

# national lawyers guild

*"An organization of lawyers, law students, legal workers, and jailhouse lawyers... in the service of the people, to the end that human rights shall be regarded as more sacred than property interests."* Preamble to the NLG Constitution  
July 4, 2012

The Honorable Hillary Rodham Clinton  
Secretary of State  
U.S. Department of State  
Washington, D.C. 20520

## VIA FAX AND FIRST-CLASS MAIL

Re: Paraguay

Dear Madam Secretary:

The National Lawyers Guild is deeply concerned about the coup carried out by the Paraguayan Senate against the country's President, Fernando Lugo on June 22. We urge the US to denounce this act and take all appropriate actions to promote democratic process, human rights and the rule of law in Paraguay.

In particular, the Guild asks that your office cooperate with the leading South American states which, through UNASUR, are exerting pressure to restore democracy and respect for human rights in Paraguay. We call on you to work with and through the Organization of American States to compel the Paraguayan Senate to rescind its action, and, if the senators insist on pursuing impeachment, insure, at a minimum, that they respect President Lugo's right to a fair hearing, with all the due process guarantees required by the Constitution and laws of Paraguay, and in compliance with that nation's obligations under international law, including its duties as a party to the International Covenant on Civil and Political Rights and to the American Convention on Human Rights. We also call on you to recommend and work to effect a cut-off of all military and security assistance to Paraguay until such time as these minimal requirements are met.

As you know, President Lugo's election in 2008 ended 60 years of dictatorial rule by the Colorado Party. Previous US governmental support for one party rule and the notorious dictatorship of Stroessner, besides permitting gross violations of civil and political rights, also ensured Paraguay's status as one of the poorest countries in the hemisphere. Because our government has opposed one party rule elsewhere in the Western Hemisphere, we should be sending a consistent message to Paraguay. Strong opposition to this coup is in the US national interest.

Under President Lugo's administration, basic human rights of free expression and association have received greater protection than previously. As you know, workers who have the right to organize and other basic labor rights, including non-discrimination, contribute to building states that reduce poverty and allow people to have fulfilling lives and hopes for better future. A Paraguay with greater economic opportunity would also be a better trading partner with the US.

75 Years of Law for the People

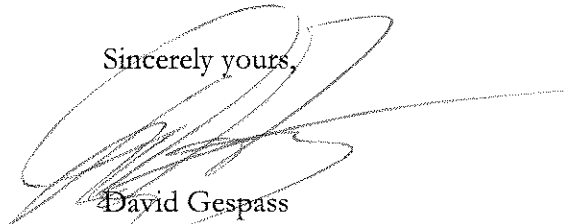


*Honorable Hillary Rodham Clinton*  
*Secretary of State*  
*July 4, 2012*  
*Page -2-*

Because of its membership in the Organization of American States, the U.S. is able to play a positive role in pushing for a democratic process in Paraguay. The unanimous adoption by the OAS member states of the Inter-American Democratic Charter (IADC) in September 2001, provides one authoritative legal basis for responding to the Paraguayan coup. Article 3 recognizes the importance of respect for human rights, including the right to due process, which has been grossly violated by the Paraguayan senators in their summary impeachment proceedings, as well as the mandate that the exercise of power, such as here, the power to impeach, be done in accordance with the rule of law. Article 4 recognizes the critical importance of transparency in government activities, and respect for social rights, freedom of expression and the obligation of all institutions to respect the rule of law. The summary impeachment proceedings against President Lugo by the Paraguayan Senate on June 22<sup>nd</sup> not only violate Article 17 of the Paraguayan Constitution, but also represent a violation of IADC Article 19, as they are an “unconstitutional interruption” or an “unconstitutional alteration” of the “democratic order” of Paraguay.

We urge you to move quickly and decisively to support democracy in Paraguay and look forward to your response.

Sincerely yours,



David Gesspass  
President