







### Republic of Paraguay

# Joint Submission to the UN Universal Periodic Review 52nd Session of the UPR Working Group

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Submission by CIVICUS: World Alliance for Citizen Participation,

NGO in General Consultative Status with ECOSOC status

#### and

Alma Cívica, Institución de Comunicación y Desarrollo - ICD, Iniciativa Rendir Cuentas, and Semillas para la Democracia

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#### 1. Introduction

- **1.1** CIVICUS is a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS has members in over 180 countries throughout the world.
- **1.2** Alma Cívica is a Paraguayan CSO that helps and connects citizens so they can strengthen their communities and democracy.
- **1.3** Instituto de Comunicación y Desarrollo (ICD) is a Uruguayan CSO that aims to strengthen citizen voices and civil society's role in democracy, development and integration. ICD co-leads the Rendir Cuentas Initiative, which brings together civil society groups to promote transparency and accountability.
  - **1.4** Semillas para la Democracia is a Paraguayan CSO that aims to improve the quality of democracy through the promotion of accountable government. citizen participation and social equity.
- 1.5 In this submission, CIVICUS, Alma Cívica, ICD, Iniciativa Regional Rendir Cuentas and Semillas para la Democracia examine the Government of Paraguay's compliance with its international human rights obligations to create and maintain a safe and enabling environment for civil society. Specifically, we analyse Paraguay's fulfilment of the rights to freedoms of association, expression and peaceful assembly and unwarranted restrictions on human rights defenders (HRDs) since its previous UPR examination in May 2021. We assess Paraguay's implementation of recommendations received during the 3<sup>rd</sup> UPR cycle relating to these issues and provide follow-up recommendations.
- **1.6** During the 3<sup>rd</sup> UPR cycle, the Government of Paraguay received 21 recommendations relating to the space for civil society (civic space). It accepted 20 recommendations and noted one. However, an evaluation of a range of legal sources and human rights documentation addressed in this submission demonstrates that the Government of Paraguay has only partly implemented four recommendations.
  - **1.7** We are deeply concerned about attacks on and a growing hostile environment for civil society, particularly for people working on environmental and land rights and anticorruption and transparency issues.
- 1.8 We are further alarmed by the severe restrictions on freedom of association, including the adoption of the Law Establishing Control, Transparency and Accountability for Non-Profit Organisations (Law No 7,363/2024), which threatens the operation of independent CSOs.

- **1.9** While some legal and policy reforms have taken place since Paraguay's previous UPR examination, we are concerned that the government has yet to review laws and provisions that are being used to restrict the right to freedom of peaceful assembly.
- **1.10** As a result of these issues, civic space in Paraguay is currently classified as 'obstructed' by the CIVICUS Monitor, indicating the existence of significant civic space restrictions.<sup>1</sup>
  - Section 2 of this submission examines Paraguay's implementation of UPR recommendations and compliance with international human rights standards concerning freedom of association.
  - Section 3 examines Paraguay's implementation of UPR recommendations and compliance with international human rights standards related to the protection of HRDs, civil society activists and journalists.
  - Section 4 examines Paraguay's implementation of UPR recommendations and compliance with international human rights standards concerning freedom of expression, media freedom and access to information.
  - Section 5 examines Paraguay's implementation of UPR recommendations and compliance with international human rights standards related to freedom of peaceful assembly.
  - Section 6 contains recommendations to address the concerns raised and advance implementation of recommendations under the 3<sup>rd</sup> cycle.
  - Section 7 is an annex on the implementation of 3<sup>rd</sup> cycle UPR recommendations related to civic space.

#### 2. Freedom of association

- **2.1** During Paraguay's examination under the 3<sup>rd</sup> UPR cycle, the government received and accepted two recommendations on the right to freedom of association and creating an enabling environment for CSOs. Among others, the government committed to 'put an end to legal obstacles to the exercise of freedom of association, in particular in the workplace, and investigate incidents of persecution for trade unionism'. However, as evidenced below, the government has failed to take adequate measures to fully realise the recommendations, and has only partly implemented one.
- **2.2** Article 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Paraguay has been a state party since January 1995, guarantees freedom of association.

<sup>&</sup>lt;sup>1</sup> CIVICUS Monitor: Paraguay, <a href="https://monitor.civicus.org/country/paraguay">https://monitor.civicus.org/country/paraguay</a>.

- Articles 42 and 125 of the Constitution of Paraguay also enshrine freedom of association, including freedom to organise in political parties or movements.<sup>2</sup>
- **2.3** There is no single body of legislation that regulates CSOs.<sup>3</sup> The Civil Code (Law No 1183/85) establishes three main categories of what it classifies as non-profit organisations (NPOs): (i) associations recognised as being of public utility (articles 102-117); (ii) associations registered with restricted capacity (articles 118-123); and (iii) foundations (articles 124-131).<sup>4</sup>
- **2.4** In addition to the Civil Code, CSOs are subject to anti-money laundering and counterterrorist financing regulations. Resolution 490/2022 of November 2022 establishes a risk-based framework for NPOs, which may include sectoral registration at the Secretariat for the Prevention of Money or Asset Laundering (SEPRELAD), adoption of a compliance programme, appointment of a compliance officer, due diligence measures, reporting of suspicious transactions, training and periodic audits.<sup>5</sup>
- **2.5** In November 2024, President Santiago Peña enacted Law 7,363/24, formally called the Control, Transparency, and Accountability of Non-Profit Organisations Law (Law 7,363).<sup>6</sup> Civil society refers to the law as the 'Garrotte', or 'Anti-NGO' law. At the time of writing, it is not yet in force, pending the publication of implementing regulations by the executive branch (article 21).<sup>7</sup> Articles 2 and 3 define its scope, extending to all NPOs engaged in activities of 'public utility' or 'social or cultural interest' that receive national or international funds to 'influence public policy or state activities'. The broad and vague definitions may lead to arbitrary interpretation, contradicting Paraguay's obligations under ICCPR article 22(2),<sup>8</sup> which affirms that freedom of association is the

<sup>&</sup>lt;sup>2</sup> Constitution of the Republic of Paraguay, 1992, <a href="https://www.bacn.gov.py/leyes-paraguayas/9580/constitucion-nacional">https://www.bacn.gov.py/leyes-paraguayas/9580/constitucion-nacional</a>.

<sup>&</sup>lt;sup>3</sup> 'Annex 3. Checklist of the legal obligations of non-profit organisations in Paraguay (updated version as of January 2025)', International Centre for Not-for-Profit Law, January 2025, <a href="https://www.icnl.org/post/news/paraguay-non-profit-checklist">https://www.icnl.org/post/news/paraguay-non-profit-checklist</a>.

 $<sup>^4</sup>$  Civil Code (Law No 1183/85), last amended in 2020, <a href="https://baselegal.com.py/docs/2ae4c8f2-2c9e-11e9-95fc-525400c761ca">https://baselegal.com.py/docs/2ae4c8f2-2c9e-11e9-95fc-525400c761ca</a>.

<sup>&</sup>lt;sup>5</sup> 'Resolution No. 490 approving the Regulation on the Prevention of Money Laundering (ML) and the Financing of Terrorism (FT) based on a risk management system for Non-Profit Organisations (NPOs)', SEPRELAD, November 2022, <a href="https://www.seprelad.gov.py/userfiles/files/resoluciones/490-22-reglamentacion-de-las-osfl.pdf">https://www.seprelad.gov.py/userfiles/files/resoluciones/490-22-reglamentacion-de-las-osfl.pdf</a>.

