



**Conference of the States Parties  
to the United Nations  
Convention Against Corruption**

Distr.: General  
4 September 2014  
English  
Original: Spanish

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**Implementation Review Group**

**Resumed fifth session**

Vienna, 13-15 October 2014

Item 2 of the provisional agenda\*

**Review of implementation of the**

**United Nations Convention against Corruption**

**Executive summary**

**Note by the Secretariat**

**Addendum**

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\* CAC/COSP/IRG/2014/1.



## II. Executive summary

### Paraguay

#### 1. Introduction: Overview of the legal and institutional framework of Paraguay in the context of implementation of the United Nations Convention against Corruption

Paraguay ratified the United Nations Convention against Corruption through Act No. 2535/05. International treaties are part of the domestic legal order and invalidate any provision to the contrary, except the national constitution.

The anti-corruption legal framework consists of the Criminal Code, Code of Criminal Procedure, Act No. 2523/04 on trading in influence and illicit enrichment and Decree No. 10144/12, which established the National Anti-Corruption Secretariat (SENAC). The criminal justice system of Paraguay, through article 14 of the Criminal Code, makes a distinction between ordinary offences and serious offences. Ordinary offences include acts that are punishable by up to five years' imprisonment, while serious offences are those acts punishable by more than five years' imprisonment. Paraguay has made a provision incorporating within the term "offence" as used in the Convention both ordinary offences and serious offences as defined in its Criminal Code. The criminal justice system of Paraguay belongs to the Romano-Germanic legal tradition with accusatory and adversarial criminal proceedings, where the prosecution service is the body responsible for conducting criminal investigations.

The competent authorities for detecting, preventing and combating corruption are SENAC, the Public Prosecution Service, the Office of the Comptroller-General of the Republic, the judges at the various levels of proceedings and the Supreme Court of Justice, including its Superintendency Council, the Secretariat for the Prevention of Money- and Property-Laundering (SEPRELAD), the National Auditor-General's Office and the Court of Audit.

#### 2. Chapter III: Criminalization and law enforcement

##### 2.1. Observations on the implementation of the articles under review

###### *Bribery and trading in influence (arts. 15, 16, 18 and 21)*

Articles 300 to 304 of the Criminal Code of Paraguay adequately regulate the bribery of national public officials. Paraguay does not currently criminalize the bribery of foreign public officials or officials of international organizations or bribery in the private sector.

Article 7 of Act No. 2523/04 regulates the trading of influence: the legislation penalizes both the offering and the promise of an undue advantage for the purpose of exercising undue influence as may be necessary for the commission of this offence.

###### *Money-laundering, concealment (arts. 23 and 24)*

Paraguay regulates money-laundering through article 196 of the Criminal Code, which penalizes both the conversion and transfer of property constituting proceeds

of crime. Association with, as well as aiding, facilitating and counselling the commission of an offence are punishable offences. The concept of conspiracy does not exist in the criminal justice system of Paraguay.

Anti-laundering legislation includes as predicate offences several of the offences established in accordance with the Convention. Trading in influence is not yet included as a predicate offence given that its current three-year sentence does not constitute a serious offence (an offence that is punishable by more than five years' imprisonment). In addition, as the abuse of functions and bribery in the private sector are not criminalized, they do not constitute predicate offences in relation to the offence of money-laundering.

Paraguay penalizes the offence of money-laundering as a separate offence. SEPRELAD has the jurisdiction to initiate a financial intelligence report through a suspicious transaction report. It cooperates with the prosecution service on the basis of the Code of Criminal Procedure. At the time of the review, the existence of cases involving the laundering of the proceeds of crime related to corruption offences was observed.

Article 195 of the Criminal Code on trading in stolen property criminalizes the concealment or continued retention of property in the knowledge that they are proceeds of crime, and includes sentences of up to five years' imprisonment. Paraguay may criminalize money-laundering offences committed abroad.

*Embezzlement, abuse of functions and illicit enrichment (arts. 17, 19, 20 and 22)*

Paraguay criminalizes illicit enrichment through Act No. 2523/04 and a public official has already been convicted of this offence. From January 2014, the failure to submit a sworn statement of assets is punishable by a fine by the Office of the Comptroller-General of the Republic as the enforcement body.

Paraguay criminalizes the embezzlement of property through provisions on "appropriation" and breach of trust. The elements of embezzlement are covered in part by misappropriation, breach of trust and administration for private gain, regulated in article 8 of Act No. 2523/04.

