sup> Mapa UIP/ONU Mujeres, 2021. <https://feminismoinc.org/2021/05/mujer-mapa-politico.html>

The election results of the 2023 elections showed a slight increase in the number of elected women, reaching 23.2 per cent in Congress.<sup>25</sup> Two women were elected governors (none in 2018) and 71 elected as councilors for the 257 seats at departmental assemblies, representing 27.6 per cent (20 per cent in 2018). Civil society members attributed this increase to the fact that women candidates had to conduct their campaign individually and that could have benefited their visibility and therefore their capacity to attract voters.

*Recommendation: To promote the equal participation of women in political and public life, it is important to give effect to the principle established by article 48 of the Constitution. This could include the adoption of specific provisions for the effective political participation of women.*

### XIII. Participation of Youth

Paraguay has the second youngest median age (26) in South America.<sup>26</sup> In Paraguay, the youth comprise persons in the age range of 18 to 29 years old. The number of voters within this age group for the 2023 general and departmental elections was 1,489,501, equivalent to 31 per cent of the voter register.

Since 2012, voters who turn 18 before election day are automatically added to the voter register, meaning that adult voters younger than 29 years old have been automatically registered for the 2023 general elections. Despite representing almost a third of the total number of voters, the participation of 18- to 29-year-olds in Paraguayan elections has been lower than the national average, in all elections since 1998.<sup>27</sup>

According to the Constitution, there are age limits for running for office: 25 years for deputies and members of departmental boards, 30 years for governor and 35 years for senator and president.<sup>28</sup> A law passed in May 2022, which amended article 23 of the Municipal Organic Law, lowered the age of candidates for mayor from 25 to 22, and for councillors from 23 to 20.<sup>29</sup> The new age limits will come into effect in the 2025 municipal elections.<sup>30</sup>

The EU EOM organised two focus groups with representatives of youth organisations and members of the youth wings of seven political parties, whose age ranged between 14 and 32, to discuss youth electoral participation.<sup>31</sup> The lack of civic and democratic education, especially in public schools, is seen as the main reason for the low participation of the youth. In their general view, the TSJE should undertake more efforts to encourage young people to vote, including in-between election campaigns. Other causes mentioned for the low turnout were the lack of identification with the political class, perceived as corrupt and not interested in the youth. At the same time, young people were aware of

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<sup>25</sup> For the two chambers of Congress, there are 11 women as senators (3 ANR, 3 Partido Cruzada Nacional, 2 PLRA 1 Alianza Senadores por la Patria, 1 Frente Guasú Ñemongeta, 1 Alianza Encuentro Nacional) and 18 women as members of the Chamber of Deputies (9 ANR, 3 PLRA, 2 Partido Cruzada Nacional, 1 Alianza por Asunción, 1 Concertación Nacional para un Nuevo Paraguay (Coordillera), 1 Concertación Departamental Itapúa and 1 Partido Patria Querida).

<sup>26</sup> The Economist Pocket World in Figures 2022.

<sup>27</sup> Source: TSJE. See Annex, 1.1. *Election turnout*. At the time of closing this report there were no data available on youth electoral participation for the 2023 elections.

<sup>28</sup> Out of 810 candidates for the Senate, 88 were between 35 and 40 years old (11 per cent); only 3 of these got elected (3 per cent). As for the Chamber of Deputies, out of 1054 candidates, 93 (9 per cent) were between 25 and 30 years old; only 4 of these got elected (4 per cent).

<sup>29</sup> Law 6910/22

<sup>30</sup> On 23 May 2023, the TSJE scheduled municipal elections for 10 September 2023 to fill vacancies in thirteen districts of the country, in which the new age limits for mayors and councillors will already apply.

<sup>31</sup> Activists groups were the National Union of Paraguayan Students (*Unión Nacional de Estudiantes del Paraguay*, UNEPY), National Federation of Secondary Students, (*Federación Nacional de Estudiantes Secundarios*, FENAES), Global Young Politicians Network (*Red Mundial de Jóvenes Políticos*), DENDE University Leadership Programme (*Programa de Liderazgo Universitario DENDE*), and University Students of the National University of Asunción (*Estudiantes Universitarios de la Universidad Nacional de Asunción*). The parties' youth wings met belonged to the political organisations ANR, PLRA, AEN, PPQ, PPC-Frente Guasú, PPS-Frente Guasú, and Hagamos.



the need for participation to have their policy proposals considered by political organisations. Youth wings members considered that the preferential vote increased the visibility of young candidates; however, it also increased the cost of campaigning. Therefore, they mostly resorted to social networks to campaign, in addition to door-to-door activities.

#### **XIV. Participation of Indigenous People**

In the absence of a more recent data, the 2012 Population Census estimated the indigenous population at 117,150 people. Although the Constitution of Paraguay guarantees the rights of indigenous peoples, the lack of an inclusive civil registration of the indigenous population has a negative impact on their political participation and representation. Two draft bills were submitted to Congress by *Frente Guasú* and PLRA promoting the adoption of reserve seats for indigenous peoples but have so far lacked support from other political parties.

*Recommendation: Make institutional efforts for a more inclusive civil registration of indigenous people ensuring the protection of rights of indigenous persons and their participation in public life and political affairs of their country.*

The European Union has been supporting the inclusion of indigenous peoples through projects aiming at their civil registration, implemented by Tierra Viva and Diakonia. Apart from official documents, the “*Right to Identity through access to official documentation of indigenous peoples in Paraguay*”<sup>32</sup> project also provides training for around 50 indigenous facilitators to serve as liaison between the TSJE and these communities for their participation in elections.

A public debate was organised by *Coordinadora Nacional Pastoral Indígena* (CONAPI), with the support of International IDEA, financed by the European Union, with more than 30 indigenous candidates, mostly for departmental elections, sharing their programs. These candidates were in the lists of *Frente Guasú*, *Patria Soñada*, *Partido Juventud*, *Movimiento Humanista Solidario*, among others. The TSJE does not have an accurate figure for the number of indigenous candidates or voters participating in the elections. Contrarily to last elections, there was no indigenous political movement registered for the 2023 elections.<sup>33</sup>

The lack of public transport and the long distances between indigenous communities and polling centres constitute an obstacle to their participation. After election day, the Council of Indigenous Leaders (*Coordinadora de Líderes Indígenas*) from Bajo Chaco, in Presidente Hayes, with the support of the *Tierra Viva*, submitted a criminal complaint to the Public Prosecutor's Office about death threats made against indigenous people by members of *Partido Cruzada Nacional*. One of them has been charged.

*Recommendation: The TSJE dedicated Unit for Indigenous people could be reinforced to effectively promote their electoral rights.*

#### **XV. Participation of Persons with Disabilities**

According to the 2012 census, around 10.7 per cent of the population live with some kind of disability, of which visual impairment is the most frequent one, followed by motor and hearing impairments. A recent amendment to the Electoral Code removed the disqualification of people with hearing and speech impairments from voting, in line with EU EOM recommendations.<sup>34</sup>

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<sup>32</sup> *Derecho a la Identidad mediante acceso a documentación oficial de personas indígenas en Paraguay*

<sup>33</sup> For the 2018 elections, the Indigenous Plurinational Political Movement of Paraguay (MPIP) submitted lists of candidates.

<sup>34</sup> Law N°6971/2022 which modified articles 91, 94, 207 and 217 of the Electoral Code.

Members of the National Organisation of Persons with Disabilities of Paraguay formed a political party - the Independent Party of Persons with Disabilities (PIPD)<sup>35</sup> in June 2022. The party joined the *Concertación* and the Patriotic Union Capital Alliance to compete for the different type of elections. Their eight candidates - three as senators, one as member of the Chamber of Deputies and four as members of departmental assemblies - obtained around 3,000 votes.

The law recognises the right of persons with special needs to vote independently and requires the election administration to implement adapted mechanisms. Under the “Accessible Vote” programme, support desks were set up in each voting centre, where volunteers trained by the election administration provided assistance to voters. Voting machines were equipped with audio devices to enable visually impaired voters to vote independently. A total of 5,598 voters with reduced mobility registered to vote at an accessible polling station (*mesa accesible*) installed in their voting centre, and 567 voters in 13 cities were signed up for the home voting programme (*voto en casa*). Pregnant women, people over 75 years old, people with health problems and persons with special needs had priority in voting. Assisted voting is provided only for visually impaired persons and persons with a disability of arms or hands.

## XVI. Electoral Justice

### A. Electoral Offences

Electoral offences are set out in articles 275 to 280 of the Penal Code and in articles 315 to 330 of the Electoral Code. Due to their criminal nature, electoral offences are dealt with by ordinary criminal courts. Electoral misdemeanours are regulated in articles 331 to 337 of the Electoral Code, and the sanction is payment of a fine. Offences include voting more than once, retention of identity documents, destruction of campaign materials, causing disturbance in polling stations, and voting without proper documents, among others. Penalties for electoral crimes include fines, disqualification from voting and being a candidate and prison sentences. Prison sentences, namely for destroying election materials, or putting up posters in unauthorised places, and for bribery or unlawful voting, which carry a five-year prison sentence, are excessive and against international commitments.

*Recommendation: Review the penalties for electoral offences to ensure proportionality of sentences to the crimes committed.*

For election day, the Office of the Public Prosecutor set up a centre for monitoring of electoral offences. A total of 35 complaints were submitted, fewer than the 73 registered in past elections. The main incidents reported related to allegations of vote buying and coercion, abuse of assisted vote and gatherings within 200 metres of polling centres.

The post-election period saw an increase on the number of cases submitted to the Office of the Public Prosecutor. In the wake of demonstrations on 1 May against an alleged electoral fraud claimed initially by *Cruzada Nacional* and thereafter by several opposition political organisations, around 200 persons were detained. Demonstrations took place in several cities, namely Asunción at the TSJE vicinity, Ciudad del Este, Capiatá, Limpito, Caaguazú, among others. Paraguayo Cubas was detained on 5 May on his way to Asunción for public order disturbance.<sup>36</sup> These mass arrests were considered by CODEHUPY – *Coordinadora de Derechos Humanos de Paraguay*, and the Senate’s Human Rights Commission as a disproportionate response by the Police. The preliminary report from the National Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (NPM) concluded that the majority of the interviewed detainees were victims of

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<sup>35</sup> The PIPD included different demands in their political program such as a national census of people with disabilities, a living wage, access to decent housing, expanded access to health care, home medical care for chronic cases and inclusive education.

<sup>36</sup> Indictment n° 01/2023 (file n° 39/2023) called “Paraguayo Cubas Colomes s/ disturbance of public order and others) Public Prosecutor Office.

physical violence, with evidence on the use of rubber bullets; most hearings took place without the presence of a judge or a lawyer and lawyers had no access to their defendants. Finally, judges issued a general preventive arrest order for 10 days without considering individual cases.

Subsequently to the demonstrations at the TSJE and the threats targeting the ministers and staff, on 2 May the TSJE submitted a complaint to the Public Prosecutor's Office against leaders of political organisations, claiming disturbance of public order, incitement to crime and intimidation of a constitutional body, among others. The complaint included references to media notes, television and radio recordings, as well as social network posts of 1 and 2 May. According to the Public Prosecutor's Office, around 140 people were arrested in Asunción.

A complaint was also submitted by Senator-elect Yolanda Paredes, the wife of Paraguayo Cubas and representative of *Cruzada Nacional* claiming electoral fraud and requesting the Public Prosecutor to initiate investigations. A response from the Public Prosecutor was pending at the time of writing this report, however it is unlikely that this request has a positive answer due to lack of jurisdiction of this institution to have a broader interference in this matter. Paraguayo Cubas remained in detention at the National Police Specialist Group in Asunción. On 15 May, he called his supporters and the indigenous community to leave the TSJE premises.

### *B. Complaints and Appeals*

Electoral disputes are handled within the election administration structure, which has judicial powers, as well as administrative and jurisdictional independence. This comprises the TSJE, the Electoral Tribunals (*Tribunales Electorales*), the Electoral Courts (*Juzgados Electorales*) and Public Prosecutor's office (*Fiscalia*) and the polling stations.

Decisions of the Electoral Courts can be appealed to the Electoral Tribunals, whose verdicts may be appealed to the TSJE. The Constitution establishes the right to appeal TSJE decisions and refers to expeditious proceedings for the fulfilment of that right, but it does not specify the type of appeal. The law of the TSJE limits the type of this appeal to a challenge to the constitutionality (*acción de inconstitucionalidad*). This reduce the scope of the appeal as it does not allow for a proper judicial review of content of the decisions as only allows for the Supreme Court to decide in relation to constitutional provisions and is rarely resolved within the deadline.<sup>37</sup> The mechanisms established for the resolution of complaints and appeals do not provide for a timely and effective legal remedy.

*Recommendation: Review the system of complaints and appeals in order to provide an effective and timely remedy for aggrieved parties, including the type of action for a judicial review/appeal.*

The legal framework grants full power to the three-member polling station, comprised of political representatives, to decide on any complaint during the voting process. However, the TSJE has no control over the polling station members' understanding of election procedures, as there is no obligation for them to be trained by the TSJE. Complaints may be submitted at the polling station by filling in an incident form (*acta de incidente*) which is also signed by the three members of the polling station. If complaints are not officially registered at polling station, they will not be considered during provisional tabulation (*cómputo provisorio*) by the Electoral Tribunals. Similarly, if these complaints are not submitted and registered during the provisional tabulation, they will not be considered by the TSJE.