<sup>&</sup>lt;sup>6</sup> Control, Transparency, and Accountability of Non-Profit Organisations Law (Law 7363/24), November 2024, https://silpy.congreso.gov.py/web/descarga/ley-144993?preview.

<sup>&</sup>lt;sup>7</sup> 'Lawmakers continue to push for regulation to enforce anti-NGO law, support the suspension of USAID funding', EU System for an Enabling Environment for Civil Society (EU SEE), 21 March 2025, <a href="https://eusee.hivos.org/alert/lawmakers-continue-to-push-for-regulation-to-enforce-anti-ngo-law-support-the-suspension-of-usaid-funding">https://eusee.hivos.org/alert/lawmakers-continue-to-push-for-regulation-to-enforce-anti-ngo-law-support-the-suspension-of-usaid-funding</a>.

<sup>&</sup>lt;sup>8</sup> 'Freedom of association under threat: criminalisation of environmental defenders and anti-NGO draft law passed', CIVICUS Monitor, 28 October 2024, <a href="https://monitor.civicus.org/explore/freedom-of-association-under-threat-criminalisation-of-environmental-defenders">https://monitor.civicus.org/explore/freedom-of-association-under-threat-criminalisation-of-environmental-defenders</a>.

general rule and any limitation must remain the exception. In line with international human rights standards, any restriction must be clearly defined by law (legality), serve a legitimate public interest such as national security or public order (necessity) and be strictly tailored to avoid excessive interference (proportionality).

- 2.6 Although NPOs are already subject to over 13 mandatory registrations, <sup>9</sup> the law creates a mandatory national NPO register under the Ministry of Economy and Finance, with deadlines of 90 days for existing bodies and 30 days for new entities to register (article 7). Access to public funds and agreements is restricted to NPOs listed in the official registry (article 12), requires that public transfers to NPOs be recorded in government budgets and imposes financial and operational reporting requirements for NPOs, while preserving existing regulatory agencies, including SEPRELAD (article 19). The law adds burdens by conditioning access to resources on prior registration and imposing disproportionate reporting duties, discouraging the creation of new organisations and heavily interfering in the internal affairs of existing ones, thus risking undue restrictions on freedom of association.
- 2.7 The law also establishes a broad framework of liability for NPOs, extending responsibility to their directors, administrators, representatives and any person in managerial or supervisory roles (article 13). Defined infractions include failure to register, failure to comply with article 7 obligations, submission of incorrect or false information and breaches of reporting and operational duties (article 15). Sanctions against NPOs include written warnings and suspension of activities for three to six months, which may also extend to other entities linked to their operations (article 16). Individuals may face written warnings or disqualification from holding management or oversight positions for up to five years in cases of recurrence, in addition to any civil or criminal liability (article 17).
- **2.8** The possibility of sanctioning both organisations and individuals for administrative failures, including disqualification from management for up to five years, is not the least restrictive means of promoting transparency and accountability. Such a punitive measure fails to demonstrate that the impact of the law is as targeted as possible and instead threatens to stifle dissent.
- **2.9**. Although implementing regulations are pending, the law's political implications are already evident. The Bicameral Commission of Investigation, responsible for the investigation of money laundering, offences against state property, smuggling and other crimes, is targeting CSOs with unsubstantiated claims of misuse of European Union and

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<sup>&</sup>lt;sup>9</sup> 'Anti-NGO Law in Paraguay: Major setbacks and concerns for Democracy', TEDIC, 20 December 2024, <a href="https://www.tedic.org/en/anti-ngo-law-in-paraguay-major-setbacks-and-concerns-for-democracy">https://www.tedic.org/en/anti-ngo-law-in-paraguay-major-setbacks-and-concerns-for-democracy</a>.

USAID funds, reinforcing anti-CSO narratives in political discourse.  $^{10}$  Lawmakers have invoked these narratives to justify the freezing of USAID funding, which disrupted civil society work in 2025.  $^{11}$ 

- **2.10** Article 96 of the constitution recognises the right to unionise without prior authorisation, stipulating that no one can be compelled to join a union. The only exceptions are members of the armed forces and police, who are prohibited from unionising. According to the International Trade Union Confederation, workers in Paraguay frequently encounter legal obstacles in exercising their right to freedom of association.<sup>12</sup>
- **2.11** The Labour Code sets high thresholds for union formation: there must be a minimum number of 20 workers in an enterprise, 30 in an occupational committee and 300 in an industry. The thresholds in the public sector vary depending on the size of the institution. Leadership eligibility and internal administration rules require union leaders to be employees in the enterprise, industry, or occupation, of legal age and active members of the union.<sup>13</sup>
- **2.12** CSOs in Paraguay reported some progress in the implementation of the National Human Rights Plan (PNDH) 2013-2017, although the plan has not been updated. The authorities prepared the III Action Plan 2021-2023, but this did not replace the PNDH and was developed without broad citizen participation. While there is a reference to a IV Action Plan of the Human Rights Network of the Executive Branch 2024-2028, there is still no evidence of a comprehensive new national plan.<sup>14</sup>
- 2.13 CSOs also note that while participation in the development of these public policy documents has become more visible, it remains irregular and is largely limited to information-sharing. The government has also established the Recommendation Monitoring System on Human Rights and Sustainable Development (SIMORE Plus), an online platform designed to track the implementation of international human rights and

<sup>&</sup>lt;sup>10</sup> 'President enacts controversial law restricting civil society; Land rights protesters face threats', CIVICUS Monitor, 21 May 2025, https://monitor.civicus.org/explore/president-enacts-controversial-law-restricting-civil-society.

<sup>&</sup>lt;sup>11</sup> EU SEE, 21 March 2025, op. cit.

<sup>&</sup>lt;sup>12</sup> 'ITUC Global Rights Index 2025', International Trade Union Confederation, 16 May 2025, page 21, https://www.ituc-csi.org/global-rights-index-reports.

<sup>&</sup>lt;sup>13</sup> Paraguay, International Trade Union Confederation, <a href="https://www.ituc-csi.org/spip.php?page=legal">https://www.ituc-csi.org/spip.php?page=legal</a> info&cc=PRY&lang=en.

<sup>&</sup>lt;sup>14</sup> 'Mid-Term Voluntary Report of Paraguay on the Implementation of the Recommendations of the 3rd Cycle of the Universal Periodic Review (UPR)', Ministry of Foreign Affairs of the Government of Paraguay, <a href="https://www.mre.gov.py/simoreplus/Adjuntos/Informes/PRY\_EPU%20Informe%20Voluntario%20de%20Medio%2">https://www.mre.gov.py/simoreplus/Adjuntos/Informes/PRY\_EPU%20Informe%20Voluntario%20de%20Medio%2</a> OT%C3%A9rmino.pdf.