Paraguay does not currently criminalize the abuse of functions.

*Obstruction of justice (art. 25)*

In articles 242, 292 and 308 (coercion of a public official) of the Criminal Code, Paraguay provides for the elements described in article 25 of the Convention regarding the criminalization of the obstruction of justice. These provisions in the domestic legal system criminalize the promise, offering and giving of an undue advantage. The misuse of force covers both physical and psychological force.

*Liability of legal persons (art. 26)*

The law of Paraguay establishes the civil and administrative liability of legal persons. Criminal liability does not apply to legal persons, without prejudice to the individual criminal liability of those representatives acting through the legal person. Article 963 of the Civil Code declares invalid any company that has unlawful purposes.

*Participation and attempt (art. 27)*

The Criminal Code penalizes most forms of participation in offences established under the Convention. Thus, instigation (art. 30) and complicity (art. 31) are punishable. Assistance is subsumed within the form of participation of complicity. Articles 26 and 27 of the Criminal Code regulate the attempt to commit offences established in accordance with the Convention. Preparatory acts, as a rule, are not penalized under the criminal justice system of Paraguay.

*Prosecution, adjudication and sanctions; cooperation with law enforcement authorities (arts. 30 and 37)*

The criminal justice system allows for reduced penalties in cases where the offender cooperates substantially with law enforcement authorities only in instances of money-laundering. Deprivation of rights and lifting of immunity has been implemented in cases of parliamentarians and judges, though not always consistently. The domestic legal system allows for the suspension and removal of officials accused of corruption as established in the Convention. Penalties for corruption offences include maximum sentences of between two and ten years. Conditional release may be granted once two-thirds of the sentence has been completed. The purpose of the penalty is the social reintegration of the convicted person. An official may be suspended in order to facilitate corruption proceedings, and then may be correspondingly removed from his or her post.

*Protection of witnesses and reporting persons (arts. 32 and 33)*

Act No. 4083/11 provides for the support and protection of witnesses and victims only in public criminal proceedings. This Act covers all types of offence and current protection requirements exceed the immediate response capacity, which is why legislation has been drafted to establish a priority order of cases and to include the relocation of witnesses and victims as well as the use of technologies for such protection. This draft legislation also seeks to incorporate protection for persons reporting in good faith.

*Freezing, seizing and confiscation; bank secrecy (arts. 31 and 40)*

Article 90 of the Criminal Code provides for special confiscation enabling the confiscation of property that has been transformed into other property, as well as the main benefit and usufruct thereof. Article 96 of the Criminal Code regulates the subsequent order or independent special confiscation allowing judgement in rem on the property. At the time of the review there is little experience of implementing such measures.

With regard to carrying out the seizure of property, Paraguay coordinates with embassies for the delivery thereof and the payment of extraordinary expenses. Paraguay applies precautionary measures during the investigation process.

Article 86 of Act No. 861 (General Act on Banks) regulates exceptions to bank secrecy, allowing the lifting thereof by order of a competent judicial authority and at the request of specific authorities enshrined in law. Bank secrecy does not obstruct the normal procedure for corruption investigations. Article 228 of the Code of Criminal Procedure allows the Public Prosecution Service to request information from public and private sector entities, which facilitates the lifting of bank secrecy.

The obligation of bank secrecy is also transmitted to the institutions and persons who have access to privileged information. Bank secrecy is not an obstacle to criminal investigations and the lifting thereof has already been implemented.

Administrative freezing is regulated by Act No. 4024 in cases related to terrorism. The provisions of this Act are not yet being implemented.

*Statute of limitations; criminal record (arts. 29 and 41)*

Act No. 4699/12 reduced the maximum duration of criminal proceedings to three years for all punishable acts, including the offences established under the Convention. However, since this Act is temporarily suspended, at the time of the review the maximum duration of proceedings is five years. Requests for criminal records are directed through the Public Prosecution Service together with other relevant agencies such as the Police, Judiciary and Directorate-General for Migration. Communication still does not take place between Government agencies in a fully systematic way.

*Jurisdiction (art. 42)*

Paraguay exercises territorial jurisdiction, including for offences committed on board a domestic vessel or aircraft, and exercises national jurisdiction in cases where extradition is refused in a manner consistent with the principle of *aut dedere aut judicare* (art. 9 of the Criminal Code). According to article 8 of the Criminal Code (2008), Paraguay is obliged to prosecute offences committed abroad when there is an approved and ratified international convention or treaty. In the event of concurrent proceedings in different jurisdictions, Paraguay may coordinate measures on the basis of paragraph 5 of article 42 of the Convention, which is incorporated into domestic law through Act No. 2535/05 and on the basis of article 19 of the Code of Criminal Procedure, which establishes the principle of prosecutorial discretion.