Although EU observers noticed that a low number of complaints were presented at polling stations, after elections, during the provisional tabulation, from 1 to 11 May, several complaints were submitted either to Electoral Tribunals or to the TSJE by *Concertación Nacional*, *UNACE*, *Partido Liberal*, *Partido Cruzada Nacional*, *Alianza Senadores por la Patria*. These complaints involved requests for recounts of 10 or 20 per cent of random polling stations and an independent international

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<sup>37</sup> There are chronic delays in the processing actions of unconstitutionality at the Supreme Court of Justice. In 2022, of the 2697 actions of unconstitutionality registered, only 766 had decisions issued by the Supreme Court. [https://www.pj.gov.py/images/contenido/informes\\_gestion/informe2022.pdf](https://www.pj.gov.py/images/contenido/informes_gestion/informe2022.pdf).

audit of the computer system software. As for the recounts, the electoral law does not provide for the possibility of recounting ballot papers after counting is concluded and especially without a complaint having been made at that polling station.

The TSJE adopted 17 resolutions corresponding to the different departments addressing a number of issues in each of the resolutions: complaints, challenged polling station results, results protocols to be tabulated. The grounds for challenges were mostly irregularities regarding counting procedures, incomplete or missing signatures on results protocols, incomplete protocols, misplacement of protocols in the appropriate envelopes. Rather than grave irregularities, these cases rather revealed insufficient preparation of the polling stations members. The total number of complaints were 111 submitted in seven different departments.<sup>38</sup>

*Recommendation: Consider mandatory training conducted by the election administration to polling station staff.*

The governorate of the department of Concepción was the most contested elections with an initial difference of only 28 votes between the two most voted candidates. Despite several requests for the annulment of a few polling stations, the TSJE rejected the grounds for the eight complaints submitted by the *Alianza Senadores por la Patria* and the *Concertación Nacional* with the dissenting opinion of the TSJE Minister and Vice-President Cesar Rossel in two of these eight complaints.<sup>39</sup>

During the provisional and final tabulation of election results, *Partido Cruzada Nacional* submitted a significant number of complaints, both at the Electoral Tribunal and at the TSJE. These complaints were not accompanied with any evidence. Grounds for these complaints often referred to the pre-election period, such as the audit of the software, or to requests that have no legal backup such as a recounting of ballot papers after counting at the polling station. All the complaints were rejected. In addition, *Cruzada Nacional* submitted a challenge to the impartiality of three ministers of the TSJE, based on alleged discrimination against the political party but without providing any specific case or evidence of the alleged discrimination. The TSJE found that there were no sufficient reasons to avail this request.

Finally, PLRA submitted an action of unconstitutionality against the TSJE the resolution 94 /2023 on the request for opening envelope 4 of polling stations containing ballot papers so that a recount could take place. At the time of writing this report, the case was pending at the Supreme Court.

## **XVII. Election Day and Post-Election Period**

### *A. Voting and Counting*

EU observers visited 383 polling stations in all departments of the country and the capital Asunción. Opening was observed in 46 of these polling stations and closing and counting in 43. EU observers reported that 96 per cent of observed polling stations opened on time or within 30 minutes. Delays were mostly caused by unpreparedness of polling staff or difficulties in setting up the voting machine. In 39 per cent of the visited polling stations, one of the originally designated members was replaced. Opening procedures were generally adhered to in a transparent process in almost all polling stations. Overall, EU observers assessed opening procedures as good or very good in 43 of the 46 observed

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<sup>38</sup> The most contested department was Central with 59 polling stations challenged, followed by Capital and Caaguazú with 11 each, Cordillera with 10, Presidente Hayes with nine, Concepción with 8 and Paraguari with three. The remaining departments did not have polling stations challenged.

<sup>39</sup> The first referred to polling station no. 10 of *Col. Nac. Jorge Sebastián Miranda of the District of Horqueta* of the Department of Concepción. In the opinion of the Vice-President the results' protocol of the polling station was not legible due to lack of printing ink. Nevertheless, the TSJE validated the results by resorting to the QR code available to each polling station result. The second case referred to polling station no. 7 of *Sgt. José Félix López (Puetesino), local Esc. Bernardino Caballero*. There was a difference of one hundred votes between election results protocol (112 votes) and the certificates of elections results provided to the party representatives (212 votes). The Vice-President's understanding was that an error in a public document should result in the annulment of that document.

polling stations.

There was a balanced composition in the polling stations visited during voting which were comprised of 38 per cent of ANR and 38 per cent of PLRA, and 20 per cent of *Frente Guasú*. Women made up 66 per cent of polling station staff with the same percentage holding the presidency of the polling station. At visited voting centres, 56 per cent of the coordinators were men. EU observers noted that in 32 per cent of the observed stations, a report of substitution of polling station members had been filled out.<sup>40</sup> Party agents (*veedores*) were present in all observed polling stations, with ANR having the highest presence in 88 per cent of the stations visited, PLRA 24 per cent, followed by 12 per cent for *Concertación* and *Cruzada Nacional* each, 8 per cent for *Frente Guasú*, and 6 per cent for *Partido Patria Querida*.

During voting, long queues were observed in 58 per cent of the polling stations, and 38 per cent of polling stations were described as overcrowded. This was mainly due to the high number of voters per polling station and the fact that polling staff did not consistently implement sequential voting.<sup>41</sup> A help desk for voters (*mesa de ayuda*) was available at 92 per cent of visited voting centres and 66 per cent had a designated polling station for voters with reduced mobility (*mesa accesible*).<sup>42</sup>

*Recommendation: Consider increasing the number of polling centres, especially in rural and remote areas, to make them more accessible to voters.*

The EU EOM assessed the overall conduct of polling operations as good or very good in 94 per cent of the observed polling stations and described the process as transparent. The layout in most observed polling stations ensured the secrecy of the vote. Voting machines were generally functioning without any issues in most polling stations. Isolated cases of minor technical problems (observed in 13 polling stations) were resolved promptly.<sup>43</sup>

EU observers reported cases where assisted voting took place contrary to legal provisions in 19 per cent of the polling stations visited. These cases included the following situations (in some cases more than one behaviour was observed): voters being assisted without a visible disability (60 cases) or without having asked for assistance (four cases), party agents assisting voters (21 cases), and one or several persons systematically accompanying different voters to the voting booth (seven cases).

*Recommendation: Review the conditions for assisted voting to prohibit assistance from party agents and polling station staff and register the cases of assisted voting in the polling stations records.*

In 19 per cent of observed polling stations, EU observers reported illegal activities within the 200-meter perimeter. These included campaign material and activities and presence of party stands. More than half of the teams observed organised transportation of voters in the vicinity of the voting centre. The EU EOM directly observed seven cases of vote buying and five cases of indications of vote buying.

*Recommendation: Transportation of voters during election day by political parties should be discourage. The state could consider facilitating public transport for election day.*

Of the polling stations observed at the end of voting, 44 per cent closed on time at 16:00 hours, with the remaining still having voters waiting in line, who were allowed to vote. Counting started immediately after the closing of polling stations and procedures were mostly followed. In 83 per cent of polling stations the president did not read out aloud the choice on every ballot and in 60 per cent,

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<sup>40</sup> However, a cross-check of the party affiliation declared by the polling station members with the list of designated polling staff published by the Electoral Justice indicated that at least one member of the staff had been substituted in 53 per cent of visited polling stations.

<sup>41</sup> Sequential voting means that polling station staff should start with the identification of one voter while the other is still casting their vote to allow for a continuous flow of voters.

<sup>42</sup> Voters with reduced mobility could apply to vote at an accessible polling station until 29 July 2022. A total of 5,598 voters corresponding to 723 voting centres (62 per cent of all voting centres) were registered under this programme.

<sup>43</sup> According to the election administration, 151 voting machines (1.24 per cent) had to be replaced on election day due to technical problems, mostly related to printer and screen issues, jammed ballot papers, or a failure of the DVD reader.

they did not show each ballot to all people present. However, this was done in agreement with political party agents and to speed up the process. EU observers assessed the counting process as good or very good in 37 of the 43 of the visited polling stations. In 38 of them, EU observers described the process as transparent and reported that poll workers performed well in 32 of the observed polling stations. Party agents and party-appointed poll workers received a copy of the polling station results protocol.

Transmission of preliminary results was observed in 40 voting centres and assessed as good or very good in all cases. The transmission was well organised and transparent. TREP certificates were transmitted without incidents and in the order in which they arrived from the polling stations. The election administration started publishing TREP results half an hour after closing of polling stations and reached 99 per cent of all polling station results by 21:00 hours. According to the election administration, 135 out of 58,741 TREP certificates (0.23 per cent) could not be transmitted, mostly due to connectivity issues or because the chip in the certificate could not be read.

### *B. Aggregation of Results*

Provisional tabulation at department level (*cómputo provisorio*) took place from 1 to 9 May. The EU EOM observed the process in all 10 Electoral Tribunals and assessed it as well organised, professional, and transparent. Representatives of political organisations (*apoderados*) had access to the entire process and received copies of the results protocols per department. During tabulation, ballots that had not been counted at polling station level because their chip could not be read were added to the results of the corresponding polling station.<sup>44</sup> In some cases, the EU observed minor differences between the figures from the TREP certificates and the polling station protocols, stemming from errors in the handwritten closing protocols, badly printed results protocols, or cases in which the TREP certificate had not been transmitted and the votes from the results protocol were entered manually during tabulation. All these issues were resolved in agreement with the political party representatives. Procedures for data entry were followed and, in each Tribunal, all three judges signed the results protocols. Overall, during tabulation at department level, 98.7 per cent of polling stations were processed, whereas the results protocols for 163 polling stations (1.3 per cent) were missing.

Final tabulation at TSJE started on 10 May. During the first phase, envelopes with electoral materials were opened to resolve cases of missing or challenged polling stations results or cases of votes yet to be counted (*votos a computar*). This process took place in the presence of representatives of political organisations (*apoderados*) and was broadcast live via the YouTube channel of the election administration. The EU observed the process and found it to be well organised and transparent. In a second phase, the three TSJE ministers ruled on the polling stations results in question. On 24 May, the TSJE published resolutions with the final results for each department.

### *C. Post-Election Environment*

After the announcement of preliminary election results in the evening of election day, the *Concertación* presidential candidates conceded in a press conference. Nevertheless, 24 hours later Paraguayo Cubas of *Cruzada Nacional* claimed electoral fraud and called on his supporters to take to the streets with several demonstrations taking place throughout the country during the following 17 days, including in front of the TSJE building. Initial demonstrations degenerated into violence. There were several aggressions against journalists reported, resulting in a public statement by the Paraguay Union of Journalists. Demonstrations continued, called by the *Cruzada Nacional's* presidential candidate on his tour to Asunción, live streaming on Facebook. Other presidential candidates, like Efraín Alegre, and initially Euclides Acevedo, joined Paraguayo Cubas' demands.

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<sup>44</sup> According to TREP results, there were 613 such ballots (*votos a computar*), corresponding to 0.02 per cent of the votes cast. During tabulation at department level, 70 of these ballots were processed and the remaining ones were forwarded to the TSJE for adjudication.

Paraguayo Cubas was detained on 5 May on his way to Asunción. After his arrest, others joined their voices to the fraud narrative and in demanding the recount of ballot papers. Efraín Alegre was one of the most outspoken qualifying Paraguayo Cubas as a political prisoner. His position resulted in internal contestation within the PLRA, with several internal calls for Efraín Alegre's resignation. On 17 May, the Police set up an operation to demobilise persons that were still at the TSJE premises. The initial group of protesters were by then a majority of persons belonging to indigenous communities claiming for other rights that were not related to the electoral process with many children present at protests reported by the National Indigenous Institute (INDI) and the Asunción Municipal Council for Children (CODENI).

#### *D. Announcement of Official Election Results*

The TSJE announced preliminary election results on the night of election day, 30 April, corresponding to 99.9 per cent of the total results compiled via the Transmission of Provisional Electoral Results (TREP) system. Voter participation reach 63 per cent equivalent to 3,022,946 voters. Official election results were announced on 24 May and were similar to the results given by TREP.

Santiago Peña and Pedro Alliana of *ANR – Partido Colorado* won presidential elections. The difference between the two main presidential candidate bids was significant. The *ANR – Partido Colorado* obtained 42.93 per cent of the votes, followed by the *Concertación's* candidates Efraín Alegre and Soledad Núñez with 27.61 per cent and *Cruzada Nacional's* Paraguayo (Payo) Cubas with 23.02 per cent. Euclides Acevedo, the fourth most voted candidate received 1.37 per cent of the vote. The remaining candidates had less than 1 per cent of support. In the gubernatorial elections, *ANR – Partido Colorado* won 15 of the 17 places.

For the two Chambers of Congress, the Senate and the Chamber of Deputies, *ANR – Partido Colorado* obtained the majority of the votes. For the Senate, out of the 45 seats, 23 were secured by *ANR – Partido Colorado* (11 seats for *Honor Colorado*, the faction of Santiago Peña and Horacio Cartes, and 12 seats for *Fuerza Republicana*, Mario Abdo's faction). Opposition parties obtained the remaining 22 seats; the *Alianza de Senadores por la Patria* (ASP), including the *PLRA*, secured 12 seats, *Cruzada Nacional* with five seats, replacing *Frente Guasú* of Fernando Lugo as the third political force, followed by *Partido Encuentro Nacional* with two seats and *Patria Querida* and *Frente Guasú*, each with one seat. *Frente Guasú* lost five seats and *Patria Querida* two seats compared with the 2018 elections.

Disparities were more evident in the Chamber of Deputies where the difference between the ruling *Colorados* and opposition parties was higher than in the Senate. *Colorados* secured 48 seats (23 seats for *Honor Colorado*, and 25 seats for *Fuerza Republicana*) whilst *PLRA* obtained 23 seats, losing seven seats compared with the previous election. *Partido Cruzada Nacional* followed with four seats, *Alianza Encuentro Nacional* and *Yo Creo* with two seats each, and *Patria Querida* with one seat.

