Impact of the counterterrorism and "national security" framework on civic spaces in Latin America

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Introduction

In 2023 the former UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Fionnuala Ní Aoláin, published the “Global Study on the Impact of Counterterrorism Measures on Civil Society and Civic Space”. The report notes that counterterrorism policies have been instrumentalized by States to repress protest, persecute human rights defenders and restrict civic space. Among the main problems it identifies are the vagueness of the definitions of “terrorism” and the abuse of that looseness to encompass the exercise of rights; counterterrorism regulations used to restrict access to funding and the operation of civil society organizations; mass surveillance; and the criminalization of activists through irregular proceedings or violations of due process. The former Rapporteur stresses that these measures have created a permanent state of exception.

With regard to Latin America, the study already highlighted the conflation of terrorism and organized crime in States’ legislation. Other salient regional elements were the stigmatization and criminalization of Indigenous communities for opposing extractive projects or claiming ancestral lands; the differentiated impact on women defenders; the criminal prosecution of road blockades and other classic forms of protest framed as “threats to national security”; the revocation of legal personality and/or forced exile of members of organizations, universities and unions; over-compliance with the standards of the Financial Action Task Force (FATF), leading to excessive scrutiny of civil society organizations and the blocking of their resources; the procurement of spyware to illegally spy on journalists and political opponents; and transfers of personal data between States.

In the three years since the report was published, the situation in Latin America has worsened considerably. There is a trend toward the widespread use of the category of “terrorism” and an abuse of the “national security” framework in two main directions: a) as a basis for implementing states of emergency or exception, or punitive security and criminal policies, generally with the stated aim of combating organized crime; b) as a political and discursive instrument to expand the margins of state control, justify the repression of dissent and dismantle basic democratic guarantees. The two are also connected: the fight against “narcoterrorism” itself has consequences for central aspects of political life and sovereignty. In addition, the first is used as a narrative to install mechanisms of exception that are later used to intervene in the second.

The reason for this is the growing convergence between, on the one hand, the trend already recorded in the 2023 report of Latin American governments resorting to measures, arguments or pretexts related to terrorism and national security in order to restrict rights and, on the other, a new factor: the United States’ deployment of a hemispheric policy of domination that, far from acting as a counterweight to those trends, places them at the center of its strategy and promotes them. Unlike other periods (such as under the National Security Doctrine of the 1960s and 1970s), the

United States is now the example and point of reference for these restrictive measures, given the way it applies them domestically against its own population.

In this document we present the main impacts this problem is generating at the regional level, and the risks to the exercise of political rights, to the authoritarian reconfiguration of States, and to the undermining of sovereignty through a remilitarization of the region. All these dimensions seriously affect civic space, understood as the enabling environment for the exercise of the right to protest and to participate, freedom of expression and opinion, and the enjoyment of human rights on the internet, including access to information.

1. State reconfiguration driven by the counterterrorism and national security framework

The use of exceptional tools to persecute political opponents, journalists or civil society organizations, justified by national security risks or similar grounds, is not new in Latin America. Authoritarian regimes such as those of Nicaragua or Venezuela had already made extensive use of these strategies. But today the expansion of the counterterrorism and national security framework is having a visible impact on the way States are being reconfigured: their legal systems, their structures and agencies, their administrative powers. In every case, this is geared toward a greater concentration of power in the executive branches, an increase in secrecy, and a weakening of judicial, parliamentary and citizen oversight across the region.

The most important developments of recent years are, on the one hand, the resort to these tools by democratically elected governments and, on the other, the use of the fight against organized crime, redefined as “narcoterrorism,” as an excuse for adopting exceptional measures. In some countries with serious problems of violence, such as El Salvador, Honduras or Ecuador, those situations were used as the basis for establishing successive regimes of exception whose discretionary powers are later used for purposes very different from combating organized crime. But trends toward state reconfiguration can also be observed in countries with much lower levels of violence, such as Chile or Argentina.

During 2021, the government of Nayib Bukele in El Salvador took steps to reorganize the judiciary and deactivate it as a mechanism of control over political power. He then declared the state of exception on March 27, 2022, which remains in force four and a half years later, with more than 50 extensions approved by the Legislative Assembly. The regime entails the suspension of due process, the extension of the maximum period of administrative detention, and limitations on the right to defense, on freedom of association and assembly, and on the inviolability of correspondence and telecommunications. Arrests have been recorded without a judicial warrant and without evidence of flagrante delicto or prior investigation, the period of detention without a judicial warrant was extended to 15 days, and thousands of people were prosecuted

solely on suspicion of involvement in gangs1. Among them were dozens of people detained for protesting. The government institutionalized the state of exception as a permanent form of state functioning through a series of criminal law reforms that enshrine exceptionality into the ordinary legal system.