SDGs recommendations.<sup>15</sup> It allows CSOs to follow up on the state's commitments, offering a potentially important tool for civil society's participation. Yet it operates intermittently and with limited accessibility, reducing its effectiveness.<sup>16</sup>

- 3. Harassment, intimidation and attacks against civil society activists, human rights defenders and journalists
- 3.1 Under Paraguay's previous UPR examination, the government received 16 recommendations on the protection of civil society activists, HRDs and journalists. The government accepted 15 recommendations and noted one. The government committed, among other recommendations, to 'adopt measures to ensure that human rights defenders and journalists can carry out their work in a safe environment, without risk of reprisals'. However, the government has only partly implemented two recommendations.
- 3.2 Article 12 of the UN Declaration on Human Rights Defenders mandates states to take the necessary measures to ensure the protection of HRDs. The ICCPR further guarantees freedoms of association, expression and peaceful assembly. Paraguay has however not ratified the Regional Agreement on Access to Information, Public Participation, and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), which includes specific measures for the protection of environmental human rights defenders (EHRDs).<sup>17</sup> There is no legal or institutional framework to protect HRDs, nor any independent mechanism to investigate threats or reprisals against them.
- **3.3** In June 2017, the National Police adopted Resolution No. 538 approving a security protocol for journalists in high-risk situations, which aimed to provide protection to journalists from work-related threats, with National Police responsible for offering security upon request. However, CSOs have reported that the protocol is ineffective,

recommendations-showcased-for-further-scaling-uphttps://unsouthsouth.org/2025/03/19/paraguays-innovative-system-for-monitoring-human-rights-recommendations-showcased-for-further-scaling-up/.

<sup>&</sup>lt;sup>15</sup> 'Paraguay's Innovative System for Monitoring Human Rights Recommendations Showcased for Further Scaling Up', United Nations Office for South-South Cooperation, 19 March 2025, <a href="https://unsouthsouth.org/2025/03/19/paraguays-innovative-system-for-monitoring-human-rights-">https://unsouthsouth.org/2025/03/19/paraguays-innovative-system-for-monitoring-human-rights-</a>

<sup>&</sup>lt;sup>16</sup> Conclusions based on a consultation with Paraguayan organisations held in September 2025.

<sup>&</sup>lt;sup>17</sup> Regional Agreement on Access to Information, Public Participation, and Justice in Environmental Matters in Latin America and the Caribbean, <a href="https://observatoriop10.cepal.org/en/treaty/regional-agreement-access-information-public-participation-and-justice-environmental-matters">https://observatoriop10.cepal.org/en/treaty/regional-agreement-access-information-public-participation-and-justice-environmental-matters</a>.

<sup>&</sup>lt;sup>18</sup> 'Resolution No. 538 approving the security protocol for journalists in situations of high risk', National Police, 22 June 2017, <a href="https://seguridadperiodistas.org.py/wp-content/uploads/2023/11/PROTOCOLO-538-PN-version-optima.pdf">https://seguridadperiodistas.org.py/wp-content/uploads/2023/11/PROTOCOLO-538-PN-version-optima.pdf</a>.

its scope is limited and lacks a comprehensive approach to the safety of journalists.

There are no institutionalised measures to ensure effective protection for journalists. 

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- **3.4** In April 2023, five senators introduced a Bill on the Protection of Journalists and Human Rights Defenders,<sup>20</sup> but despite repeated calls from civil society, <sup>21</sup> legislators have yet to approve the proposal.<sup>22</sup> The absence of such legislation leaves HRDs and journalists vulnerable in a country where attacks, threats and intimidation remain frequent.
- **3.5** Between 2022 and 2024, the CIVICUS Monitor documented several physical attacks against campesino leaders, Indigenous EHRDs and journalists and highlighted a pattern of state complicity and structural impunity. These incidents occur in the context of land disputes, the expansion of agribusiness<sup>23</sup> and the influence of organised crime,<sup>24</sup> and in a country with one of the most unequal land distributions in the world.<sup>25</sup>
- 3.6 Several campesino and Indigenous leaders have been killed in the context of land disputes involving agribusiness and landowners, often with the police present or acquiescent. For example, on 12 September 2022, campesino leader Artemio Cabral was fatally shot during a land occupation in Alto Paraná while speaking to a police commissioner about the land conflict. Witnesses reported selective arrests and prosecutorial negligence in the investigation, highlighting impunity in such cases.<sup>26</sup>
- **3.7** On 22 October 2023, Indigenous leader Arnaldo Benítez Vargas of Yvy Pyte was killed amid escalating incursions into Paï Tavyterä territories by people linked to Brazilian

<sup>&</sup>lt;sup>19</sup> Conclusions based on a consultation with Paraguayan organisations held in September 2025. See also: Paraguay, International Service for Human Rights, <a href="https://ishr.ch/es/herramientas-para-personas-defensoras/proteccion-nacional/paraguay">https://ishr.ch/es/herramientas-para-personas-defensoras/proteccion-nacional/paraguay</a>.

<sup>&</sup>lt;sup>20</sup> Bill on the Protection of Journalists and Human Rights Defenders, introduced on 26 April 2023 by Senators Blas Lanzoni Achinelli, José Gregorio Ledesma Narváez, Gilberto Antonio Apuril Santiviago, Esperanza Martínez de Portillo and Rafael Augusto Filizzola Serra, Congress of the Republic of Paraguay, File: S-2311464, April 2023, https://silpy.congreso.gov.py/web/expediente/128109.

<sup>&</sup>lt;sup>21</sup> 'Paraguayan Senate passes controversial draft law to increase heavy control over CSOs', CIVICUS Monitor, 22 August 2024, <a href="https://monitor.civicus.org/explore/paraguayan-senate-passes-controversial-draft-law-to-increase-heavy-control-over-csos">https://monitor.civicus.org/explore/paraguayan-senate-passes-controversial-draft-law-to-increase-heavy-control-over-csos</a>.

<sup>&</sup>lt;sup>22</sup> 'Law on the Protection of Journalists to be debated within 15 days with a favourable opinion already issued', Ultima Hora, 22 September 2025, <a href="https://www.ultimahora.com/ley-de-proteccion-de-periodistas-se-trataria-en-15-dias-y-ya-tiene-dictamen-favorable">https://www.ultimahora.com/ley-de-proteccion-de-periodistas-se-trataria-en-15-dias-y-ya-tiene-dictamen-favorable</a>.

 <sup>&</sup>lt;sup>23</sup> 'Paraguay's Looted Lands: How war, trade and dictatorship created the world's worst deforestation crisis',
 Earthsight, June 2021, <a href="https://www.earthsight.org.uk/news/investigation-analysis-paraguays-looted-lands">https://www.earthsight.org.uk/news/investigation-analysis-paraguays-looted-lands</a>.
 <sup>24</sup> 'How organised crime infiltrated the Prosecutor's Office in Paraguay: a murdered journalist and corruption in the judicial system', El País, 10 July 2025, <a href="https://elpais.com/america/2025-07-10/como-el-crimen-organizado-infiltro-la-fiscalia-en-paraguay-un-periodista-asesinado-y-corrupcion-en-el-sistema-judicial.html">https://elpais.com/america/2025-07-10/como-el-crimen-organizado-infiltro-la-fiscalia-en-paraguay-un-periodista-asesinado-y-corrupcion-en-el-sistema-judicial.html

<sup>&</sup>lt;sup>25</sup> Earthsight, June 2021, op. cit.