*Consequences of acts of corruption; compensation for damage (arts. 34 and 35)*

Article 10 of the Public Procurement Act permits the annulment of public procurement, although it does not include all offences established in accordance with the Convention.

Article 439 of the Code of Criminal Procedure provides that the complainant or the Public Prosecution Service may request the competent judicial authority to order reparation for the harm caused. This article also includes the offences currently established under the Convention.

*Specialized authorities and inter-agency coordination (arts. 36, 38 and 39)*

The independent authorities responsible for law enforcement and specialized in fighting corruption are the Public Prosecution Service, the Office of the Comptroller-General, the National Police, the National Anti-Corruption Secretariat and the Judiciary. The National Police does not have investigators specialized in corruption matters. The Financial Intelligence Unit (SEPRELAD) falls within the scope of the Presidency of the Republic and its main function is to prevent and suppress unlawful acts intended to legitimize the laundering of money and property (Act No. 1015/97).

The Office of the Attorney-General and the Office of the Comptroller-General have an agreement authorizing them to share information on cases and to report cases that may be relevant in the area of responsibility of the other agencies. There is also a Coordination Committee against Corruption, which involves the three above-mentioned agencies and other relevant agencies in the fight against corruption. However, challenges and limitations in the sharing of information are sometimes apparent, particularly with respect to the sharing of evidence and in the investigation phase.

Cooperation with the Office of the Comptroller-General, an administratively and financially independent body that interacts with and assists the Public Prosecution Service, has already led to positive results, including the conviction of former senior officials in corruption cases.

Representatives of civil society are currently cooperating with the Office of the Comptroller-General in order to detect and monitor cases of corruption. The relationship between civil society and the various agencies, including the judiciary, is gradually developing, and there has already been collaboration on codes of ethics. However, this relationship between the authorities and civil society largely depends on cooperation support. There is also collaboration between civil society and Parliament to increase the transparency of the latter. An academic body is assisting government bodies with developing portals relating to transparency and a code of ethics.

## **2.2. Successes and good practices**

- The legal possibility to suspend or declare null and void contractual procedures where corruption has been established.
- Internal audits within the various ministries under the Auditor-General's Office of the National Executive.
- Common practices with cooperation networks for the purposes of establishing jurisdiction and coordinating measures to prevent the offences covered by the Convention from going unpunished.
- Development of draft laws submitted by the legislature aimed at the recovery of assets.
- Inter-agency coordination between the Public Prosecution Service and the Office of the Comptroller-General that resulted in the detection and bringing to trial of corruption offences established in accordance with the Convention.
- Training of specialized anti-corruption teams within the prosecution service to handle the high volume of cases involving corruption.
- Advances in the development of legislation on money-laundering.
- Act No. 5033/13, which regulates the declaration of income for all public officials.

### 2.3. Challenges in implementation

It is recommended that Paraguay:

- Make the bribery of foreign public officials and officials of public international organizations a criminal offence; consider criminalizing the passive bribery of foreign public officials and officials of international organizations; and consider criminalizing bribery in the private sector and the abuse of functions in accordance with that which is established in the Convention. It is recommended that Paraguay legislate these offences as serious offences in order to incorporate them as offences underlying the offence of money-laundering.
- Consider reviewing the penalty provided for the offence of trading in influence in order to consider it a serious offence.
- Take measures to improve the statistical and case search system for offences established in accordance with the Convention.
- Improve the systems for administering confiscated property, direct confiscation and establish procedures for seized property.
- Review the regulations on the protection of witnesses and victims and implement effective programmes to put such protection measures into practice.
- Consider extending, under its domestic law, the duration of the proceedings in complex cases for offences established in accordance with the Convention in order to avoid limiting the proceedings.
- Adopt a regulatory practice that consistently strikes a balance between privileges or immunities of whatever nature and the ability to investigate effectively and take other legal action in cases of offences established in accordance with the Convention.
- Consider reviewing regulations and practices applicable to the monitoring bodies for the benefit of judges and prosecutors in order to effectively guarantee the pursuit of justice free from any undue interference.
- Implement a State policy at the national level to protect the person reporting the offence. Also consider ensuring the job security of the person reporting in good faith acts of corruption in both the public and the private sectors.
- Consider measures to establish a priority order for corruption investigations.
- Consider further developing regulations on termination of ownership and prosecution in rem.
- Consider the possibility of applying the concept of dynamic burden of proof in matters of illicit enrichment.
- Consider the reforms necessary in order for the budget of the Public Prosecution Service to be remitted directly to the legislature, as happens with the judiciary, in order to ensure effective autonomy of its investigative functions.

