

Statement at the 62nd Session of the UN Human Rights Council

Item 3: Freedom of assembly and association

23/06/2026

Mr Chair,

In **Canada**, Indigenous land defenders resisting extractive megaprojects have experienced digital surveillance through open-source intelligence monitoring and drone surveillance by the Royal Canadian Mounted Police (RCMP). They have also experienced surveillance by the RCMP when participating in civic activism, including National Energy Board hearings on a pipeline. We are additionally concerned that the RCMP is using predictive algorithm technology to surveil Indigenous land and environmental defenders in Canada.

In **Mexico**, judicial harassment is a constant threat against human rights defenders, journalists, and civil society organizations. In 2024, at least 20 defenders were victims of the abusive use of law in connection with their advocacy work. The need persists to align the criminal codes of Mexican states to prevent the criminalization of journalists and human rights defenders through provisions such as offenses against honor (5 states). Conversely, in recent years, various legislative initiatives have been introduced in different states covering offenses such as cyber-stalking or cyber-harassment which, due to their broad scope and vague definitions, allow for their abusive use against defenders, journalists, and critical civil society. Recently, the Supreme Court of Justice of the Nation struck down one such initiative in the state of Puebla, following civil society and press efforts through injunctions, but the risk persists in the face of new initiatives. The legal framework has also become more complex in Mexico for NGOs. At the beginning of this year, the Tax Administration Service (SAT) revoked the authorized donee status of more than 300 civil society organizations. Amnesty International notes that increasingly restrictive legal frameworks weaken and control CSOs; in Mexico, this is reflected in reduced public support and tightening fiscal conditions:

- From 2016 onwards: amendments to the Fiscal Miscellaneous Package have tightened the conditions for CSOs to obtain and retain authorized donee status (required for tax deductions), broadening the SAT's margin of control and introducing new grounds for revocation. In 2026, the automatic renewal of activity accreditation was eliminated in certain cases, increasing legal and operational uncertainty for the sector.
- 2019: The elimination of federal resource transfers to CSOs for activities promoting and implementing social development and welfare projects represented a significant restriction on their financial sustainability.
- 2021: The dissolution of INDESOL and the transfer of its functions to the Secretariat of Welfare affected training, operational, and research processes linked to the work of organizations through the Federal Registry of CSOs.
- 2025: The reform of the Federal Law for the Prevention and Identification of Operations with Resources of Illicit Origin (LFPIORPI) deepened the environment of over-regulation and lack of harmonization between fiscal obligations. Key impacts include increased administrative burdens and higher compliance costs for authorized donee status, whose

administrative expenditure is capped at 5% of annual income, as well as pressure to meet obligations under a uniform approach that fails to recognize that, according to the 2023 National Risk Assessment, donations to CSOs represent a medium-low risk.

- The absence of differentiated criteria in the application of the Anti-Money Laundering Law with respect to the civil society sector contravenes Recommendation 8 of the Financial Action Task Force (FATF), which recently visited the country as part of its ongoing periodic review.

Taken together, these measures reflect a trend in Mexico — and more broadly across Latin America — toward the closing of civic space and threats to freedom of association. PBI therefore calls on Mexico to review these regulatory frameworks in a manner that supports the operating environment of civil society organizations that defend rights and work for the benefit of society as a whole.

In **Kenya**, PBI echoes the concerns raised by the Special Rapporteur regarding the chilling effect that online surveillance has had on the right to freedom of assembly and association. Of concern is the involvement of private telecom providers: civil society organizations and national and international media have alleged that government agencies rely heavily on digital surveillance methods to identify participants in protests, and that Kenya's largest telecom provider has played a role in allegedly providing security agents with user data. This surveillance was linked to enforced disappearances in 2024 and to ongoing surveillance and criminalization of critical voices. Of concern, furthermore, are government attempts to curb online digital expression and dissent through the Computer Misuse and Cybercrime Act 2024, parts of which were suspended by the Court of Appeal for being vague and prone to abuse. We emphasize that States have a responsibility to protect the right to freedom of assembly and association and should refrain from criminalizing legitimate civil society activism.

In **Colombia**, five years after the National Strike (Paro Nacional), significant challenges persist regarding truth, justice, and accountability. There is concern over the limited progress in investigations into the eye injuries suffered by 116 protesters as a result of disproportionate use of force by State agents. Likewise, given that the mandate of the Ad Hoc Committee of Experts for the Clarification of Human Rights Violations occurring in this context will conclude on July 31, it is essential to guarantee the effective implementation of its recommendations. Furthermore, despite some regulatory progress, gaps remain in aligning the legal framework on intelligence and counterintelligence with the inter-American standards established by the Inter-American Court of Human Rights in the CAJAR v. Colombia case.

In **Honduras**, we are concerned about the recent approval by Congress of the Law for the Strengthening and Protection of the Agro-Industrial Sector of Honduras, which, together with the reforms established under Decree 84-2026, could create conditions for a new cycle of violence in the territories. National and international organizations warn that this legislation could deepen the criminalization of social conflicts linked to access to land and territory, and could create conditions affecting the exercise of fundamental rights related to social protest. In particular, the approved text states that any disruption to agro-industrial activities or to the transport of perishable goods will not be considered a legitimate exercise of rights, but rather a threat to the general economic interest. This definition risks delegitimizing strikes, demonstrations, road blockades, and collective claims for rights. In this context, we are particularly concerned that the broadening of criminal



offenses such as terrorism could be used against acts of protest, occupation, road blockades, or territorial claims.

In **Nicaragua**, civic space is entirely closed. The Colectivo Nicaragua Nunca Más has documented 5,663 organizations shut down or confiscated since 2018. These closures have been accompanied by processes of criminalization and persecution, as well as the adoption of multiple repressive laws that grant legal cover to such actions. As a result, thousands of defenders have been forced into displacement, continuing their human rights work from exile. Yet even beyond its borders, Nicaragua subjects them to transnational repression, manifested through surveillance, persecution, and threats to their lives — many carried out digitally — with the aim of silencing their voices.

In **Guatemala**, representatives of Indigenous peoples who have defended democracy and the rule of law against corrupt actors and a co-opted justice system remain in prison. Likewise, communities and individuals who protest rights violations — primarily in the context of investment projects — continue to face persecution, judicialization, threats, and physical attacks. It is urgent that the Government of Guatemala effectively protect the right to freedom of association.

Thank you.