<sup>&</sup>lt;sup>26</sup> 'Paraguay: September marked by killings of a journalist and a campesino leader', CIVICUS Monitor, 20 December 2022, <a href="https://monitor.civicus.org/explore/paraguay-september-marked-killings-journalist-and-campesino-leader">https://monitor.civicus.org/explore/paraguay-september-marked-killings-journalist-and-campesino-leader</a>.

businesses. Despite repeated complaints since 2020, authorities failed to provide protection, leaving the community exposed to violence. This case reflects a broader pattern of violence against Indigenous defenders resisting land dispossession in Amambay Department.<sup>27</sup>

- 3.8 Campesino communities demanding land restitution are particularly exposed to violence, including armed attacks carried out jointly by armed civilians and security forces. On 5 January 2024, armed civilians, accompanied by National Police officers, beat and kidnapped several members of the Chorrito 'Cerro Guy' peasant community in Carayao, Caaguazú Department. They were demanding the return of misappropriated land held by a foreign family. During the incident, police detained community members Hernán Gavilán and Valentín Sandoval and held them for five days. CSOs denounced the collusion between public authorities and private actors in repressing legitimate social demands.<sup>28</sup>
- 3.9 HRDs also frequently face arbitrary detentions and criminalisation during violent evictions. The Human Rights Coordination of Paraguay (CODEHUPY) has reported that farmers face trumped-up charges to suppress community claims.<sup>29</sup> On 19 May 2023, two Ava Guaraní Indigenous defenders were arbitrarily detained in Alto Paraná during the third eviction of their community, in which 40 families lost homes and farmland.<sup>30</sup> In Caazapá, 30 campesino leaders were prosecuted for 'invasion of third-party property' based on allegedly falsified land titles. On 3 June 2025, security forces violently evicted 230 families from San Miguel settlement in Maracaná, Canindeyú. Prosecutors also ordered the arrest of Mayor José Cantero, accusing him of promoting unlawful occupation. Civil society warned that prosecutorial powers to silence dissent.<sup>31</sup>
- **3.10** Those denouncing the environmental impacts of extractive industries are also subjected to criminal prosecution. As of September 2025, three defenders, including Vidal Brítez Alcaraz, president of the Association of Yerba Mate Growers of Paso Yobái, remain under house arrest on charges stemming from their opposition to toxic mining operations. The charges relate to a January 2025 incident when a judicial order

<sup>&</sup>lt;sup>27</sup> 'Indigenous leader killed; detentions in pension reform protest', CIVICUS Monitor, 20 April 2024, https://monitor.civicus.org/explore/indigenous-leader-killed-detentions-in-pension-reform-protest.

<sup>&</sup>lt;sup>29</sup> Ibid.

<sup>&</sup>lt;sup>30</sup> 'Paraguay: Violent evictions affect land rights defenders', CIVICUS Monitor, 21 July 2022, <a href="https://monitor.civicus.org/explore/paraguay-violent-evictions-affect-land-rights-defenders.">https://monitor.civicus.org/explore/paraguay-violent-evictions-affect-land-rights-defenders.</a>

<sup>&</sup>lt;sup>31</sup> 'Maracaná Mayor targeted after mass eviction and protest highlights tensions over land rights', CIVICUS Monitor, 14 July 2025, <a href="https://monitor.civicus.org/explore/maracana-mayor-targeted-after-mass-eviction-and-protest-highlights-tensions-over-land-rights">https://monitor.civicus.org/explore/maracana-mayor-targeted-after-mass-eviction-and-protest-highlights-tensions-over-land-rights</a>.

authorised trucks carrying mining waste to enter the property of a yerba mate producer. Police escorted the trucks, prompting a confrontation in which residents reportedly threw stones. Despite clear evidence confirming that Brítez was at home five kilometres away, prosecutors indicted him alongside five others.<sup>32</sup>

- 3.11 Journalists remain highly vulnerable to physical violence, particularly those covering organised crime in the border region. On 6 September 2022, journalist Humberto Coronel was shot dead outside Radio Amambay in Pedro Juan Caballero, a city on the border with Brazil plagued by narco-trafficking. Coronel, who had denounced corruption and police misconduct on air, had previously received death threats, along with a colleague. The Paraguayan Journalists' Union (SPP) described the murder as a result of state inaction, warning that Amambay remains one of the most dangerous regions in Paraguay for media workers.<sup>33</sup>
- **3.12** The lack of investigation into Coronel's killing reflects a broader climate of impunity for crimes against journalists. A 2025 investigation by Forbidden Stories and the Organised Crime and Corruption Reporting Project found that Coronel was the 18th journalist killed in Paraguay since 1991. The investigation highlighted systemic prosecutorial failures, including ignored leads and lost files.<sup>34</sup>
- 3.13 Reporters face death threats as a result of their reporting on abuses of power or corruption by authorities. On 9 March 2024, journalist Juan Alcaráz, who works for Saltos del Guairá en Noticias, received a death threat referencing a recent incident at his home. Alcaráz believes the threat is linked to his ongoing reporting on corruption cases in the municipal government of Saltos del Guairá. On 29 August 2025, journalist Aníbal Gómez Caballero, based in Pedro Juan Caballero, received a series of threatening WhatsApp messages targeting him and his family. The threats followed his revelations that a member of parliament had attempted to interfere in the investigation into the 2020 killing of journalist Léo Veras by pressuring Veras's widow to help one of the suspects avoid responsibility.
- **3.14** Journalists are also subjected to assaults and intimidation. On 9 March 2024, José María Chilavert, assistant to Senator Norma Aquino, reportedly assaulted journalists Arnaldo Cabral of Radio Ñandutí and Miriam Soilán of Radio Uno as they covered the convention

<sup>&</sup>lt;sup>32</sup> 'Environmental defenders face criminalisation in Paso Yobái; Journalists assaulted and threatened', CIVICUS Monitor, 10 September 2025, <a href="https://monitor.civicus.org/explore/environmental-defenders-face-criminalisation-in-paso-yobai">https://monitor.civicus.org/explore/environmental-defenders-face-criminalisation-in-paso-yobai</a>.

<sup>&</sup>lt;sup>33</sup> CIVICUS Monitor, 20 December 2022, op. cit.

<sup>&</sup>lt;sup>34</sup> CIVICUS Monitor, 10 September 2025, op. cit.

<sup>&</sup>lt;sup>35</sup> CIVICUS Monitor, 20 April 2024, op. cit.

<sup>&</sup>lt;sup>36</sup> CIVICUS Monitor, 10 September 2025, op. cit.

of the ruling Colorado Party.<sup>37</sup> On 25 August 2025, journalist Jessica Martínez of Radio Ñandutí was physically assaulted while covering an event outside the Penal de Emboscada Antiguo. According to the SPP, one of Justice Minister Rodrigo Nicora's bodyguards struck her in the chest with a closed fist.<sup>38</sup>

#### 4. Freedom of expression, media freedom and access to information

- **4.1** During the 3rd UPR cycle, Paraguay received three recommendations on freedom of expression, media freedom and access to information, all of which it accepted. The government committed, among other recommendations, to 'guarantee that the protection and prevention of censorship or any other limitation or violation of freedom of expression and freedom of the press is in line with international human rights standards'. However, the government has only partly implemented two recommendations.
- **4.2** ICCPR article 19 of the guarantees the right to freedoms of expression and opinion. Articles 25 to 30 of the constitution also enshrine freedoms of expression, press and information and media pluralism.<sup>39</sup> The Criminal Code includes the crimes of slander, defamation and insult, punishable with fines and, for defamation and slander, prison sentences of one year for defamation and two for slander (articles 150–156).<sup>40</sup> Since the Criminal Code defines these crimes in a generic way, without limiting them to any specific media, its provisions have been deemed applicable to mobile and internet communications.
- 4.3 Judges, politicians, public officials and other influential figures have used judicial harassment to intimidate journalists for their reporting on corruption. In November 2022, ABC Color journalists Juan Carlos Lezcano and Natalia Zuccolillo were convicted of defamation for reporting on alleged irregularities by a former vice minister.<sup>41</sup> Although the Supreme Court overturned their conviction in July 2024,<sup>42</sup> they had been subjected to judicial proceedings since 2019, illustrating the chilling effect of prolonged litigation.
- **4.4** A new and concerning pattern involves the misuse of Law 5,777/2016 on Violence Against Women to censor journalists. While the law plays an essential role in

<sup>&</sup>lt;sup>37</sup> CIVICUS Monitor, 20 April 2024, op. cit.

