



# Mapping Solitary Confinement: Paraguay Country report

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## 1. Country general Criminal Justice System facts & numbers

Paraguay's prison system is managed by the Directorate General of Prison Facilities and Penal Enforcement [Dirección General de Establecimientos Penitenciarios y Ejecución Penal].

The country has a total of 18 correctional facilities with an official capacity of 10,266 prisoners and an incarceration rate of 250 detainees per 100,000 inhabitants. As of 2025, the total prison population stood at 18,764 people, meaning that the occupancy level stood at 182.8%. (*World Prison Brief, Prison Insider*).<sup>1</sup>

Of the total prison population, 64.9% were pre-trial detainees. Women represented 5.5% of the incarcerated population (but 13.7% per 100,000 of the general population),<sup>2</sup> minors made up 0.8% and foreign nationals accounted for 24.4% of the total prison population.

**Table 1. Prison population by prison facility (2025)**

Prison facility	Processed prisoners	Condemned prisoners	Total population	Total capacity
Penitenciaria Nacional de Tacumbú	1152	856	2008	1530
Unidad Penitenciaria Industrial Esperanza	0	227	227	288
Penitenciaria Regional de Emboscada	1362	400	1762	408

<sup>1</sup> This compares to a total prison population of 3,219 people (incarceration rate of 60 per 100,000 of the total population, rising to 13,821 people and an incarceration rate of 194 people per 100,000 of the total population.

<sup>2</sup> While the percentage of women of the total prison population remained relatively stable over the years (e.g. 5.1% in 1999; 5.4% in 2020), the percentage of women in prison per 100,000 of the general population rose dramatically from 4% in 1999, to 10.4% in 2020 and as high as 13.7% in 2025.



Penitenciaría Regional de Emboscada "Padre Juan Antonio de la Vega"	907	780	1687	720
Penitenciaría Regional de Encarnación	931 (women:32)	644 (women: 24)	1631	939
Penitenciaría Regional de Misiones	1115 (women:40)	480 (women: 19)	1654	920
Penitenciaría Regional de Concepción	985 (women: 34)	644 (women:34)	1697	889
Penitenciaría Regional de Cnel. Oviedo	1307	620	1927	960
Penitenciaría Regional de San Pedro	1330 (women:16)	275 (women:4)	1625	696
Penitenciaría Regional de Villarrica	426 (women:27)	173 (women:8)	637	290
Penitenciaría Regional de Pedro Juan Caballero	979 (women:43)	449 (women:18)	1489	920
Penitenciaría Regional de Ciudad del Este	1310	579	1886	700
Penitenciaría Regional de Minga Guazú	15 (women:6)	100 (women:7)	128	412
Centro penitenciario de máxima seguridad "Martin Mendoza"	17	15	32	41
Centro Penitenciario para Mujeres "Casa del Buen Pastor"	320 (women only)	232 (women only)	552	470
Centro Penitenciario para Mujeres "Juana María de Lara", de Ciudad del Este	50 (women only)	44 (women only)	94	102
Centro Penitenciario de Mujeres Serafina Dávalos	54 (women only)	27 (women only)	81	62
Centro Penitenciario Hogar Nueva Oportunidad	0 (women only)	15 (women only)	15	20

Source: [Corte Suprema de Justicia \(situación actual del sistema penitenciario\)](#)

**Table 2. Vulnerable populations in the prison system (2024)**

Vulnerable population	Number of prisoners
Women	989
LGTBIQ+ community	32
People with disabilities	72
People with psychosocial disabilities	404
People with HIV	150

Source: National Mechanisms for the Prevention of Torture (NMPT)<sup>3</sup>

<sup>3</sup> This data was reported by the Human Rights Coordinator in Paraguay ["Endurecer medidas, habilitar cárceles y violentar derechos, estrategias del nuevo gobierno"](#) (2024)



## 2. Legislative and administrative bases for use of solitary confinement

Paraguayan prison legislation regulates the use of solitary confinement both as a disciplinary sanction and as part of a high-security or “special closed regime” for managing dangerous or disruptive prisoners.

As a disciplinary sanction, solitary confinement is regulated as isolation in a solitary cell and applicable to prisoners who commit serious or especially serious infractions (article 28 of the National Penitentiary Law),<sup>4</sup> as defined in articles 94 and 95 of the Penal Execution Code.<sup>5</sup>

The “special closed regime” is a security-oriented form of isolation, regulated in articles 200-205 of the Penal Execution Code and applied to prisoners considered dangerous or disruptive due to their behavior or criminal profile. This regime targets prisoners involved in organized crime, riots, acts of violence or repeated disciplinary infractions that show maladaptation to the regular regime.