- Develop alternatives necessary for maintaining the long-term cooperation of civil society and anti-corruption institutions, in addition to any eventual international cooperation support.
- Consider strengthening institutionally the functioning and stability of the National Anti-Corruption Secretariat by establishing it in domestic law.
- Promote the development of a national anti-corruption strategy.
- Consider taking the necessary action to control and prevent overlap of institutional functions, including the competences of the Office of the Comptroller-General and the Court of Audit.
- Consider developing training plans that involve all the relevant officials as well as targeted programmes for the private sector, universities and civil society.
- Furnish at the official level a copy of its domestic regulations on the laundering of the proceeds of crime, in compliance with the requirement of article 23(2)(d) of the Convention.

#### **2.4. Technical assistance needs identified to improve implementation of the Convention**

The country under review has identified the following technical needs:

- On-site expert advice, inter alia, to assist in the process of legislative development and to train staff of institutions such as SENAC and the Office of the Attorney-General.
- Training on the use of special investigative techniques for the relevant officials.
- Ongoing training in anti-money-laundering techniques for staff of the Anti-Money Laundering Agency, the Public Prosecution Service and the Judiciary.
- Support for the training centre of the Public Prosecution Service through specific training on good practices and lessons learned in order to assess the continuing effectiveness of the application of regulations in confiscation cases.
- Model agreements on cooperation in joint investigations.
- Summary of good practices in legislative matters.
- Technical assistance with administering confiscated assets, including comparative practices.
- Development of a survey of training plans for specialized authorities.



### **3. Chapter IV: International cooperation**

#### **3.1. Observations on the implementation of the articles under review**

*Extradition; transfer of sentenced persons; transfer of criminal proceedings  
(arts. 44, 45 and 47)*

Paraguay's legal framework governing extradition includes, in addition to other regulations, articles 141 and 143 of the Constitution, articles 146 and 150 of the Code of Criminal Procedure, and various bilateral and multilateral treaties. Paraguay uses the United Nations Convention against Corruption as a subsidiary legal basis for extradition under article 147 of the Code of Criminal Procedure, which provides that extradition shall be governed by the rules provided for by relevant international law, international custom and reciprocity.

Extraditable offences are those that are punishable by imprisonment for a minimum period of one or two years, depending on the treaty. Where the request for extradition relates to a person who is sought for the purpose of completing a custodial sentence imposed for one of such offences, some treaties require that extradition be granted only if a period of at least six months of such a sentence remains to be completed. In the absence of a treaty, extradition may be granted where less than six months of the sentence remains to be completed.

Extradition is subject to the dual criminality rule. In the case of related crimes, at least one of those crimes has to satisfy the principle of dual criminality to allow conditional extradition. Differences in the designation of the offence in question are not relevant when the dual criminality principle applies, given that Paraguay analyses the underlying conduct. Paraguay only extradites for corruption offences that have already been categorized as such.

Paraguay has entered into extradition agreements with Argentina, Australia, Austria, Hungary, Belgium, Brazil, Bolivia (Plurinational State of), Canada, Chile, China, Costa Rica, France, Germany, Republic of Korea, Honduras, Italy, Mexico, Peru, Uruguay, South Africa, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Multilateral treaties are in place with MERCOSUR and the Montevideo Conventions of 1889 and 1933. Paraguay has just signed a treaty with Colombia.

Paraguay does not consider any of the corruption offences in the Convention to be political crimes.

The Directorate-General for Legal Affairs of the Ministry of Foreign Affairs is the central authority for extradition matters. In the context of the bilateral treaty signed with France, the central authority is the Ministry of Justice. Requests for extradition are assigned to one of the thirteen supervisory criminal courts in the capital. The Prosecutor's Office is part of the process.

Under existing treaties, Paraguay may refuse extradition requests on the following grounds: the right to a fair trial; where extradition is sought on the grounds of race, religion, gender, nationality, language, political or ideological opinion or membership of a particular social group; criminal proceedings pending elsewhere or in Paraguay; statute of limitations; *res judicata*; or, extradition will be postponed where the handing over of the person who is going to be extradited would adversely affect his or her health.