<sup>&</sup>lt;sup>38</sup> CIVICUS Monitor, 10 September 2025, op. cit.

<sup>&</sup>lt;sup>39</sup> Constitution of the Republic of Paraguay, op. cit.

<sup>&</sup>lt;sup>40</sup> Penal Code (Law No. 1,160/1997), https://www.bacn.gov.py/leyes-paraguayas/3497/codigo-penal.

<sup>&</sup>lt;sup>41</sup> CIVICUS Monitor, 20 December 2022, op. cit.

<sup>&</sup>lt;sup>42</sup> 'Freedom of the press prevails: acquittal of ABC journalist and director upheld', ABC Color, 1 July 2024, <a href="https://www.abc.com.py/nacionales/2024/07/01/triunfa-la-libertad-de-prensa-absolucion-de-periodista-y-directora-de-abc-queda-firme">https://www.abc.com.py/nacionales/2024/07/01/triunfa-la-libertad-de-prensa-absolucion-de-periodista-y-directora-de-abc-queda-firme</a>.

addressing gender-based violence, press freedom organisations documented at least six cases where public officials misused the law against journalists, leading to restrictive rulings in four of the cases. These included gag orders and prohibitions on contact that hindered journalists from investigating corruption and otherwise carrying out their professional duties.<sup>43</sup> For example, journalist Mabel Portillo was targeted twice in 2023 by Yataity Mayor Gloria Duarte, who filed complaints under Law 5,777/2016. Portillo was censored and barred from communicating with Duarte, undermining her reporting on alleged misuse of public funds.<sup>44</sup>

- **4.5** Paraguay's Law on Free Citizen Access to Public Information and Government Transparency (Law No. 5,282/2014) establishes the right of every person to access public information held by state authorities. The law was promulgated in 2014 and is regulated by Decree No. 4,064/2015, which details procedures, formats, timeframes and operational responsibilities. Additionally, the Unified Portal for Access to Public Information remains operational. The more recent Law 7,389/2024 on the National System of Integrity, Transparency and Corruption Prevention regulates acts and functions of authorities and public officials to foster efficient and transparent public management and the use of state resources. Its impact on access to information and citizen participation remains uncertain.
- **4.6** Although the legal framework is relatively comprehensive, there are persistent gaps in implementation and compliance. Civil society reports low public awareness, inconsistent publication and delays in responses to information requests.<sup>49</sup> The dissolution of the former National Anti-Corruption Secretariat, which had been the specialised body responsible for monitoring compliance with anti-corruption, integrity and transparency obligations, at the end of 2024 and its subsequent absorption into the

<sup>&</sup>lt;sup>43</sup> CIVICUS Monitor, 28 October 2024, op. cit.; CIVICUS Monitor, 21 May 2025, op. cit.

<sup>&</sup>lt;sup>44</sup> CIVICUS Monitor, 20 April 2024, op. cit.

<sup>&</sup>lt;sup>45</sup> Law No. 5.282/14 on Free Citizen Access to Public Information and Government Transparency, 2014, <a href="https://www.bacn.gov.py/leyes-paraguayas/3013/ley-n-5282-libre-acceso-ciudadano-a-la-informacion-publica-y-transparencia-gubernamental">https://www.bacn.gov.py/leyes-paraguayas/3013/ley-n-5282-libre-acceso-ciudadano-a-la-informacion-publica-y-transparencia-gubernamental</a>.

<sup>&</sup>lt;sup>46</sup> Decree No. 4064 regulating Law No. 5282/2014 on Free Citizen Access to Public Information and Government Transparency, 2015, <a href="https://www.contraloria.gov.py/index.php/transparencia-disposiciones-legales/file/26637-decreto-n-4064-2015">https://www.contraloria.gov.py/index.php/transparencia-disposiciones-legales/file/26637-decreto-n-4064-2015</a>.

<sup>&</sup>lt;sup>47</sup> Government of Paraguay, https://informacionpublica.paraguay.gov.py.

<sup>&</sup>lt;sup>48</sup> Law 7,389/2024 on the National System of Integrity, Transparency and Corruption Prevention, December 2024, <a href="https://silpy.congreso.gov.py/web/ley/145063">https://silpy.congreso.gov.py/web/ley/145063</a>.

<sup>&</sup>lt;sup>49</sup> Conclusions based on a consultation with Paraguayan organisations held in September 2025.

Comptroller General's Office marked a regression in oversight capacity and institutional independence.<sup>50</sup>

#### 5. Freedom of peaceful assembly

- **5.1** During Paraguay's examination under the 3rd UPR cycle, the government received one recommendation on freedom of peaceful assembly, which the government supported. It also received two relevant recommendations regarding the misconduct of security forces and its consistency with human rights standards. The government committed to '[...] end restrictions on the freedoms of association and peaceful assembly'. However, the government has not implemented any of the recommendations.
- **5.2** ICCPR article 21 guarantees freedom of peaceful assembly. Article 32 of the constitution also enshrines this freedom, explicitly stating that people have the right to peaceful assembly and demonstration without prior authorisation and cannot be compelled to participate. It further states that 'the law may only regulate this right in public spaces and times to protect third-party rights and public order'.<sup>51</sup>
- **5.3** This freedom is regulated by Law No. 1,066/1997 (known as the Marchódromo Law), which proscribes time and place restrictions and the obligation to notify the police of demonstrations. Some of its key provisions include: (i) demonstrations in public places must be notified to the police at least 12 hours in advance (article 7); (ii) blocking bridges, railways and routes is banned (article 15); and (iii) time and place constraints are imposed in Asunción's central area (article 14). While the law does not amount to a formal system of prior authorisation, its restrictive provisions, particularly categorical bans on some locations and routes and the short 12-hour notice period, risk converting notification into a constraint on protests rather than way of facilitating them by granting authorities excessive discretion to restrict demonstrations.
- **5.4** CSOs have long called for the repeal of the Marchódromo Law, pointing to its selective enforcement against campesino, Indigenous, student and trade union movements mobilising for cultural, economic, environmental and social rights.<sup>52</sup>
- **5.5** On 14 August 2024, National Police partially blocked protesters' access to the Plaza de la Democracia during the celebrations of Asunción's 487th anniversary. Protesters had

<sup>&</sup>lt;sup>50</sup> 'Peña's anti-corruption law abolishes SENAC and creates a council with US backing', LaPolíticaOnline, September 2024, <a href="https://www.lapoliticaonline.com/paraguay/politica-py/la-ley-anticorrupcion-de-pena-elimina-la-senac-y-crea-un-consejo-con-aval-de-eeuu">https://www.lapoliticaonline.com/paraguay/politica-py/la-ley-anticorrupcion-de-pena-elimina-la-senac-y-crea-un-consejo-con-aval-de-eeuu</a>.

<sup>&</sup>lt;sup>51</sup> Constitution of Paraguay, op. cit.