## **XVIII. RECOMMENDATIONS**

The following recommendations are offered for consideration and action to the Government of Paraguay, the Congress, the Superior Tribunal of Electoral Justice, political groupings, civil society and the international community. Discussions on implementation of the following priority recommendations should be considered as early as possible in order to address in a timely manner the shortcomings identified in the 2023 electoral process. It is strongly recommended that these recommendations are seriously considered and their implementation promptly studied, since some of these problems have been detected and communicated in previous reports and yet, performance in some areas is still in need of improvement. A detailed table of recommendations can be found in Annex I to this report.

## Legal framework

1. A comprehensive revision of the electoral legal framework should be undertaken to address the ambiguity and inconsistency of some legal provisions and to adapt the law to the new electoral system and the use of electoral technology.
2. Ensure that effects of rulings declaring the unconstitutionality of legal provisions, such as the case for the publication of opinion polls and exit polls, are applicable to all citizens and legal persons (*erga omnes*) and not only to the parties submitting the case (*inter partes*), thereby guaranteeing equality before the law.

## Campaign Finance

3. Consider the disbursement of a campaign subsidy to political parties before the election campaign based on objective and reasonable criteria to improve the level playing field between contestants and reduce the opportunities for financing from illicit sources.
4. Reinforce human resources and training of the Specialised Unit for Political Finance Control to improve its capacity to monitor campaign income and expenditures.

## Media

5. Decriminalise defamation in favour of civil laws, in line with international standards on freedom of expression and media, including in the electoral context.
6. Establish the independent institutional mechanism as provided in the 2023 bill on the protection of journalists and human rights advocates to ensure the effective application of sanctions for attacks against journalists.

## Social Media

7. Extend the legal framework applicable to traditional media outlets in relation to electoral campaigning to include online political campaign.
8. The election administration, in cooperation with national organisations engaging in fact-checking, should partner with online platforms to help in content moderation and reduce the spread of disinformation.

## Voter Education

9. The election administration should consider the implementation of a broad and comprehensive voter education campaign, including the role of the election administration, political rights and the participation of citizens in addition to voting procedures.

## Election Day

10. Review the conditions for assisted voting to prohibit assistance from party agents and polling station staff and consider registering the cases of assisted voting in the polling stations records.
11. Consider mandatory training conducted by the election administration to polling station staff.
12. Consider increasing the number of polling centres, especially in rural and remote areas, to make them more accessible to voters.
13. Transportation of voters during election day by political parties should be discouraged. The state could consider facilitating public transport for election day.



### **Election Observation**

14. Consider the approval of a law on national election observation containing rights and obligations of observers and promoting thereof their participation in the electoral process.
15. Develop an organised and permanent platform of civil society organisations conducting election observation. These organisations could develop a clear methodology for observation of the pre-electoral, election day and post-election period.

### **Complaints and Appeals**

16. Review the system of complaints and appeals in order to provide an effective and timely remedy for aggrieved parties, including the type of action for a judicial review/appeal.
17. Review the penalties for electoral offences to ensure proportionality of sentences to the crimes committed.

### **Participation of Women**

18. To promote the equal participation of women in political and public life, it is important to give effect to the principle established by article 48 of the Constitution. This could include the adoption of specific provisions for the effective political participation of women.

### **Indigenous People**

19. Make institutional efforts for a more inclusive civil registration of indigenous people ensuring the protection of rights of indigenous persons and their participation in public life and political affairs of their country.
20. The TSJE dedicated Unit for indigenous people could be reinforced to effectively promote their electoral rights.

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# ANNEXES

**ANNEX I: TABLE OF RECOMMENDATIONS**

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
<b>LEGAL FRAMEWORK</b>						
1	6	The number of dispersed laws that amend provisions of the Electoral Code but that simultaneously introduce new provisions that are not integrated in the Electoral Code creates some ambiguity and inconsistencies resulting in legal uncertainty and difficulties for stakeholders to familiarise with the legal framework. This includes, among other, references in the law to ballot papers, the role of political party representatives in case of conflict between candidates of the same list, different deadlines to submit appeals provided by different laws.	A comprehensive revision of the electoral legal framework should be undertaken to address the ambiguity and inconsistency of some legal provisions and to adapt the law to the new electoral system and the use of electoral technology.	Amendment of the electoral laws	Congress and TSJE	<p style="text-align: center;"><b>Rule of Law</b></p> <p>UN Human Rights Council Resolution 19/36 (A/HRC/RES/19/36, 2012) p.16: <i>[The Human Rights Council]</i> “calls upon States to make continues efforts to strengthen the rule of law and promote democracy by: ...c) Ensuring that a sufficient degree of legal certainty and predictability is provided in the application of the law”.</p> <p>ICCPR, United Nations Human Rights Commission, General Comment No. 25, para 9: “The rights and obligations provided for in [ICCPR article 25] paragraph (b) should be guaranteed by law.” (...) “Elections must be conducted (...) within a framework of laws guaranteeing the effective exercise of voting rights.”</p>
2	16	Supreme Court decisions regarding the unconstitutionality of legal provisions only have effect on the parties that challenged them in court and not on all citizens ( <i>inter partes</i> effects and not <i>erga omnes</i> ). For example, <i>La Nación</i> was the only media group allowed to disseminate opinion polls without restrictions, which is detrimental to the principle of equality before the law and, therefore, introduced an uneven playing field element for contestants.	Ensure that effects of rulings declaring the unconstitutionality of legal provisions, such as the case for the publication of opinion polls and exit polls, are applicable to all citizens and legal persons ( <i>erga omnes</i> ) and not only to the parties submitting the case ( <i>inter partes</i> ), thereby guaranteeing equality before the law.	Review of constitutional provisions	Congress	<p style="text-align: center;"><b>Rule of Law</b></p> <p>UN Human Rights Council Resolution 19/36 (A/HRC/RES/19/36, 2012) p. 16: <i>[The Human Rights Council]</i> “calls upon States to make continues efforts to strengthen the rule of law and promote democracy by: ...c) Ensuring that a sufficient degree of legal certainty and predictability is provided in the application of the law”</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
<b>CAMPAIGN FINANCE</b>						
3	13	A state subsidy for campaign is provided by law, but it is only disbursed after election. Therefore, most parties and candidates seek bank loans to finance their campaign activities and/or rely on private sources. There were widespread concerns expressed by interlocutors of financial resources coming from organised crime and drug trafficking funding the campaign.	Consider the disbursement of a campaign subsidy to political parties before the election campaign based on objective and reasonable criteria to improve the level playing field between contestants and reduce the opportunities for financing from illicit sources.	Amendment of the Electoral Code (law 834/96)	Congress	<p><b>Prevention of corruption</b> UNCAC, Art. 1: “<i>The purposes of this Convention are: (a) To promote and strengthen measures to prevent and combat corruption more efficiently and effectively; [...] (c) To promote integrity, accountability and proper management of public affairs and public property.</i>”</p> <p><b>Right and opportunity to be elected</b> ICCPR, Art. 25: “<i>Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (...) (c) To have access, on general terms of equality, to public service in his country.</i>”</p>
4	13	Although the TSJE’s the Specialised Unit for Political Finance Control may inspect campaign financial statements, it does not have a real capacity to audit accounts due to limited human resources.	Reinforce human resources and training of the Specialised Unit for Political Finance Control to improve its capacity to monitor campaign income and expenditures.	No legal change needed	TSJE Government	<p><b>Transparency and the right to information</b> UNCAC, Art. 7(3): “<i>Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.</i>”</p>
<b>MEDIA</b>						
5	15	Defamation remains a criminal offence, which is contrary to international principles on freedom of opinion and expression.	Decriminalise defamation in favour of civil laws, in line with international standards on freedom of expression and media, including in the electoral context.	Penal Code	Congress	<p><b>Freedom of expression</b> ICCPR, United Nations Human Rights Commission, General Comment No. 34, p. 47: “<i>States parties should consider the decriminalization of defamation, and, in any case, the application of the criminal law should only be countenanced in the most serious of cases and imprisonment is never an appropriate penalty</i>”.</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
6	15	The Constitution guarantees freedom of expression and freedom of the press. Nevertheless, journalists face serious difficulties when reporting on corruption, organised crime, and drug trafficking. In April 2023, a bill was submitted to the Senate containing provisions for the creation of a protection mechanism ensuring freedom of expression and the safety of journalists.	Establish the independent institutional mechanism as provided in the 2023 bill on the protection of journalists and human rights advocates to ensure the effective application of sanctions for attacks against journalists.	Approve the 2023 bill on the protection of journalists and human rights advocates, as drafted by the Senate Human Rights Committee.	Congress (Senate)	<p><b>Freedom of expression</b></p> <p><i>ICCPR, art. 19(2): “Everyone shall have the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and seek receive and impart information through any media and regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice”.</i></p>
<b>SOCIAL MEDIA</b>						
7	18	In the two days of electoral silence and on election day itself, political campaigning in media outlets is prohibited by law. This prohibition did not apply to activities by candidates and political groupings on online platforms, which resulted in active campaigning through posts and paid advertising that reached a wide audience, negating the purpose of the electoral silence.	Extend the legal framework applicable to traditional media outlets in relation to electoral campaigning to include online political campaign.	Include the official social media pages of candidates and political organisations to the list of media in the Electoral Code (law 834/96), establishing the parameters of electoral silence.	Congress	
8	20	The abundant election related discourse across social media sites, some of which misleading or contradictory, impedes voters from accessing accurate information about the elections.	The election administration, in cooperation with national organisations engaging in fact-checking, should partner with online platforms to help in content moderation and reduce the spread of disinformation.	No legal changes required.	TSJE	<p><b>Freedom of Expression</b></p> <p><i>ICCPR, art. 19(2): “Everyone shall have the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and seek receive and impart information through any media and regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice”.</i> And Joint Declaration on Freedom of Expression and Elections in the Digital Age (2020)</p> <p>Online platforms have partnered with electoral administration bodies in the region and across the</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
						world to label election related content and provide links to accurate information published by the Election Administration
<b>VOTER EDUCATION</b>						
9	9	Voter education promoted by the election administration focused on information on the use of voting machines. However, due to the lack of dedicated resources, these activities were limited to urban areas. All interlocutors expressed their concerns about the poor knowledge of voters regarding the use of voting machines and the difficulty in finding the candidate of their choice.	The election administration should consider the implementation of a broad and comprehensive voter education campaign, including the role of the election administration, political rights and the participation of citizens in addition to voting procedures.	No legal change required Administrative measures	Election Administration	<p><b>Right and opportunity to vote</b> ICCPR, art. 25.: “Every citizen shall have the right and the opportunity (...) to vote and to be elected at genuine periodic elections...” ICCPR, United Nations Human Rights Commission, General Comment No. 25, para. 11: “Voter education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community.”</p>
<b>ELECTION DAY</b>						
10	26	EU observers reported cases where assisted voting took place contrary to legal provisions in 19 per cent of the polling stations visited. These cases included the following situations (in some cases more than one behaviour was observed): voters being assisted without a visible disability (60 cases) or without having asked for assistance (four cases), party agents assisting voters (21 cases), and one or several persons systematically accompanying different voters to the voting booth (seven cases).	Review the conditions for assisted voting to prohibit assistance from party agents and polling station staff and consider registering the cases of assisted voting in the polling stations records.	Review the Electoral Code (law 834/96)	Congress and Election Administration	<p><b>Genuine elections that reflect the free expression of the will of the people</b> <b>States must take necessary steps to give effect to rights</b> ICCPR, United Nations Human Rights Commission, General Comment No. 25, para. 11: “Any abusive interference with registration or voting as well as intimidation or coercion of voters should be prohibited by penal laws, and those laws should be strictly enforced.”, para. 19: “Persons entitled to vote must be free to vote for any candidate for election (...) and free to support or to oppose government, without undue influence or coercion of any kind which may distort or inhibit the free expression of the elector’s will.”, para. 20: “...voters should be protected from any form of coercion or compulsion to disclose how they intend to vote or how they voted, and from any unlawful or arbitrary interference with the voting process.”</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
11	25	Training for polling staff is not compulsory and therefore the election administration remains with little control over the preparedness and competence of polling station members and over their understanding and consistent application of election procedures. Political parties could request training from the district offices of the Electoral Register. As these district offices lacked funds, the extent of the trainings depended on the ability of political parties to fund such training sessions.	Consider mandatory training conducted by the election administration to polling station staff.	Review the Electoral Code (law 834/96)	Congress and Election Administration	<p><b>Right and opportunity to vote</b>  <b>States must take necessary steps to give effect to rights</b></p> <p>ICCPR, art. 2(2): “Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.”, art. 25(b): “Every citizen shall have the right and the opportunity (..) to vote and to be elected at genuine periodic elections (...).”</p>
12	26	More than half of the EU observers reported organised transportation of voters in the vicinity of the voting centres.	Consider increasing the number of polling centres, especially in rural and remote areas, to make them more accessible to voters.	Review the Electoral Code (law 834/96)	Congress and Election Administration	<p><b>Universal suffrage</b>  <b>right and opportunity to vote</b></p> <p>ICCPR, article 25(b): “Every citizen shall have the right and the opportunity (..) to vote and to be elected at genuine periodic elections (...).”  ICCPR, United Nations Human Rights Commission, General Comment No. 25, para. 11: States must take effective measures to ensure that all persons entitled to vote are able to exercise that right.”</p>
13	26	More than half of the EU observers reported organised transportation of voters in the vicinity of the voting centres.	Transportation of voters during election day by political parties should be discouraged. The state could consider facilitating public transport for election day.	Include a provision in electoral laws	Congress	<p><b>Genuine elections that reflect the free expression of the will of the people</b>  <b>States must take necessary steps to give effect to rights</b></p> <p>ICCPR, United Nations Human Rights Commission, General Comment No. 25, para. 11: “Any abusive interference with registration or voting as well as intimidation or coercion of voters should be prohibited by penal laws, and those laws should be strictly enforced; para. 20: States should take measures to guarantee the requirement of the secrecy of the vote during</p>