Before refusing extradition, Paraguay endeavours to obtain further information from the requesting State.

Extradition may not be refused solely because the offence in question involves fiscal matters.

The Constitution does not prohibit the extradition of Paraguayan nationals; however, some of the treaties adopted exclude the possibility of extraditing one's own citizens or offer the option of not extraditing them. In the event of a refusal to extradite Paraguayan citizens, the case must be submitted to the competent judicial authorities to launch national criminal proceedings. Paraguay may enforce a foreign judgement domestically at the request of another State.

The Code of Criminal Procedure guarantees fair treatment at all stages of the proceedings, including the enjoyment of all rights and guarantees provided by the national law of the State party on whose territory the person concerned is present and the right to appeal.

In principle, under Paraguayan law, the transfer of sentenced persons may be done on the basis of reciprocity or by treaty. A number of treaties have been signed with Argentina, Brazil, France, Peru and Spain and within the context of the OAS. Requests for the transfer of convicted persons are processed by the Criminal Enforcement Court.

Paraguay may allow the transfer of criminal proceedings to another State, applying the principle of prosecutorial discretion and the Inter-American Convention on Mutual Assistance in Criminal Matters.

*Mutual legal assistance (art. 46)*

Over and above directly implementing the provisions of article 46, paragraph 1, Paraguay may afford assistance to the fullest extent possible in relation to the offences covered by the United Nations Convention against Corruption on the basis of existing bilateral and multilateral treaties and the principle of reciprocity.

Mutual legal assistance may include the execution of letters rogatory; hearings by videoconference; appearance in the requesting State of witnesses, experts and prosecuted persons; service of procedural documents drawn up or submitted in criminal proceedings; exchange of judicial records; seizure and confiscation of assets, and other forms of judicial assistance. Videoconferencing may be used as a tool to testify, although sometimes Paraguay encounters problems of admissibility of evidence obtained through this medium in the courts. Requests for mutual legal assistance and supporting documentation must be submitted in Spanish.

The Directorate-General of International Affairs and External Legal Assistance of the Public Prosecution Service is designated as the central authority within the context of assistance for certain bilateral treaties and for the United Nations Convention against Corruption, the United Nations Convention against Transnational Organized Crime and for the OAS. For assistance based on MERCOSUR treaties, the central authority is the Ministry of Justice. However, in the case of MERCOSUR "mirror" treaties with Bolivia (Plurinational State of) and Chile, the Ministry of Foreign Affairs will act as the central authority. Assistance based on reciprocity must be processed through diplomatic channels.

Paraguay is a party to regional treaties (OAS and MERCOSUR) that do not view dual criminality as a condition for affording assistance. In the absence of a treaty on mutual legal assistance, Paraguay may afford assistance, including coercive measures.

Mutual legal assistance may be afforded in relation to offences for which legal persons may be criminally liable where assistance has been requested on the basis of treaties conceding the principle of dual criminality.

Paraguay accepts direct communication through the central authorities, but only accepts transmission through the International Criminal Police Organization (INTERPOL) in the case of requests for assistance by means of non-coercive measures and notifications of crimes. In urgent cases, direct transmission to the central authority by fax or email is highly recommended subject to subsequent formal confirmation.

To ensure the widest cooperation, judicial authorities are entitled to exchange information on an ad hoc basis and to forward information to the competent authorities of a foreign State where they consider that the disclosure of such information may assist the receiving State in initiating criminal proceedings. Paraguay also belongs to various networks — GAFISUD Asset Recovery Network, IBER-RED (Ibero-American Network for International Legal Cooperation), Ibero-American Association of Public Prosecutors, OAS, and MERCOSUR — and also avails itself of tools for sharing information securely between central authorities, such as Groove and Iber@.

Paraguay does not reject requests for mutual legal assistance on the ground of bank secrecy. During the visit to the country, Paraguay showed evidence of lifting bank secrecy within the context of mutual assistance.

The treaties signed by Paraguay provide that the documents and information received from a requested State should not be used for any purpose other than those for which the request was made. Paraguay is obliged, to the extent possible, to ensure the confidentiality of the requests and any supporting documentation. Should it prove impossible to ensure confidentiality, Paraguay shall notify the foreign State, which shall then decide whether or not to proceed.