<sup>&</sup>lt;sup>52</sup> 'Monitoring Agenda for the National Human Rights Plan (PNDH). The 10 Pressing Human Rights Gaps in Paraguay', CODEHUPY, March 2023, <a href="https://www.codehupy.org.py/wp-content/uploads/2024/01/10-Deudas-Urgentes-en-DDHH-en-Paraguay.pdf#page=18">https://www.codehupy.org.py/wp-content/uploads/2024/01/10-Deudas-Urgentes-en-DDHH-en-Paraguay.pdf#page=18</a>.

gathered to denounce alleged corruption by the city's mayor, Óscar 'Nenecho' Rodríguez. Officers cited the Marchódromo Law, demanded identification and barred protesters from entering the public square where official cultural activities were taking place. Organisers said police also ordered the removal of banners displayed on pavements and encircled the group to restrict people's movement. Following these measures, authorities permitted the protesters to remain on the roadway, although police placed them under close surveillance.<sup>53</sup>

- **5.6** On 16 July 2025, National Police disrupted a pilgrimage organised by the Conference of Religious Men and Women of Paraguay (Conferpar) after Father Alberto Luna displayed a banner demanding public transport reform outside the National Congress. <sup>54</sup> Officers ordered its removal, arguing that it distorted the group's original religious objective, based on the Marchódromo Law. The Vice-Minister of Internal Security defended the intervention, arguing that political claims 'contaminated' the religious act. <sup>55</sup> Conferpar and several senators rejected the police's action and demanded clarification from the Ministry of the Interior. <sup>56</sup>
- **5.7** On 28 September 2025, National Police deployed over 3,000 officers in Asunción to control a mass demonstration organised by members of the Generation Z.<sup>57</sup> Authorities banned masks, fireworks and sharp objects, and announced that the Marchódromo Law would apply. Ahead of the protest, authorities opened an investigation into the organisers, with prosecutors reportedly identifying participants in advance for alleged illicit activities, <sup>58</sup> citing possible cybercrime and organised crime.<sup>59</sup> The mobilisation

<sup>&</sup>lt;sup>53</sup> 'Police attempt to prevent protest against Nenecho during Asunción celebrations', Ultima Hora, 14 August 2024, <a href="https://www.ultimahora.com/policias-intentan-evitar-manifestacion-contra-nenecho-en-medio-de-festejos-de-asuncion">https://www.ultimahora.com/policias-intentan-evitar-manifestacion-contra-nenecho-en-medio-de-festejos-de-asuncion</a>.

<sup>&</sup>lt;sup>54</sup> CIVICUS Monitor, 10 September 2025, op. cit.

<sup>&</sup>lt;sup>55</sup> 'Police justify intervention against Father Luna during march', RDN-Resumen de Noticias, 22 July 2025, https://www.rdn.com.py/2025/07/22/policia-justifica-intervencion-contra-padre-luna-en-marcha.

<sup>&</sup>lt;sup>56</sup> 'Senate rejects police intervention during religious pilgrimage in Asunción', El Nacional, 24 July 2025, https://elnacional.com.py/politica/senado-rechaza-intervencion-policial-durante-peregrinacion-religiosa-asuncion-n89446.

<sup>&</sup>lt;sup>57</sup> '3,000 police officers to guard Generation Z march', RDN-Resumen de Noticias, 26 September 2025, https://www.rdn.com.py/2025/09/26/3-000-policias-custodiaran-marcha-de-la-generacion-z.

<sup>&</sup>lt;sup>58</sup> 'Police warn they are investigating Gen Z and will enforce the Marchódromo Law', ABC Color, 25 September 2025, <a href="https://www.abc.com.py/policiales/2025/09/25/policia-advierte-que-investiga-a-gen-z-y-aplicara-ley-del-marchodromo">https://www.abc.com.py/policiales/2025/09/25/policia-advierte-que-investiga-a-gen-z-y-aplicara-ley-del-marchodromo</a>.

<sup>&</sup>lt;sup>59</sup> 'Generation Z organise anti-corruption protest on TikTok; Police monitor social media', Ultima Hora, 23 September 2025, <a href="https://www.ultimahora.com/generacion-z-organiza-en-tiktok-marcha-contra-la-corrupcion-y-policia-vigila-redes-sociales">https://www.ultimahora.com/generacion-z-organiza-en-tiktok-marcha-contra-la-corrupcion-y-policia-vigila-redes-sociales</a>.

- was triggered by a bribery scandal known as 'Sobres del Poder' bribery scandal, with protesters demanding transparency and accountability.<sup>60</sup>
- **5.8** Article 98 of the constitution recognises the right of workers to strike, stating that: 'All public and private-sector workers may resort to strike in conflicts of interest. Members of the Armed Forces and the Police are excluded. The law must regulate the exercise of strike or lock-out so as not to affect essential public services.' This right is mainly regulated in the Labour Code (Law No. 213), which establishes tight limits.<sup>61</sup>
- **5.9** A strike is lawful only if its purpose is directly and exclusively linked to workers' occupational interests, excluding political, sympathy, solidarity, or broader social aims (article 376). Workers in essential public services, must maintain a minimum service, with authorities able to impose this in a broad range of 'services of public utility' without consulting unions or employers (article 362). The Labour Procedure Code establishes that strike actions are subject to compulsory arbitration and lengthy conciliation and mediation steps (articles 284 to 320),<sup>62</sup> creating legal barriers to the right to strike.<sup>63</sup>
- **5.10** The Criminal Code defines several crimes against public order that civil society has denounced as tools to criminalise social protest. They include: (i) damage to things of common interest (article 158), which carries sentences up to three years in prison or a fine, with attempts to damage also punishable; (ii) disrupting public services (article 218), with a five-year sentence or a fine, and a sentence up to two years if caused by negligence; (iii) disturbing the public peace (article 234), which brings a sentence of up to five years, and up to 10 years in aggravated cases; (iv) and resisting authorities (article 296), bringing a two-year sentence or a fine, or up to five years if weapons are involved or there is serious injury or danger of death.<sup>64</sup>
- **5.11** Authorities have used these charges to criminalise protest, particularly in the context of peaceful protests against extractive industry projects. On 9 October 2024, a prosecutor in Guairá charged two EHRDs with disturbing public peace, among other offences, in relation to demonstrations in September and October 2024 against plans to excavate mining pits in an environmentally protected area. According to CODEHUPY,

<sup>&</sup>lt;sup>60</sup> 'Youth from Gen Z Paraguay march against corruption', RDN-Resumen de Noticias, 28 September 2025, https://www.rdn.com.py/2025/09/28/jovenes-de-la-gen-z-paraguay-marchan-contra-la-corrupcion.

<sup>&</sup>lt;sup>61</sup> Law No. 213 establishing the Labour Code, 1992, <a href="https://www.bacn.gov.py/leyes-paraguayas/2608/ley-n-213-establece-el-codigo-del-trabajo">https://www.bacn.gov.py/leyes-paraguayas/2608/ley-n-213-establece-el-codigo-del-trabajo</a>.

<sup>&</sup>lt;sup>62</sup> Labour Procedural Code (Law No 742/61), 1961, <a href="https://correoparaguayo.gov.py/sitio/wp-content/uploads/2023/09/Codigo-Procesal-Laboral.pdf">https://correoparaguayo.gov.py/sitio/wp-content/uploads/2023/09/Codigo-Procesal-Laboral.pdf</a>.