After winning re-election in 2024, Bukele launched a campaign to criminalize opponents, journalists and human rights defenders, using the offense of “unlawful association” with which he had persecuted the maras. For example, the Foreign Agents Law2 enacted in 2025 requires individuals and organizations that receive foreign funding to register as “foreign agents,” imposes a 30% tax on transactions financed with foreign funds, and restricts activities deemed to pose a threat to public order or political stability3. Thus, the state of exception against criminal violence is instrumentalized for political persecution4.

In Honduras, the state of exception, justified by the “fight against organized crime and insecurity,” was in force from 2022 until February 2026 and was applied in 226 of the country’s 298 municipalities. During this period, it allowed for summary criminal proceedings, extended pretrial detention and military intervention in domestic security tasks, giving way to serious human rights violations such as extrajudicial executions and enforced disappearances5. On February 20, 2026, Congress reformed the administration of the Judiciary6 without adequate consensus, given that it required a special procedure. The reform was denounced as unconstitutional by Honduran organizations for violating the principles of separation of powers and judicial independence7. On April 14, 2026, the National Defense and Security Council proposed a series of reforms to the Criminal Code with the aim of “strengthening the fight against organized crime”8, taking a harsher approach to the offense of land usurpation, which is commonly used to criminalize Indigenous communities that defend their territories and oppose extractive projects9.

In Ecuador, the violence crisis of recent years was used by the government of Daniel Noboa to push through a package of exceptional regulatory reforms, oriented mainly

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1 Amnesty International (2023), “Behind the Veil of Popularity: Repression and Regression of Human Rights in El Salvador”. Available at: https://www.amnesty.org/en/documents/amr29/7423/2023/en/

2 Legislative Assembly of the Republic of El Salvador, Decree No. 308. Available at: https://www.asamblea.gob.sv/sites/default/files/documents/decretos/B0636CC2-E88C-4D07-962A-03875A2D1F2F.pdf (in Spanish)

3 OHCHR, “El Salvador: Foreign Agents Law a cause for concern,” available at: https://www.ohchr.org/en/press-releases/2025/05/el-salvador-concerns-over-foreign-agents-law

4 WOLA (2025), “Political Imprisonment in El Salvador and the Dismantling of Democracy,” available at: https://www.wola.org/analysis/political-imprisonment-in-el-salvador-and-the-dismantling-of-democracy/

5 See: https://www.swissinfo.ch/spa/la-onu-denuncia-ejecuciones-y-torturas-en-honduras-bajo-el-estado-de-excepci%C3%B3n-en-2025/91040278 (in Spanish)

6 See: https://hn.vlex.com/vid/decreto-no-10-2026-1112339146 (in Spanish)

7 See: https://proceso.hn/ajd-advierte-que-reforma-que-quita-poderes-administrativos-a-presidenta-de-la-csj/ (in Spanish)

8 See: https://www.latribuna.hn/2026/04/15/consejo-nacional-de-defensa-y-seguridad-impulsa-reformas-tras-primera-reunion/ (in Spanish)

9 See: https://ellibertador.hn/2026/03/04/campesinos-de-honduras-protestan-contra-ley-que-pretende-privatizar-tierras/ (in Spanish)

toward internal security under a militarist approach aligned with the agenda of the United States. Noboa's administration declared the existence of an "internal non-international armed conflict" and designated more than 20 organized crime gangs (such as Los Choneros and Los Lobos) as "terrorist groups" and non-state belligerent actors. Although states of exception in Ecuador have precedents dating back to 2019, under Noboa's administration the use of this tool intensified: between January 2024 and June 2026 the government issued at least 32 decrees linked to states of exception10. However, these measures have not been effective in reducing crime or violence: in 2025 the number of homicides was the highest in the country's history11.