Paraguay may defer providing any property, records or documents requested, if it also needs them in connection with criminal proceedings pending. Safe conduct is ensured under the treaties ratified by Paraguay, which provide that a witness or expert, whatever his or her nationality, appearing upon a summons before the judicial authorities of Paraguay, shall not be prosecuted or detained or subjected to any other restriction of his or her personal liberty in the territory of Paraguay in respect of acts or convictions prior to his or her departure from the territory of the requested State.

Costs associated with the implementation of the request for mutual legal assistance are usually incurred by Paraguay, although for more costly measures, the requesting State may be asked to bear the costs thereof. Some treaties stipulate that the costs of transferring a witness to another State shall be incurred by the requesting State. Paraguay has concluded a number of bilateral agreements on mutual legal assistance in criminal matters with Colombia, Costa Rica, Ecuador, France, Italy, Mexico, Panama, Peru, Spain and Uruguay. Multilateral agreements have been concluded

with the OAS and MERCOSUR. Paraguay has concluded treaties on the active and passive transfer of sentenced persons and is currently in the process of concluding mutual legal assistance treaties with Brazil, Canada, Colombia, Cuba, Dominican Republic, Portugal, Russia, Turkey, Uruguay and Ukraine.

*Law enforcement cooperation; joint investigations; special investigative techniques (arts. 48, 49 and 50)*

Paraguay is a member of various coordination networks such as INTERPOL, Egmont Group, GAFISUD, Meeting of Ministers of Justice and Attorneys General of the Americas (REMJA), Ibero-American Association of Public Prosecutors (AIAMP), Conference of Ministers of Justice of Ibero-American Countries (COMJIB), MERCOSUR and the Summit of the Supreme Courts of Justice, and cooperates with foreign law enforcement authorities through mutual legal assistance and the ad hoc exchange of information.

Successful joint investigations have been possible for other types of crime in the past with neighbouring countries through requests for mutual legal assistance.

Controlled deliveries, covert operations and electronic surveillance are authorized for drug crimes and related crimes and have been used successfully in joint investigations into drug trafficking.

### **3.2. Successes and good practices**

Generally speaking, the successes and good practices mentioned below were observed in relation to the framework of the implementation of Chapter IV of the Convention:

- Use of the United Nations Convention against Corruption as a basis for extradition and mutual legal assistance.
- The negotiation and adoption of numerous bilateral and multilateral treaties regulating extradition, mutual legal assistance, transfer of sentenced persons and the taking of evidence, inter alia.
- A simplified extradition procedure achieved through a memorandum of understanding between the Supreme Court of Justice, the Ministry of Foreign Affairs and the Public Prosecution Service.
- Participation in various networks for the exchange of information for the purposes of mutual legal assistance.
- The allocation of extradition requests to the supervisory criminal courts in the capital, resulting in the specialization of judicial actors.
- The automatic referral of extradition refusals to the Supreme Court of Justice for review, resulting in fewer refusals.
- The use of software for managing letters rogatory and its implementation in border towns to ensure the strict observance of extradition regulations by professionals.
- The use of standard templates and checklists to reduce the risk of refusals for lack of information.

- The presence of specialized professionals in the central authorities.

### **3.3. Challenges in implementation**

The following points may serve as a framework for strengthening and consolidating the actions undertaken by Paraguay in the fight against corruption:

- Paraguay is encouraged to enact specific legislation on extradition and mutual legal assistance, including the asset recovery aspect of international cooperation.
- Deadlines must be shortened even further to facilitate extradition.
- Paraguay might consider designating a single central authority to provide treaty-based mutual legal assistance in criminal matters.
- Paraguay might improve its existing software (letters rogatory management system) to enable requesting States to view the progress made in the processing of requests for extradition and mutual legal assistance.
- An updated compilation of the regulations and treaties on extradition and mutual legal assistance would be desirable.
- Paraguay should commence the relevant legal reform to ensure that special investigative techniques may be applied to the investigation of corruption crimes. In particular, extended deadlines to enable interception of telecommunications and telephone tapping in complex investigations.
- The use of videoconferencing as a means of evidence production should be regulated by law.
- Paraguay should consider adopting regulations governing direct communication in urgent cases between cross-border investigating authorities and action by foreign officials on national territory.

### **3.4. Technical assistance needs identified to improve implementation of the Convention**

- Legislative advice and editorial assistance.
- Capacity-building of actors in extradition and mutual legal assistance.
- Information technology assistance to modernize software.
- On-site assistance by an adviser.