## 3. Reasons for use, process, and administrative regulations for each ‘type’ of solitary confinement.

### a. Solitary confinement as punishment

The Paraguayan prison legal framework establishes the use of solitary confinement as a disciplinary sanction for detainees who commit infractions considered serious or especially serious (article 28, National Penitentiary Law).

Specifically, isolation in a solitary cell (“internación en celda de aislamiento”) is listed as one of the possible punishments (article 28), and it can be applied in the cases outlined in articles 94 and 95 of the Penal Execution Code, which define serious and especially serious infractions.

Serious infractions (article 94) include behaviours that disrupt order or violate internal regulations, such as damaging property, unauthorized movement at night, possessing prohibited items, resisting sanctions or threatening other prisoners. Especially serious infractions (article 95) involve more severe actions like participating in riots, refusal to follow orders, attempted escape, theft and aggression or threats against prison staff or visitors.

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<sup>4</sup> [Ley Penitenciaria](#)

<sup>5</sup> [Ley Nº 5162 - Código de Ejecución Penal para la República del Paraguay](#)



The decision to impose this sanction lies with the Director of the prison establishment (article 104 Penal Execution Code), who must ensure due process. Where this is the prisoner's first infraction, the Director can suspend the execution of the sanction (article 30, Penitentiary Law). All sanctions must be officially recorded (article 31 Penitentiary Law) and communicated to the Execution Judge [Juez de Ejecución] within six hours of being imposed (article 115, Penal Execution Code). The duration of the measure depends on the severity of the infraction. It can be up to 15 days for serious infractions (article 106, Penal Execution Code) and up to 30 days for especially serious infractions (article 107, Penal Execution Code). Once the sanction is in place, the prisoner must be visited daily by a member of the medical personnel, who will determine if the measure should be suspended or modified due to mental or physical health issues (article 109, Penal Execution Code).

While placed under solitary confinement, the prisoners lose their right to visits and to participate in recreational activities or sports. However, they may still be required to perform labour or work duties (article 108, Penal Execution Code).

The cell must be well ventilated, well lit and clean. If the confinement exceeds seven days, then prisoners must be granted two hours of outdoor time per day (article 108, Penal Execution Code). Prisoners are entitled to reading materials (article 109, Penal Execution Code).

## b. Solitary confinement for the prisoner's own protection

Paraguayan regulations do not specifically address the use of solitary confinement for the prisoner's protection.

## c. Solitary confinement as management of those labelled as 'difficult' or 'dangerous'

Solitary confinement is used as segregation under a special closed regime to manage prisoners considered difficult or dangerous, based on behavioural and security-related criteria (article 201, Penal Execution Code). This regime applies to those prisoners that present a high level of dangerousness or maladaptive behaviour, including those affiliated with criminal organizations, instigators or participants in riots, those who committed physical violence, threats or coercions against staff or visitors, as well as those who refuse to comply with disciplinary sanctions. Detainees with multiple or serious convictions, especially during the initial stages of their sentence, may also be placed under this regime (article 202, Penal Execution Code).



Prisoners placed under this regime may be held either in prisons designated as closed-regime facilities, or in dedicated high-security wings within general prisons (Articles 200 and 201, Penal Execution Code). These facilities operate with enhanced control measures and are specifically designed to manage individuals whose behavior poses a threat to institutional order or security.

The prisoners assigned to this regime will be classified according to their treatment needs. Therefore, there can be different modalities according to their characteristics and the degree of control that they require (article 205.4, Penal Execution Code).

Placement under this regime is authorized by the prison administration through a reasoned resolution, which needs to be based on an overall assessment made by the Technical-Criminological body [Organismo Técnico-Criminológico] (article 201, Penal Execution Code). No maximum duration is established in the regulations. Therefore, this placement is not time limited. Instead, it depends on the prisoner's behavior, level of risk and institutional security needs (article 204, Penal Execution Code).

The daily regime in these units is established in article 205 of the Penal Execution Code. There is a 24-hour schedule regulating all the prisoner's activities (article 205.3, Penal Execution Code). There is limited group interaction, and sport and recreational activities are controlled and reduced in size to ensure monitoring (art. 205.5, Penal Execution Code). In terms of security, there are to be regular searches, number counts and the prisoner's movements within the facility are monitored (article 205.2, Penal Execution Code).

#### d. Solitary confinement pre-trial?

There are no specific legal provisions in Paraguay that regulate the use of high-security regimes or solitary confinement for individuals held in pre-trial detention.