The sanctioning in Ecuador of the Organic Intelligence Law, the Public Integrity Law and the Social Transparency Law enabled mass surveillance without judicial oversight and authorized the freezing of civil society funds, which has been used to economically strangle Indigenous organizations. In addition, excessive use of force and military opacity in the name of national security result in covert operations, torture, disappearances and arbitrary detentions. This goes hand in hand with the weakening of environmental safeguards for the benefit of extractive projects, neutralizing the capacity to defend rights on the ground. For example, a 2025 decree prohibits organizations from engaging in activities against mining12, and bank accounts of environmental and Indigenous groups have been frozen on accusations of "financing terrorism" without sufficient evidence, as a form of pressure linked to extractive conflicts13.

Recently, the new government of Colombia announced the introduction of a bill for an "antiterrorist statute" that fully embraces the "narcoterrorism" narrative and also broadens the definition to enable discretionary decisions by the Executive Branch against, for example, social mobilizations in which situations of conflict or violence might arise. The determination of what constitutes a terrorist threat will be made by a National Security Council composed solely of the Executive Branch and the security forces, under a low evidentiary standard whereby it is enough that there be "information" about the alleged terrorist nature of a person or group in order to trigger

10 Attacks and Criminalization against Civil Society in a Context of Militarization and Extractivism in Ecuador (2026). Report of the International Observation and Solidarity Mission. Available at: https://www.fidh.org/IMG/pdf/informe_ecuador_2026___digital_def.pdf (in Spanish). For an English statement on the contents of the report, see: https://www.fidh.org/en/region/americas/ecuador/ecuador-international-organizations-warn-of-a-rapid-deterioration-of

11 CNN Español (2026), "The most violent year in Ecuador: the country closed 2025 with more than 9,000 homicides, the highest figure in its history." Available at: https://cnnespanol.cnn.com/2026/01/21/latinoamerica/ecuador-2025-anio-mas-violento-homicidios-orix (in Spanish)

12 Decree No. 191 contains the implementing provisions of the "Social Transparency Law (Framework Law)," which, according to the government, aims to "prevent" or "detect" possible "illicit financial flows" involving non-governmental organizations. Article 4 states: "Social organizations may not invest, directly or indirectly, in activities aimed at obstructing or interrupting legally approved mining projects." Government of the Republic of Ecuador, October 28, 2025. Available at: Decree 191, Regulations of the Social Transparency Law (in Spanish)

13 Human Rights Watch (2025), "Ecuador: Government freezes organizations' bank accounts," available at: https://www.hrw.org/news/2025/12/09/ecuador-government-freezes-groups-bank-accounts

serious administrative sanctions such as the freezing of funds, the suspension of legal personality, or the seizure of assets14.

In Argentina, even though the homicide rate has been falling steadily since 2015 and is among the lowest in the region, over the past three years the government has put terrorism at the center of its agenda and launched a series of state reforms. These included the transfer of migration policy to the security area, the creation of a National Counterterrorism Center, the establishment of political terrorism hypotheses as a priority for the intelligence services, the expansion of investigations by the Public Prosecutor's Office into "preparatory activities" for terrorism without a clear definition, pressure on the judiciary to use "terrorism" offenses or similar to criminalize social protest, and the introduction of a bill that installs the national security framework as the new state paradigm. This bill includes the proposed creation of a National Security Council, an administrative body with broad powers to define threats, investigate and sanction, removed from any judicial or parliamentary oversight15. The similarities with the Colombian bill go beyond the spirit of the times, and show that the national security model is being devised and developed in regional coordination bodies.

In Chile, the new government has announced a new "agenda against organized crime and terrorism" that further blurs the line between the two phenomena. More focused on operations against organized crime than the proposals in Colombia and Argentina, it entails new powers to impose states of exception in "areas captured by organized crime," where communications could be intercepted and curfews and restrictions on the rights of assembly and movement could be imposed16. Placing entire areas under exceptional control by the security forces can have serious implications for the political rights and civil liberties of their inhabitants.

This trend encompasses legal and administrative reforms that weaken procedural guarantees, seek to justify militarization, restrict fundamental rights and freedoms, hinder accountability and shrink civic space. Although some elements are long-standing, the normalization of these supposedly exceptional restrictions through permanent reforms of the State is a new aspect that is growing. In addition to resorting to repression, as discussed below, States institutionalize restrictions by incorporating them into their structures and legal frameworks in the name of national security and the fight against "narcoterrorism."