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						<i>elections (...) This implies that voters should be protected from any form of coercion or compulsion to disclose how they intend to vote or how they voted, and from any unlawful or arbitrary interference with the voting process.”</i>
<b>ELECTION OBSERVATION</b>						
14	13	The regulation on national observation fails to provide an expeditious mechanism for appealing TSJE decisions concerning refusal of accreditation.	Consider the approval of a law on national election observation containing rights and obligations of observers and promoting thereof their participation in the electoral process.	Adopt legislation	Congress and Election Administration	<b>Right and opportunity to participate in public affairs</b> ICCPR, United Nations Human Rights Commission, General Comment No. 25, para. 8: <i>“Citizens also take part in the conduct of public affairs by exerting influence through public debate and dialogue with their representatives or through their capacity to organize themselves. This participation is supported by ensuring freedom of expression, assembly and association.”</i>
15	14	The absence of an organised civil society movement that could not only monitor the electoral process but also advocate for political rights of citizens remains one of the shortcomings of these elections.	Develop an organised and permanent platform of civil society organisations conducting election observation. These organisations could develop a clear methodology for observation of the pre-electoral, election day and post-election period.	No legal change required	Civil society and donors	<b>Right and opportunity to participate in public affairs</b> ICCPR, United Nations Human Rights Commission, General Comment No. 25, para. 8: <i>“Citizens also take part in the conduct of public affairs by exerting influence through public debate and dialogue with their representatives or through their capacity to organize themselves. This participation is supported by ensuring freedom of expression, assembly and association.”</i>
<b>COMPLAINTS AND APPEALS</b>						
16	24	The mechanisms established for the resolution of complaints and appeals do not provide for a timely and effective legal remedy. The right to appeal TSJE decisions is limited to the submission of a challenge to the constitutionality ( <i>acción de inconstitucionalidad</i> ).	Review the system of complaints and in order to provide an effective and timely remedy for aggrieved parties, including the type of action for a judicial review/appeal.	Review the TSJE law (law 635/95)	Congress	<b>Right to a timely and effective remedy</b> ICCPR, United Nations Human Rights Commission, General Comment No. 25, p. 20: <i>“There should be independent scrutiny of the voting and counting process and access to judicial review or other equivalent process so that electors have confidence in the security of the ballot and the counting of the votes.”</i>



NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
		This reduces the scope of the appeal as it does not allow for a proper judicial review of content of the decisions as only allows for the Supreme Court to decide in relation to constitutional provisions.				ICCPR, Art. 2(3): “ <i>Each State Party to the present Covenant undertakes: (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy,</i> ”
17	23	Penalties for electoral crimes include fines, disqualification from voting and being a candidate and prison sentences. Prison sentences, namely for destroying election materials, or putting up posters in unauthorised places, and for bribery or unlawful voting, which carry a five-year prison sentence, are excessive and against international commitments.	Review the penalties for electoral offences to ensure proportionality of sentences to the crimes committed.	Penal Code and Electoral Code	Congress	<p style="text-align: center;"><b>Rule of Law</b></p> <p>ICCPR, United Nations Human Rights Commission, General Comment 31, p. 6: “<i>States Parties must refrain from violation of the rights recognized by the Covenant, and any restrictions on any of those rights must be permissible under the relevant provisions of the Covenant. Where such restrictions are made, States must demonstrate their necessity and only take such measures as are proportionate to the pursuance of legitimate aims in order to ensure continuous and effective protection of Covenant rights.</i>”</p>
<b>PARTICIPATION OF WOMEN</b>						
18	21	Participation of women in public life is guaranteed by the Constitution, with article 48 calling for mechanisms for real and effective equality to be adopted. However, no positive measures were implemented to encourage their political participation in elected positions.	To promote the equal participation of women in political and public life, it is important to give effect to the principle established by article 48 of the Constitution. This could include the adoption of specific provisions for the effective political participation of women.	Adoption of subsidiary legislation	Congress	<p style="text-align: center;"><b>Equal participation of women</b></p> <p>ICCPR, art. 3: “<i>The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights</i>”.</p> <p>CEDAW, Art. 4.1: “<i>Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination</i>”</p>

NO.	FR page #	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
<b>PARTICIPATION OF INDIGENOUS PEOPLE</b>						
19	22	Although the Constitution guarantees the rights of indigenous peoples, the lack of an inclusive civil registration of the indigenous population has a negative impact on their political participation and representation.	Make institutional efforts for a more inclusive civil registration of indigenous people, ensuring the protection of rights of indigenous persons and their participation in public life and political affairs of their country.	No legal change required  Administrative measures	Government	<p><b>Right and opportunity of minorities to participate in public affairs</b></p> <p>ICCPR, Art. 26: <i>“All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”</i></p> <p>UNDRIP, art. 2: <i>“Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.”</i></p> <p>ICERD/C/PRY/CO/1-3, Paraguay (2011), p. 15: <i>“The Committee recommends that the State party adopt the necessary reforms, including legal and administrative measures, to ensure that the domestic justice system has effective and sufficient means of protecting indigenous and afro-descendent communities’ rights, including effective mechanisms for lodging complaints.”</i></p>
20	22	The TSJE does not have an accurate figure for the number of indigenous candidates or voters participating in the elections.	Reinforce the TSJE dedicated Unit for indigenous people to effectively promote their electoral rights.	Permanent electoral and civic education campaigns	TSJE	<p><b>Right and opportunity of minorities to participate in public affairs</b></p> <p>ILO Convention 169, article 6.1(b): <i>Governments shall (...) establish extent as other sectors of the population, at all means by which these peoples can freely participate, to at least the same levels of decision-making in elective institutions.”</i></p>

## ANNEX II: EU EOM MEDIA MONITORING UNIT CHARTS

The EU EOM Paraguay 2023 Media Monitoring Unit (MMU) conducted a qualitative and quantitative monitoring exercise of the election campaign in print outlets and electronic media during prime-time slots from 20 March to 27 April 2023.

The sample was comprised of 11 state and privately-owned media outlets, ensuring a balance of target audiences and media conglomerates operating in the country. The sample included four open broadcast national television stations, three AM radio stations and four national newspapers. The newspapers' digital versions were also monitored twice a day to identify and code political advertisements during the election campaign period. Additionally, the MMU monitored daily 134 Facebook pages with CrowdTangle, a Meta Platforms, Inc. social listening tool, to identify trending topics and to analyse content performing. This included 64 local media outlets, 30 native digital media outlets, 17 national television channels, 14 national radio stations and nine national newspapers.

Television channels were monitored from 7 PM to 12 PM. Radio stations ABC Cardinal 730 AM and state-owned Radio Nacional were monitored from 8AM to 11:30 AM, while Radio Monumental 1080 AM was monitored from 2 PM to 17:30 PM, a time slot where the most popular political spaces were broadcast. The 48 period of electoral silence (28 and 29 April) was monitored qualitatively.

The MMU coded the time and measured the space allocated to election stakeholders and political actors, including candidates and political parties, as well as the tone of the editorial content. The MMU considered several areas of observation, including the use of inflammatory language and the professional standards of journalism.

The total time monitored for radio and television was 1,190 hours. A total number of 5,928 newspaper pages were monitored, along with their weekend's magazines.