## 4. Restraints and chemical irritants

According to article 32 of the National Penitentiary Law, physical restraints may only be used after all other means of control have been exhausted, and only in situations where the behavior of a prisoner has a serious risk of harm to persons or property. Its use must be authorized by the prison director and applied in accordance with necessity and proportionality principles.

There is no publicly available information indicating that additional restraints are regularly applied to prisoners held in solitary confinement. Moreover, there is no legislation regarding the potential use of chemical irritants.



## 5. Protected populations

The Paraguayan penitentiary legislation lacks specific regulations addressing the use of solitary confinement for vulnerable populations, including women, children, people with disabilities and from the LBTQI+ community. The only provision on the matter prohibits the enforcement of any disciplinary sanction that, according to medical opinion, could harm the fetus or nursing infant (article 215, Penal Execution Code). This provision does not explicitly reference solitary confinement. There are no other legal safeguards related to the protection of specific populations when subjected to isolation measures.

Nonetheless, Paraguay has ratified several international treaties relevant to the treatment of people deprived of their liberty, including the Convention Against Torture and the Convention on the Rights of the Child. International standards including the UN Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules), also address protected populations.

The [UN Convention Against Torture](#) prohibits any cruel, inhuman or degrading treatment and obliges the states to prevent them (article 16). This includes the excessive or discriminatory use of solitary confinement. Additionally, the [Mandela Rules](#) explicitly prohibit prolonged and indefinite confinement, which should not be longer than 15 consecutive days (Rule 44), and state that these measures should never be used against individuals with mental or physical disabilities (Rule 45).

The UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) prohibit the use of solitary confinement for pregnant women, women with children or breastfeeding, due to the serious health and psychological risks that it involves (Rule 22).

Regarding children and young people, Paraguay signed the [Convention on the Rights to the Child \(CRC\)](#), which establishes that detention of minors must be a measure of last resort and for the shortest period of time (article 37). Any form of solitary confinement in a juvenile detention setting is, therefore, incompatible with the best interests of the child and has been condemned.

In terms of people with disabilities, the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which Paraguay ratified in 2008, requires that states ensure that this people are not subjected to inhuman or degrading treatment (article 15) and to provide accommodations according to their specific needs in detention facilities (article 14).



In terms of LGBTQI+ people, the [Yogyakarta Principles](#), a set of international principles relating to sexual orientation and gender identity, which are not legally binding but should be considered relevant. They highlight that isolation of LGBTQI+ individuals in prisons should not be subjected to isolation or segregation based on their sexual orientation or gender identity, as it can lead to discrimination and further marginalization, and recommend states to adopt other policies without resorting to segregation of these individuals (Principle 9).

## 6. Statistical data on use of solitary confinement/segregation

Currently there no official statistics or data are published by national monitoring mechanisms on the use of solitary confinement in Paraguay. There is also no disaggregated data available regarding the use of this measure on vulnerable populations.

## 7. Jurisprudence on solitary confinement

Although the Paraguayan Constitution provides the use of *habeas corpus* as a mechanism to challenge detention conditions that can affect the physical or psychological integrity of prisoners, national jurisprudence does not recognise solitary confinement or prolonged isolation in individual cells as a form of cruel, inhuman or degrading treatment. The few cases that have reached the Supreme Court of Justice were rejected and they were consistently considered legally justified on administrative, disciplinary or security grounds.

Therefore, the cases and interpretations developed by the Inter-American Commission on Human Rights serve as a point of reference for evaluating the use of solitary confinement in the country. These include:

- [Juvenile Re-education Institute v. Paraguay \(2004\)](#)  
This case concerned the detention conditions of adolescents held at the former Instituto de Reeduación del Menor in Itauguá, Paraguay. The Inter-American Court considered Paraguay responsible for subjecting minors to inhuman detention conditions, which included prolonged isolation, lack of social contact and physical abuse at the juvenile facility. Although the judgement did not explicitly use the term “solitary confinement”, the Court concluded that the treatment could be considered cruel, inhuman and degrading treatment, violating article 5 of the American Convention on Human Rights.
- [Advisory Opinion OC-29/22 \(2022\)](#)  
This advisory opinion sets interpretative standards on prison treatment, emphasizing the principles of non-discrimination, personal integrity and dignity. The Court held that solitary confinement must be strictly exceptional, time-limited and medically



supervised. Although it does not address any specific case involving Paraguay, it is binding on the country as a State Party to the American Convention. Therefore, it requires that Paraguay aligns its laws and prison practices with these international standards.