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14 Laura Bonilla (2026), "The serious Trojan horse posed by the De La Espriella government's antiterrorism statute bill," Fundación Paz & Reconciliación, available at: https://www.pares.com.co/el-grave-caballo-de-troya-que-implica-el-proyecto-de-estatuto-antiterrorista-del-gobierno-de-la-espriella/ (in Spanish)

15 CELS (2026), "National Security Council: concentration of power in the name of defending sovereignty". Available at: https://www.cels.org.ar/web/2026/09/consejo-de-seguridad-soberania/ (in Spanish)

16 Nicolás Freire (2026), "The minefield of Kast's security agenda," in El País, August 12, 2026. Available at: https://elpais.com/chile/2026-08-12/el-campo-minado-de-la-agenda-de-seguridad-de-kast.html (in Spanish)

2. Criminalization of protest and social conflict

The use of the categories of “terrorism” and “violent extremism” as a tool to stigmatize and criminalize social protest, and to justify the persecution of political opponents and social movements, has spread in recent years. Although the tendency to equate protest with political violence has precedents in Latin America, the gradual broadening of counterterrorism frameworks has deepened this phenomenon on several fronts. In an anti-democratic drift, States are adopting practices aimed at deterring public claims by turning protest into a suspicious activity subject to criminalization.

On the grounds of preventing threats to national security, State mechanisms are deployed to enable mass surveillance and the prosecution of demonstrators through the criminal justice system. Protests are presented as destabilizing actions, enabling disproportionate police interventions, the use of intelligence tools, restrictions on freedom of assembly, unjustified charges, and the dissemination of stigmatizing narratives that shrink civic space. This practice has a chilling effect that directly impacts the exercise of rights such as freedom of expression, association and peaceful assembly both in public space and in the digital sphere.

In Perú there is even a specific term in popular speech, terruqueo17, to refer to the practice by authorities and the media of attaching the pejorative label of “terrorist” to one or more people for the mere fact of participating in protests or other forms of direct action, without any means of verification. This establishes a verbal association, made without evidence, between social mobilizations (especially those by Indigenous groups, peasants and students) and the armed organizations that operated during the country’s internal conflict, with the aim of stigmatizing this population and rendering its political demands invisible.

In the context of the mobilizations against the government of Dina Boluarte in 2022 and 2023, agents of the Counterterrorism Directorate (DIRCOTE) of the Peruvian National Police raided the Confederation of Peasant Communities of Lima on the hypothesis of ties to terrorist organizations, and the president herself referred to the demonstrators as “terrorist violence.” The government declared a state of exception and extended it on more than 19 occasions18. States of emergency have been used repeatedly on the grounds of confronting criminal activity19, while at the same time weakening investigative capacity into the involvement of state officials in crime20. All this occurs in a context in which successive governments have weakened the limits on the use of

17 Gómez Vega, Renzo (2023) “El terruqueo, the verbal weapon that puts protesters in Peru in the crosshairs,” El País, available at: https://elpais.com/internacional/2023-01-06/el-terruqueo-el-arma-verbal-que-pone-a-los-manifestantes-peruanos-en-la-diana.html (in Spanish); IACHR, Special Rapporteur on Freedom of Expression (2023), “Special Report on the situation of Freedom of Expression in Peru”, available at: https://www.oas.org/es/cidh/expresion/publicaciones/Informe%20Libex%20Peru%20(7).pdf (in Spanish).

18 See: https://www.ohchr.org/sites/default/files/documents/countries/peru/Peru-Report-infographics-2023-10-18-EN.pdf (in Spanish)

19 See: https://www.swissinfo.ch/spa/el-gobierno-de-per%C3%BA-declara-el-estado-de-emergencia-en-lima-y-callao-por-la-criminalidad/91015790 (in Spanish)

20 Human Rights Watch (2025), “Congress in cahoots”, available at: https://www.hrw.org/report/2025/07/08/congress-in-cahoots/how-perus-legislature-is-allowing-organized-crime-to-thrive

lethal force by the police, contrary to all the principles of rational use of force and preventing accountability21.

In Colombia, during the 2021 national strike, the demonstrations were labeled “urban terrorism”, which was used to justify excessive use of force, arbitrary detentions and charges for serious offenses. Of the 71 people with open judicial proceedings, 58 have been or are being prosecuted for offenses such as terrorism and/or conspiracy to commit a crime22. The new government of Abelardo de la Espriella has resumed this strategy, proposing an antiterrorist statute with broad definitions that would allow those who take part in demonstrations or other forms of civil disobedience to be classified as terrorists, again referring to “urban terrorism disguised as protest.” The government used this to justify a decree that changes the rules of police conduct at protests and broadens the circumstances that allow use of force23.