Chart 1 – La Nación newspaper

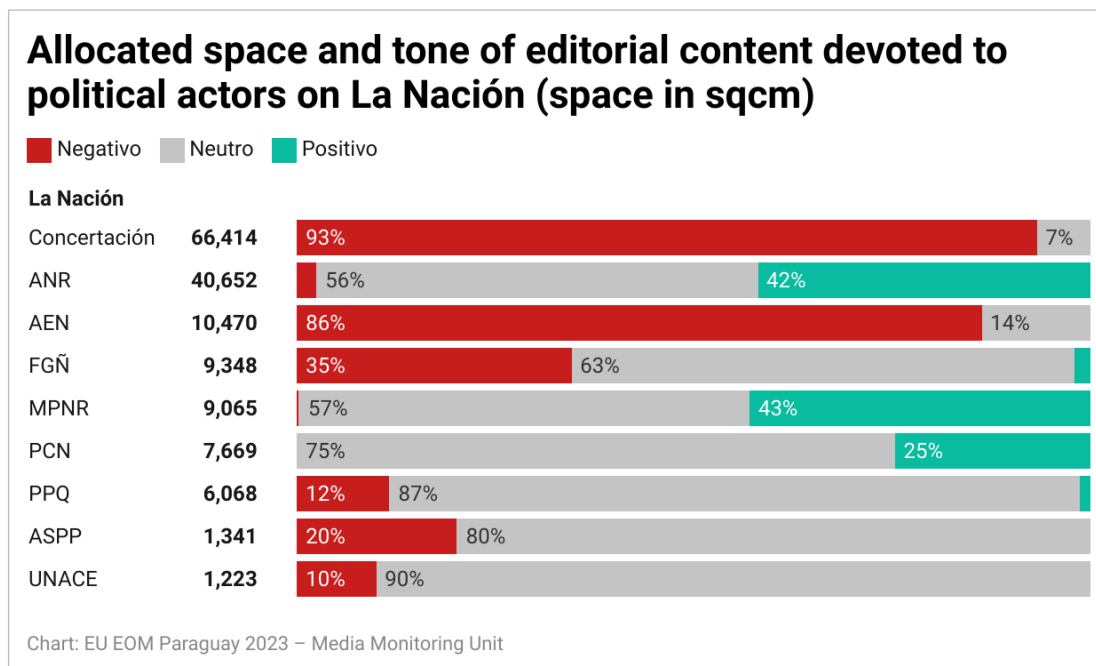


Chart 2 – Canal Trece television channel

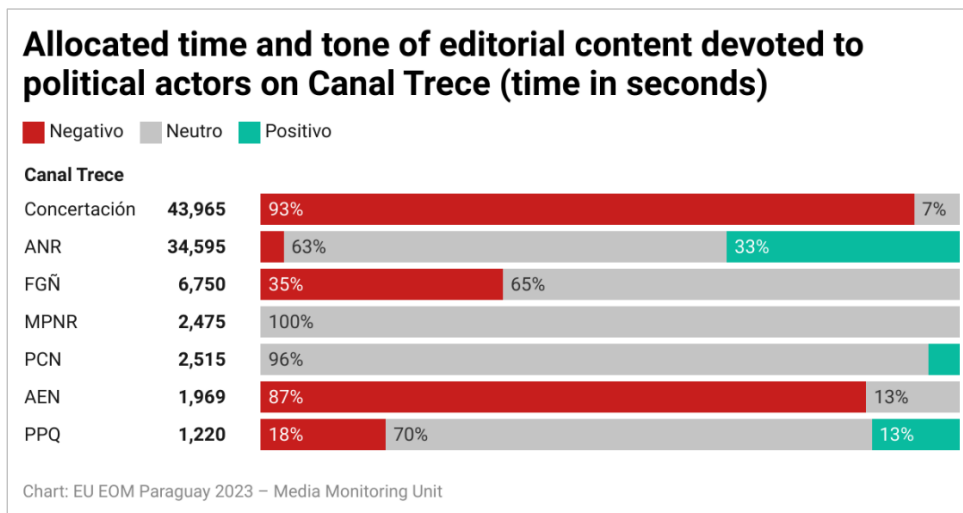


Chart 3 – ABC Color newspaper

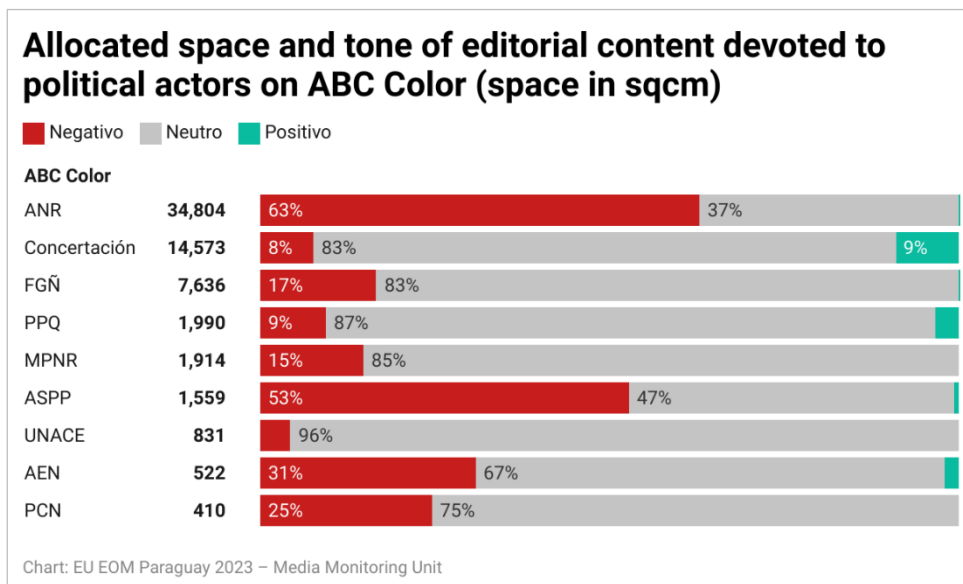


Chart 4 – ABC Cardinal radio station

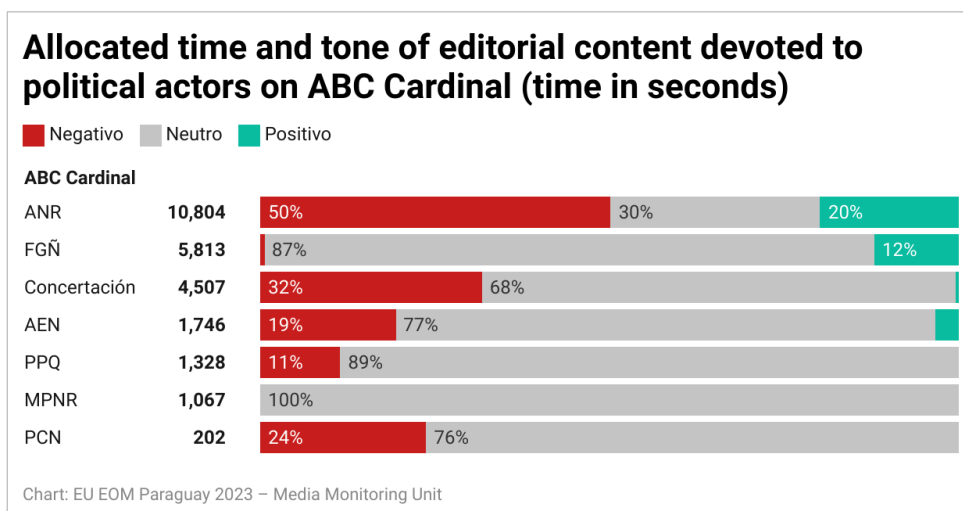


Chart 5 – Radio Monumental

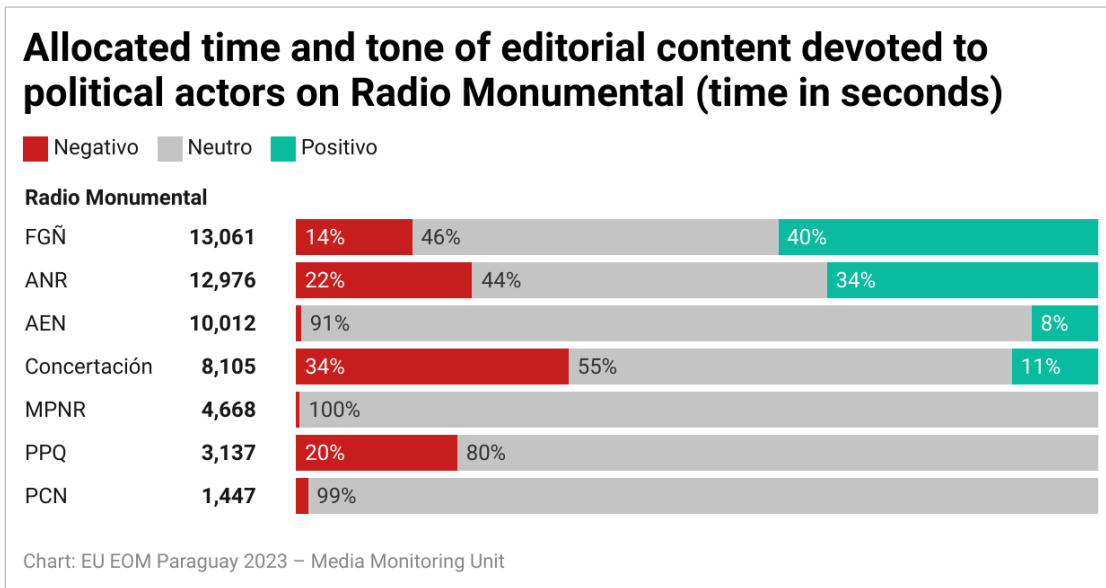
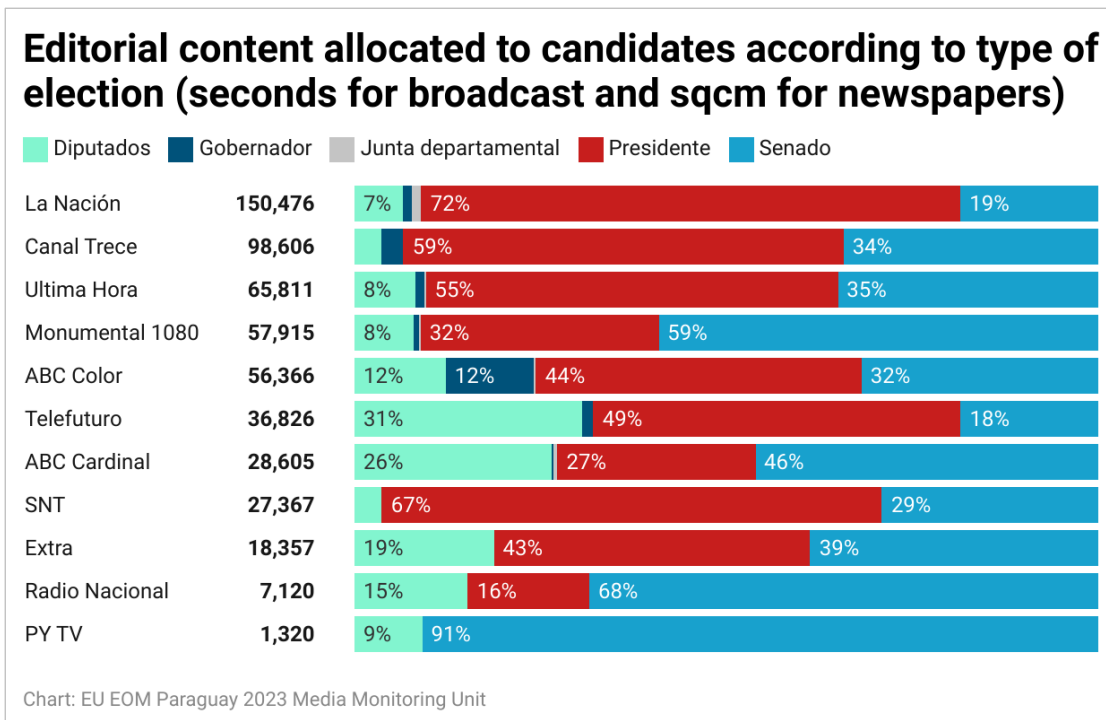


Chart 6 – Media coverage by type of election



## ANNEX III: SOCIAL MEDIA MONITORING FINDINGS

### 1. SOCIAL MEDIA ENVIRONMENT

#### SOCIAL MEDIA LANDSCAPE IN PARAGUAY

Total population, internet and social media users in Paraguay in 2023



Chart: EU EOM Paraguay 2023 - Social Media Analysis

Paraguay has low internet usage compared to other Mercosur countries, with a pronounced gap between urban and rural areas and between the richest and poorest households. The difference is twenty times greater in the richest in relation to the poorest quintile, according to the Economic Commission for Latin America

and the Caribbean (ECLAC). Data from the 2021 Permanent Household Survey (EPH) on access to digital tools indicates that 4.2 per cent of households have access to a landline telephone and 96.8 per cent have access to a mobile phone. However, only 26.8 per cent own a computer or notebook. The most popular social networks in Paraguay are Facebook and Instagram with around 3,950,000 users.

### 2. EU EOM PARAGUAY 2023 METHODOLOGY

The EU EOM Paraguay 2023 applied different and complementary approaches and techniques to analyse online platforms and to gather information on online election-related content<sup>45</sup>. These methods include quantitative and qualitative data analysis, legal analysis, meetings with relevant stakeholders, cooperation with different Core Team members and Long Term Observers.

The EU EOM analysed an indicative set of accounts, profiles, groups, pages and topics with a nationwide relevance, to capture key campaign trends on the monitored platforms. The sample was selected considering:

- The relevance (metrics of interactions on Facebook, reach on Twitter, number of followers, interaction rate per post, etc) and the potential influence of the page/group on the political agenda and discourse (based on qualitative assessment).
- The content of the page (are topics covering social, political, and electoral issues).
- Political affiliation of the account, page, or group.

The social media listening tools used were CrowdTangle and SentiOne, whilst campaign spending on Facebook and Instagram was tracked via the Meta Ad Library. Posts were coded by a team of social media monitors for key topics, the tone used by the author, and whether they contained any unverified claims or offensive discourse. The visualisation of the analysis has been made with the use of Datawrapper.

<sup>45</sup> Monitoring messaging networks, such as WhatsApp, Telegram, Viber or Messenger are not included in the scope of the EU EOMs methodology due to data protection and privacy matters. However, EOMs may include relevant information coming from national and international credible organisations that specialise in monitoring online platforms and networks.

## TOTAL PUBLICATIONS PER ONLINE PLATFORM

ONLINE PLATFORM	ANALYSED POSTS
FACEBOOK	6,834
INSTAGRAM	2,574
TWITTER	3,308
TIKTOK	294
<b>TOTAL</b>	<b>13,010</b>

## ANALYTICAL TIMEFRAME

Scope of analysis	Start	End
Presidential and vice-presidential candidates	20-Mar	7-May
Senatorial candidates	20-Mar	30-Apr
Political parties and coalitions	20-Mar	7-May
State Institutions	20-Mar	7-May
Non-contestants	20-Mar	7-May
Keywords	24-Apr	30-Apr
Digital violence	20-Mar	27-Apr
Campaign Spending	20-Mar	1-May

## MONITORED SOCIAL MEDIA

SCOPE OF ANALYSIS	FACEBOOK PAGES	INSTAGRAM ACCOUNTS	TWITTER ACCOUNTS	TIK TOK ACCOUNTS	TOTAL
PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES	9	5	8	6	28
POLICAL GROUPINGS	10	-	4	1	15
SENATORIAL CANDIDATES	13	6	5	4	28
PUBLIC INSTITUTIONS	10	6	8	3	27
PAID POLITICAL ADVERTISING	10	-	-	-	10
DIGITAL VIOLENCE	10	-	32	-	42
NON-CONTESTANTS	5	-	-	-	5
<b>TOTAL</b>	<b>67</b>	<b>17</b>	<b>57</b>	<b>14</b>	<b>155</b>

Table: EU EOM Paraguay 2023 - Social Media Analysis

The EU EOM Social Media Monitoring Unit (SMMU) analysed 13,010 social media posts across Facebook, Instagram, Twitter and TikTok in the context of the Paraguayan elections held on 30 April 2023. The total number of candidates contesting the various elections was 9092, and the SMMU focused on elections at the national level, namely presidential and senatorial. The EU EOM followed the social media activities of all political groupings fielding candidates, the accounts of the electoral administration and other state institutions, as well as multiple third-party accounts publishing information related to the election<sup>46</sup>. Additional analyses were undertaken focusing on campaign spending in online platforms owned by Meta Platforms Inc<sup>47</sup>. and on ethnicity or gender-based digital violence.

The social media accounts of candidates for president, vice-president and senate, political groupings, and state institutions that had a key role to play in the electoral process were tracked and analysed by the EU EOM from 20 March until 7 May 2023.

<sup>46</sup> Numerous pages paid for political ads without being formally affiliated with any political party or candidate. All posts of the five pages that had invested more than EUR 2000 in the month before elections were included in the analysis of the EU EOM.

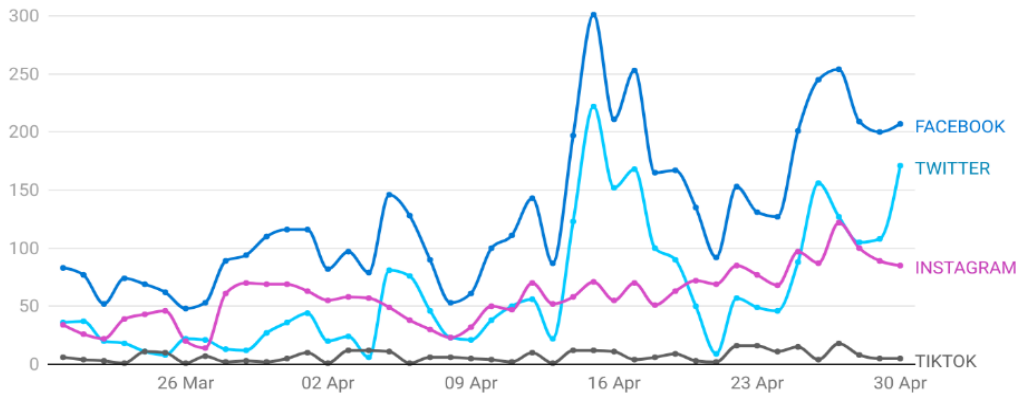
<sup>47</sup> The Google Ads Transparency Center does not provide information on political advertising in Paraguay.



### 3. ELECTION CAMPAIGN ONLINE

Facebook, accounting for 53 per cent of the analysed posts, was the most prominent platform for campaigning by candidates, followed by Twitter (26 per cent), Instagram (19 per cent) and TikTok (two per cent). Two thirds of the analysed posts across all online platforms provided nothing more than personal visibility to candidates, showing footage or photos of their campaign events or details of their personal lives. Varied forms of voter education by candidates accounted for eight per cent of the posts, whilst opinion polls and surveys were contained in three per cent of the posts on social media.