<sup>&</sup>lt;sup>63</sup> International Trade Union Confederation, Paraguay, <a href="https://www.ituc-csi.org/spip.php?page=legal\_info&cc=PRY&lang=enop.cit">https://www.ituc-csi.org/spip.php?page=legal\_info&cc=PRY&lang=enop.cit</a>.

<sup>&</sup>lt;sup>64</sup> Penal Code, Law No 1,160/1997, 1997, https://www.bacn.gov.py/leyes-paraguayas/3497/codigo-penal.

the case file did not include specific evidence linking either person to the alleged acts, and the detention order lacked adequate legal grounds.<sup>65</sup>

- **5.12** In June 2024, Congress approved Law No. 7,280/2024 on the Reform and Modernisation of the National Police, repealing the prior Organic Police Law (No. 222/93). Title X (articles 199–201) now codifies use-of-weapons rules, expressly requiring police to follow the Police Use-of-Force Manual, and mandating that officers prioritise persuasion and prevention before using lethal or less-lethal force. Any abuse of these provisions can trigger administrative and prosecutorial review.<sup>66</sup>
- **5.13** The Police Use-of-Force Manual, adopted through Resolution 437/2021, remains in force and operationalises the principles of necessity, proportionality, accountability and oversight, while expressly referencing UN and Inter-American treaties.<sup>67</sup> In September 2024, the government approved a new disciplinary code. It sets penalties for officers who abuse firearms or force outside the manual's strict limits.<sup>68</sup>
- **5.14** However, police have used excessive force to break up demonstrations, typically leading to detentions and injuries. On 28 August 2025, university students in Canindeyú held a protest to denounce public transport failures. National Police units, including riot police, intervened to disperse the protest, firing rubber bullets at the crowd. Reports confirmed that several students sustained injuries as a result.<sup>69</sup>
- **5.15** On 12 December 2023, police met a protest against the Superintendence of Retirement and Pensions Bill with unnecessary force. National Police dispersed

<sup>&</sup>lt;sup>65</sup> CIVICUS Monitor, 28 October 2024, op. cit.

<sup>&</sup>lt;sup>66</sup> Law No. 7,280 on the Reform and Modernisation of the National Police, 2024, https://silpy.congreso.gov.py/web/ley/144503.

<sup>&</sup>lt;sup>67</sup> Resolution No. 437 approving the new Manual on the Use of Force and Firearms of the National Police, National Police, May 2021, <a href="https://informacionpublica.paraguay.gov.py/public/10086078-RESOLUCION437PORLACUALSEAPRUEBAELNUEVOMANUALDEUSODELAFUERZAYARMASDEFUEGODELAPOLICIANACIONAL">https://informacionpublica.paraguay.gov.py/public/10086078-RESOLUCION437PORLACUALSEAPRUEBAELNUEVOMANUALDEUSODELAFUERZAYARMASDEFUEGODELAPOLICIANACIONAL</a> CIONAL compressedpdf-

RESOLUCION437PORLACUALSEAPRUEBAELNUEVOMANUALDEUSODELAFUERZAYARMASDEFUEGODELAPOLICIANA CIONAL compressed.pdf. In 2025, the following were also approved: Law No. 7,411/2024 on Firearms, their Components, Ammunition and their Components, Controlled Accessories, Explosives, Accessories of Explosives, Chemical Precursors of Explosives, Related Explosives and Pyrotechnic Articles, and Resolution No. 85/2025 approving the Manual on the Safe Handling of Firearms.

<sup>&</sup>lt;sup>68</sup> These include: (i) firing weapons without observing the safeguards set out in the manual, resulting in injury or death (article 56); (ii) using force without meeting conditions of necessity, legality, proportionality and timeliness (article 42.9); and (iii) abusing authority to pressure colleagues into unlawful acts (article 44.2). Article 47.13 allows suspensions of up to 30 days without pay or dismissal when force is used to restore public order without respecting the manual. 'Resolution No. 758 approving the Disciplinary Code of Ethics of the National Police', National Police, September 2024, <a href="https://policianacional.gov.py/wp-content/uploads/2024/10/RESOLUCION-758-2024REG-DEONTOLOGICO-DISCIP-PN.pdf">https://policianacional.gov.py/wp-content/uploads/2024/10/RESOLUCION-758-2024REG-DEONTOLOGICO-DISCIP-PN.pdf</a>.

<sup>&</sup>lt;sup>69</sup> CIVICUS Monitor, 10 September 2025, op. cit.

hundreds of protesters with teargas and water cannon, leading to clashes. Police detained at least 31 people and dozens were injured, including at least two journalists and six police officers.  $^{70}$ 

#### **6.** Recommendations to the Government of Paraguay

CIVICUS, Alma Cívica, Instituto de Comunicación y Desarrollo, Rendir Cuentas, and Semillas para la Democracia call on the Government of Paraguay to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in the ICCPR, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.

At a minimum, the following conditions should be guaranteed: freedoms of association, expression and peaceful assembly, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding and the state's duty to protect. In the light of this, the following specific recommendations are made:

#### 6.1 Freedom of association

- Revise Law No. 7,363/24 to ensure that undue restrictions on freedom of association, particularly on the registration and operation of independent CSOs, are removed, to bring its provisions into compliance with ICCPR articles 21 and 22.
- Take measures to foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit freedom of association.
- Remove all undue restrictions on the ability of CSOs to receive international and domestic funding in line with best practices articulated by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association.
- Amend the Labour Code to remove unjustified restrictions on freedom of association, in accordance with ICCPR articles 21 and 22.

#### 6.2 Protection of civil society activists, human rights defenders and journalists

 Adopt without delay the pending Bill on the Protection of Journalists and Human Rights Defenders, ensuring that it establishes an independent protection

<sup>&</sup>lt;sup>70</sup> CIVICUS Monitor, 20 April 2024, op. cit.

mechanism with adequate resources and a comprehensive mandate to prevent, investigate and sanction violence against HRDs and journalists.

- Ratify the Regional Agreement on Access to Information, Public Participation, and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).
- Ensure prompt, thorough, impartial and independent investigations into killings, threats, and attacks against campesino, environmental and Indigenous defenders, and journalists, and bring perpetrators to justice, including those in positions of authority or acting with state acquiescence.
- Adopt comprehensive measures to protect Indigenous peoples' territorial rights, including protection of environmental and land defenders under attack, effective investigation of incursions by private actors and meaningful consultation, in line with international human rights standards.
- Ensure HRDs are able to carry out their legitimate activities without fear or undue hindrance, obstruction, or legal and administrative harassment.
- Publicly condemn at the highest levels of government instances of harassment and intimidation of civil society activists.

#### 6.3 Freedom of expression, media freedom and access to information

- Ensure freedom of expression and media freedom by all bringing national legislation into line with international standards, and, in particular, reform defamation legislation in accordance with ICCPR article 19.
- Prevent the misuse of legislation, including Law No. 5,777/2016 on Violence Against Women, to unduly restrict journalistic work and ensure that protective laws are not applied in ways that undermine freedom of expression.
- Ensure that journalists and writers can work without fear of retaliation for expressing critical opinions or covering issues the government may consider sensitive, such as corruption.
- Implement measures to ensure effective access to information for citizens through mechanisms aligned with the best available practices.