## 8. Reports on the use of solitary confinement

### 8.1 Inspection and monitoring bodies

The National Mechanism for the Prevention of Torture (NMPT) was established in Paraguay in 2012 in compliance with the Optional Protocol to the UN Convention against Torture. It conducts regular monitoring of detention centers to prevent torture and cruel, inhuman or degrading treatment. Its task is to do inspections, private interviews and review conditions of detention centers and practices, which will then be published in annual or thematic reports.

- **Annual Report of National Mechanism for the Prevention of Torture (2024)**

This report highlights concerns about the use of solitary confinement and high-security regimes, particularly in women's facilities. It documents the frequent application of punitive and restrictive measures, such as extended denial of outdoor access or peer contact, without having clear protocols or legal safeguards.

One key concern is the use of the closed or maximum-security regime. According to the NMPT women placed under it are not informed of the reasons for their classification and are not given adequate means to appeal it. The report emphasizes the psychological harm caused by these measures, especially when applied for prolonged periods of time and without individualized assessments.

- **Annual Report of National Mechanism for the Prevention of Torture (2023)**

In this report, the NMPT expresses concern about the use of solitary confinement and its application without due process. It notes that this measure is often ordered by prison staff rather than the prison director (as established by law). It also documents that women subjected to this measure are often not informed about its duration. Additionally, it focuses on the poor conditions of the cells used for isolation, with lack of adequate access to natural light or proper hygiene.

- **Report to the List of Issues prior to the submission of the fourth periodic report of Paraguay (2016)**

The NMPT highlights serious concerns regarding the use of solitary confinement as a disciplinary measure in the prison system. It notes that isolation cells do not meet the minimum human rights standards as they lack access to natural light, proper ventilation and adequate space (usually measuring less than 5 square meters and corridors narrower than 90 centimeters). The report also documents other poor conditions including lack of potable water, inadequate sanitation, and limited access to healthcare.



The report notes that the duration of solitary confinement can be up to 30 days, in contradiction to international standards. It also raises concerns about the use of informal isolation spaces, such as administrative offices that lack toilets and running water, where prisoners are locked in for 24 hours. Therefore, the NMPT concludes that under these circumstances, solitary confinement constitutes a form of torture.

In addition to these annual reports, the NMPT also publishes monitoring and follow-up reports on specific penitentiary facilities across the country.<sup>6</sup>

## 8.2 Reports by international bodies

- **Concluding observations on the seventh periodic report of Paraguay by the UN Committee against Torture (2017)**

The UN Committee against Torture expressed concerns about the use of solitary confinement, as the country's Penal Execution Code allows to apply this measure for up to 30 consecutive days, and this maximum is often applied in practice. It also highlights reports from the NMPT that indicate that this measure is often imposed arbitrarily, without prior individual assessment or the possibility of appeal. Additionally, it notes that corporal punishment and transfers to facilities further away from their residence are applied without judicial oversight.

The Committee recommends that the country's legislation aligns with international standards by limiting the use of solitary confinement to no more than 15 consecutive days, ensuring it is only used as a last resort measure that's subject to judicial review.

- **Report on the visit of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to the Republic of Paraguay (2010)**

This report of the UN Subcommittee on Prevention of Torture expressed concern over the use of solitary confinement and closed regimes in prison facilities. It notes that some prisoners are held for over 22 hours a day without meaningful human contact and in poor conditions such as inadequate ventilation or lack of natural light, which might constitute cruel, inhuman or degrading treatment. In some instances, prisoners were held in individual cells without any medical or security justification. Moreover, the "closed regime" involved extremely restricted movement and minimal interaction with others. The Subcommittee therefore recommended that solitary confinement must be used only as a last resort, for the shortest possible time and under medical supervision, and urged the implementation of safeguards, like individualized assessments.

- **Report on the follow-up visit to the Republic of Paraguay from 13 to 15 September 2010 (2010)**

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<sup>6</sup>These reports are publicly available on the official website of the MNP (<https://mnp.gov.py/informes/penitenciarias/>)



This follow-up report by the Subcommittee on Prevention of Torture notes the demolition of the isolation unit known as “Alcatraz” in the Tacumbú National Penitentiary as one of the main developments. In its place a new isolation pavilion was constructed, which met the minimum international standards of hygiene, natural light and ventilation.

Despite this improvement, the report still notes that isolation is used in ways that raise concern about its implementation and oversight. Therefore, the main recommendation of this report is that any form of isolation should be implemented in conditions that ensure dignity, safety and adequate medical supervision. The Subcommittee also emphasizes the need for alternatives that prevent prolonged or arbitrary isolation.