#### NUMBER OF POSTS OVER TIME



#### ALL POSTS - TYPES OF CONTENT

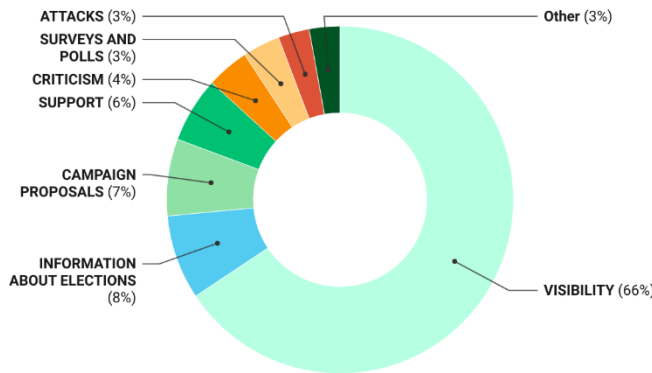


Chart: EU EOM Paraguay 2023 - Social Media Analysis

#### ALL POSTS - TONE OF CONTENT

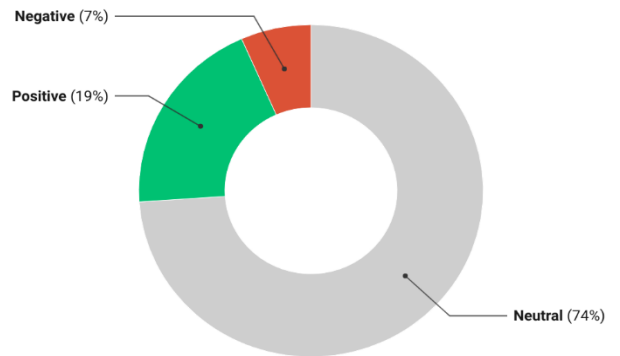
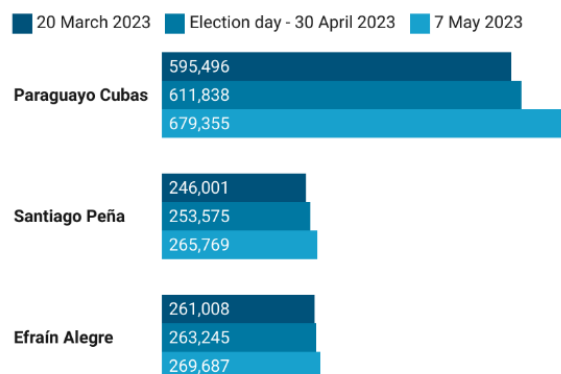


Chart: EU EOM PARAGUAY 2023 - Social Media Analysis

#### a. PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES

All candidates for president or vice-president that had presence on any of the monitored online platforms were included in the monitoring from 20 March to 7 May 2023. A total of 15 candidates with 32 accounts were tracked.

#### PRESIDENTIAL CANDIDATES - NUMBER OF FACEBOOK FOLLOWERS





The top three presidential candidates gained more Facebook followers during the campaign, with Paraguayo Cubas increasing his base by 14 per cent. Cubas was the most active presidential candidate on Facebook, publishing 40 per cent of the posts, followed by Santiago Peña (28 per cent) and Efraín Alegre (22 per cent). In Twitter, Santiago Peña contributed 43 per cent of the tweets, whilst Euclides Acevedo accounted for 21 per cent. Paraguayo Cubas enjoyed the highest total interaction rates for his Facebook posts, accounting for two thirds of all reactions, comments and shares received by the three most-voted presidential candidates.

**PRESIDENTIAL CANDIDATES - NUMBER OF POSTS PER DAY**

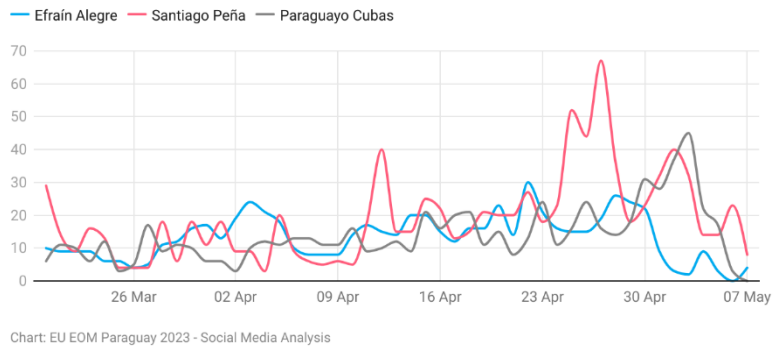
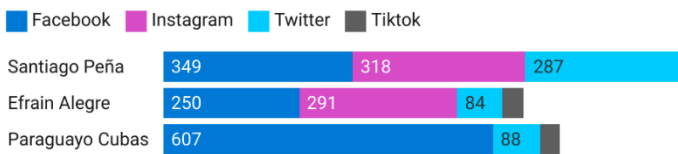


Chart: EU EOM Paraguay 2023 - Social Media Analysis

**PRESIDENTIAL CANDIDATES - QUANTITY OF POSTS PER ONLINE PLATFORM**

from 20 March until 07 May 2023



**PRESIDENTIAL CANDIDATES - TOTAL INTERACTIONS**

on Facebook posts from 20 March until 07 May

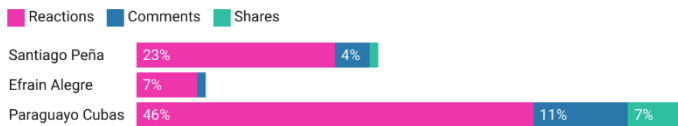
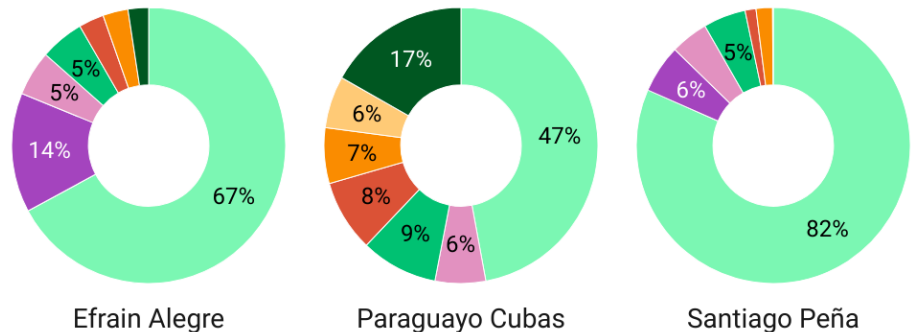


Chart: EU EOM Paraguay 2023 - Social Media Analysis

Contenders for the presidency sought personal visibility in over half of their Facebook posts, with Santiago Peña emerging as an outlier, since 82 per cent of his posts between 20 March and 7 May fell in the visibility category. Prior to the elections, 62 per cent of Peña’s posts were devoted to providing him with personal visibility. However, after 30 April he posted about his daily activities with greater intensity, thereby increasing the total share of personal visibility posts by 20 per cent.

**PRESIDENTIAL CANDIDATES - MAIN TOPICS**

- PERSONAL VISIBILITY
- INFORMATION ABOUT ELECTIONS
- CAMPAIGN PROPOSALS
- SUPPORT
- ATTACKS
- CRITICISM
- SURVEYS AND POLLS
- Other



**PRESIDENTIAL CANDIDATES - TONE OF POSTS**

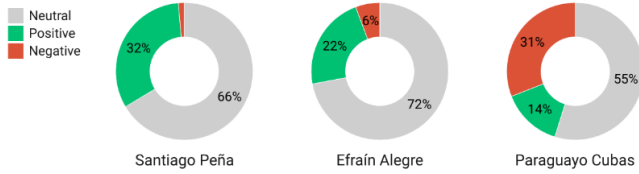
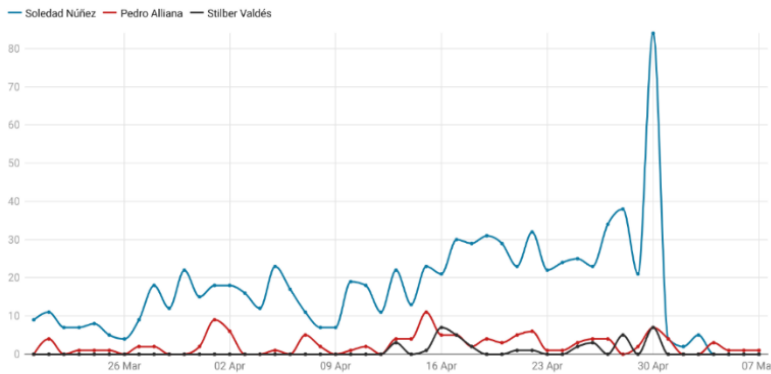


Chart: EU EOM Paraguay 2023 - Social Media Analysis

The tone of posts in social media sites by presidential candidates was largely neutral, in line with the large quantity of visibility posts. Paraguayo Cubas engaged more than others in criticisms and offensive discourse, thus emerging as the candidate with the largest number of negative posts.

**VICE-PRESIDENTIAL CANDIDATES - POSTS PER DAY**



Soledad Núñez was by far the most active vice-presidential candidate on social media sites, and the only one active on TikTok. On 29 and 30 April she launched a strong voter information campaign, emphasising the importance of voting and explaining how to identify one’s polling centre. Pedro Alliana and Stilber Valdes did not engage as actively in posting on social media, leaving their presidential running mates to lead the team’s digital campaign.

**VICE-PRESIDENTIAL CANDIDATES - TOTAL INTERACTIONS**

on Facebook posts from 20 March until 07 May 2023



Chart: EU EOM Paraguay - 2023 Social Media Analysis

The strong social media campaign led by Soledad Núñez brought her the lion’s share of total interactions amongst vice-presidential candidates, and she

was also most engaging with her audience, responding directly to her followers on social media sites. Stilber Valdes was only active on Twitter, and similarly to his running mate Paraguayo Cubas, he emerged as the most negative amongst the vice-presidential candidates.

**VICE-PRESIDENTIAL CANDIDATES - QUANTITY OF POSTS PER PLATFORM**

from 20 April until 07 May 2023



Chart: EU EOM Paraguay 2023 - Social Media Analysis

**VICE-PRESIDENTIAL CANDIDATES - MAIN TOPICS**

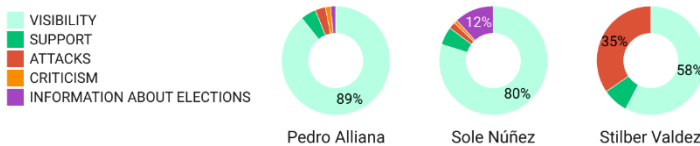


Chart: EU EOM Paraguay 2023 - Social Media Analysis

**VICE-PRESIDENTIAL CANDIDATES - TONE OF POSTS**

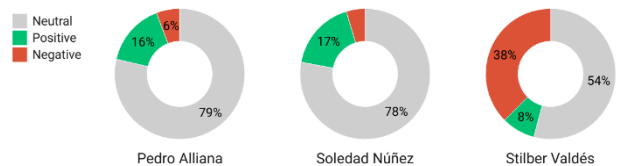


Chart: EU EOM Paraguay 2023 - Social Media Analysis

## b. POLITICAL GROUPINGS

### POLITICAL GROUPINGS - MAIN TOPICS

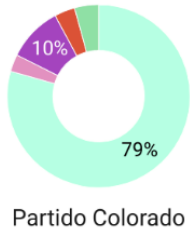
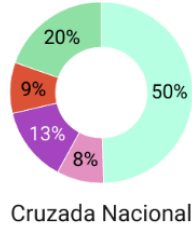
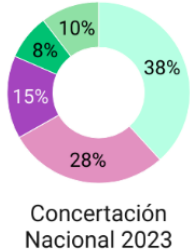
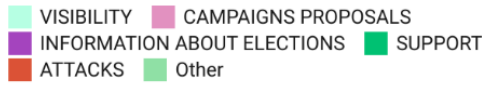


Chart: EU EOM Paraguay 2023 - Soical Media Analysis

All political groupings that fielded a presidential or senatorial candidate and have at least one active social network account have been included in the search lists. A total of 13 political groupings with 15 social media accounts form part of the analysis from 20 March until 7 May 2023.

Facebook was the preferred platform for all political groupings, with *Cruzada Nacional* and *Concertación* running their digital campaign exclusively on the platform. The *Concertación* used its Twitter account to retweet posts of its candidates, whilst *Cruzada Nacional* created an account on Twitter after the elections.

The *Concertación* devoted nearly a third of their posts to campaign proposals, whereas the remaining political groupings were mainly focused on providing visibility to their candidates. *Cruzada Nacional* maintained the most negative tone against the establishment, and a tenth of their posts included offensive discourse or derogatory remarks.

### POLITICAL GROUPINGS - TONE OF POSTS

Politics Coalitions

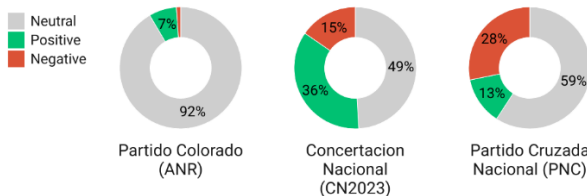


Chart: EU EOM Paraguay 2023 - Social Media Analysis

### POLITICAL GROUPINGS - QUANTITY OF POSTS PER ONLINE PLATFORM

from 20 March to 07 May 2023

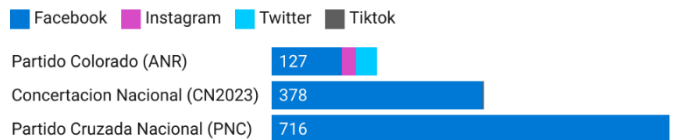
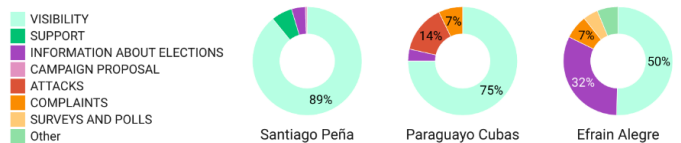


Chart: EU EOM Paraguay 2023 - Social Media Analysis

## 4. ELECTORAL SILENCE AND ELECTION DAY

Half of the 631 election-related posts published by candidates, political parties, and support pages during the period of electoral silence were on Facebook, 27 per cent were on Twitter, 14 per cent on Instagram and 4 per cent on TikTok. Criticisms and attacks against candidates were seen in four per cent of the posts, and the first allegations of possible electoral fraud also appeared during this timeframe. On Facebook, *Cruzada Nacional* was most prolific during the electoral silence period, posting 39 times, followed by Soledad Núñez with 34 posts, and Paraguayo Cubas with 28 posts. Activity on Twitter was led by Núñez (20 posts), followed by Santiago Peña (17 posts) and political party Patria Querida (13 posts).