#### 6.4 Freedom of peaceful assembly

- Adopt best practices on freedom of peaceful assembly, as set out in the General Comment No. 37 on the right to peaceful assembly adopted by the UN Human Rights Committee in 2020.
- Repeal or amend Law No. 1,066/97, eliminating all arbitrary time and place restrictions on demonstrations.
- Review and revise restrictive practices affecting freedom of peaceful assembly, ensuring consistency with ICCPR article 21.
- Drop charges against all protesters, particularly environmental and young activists, for peacefully exercising their fundamental freedoms, and review their cases to prevent further harassment.
- Provide recourse to judicial review and effective remedy, including compensation, in cases of unlawful denial of the right to freedom of peaceful assembly by state authorities.
- Ensure that protest observers are able to monitor police conduct during protests without fear of arrest, harassment or restrictions.
- Review and if necessary update existing human rights training for police and security forces, with the assistance of independent CSOs, to foster the more consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.

#### 6.5 Access to UN Special Procedures mandate holders

• Extend a standing invitation to all UN Special Procedure mandate holders and prioritise official visits by the: 1) Special Rapporteur on the situation of human rights defenders; 2) Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; and 3) Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of association.

#### 6.6 State engagement with civil society

• Implement transparent and inclusive mechanisms of public consultations with CSOs on all issues mentioned above and enable the more effective involvement of civil society in the preparation of law and policy.

- Include CSOs in the UPR process before finalising and submitting the national report.
- Establish a standing mechanism for dialogue between the state and CSOs to follow up on UPR recommendations and related commitments, ensuring regular and inclusive consultations with a diverse range of civil society.
- Incorporate the results of this UPR into action plans for the promotion and protection of all human rights, taking into account the proposals of civil society, and present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of this session.

## 7. Annex: Assessment of implementation of civic space recommendations under the $3^{\rm rd}\,\text{cycle}$

Recommendation	Position	Assessment/Comments on level of implementation
118.5 Ratify the Escazú Agreement and ensure appropriate resources are in place to enforce it domestically in order to better protect environmental defenders, including indigenous peoples, rural leaders and journalists (Canada).  Source of Position: A/HRC/48/9/Add.1 - Para.7	Noted	Status: Not implemented Source: Section 2
118.13 Continue efforts to ensure the effective		
implementation and monitoring of the National Human Rights Plan, ensuring the active participation of civil society (Chile).	Supported	Status: Partially implemented Source: Section 2
Source of Position: A/HRC/48/9/Add.1 - Para.9		
118.89 Ensure accountability for all human rights violations against journalists and human rights defenders, with the full ascertainment of the facts surrounding the violations and disclosure to the victims and their families (Fiji).  Source of Position: A/HRC/48/9/Add.1 - Para.19	Supported	Status: Not implemented Source: Section 3
118.95 Conduct swift, independent, effective and		
impartial investigations into all attacks against human rights defenders (Switzerland).	Supported	Status: Not implemented Source: Section 3
<b>Source of Position:</b> A/HRC/48/9/Add.1 - Para.19		
118.80 Guarantee that the protection and prevention of censorship or any other limitation or violation of freedom of expression and freedom of the press is in line with international human rights standards (Costa Rica).	Supported	Status: Partially implemented Source: Section 4
<b>Source of Position:</b> A/HRC/48/9/Add.1 - Para.19		
118.81 Guarantee freedom of the press and the protection of journalists and the media, and end restrictions on the freedoms of association and peaceful assembly (France).  Source of Position: A/HRC/48/9/Add.1 - Para.19	Supported	Status: Not implemented Source: Sections 2, 3 and 5
118.84 Protect the right to freedom of expression for members of the press by prosecuting assaults	Supported	Status: Not implemented

Recommendation	Position	Assessment/Comments on level of implementation
against journalists, providing licenses to independent outlets, and supporting unions for journalists (United States of America).		Source: Sections 3 and 4
<b>Source of Position:</b> A/HRC/48/9/Add.1 - Para.19		
118.82 Enact as a matter of priority the law for the protection of journalists and human rights defenders (Ireland).	Supported	Status: Not implemented Source: Section 3
<b>Source of Position:</b> A/HRC/48/9/Add.1 - Para.19		
118.83 Adopt measures to ensure that human rights defenders and journalists can carry out their work in a safe environment, without risk of reprisals (Italy).	Supported	Status: Not implemented Source: Section 3
<b>Source of Position:</b> A/HRC/48/9/Add.1 - Para.19		
of freedom of association, in particular in the workplace, and investigate incidents of persecution for trade unionism (Bolivarian Republic of Venezuela).	Supported	Status: Not implemented Source: Section 2
Source of Position: A/HRC/48/9/Add.1 - Para.22		
118.86 Adopt all necessary measures to guarantee the right to life and safety of human rights defenders and journalists (Czechia).	Supported	Status: Not implemented Source: Section 3
<b>Source of Position</b> : A/HRC/48/9/Add.1 - Para.19		
118.87 Adopt all necessary measures to prevent and stop the criminalisation of human rights defenders (Ecuador). <b>Source of Position</b> : A/HRC/48/9/Add.1 - Para.19	Supported	Status: Not implemented Source: Section 3
118.88 Consider progressive law reforms on the		
protection of journalists and human rights defenders across all sectors, further guaranteeing media freedom and freedom of expression (Fiji).	Supported	Status: Partially implemented Source: Section 3
Source of Position: A/HRC/48/9/Add.1 - Para.19		
118.90 Establish a protection mechanism for human rights defenders (France).	Supported	Status: Not implemented Source: Section 3
<b>Source of Position</b> : A/HRC/48/9/Add.1 - Para.19		

Recommendation	Position	Assessment/Comments on level of implementation
118.91 Adopt all necessary measures to prevent and stop the criminalisation of human rights defenders and journalists (Germany).  Source of Position: A/HRC/48/9/Add.1 - Para.19	Supported	Status: Not implemented Source: Section 3
118.92 Ensure the provision of effective assistance and protection to human rights defenders and journalists against threats, violence and intimidation, and investigate attacks, reprisals and assaults against them (Belgium).  Source of Position: A/HRC/48/9/Add.1 - Para.19	Supported	Status: Not implemented Source: Section 3
118.93 Pursue prompt, thorough and transparent investigations into all crimes committed against journalists, ensuring prosecution of perpetrators and victims' access to effective remedies (Netherlands).  Source of Position: A/HRC/48/9/Add.1 - Para.19	Supported	Status: Not implemented Source: Section 3
118.94 Finalise parliamentary procedures for the enactment of the law on the protection of journalists and human rights defenders (Spain).	Supported	Status: Not implemented Source: Section 3
Source of Position: A/HRC/48/9/Add.1 - Para.19 118.96 Improve policies for the protection of human rights defenders, journalists and lawyers (Brazil).  Source of Position: A/HRC/48/9/Add.1 - Para.19	Supported	Status: Not implemented Source: Section 3
118.97 Promote the parliamentary debate for the approval of a law for the protection of journalists and human rights defenders with the participation of all relevant actors; that includes an institutional framework for the round table on the safety of journalists (Uruguay).  Source of Position: A/HRC/48/9/Add.1 - Para.19	Supported	Status: Partially implemented Source: Section 3
118.98 Put an end to the growing hostility and criminalisation of journalists and human rights defenders, and punish recent attacks against journalists for reporting on the COVID-19 emergency (Bolivarian Republic of Venezuela).  Source of Position: A/HRC/48/9/Add.1 - Para.19	Supported	Status: Not implemented Source: Section 3