### PRESIDENTIAL CANDIDATES - TOPICS DURING DAYS OF ELECTORAL SILENCE AND ELECTION DAY



### VICE-PRESIDENTIAL CANDIDATES - TOPICS DURING ELECTORAL SILENCE AND ELECTION DAY

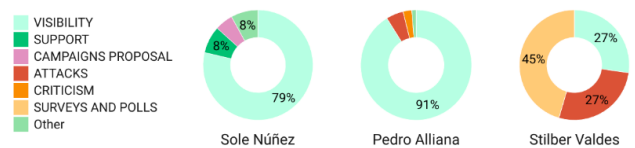
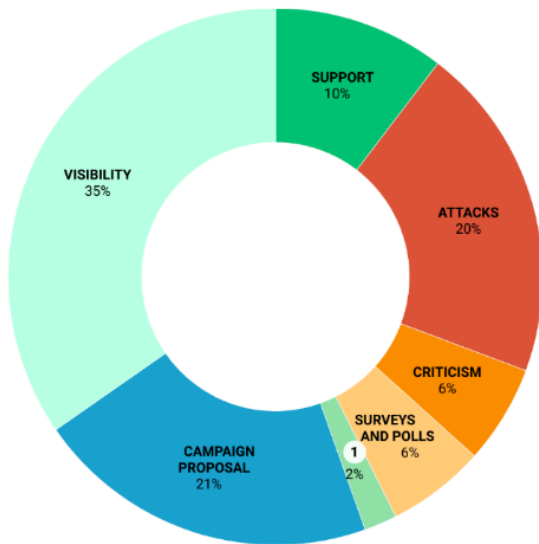


Chart: EU EOM Paraguay 2023 - Social Media Analysis

## 5. PAID POLITICAL ADVERTISING

Analysis of investment in political advertising by candidates, as well as third-party / non-official accounts, based on information retrieved from the transparency pages of Meta Platforms Inc. was undertaken, looking at the type of advert and specifically whether it is promotional or an attack against a candidate. Considering the relatively low spending by most candidates, the 10 pages that spent the equivalent of Gs. 40,000,000 (€5000) or more during the month before elections were included in this analysis.

TOPICS OF ADVERTISEMENTS



1 OTHERS

Chart: EU EOM Paraguay 2023 - Social Media Analysis

TYPE OF ADVERT

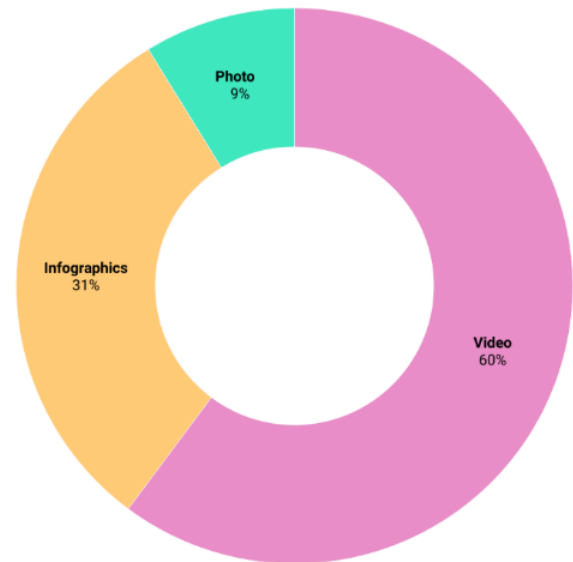


Chart: EU EOM Paraguay 2023 - Social Media Analysis

### INVESTMENT IN PAID POLITICAL ADVERTISING

IN THE PERIOD 20 MARCH - 1 MAY 2023

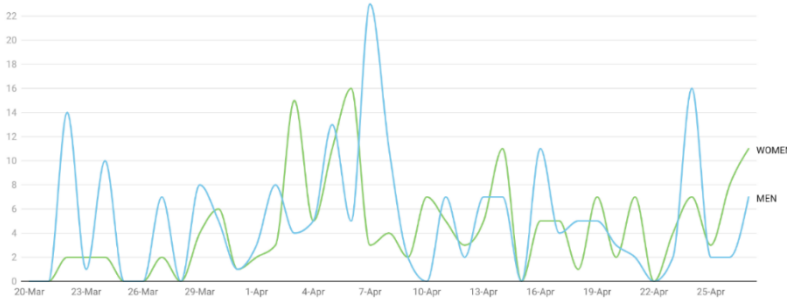
Page Name	Number of adverts	Approximate expenditure (Gs.)
Santiago Peña	180	551,608,000
Soledad Núñez	280	162,776,000
Efraín Alegre	840	113,088,000
Bruno Defelippe	140	95,848,000
Vysoklán	57	82,968,000
Pilar Callizo	70	69,440,000
Patrick Kemper	110	56,624,000
PyElige	150	47,736,000
Sucia Política	180	46,600,000
En la Tecla	190	45,824,000

Table: EU EOM Paraguay 2023 - Social Media Analysis • Source: Meta Ad Library

*ANR-Partido Colorado* presidential candidate Santiago Peña was the biggest spender, investing over Gs. 550,000,000 for 180 advertisements on Meta Platforms, whilst his vice-presidential running mate Pedro Alliana did not advertise through his official Facebook account. The *Concertación* presidential pair, Efraín Alegre and Soledad Núñez, together spent approximately half of what Peña did, however for a much larger number of ads (280 for Núñez and 840 for Alegre), accounting for 51 per cent of all political ads by the Top 10 political advertisers in social media in Paraguay.

## 6. DIGITAL VIOLENCE

NUMBER OF ATTACKS PER DAY



The replies generated on Twitter by the social media accounts of 16 female and 16 male candidates for Senate were analysed. Half of each group held elected public office in the 2018-2023 period and all had at least two active online platform accounts. Instances of digital violence in the posts were identified, based on whether they contained offensive discourse, then classified according to the theme of the attack. The data used for the analysis is comprised of 615 responses on Twitter, published between 20 March and 27 April 2023.

In the common lines of attack, women encountered more negative commentary about their appearance, behaviour, and performance, whilst men were targeted on capacities, character, associations, and alleged participation in acts of corruption. Posts attacking exclusively women focused on their intellect, womanhood, and lifestyle, thereby reinforcing negative gender stereotypes.

### TYPES OF ATTACKS RECEIVED BY FEMALE CANDIDATES

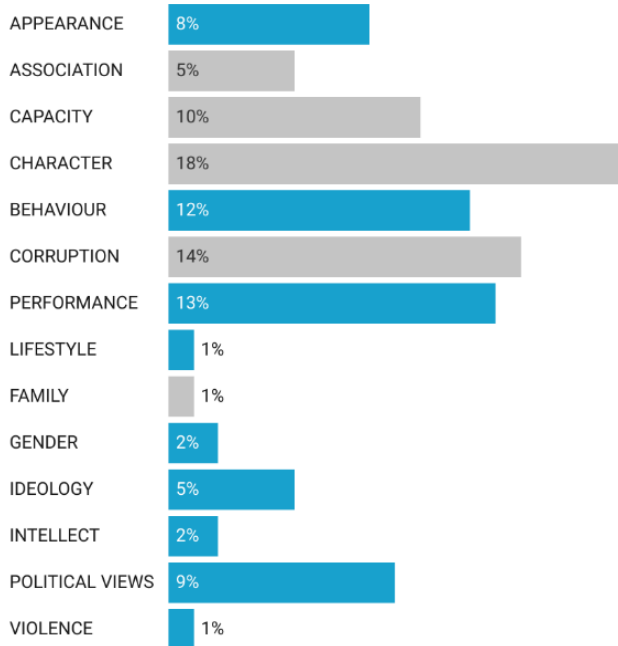


Chart: EU EOM PARAGUAY 2023 - Social Media Analysis

### TYPES OF ATTACKS RECEIVED BY MALE CANDIDATES

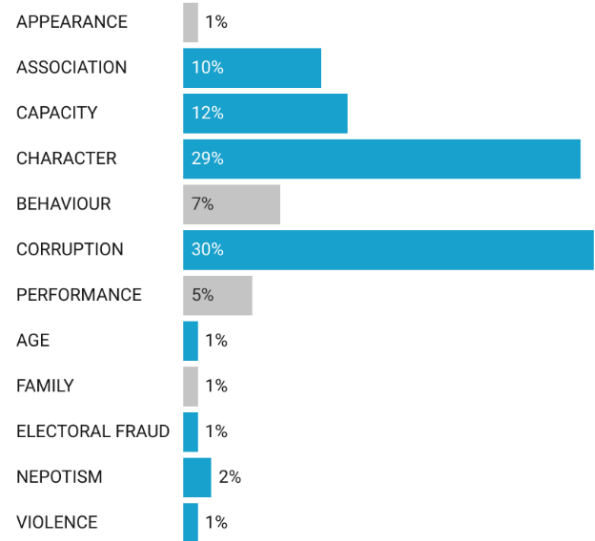


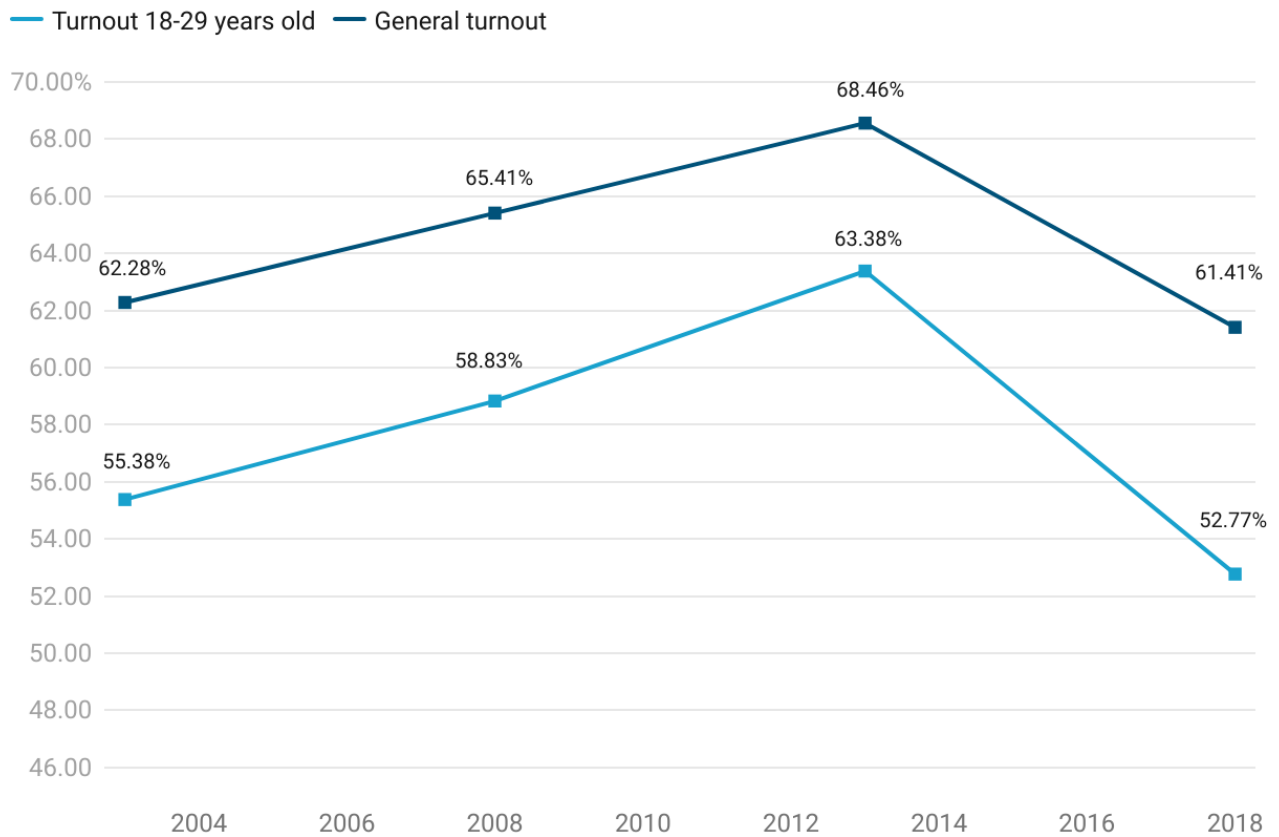
Chart: EU EOM PARAGUAY 2023 - Social Media Analysis

**ANNEX IV: ELECTION RESULTS AND VOTER PARTICIPATION**

**1. Election turnout.**

	1998	2003	2008	2013	2018	2023
<b>General</b>	77.2%	64.3%	65.6%	68.5%	61.4%	63.29%
<b>25-29 years old</b>	74%	53.2%	57.9%	63.9%	62.4%	
<b>18-24 years old</b>	71.4%	50.7%	60.1%	63%	47.6%	

**2. Young voter turnout vs. general voter turnout: presidential elections 2003-2018**

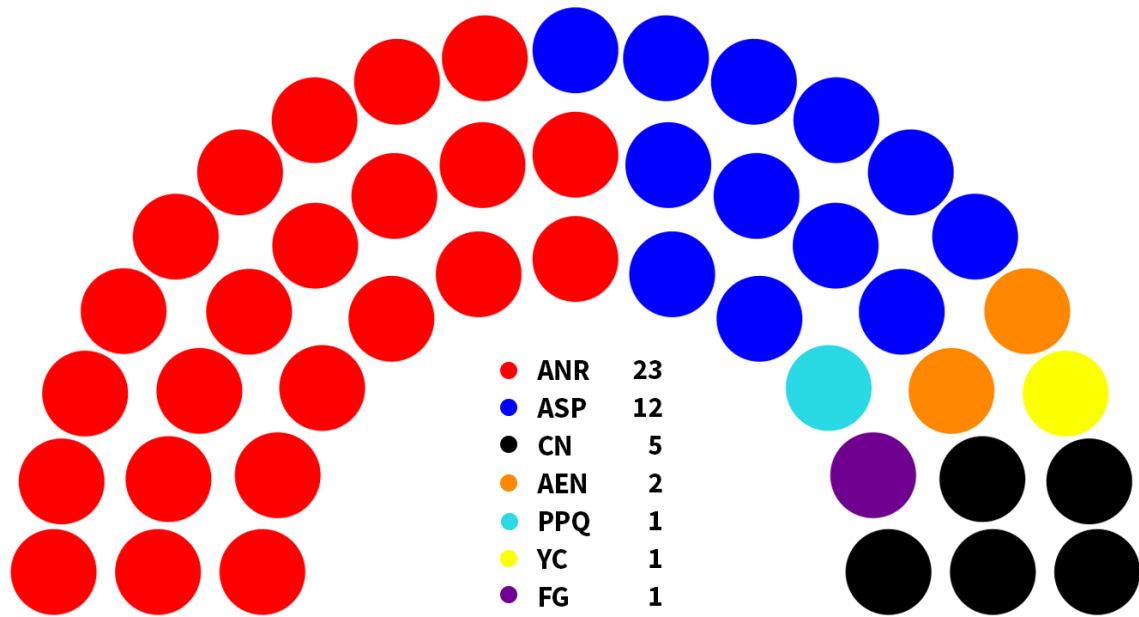


### 3. Presidential election results, 30 April 2023

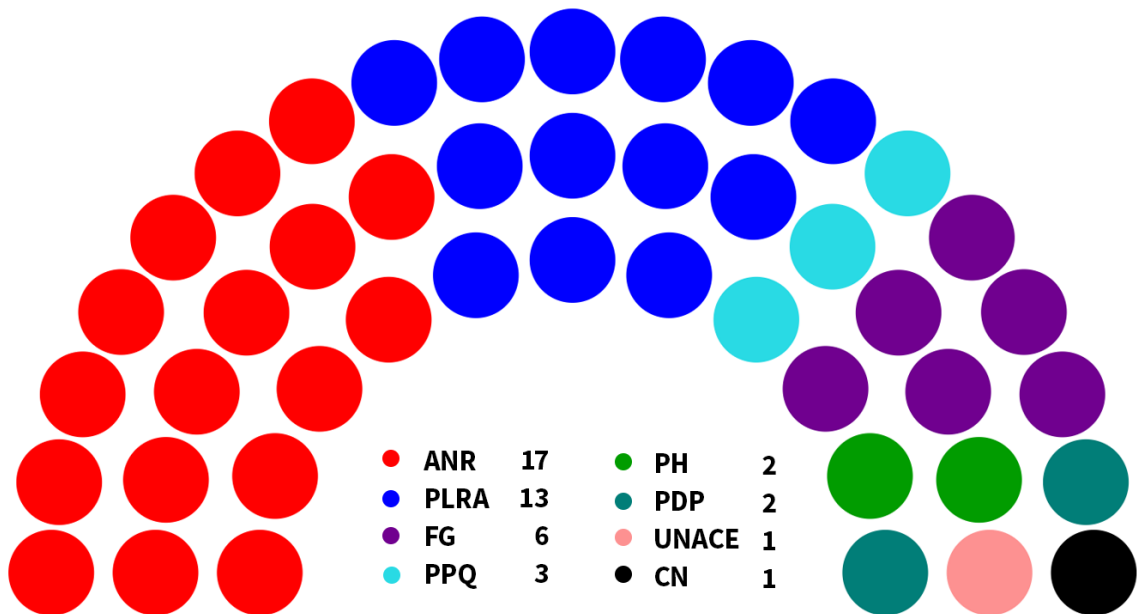
List	Candidates	Votes	Percentage of valid votes
1 - Partido Colorado	Santi Peña Pedro Alliana	1.291.209	42,93%
3 - Concertación Nacional para un Nuevo Paraguay	Efraín Alegre Sole Núñez	830.302	27,61%
911 - Partido Cruzada Nacional	Payo Cubas Stilbert Valdés	692.429	23,02%
10- M.P. Nueva República	Euclides Acevedo Jorge Querey	41.164	1,37%
21 - Partido de la Juventud	José Luis Félix Chilavert Sofía Scheid	24.259	0,81%
15 - Partido Nacional Unámonos	Luis Talavera Celso Álvarez	17.328	0,58%
7 - Partido UNACE	Jorge Otaño Noelia Núñez	12.066	0,40%
14 - Movimiento Humanista y Solidario	Juan Félix Romero Catalina Ramírez	5.869	0,20%
45 - Partido Socialista Democrático - Herederos	Dra. Rosa Bogarín Ing. Herminio Lesme	5.266	0,18%
30 - Partido Nacional de la Gente 30A	Prudencio Burgos Leona Guarani	5.258	0,17%
33 - Mov. Ind. Coordinadora Patriótica Ciudadana	Alfredo Machuca Justina Noguera	5.204	0,17%
23 - Partido Verde Paraguay	Lic. Óscar Cañete Ing. Amb. Luis Wilfrido Arce	4.847	0,16%
777 - Únete Paraguay	Aurelio Martínez Cabral David Sánchez	3.886	0,13%
Blank votes		68.288	2,27%
Total valid		3.007.375	100,00%
Invalid votes		13.694	
Invalid votes (% of TOTAL)		0,45%	
TOTAL		3.021.069	



4. Elected senators by party, 2023.



5. Elected senators by party, 2018.

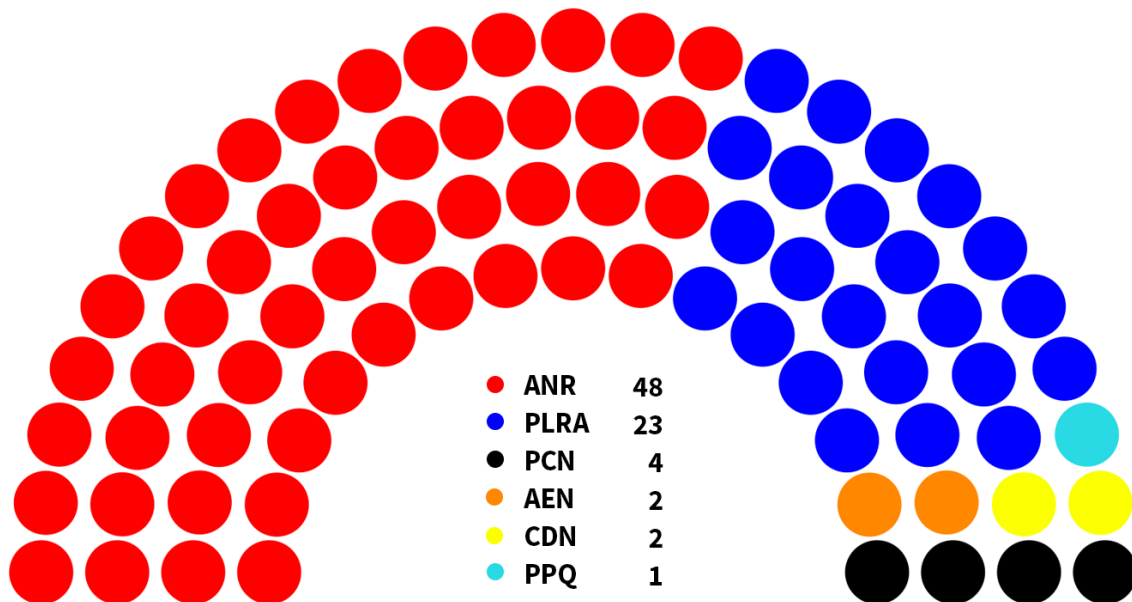




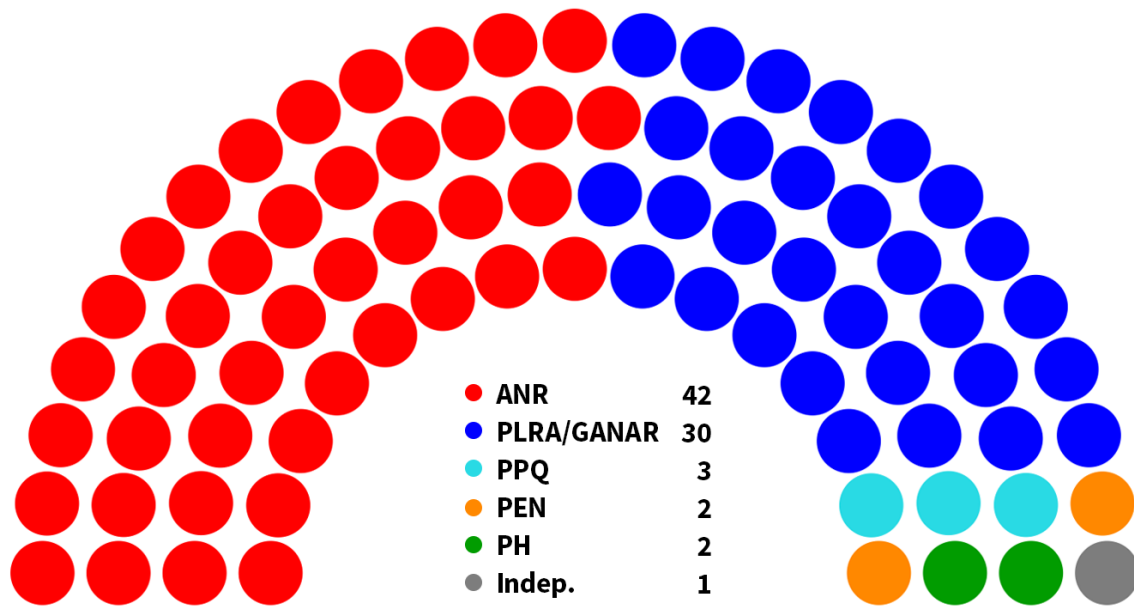
6. Elected vs. most voted senators, by party, 2023.

ELECTED		MOST VOTED	
PARTY	Seats	PARTY	Seats
ANR	23	ANR	24
ASPP	12	ASPP	16
CN	5	CN	3
AEN	2	AEN	1
FG	1	FG	0
Yo Creo	1	PPQ	0
PPQ	1	Yo Creo	1
TOTAL	45	TOTAL	45
Mean age	52,6		52,4
Female	10		10
Male	35		35

7. Elected deputies by party, 2023.



8. Elected deputies by party, 2018.



9. Elected deputies, by party and department, 2023.

	ANR	PLRA	PPQ	AEN	CDN	PCN	TOTAL
Capital	5	1	1				7
Concepción	2	1					3
San Pedro	3	2					5
Cordillera	2	2					4
Guairá	2	1					3
Caaguazú	4	2					6
Caazapá	2						2
Itapúa	4	2					6
Misiones	1	1					2
Paraguarí	2	1					3
Alto Paraná	4	1			2	1	8
Central	9	6		2		3	20
Ñeembucú	1	1					2
Amambay	1	1					2
Canindeyú	2	1					3
Presidente Hayes	2						2
Alto Paraguay	1						1
Boquerón	1						1
<b>TOTAL</b>	<b>48</b>	<b>23</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>4</b>	<b>80</b>

Female	18
Male	62
Mean age	45,5

**10. Most voted deputies, 2023.**

	<b>ANR</b>	<b>PLRA</b>	<b>PPQ</b>	<b>AEN</b>	<b>CDN</b>	<b>PCN</b>	<b>TOTAL</b>
<b>Capital</b>	4	1	1			1	7
<b>Concepción</b>	2	1					3
<b>San Pedro</b>	3	2					5
<b>Cordillera</b>	2	2					4
<b>Guairá</b>	2	1					3
<b>Caaguazú</b>	3	3					6
<b>Caazapá</b>	2						2
<b>Itapúa</b>	4	2					6
<b>Misiones</b>	1	1					2
<b>Paraguarí</b>	3						3
<b>Alto Paraná</b>	4	2			1	1	8
<b>Central</b>	11	5		1		3	20
<b>Ñeembucú</b>	1	1					2
<b>Amambay</b>	1	1					2
<b>Canindeyú</b>	2	1					3
<b>Presidente Hayes</b>	2						2
<b>Alto Paraguay</b>	1						1
<b>Boquerón</b>	1						1
<b>TOTAL</b>	49	23	1	1	1	5	80

<b>Female</b>	20
<b>Male</b>	60
<b>Mean age</b>	45,4