In Venezuela, following the elections of July 28, 2024, more than 2,000 people were arbitrarily detained, with extrajudicial executions, short-term enforced disappearances and unfounded accusations of terrorism or incitement to hatred against activists and demonstrators also documented. This context included emblematic cases, such as the judicial summons issued to the coordinator of PROVEA24, Oscar Murillo, in November 2024 under the Law against Hatred. The IACHR noted that “between July 28 and August 24, civil society organizations recorded 1,542 detentions, including women and adolescents, as well as persons with disabilities, Indigenous persons, and journalists and press workers”25. Many adolescents were “pre-classified” as terrorists and were housed in cells with adults. The United Nations Fact-Finding Mission also denounced “the filing of serious criminal charges such as terrorism, conspiracy and hate crimes, without an evidentiary basis to support them or applied disproportionately; the denial of information to relatives or late and incomplete information; or impediments to the appointment of trusted lawyers for the detainees”26.

In Bolivia, since the de facto government of Jeanine Áñez and up to the present, an excessively broad definition of “terrorism” has been used in judicial proceedings against political opponents. Already back then, Evo Morales and other political and union leaders were accused of sedition and terrorism, serious anonymous threats and incidents of physical violence by plainclothes individuals became widespread, and the

21 See: https://idehpucp.pucp.edu.pe/boletin-eventos/ley-de-proteccion-policial-cuatro-preguntas-clave-para-entender-la-cuestionada-norma-21499/#:~:text=La%20Ley%20de%20Protecci%C3%B3n%20Policial%20supone%20tres%20cambios%20principales.,prisi%C3%B3n%20preventiva%20a%20efectivos%20policiales (in Spanish)

22 According to the report submitted on August 27, 2025 by the Attorney General’s Office to the Guarantees Roundtable (Mesa de Garantías) of Decree 003 of 2021.

23 See: https://www.infobae.com/america/agencias/2026/10/15/el-decreto-sobre-protestas-en-colombia-puede-facilitar-el-uso-de-la-fuerza-alerta-la-onu/ (in Spanish)

24 See: https://provea.org/actualidad/coordinador-general-de-provea-es-citado-a-declarar-ante-elcicpc-en-medio-de-una-escalada-contra-las-ong (in Spanish)

25 See: https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2025/009.asp

26 See: https://www.ohchr.org/en/press-releases/2024/08/venezuela-fact-finding-mission-calls-end-repression-thorough-investigations

State engaged in surveillance of members of the MAS political party, unions and peasant organizations27. Recently, in July 2026, the Departmental Prosecutor's Office of Santa Cruz issued an arrest warrant against former president Evo Morales for allegedly leading the recent wave of protests around the current government, which blocked roads across the country between May and June of this year28. Morales was charged with six alleged offenses, including "terrorism" and "armed uprising against the security and sovereignty of the State"29.

In Argentina, between 2024 and 2026 authorities repeatedly described public demonstrations as acts of destabilization and those who took part in them as terrorists. The National Public Prosecutor's Office criminalized protesters using criminal offenses associated with terrorism, such as "public intimidation" or the accusation of belonging to an "association to impose ideas by force." Until 2026, in all cases the charges were dropped for lack of evidence. However, in September 2026 four demonstrators prosecuted for events that occurred during a demonstration on February 11, 2026, were sent to trial. The prosecution requested that the "terrorism" aggravating factor be applied to them, and the judge in charge did not rule it out, but left it for consideration by the court that will conduct the oral trial hearings.

Finally, it is important to draw attention to the trend, already identifiable in the United States but also in other countries of the region, of broadening the notion of "critical infrastructure" or similar categories, previously almost always restricted to facilities linked to national defense, which now become national security targets. This restricts or prohibits possible protest actions, since the priority given to protecting productive assets and strategic infrastructure turns any disruption of productive activity into a threat to State security. In the United States, at least 37 people have been arrested this year for protesting the construction of artificial intelligence data centers in their communities.30 The conducts range from applauding to refusing to show identification. In Ecuador, the legal classification of "Mining Areas with Strategic Security Protection" authorizes the intervention of the Armed Forces to protect them when they are considered relevant because of their location, economic importance, associated infrastructure or connection to national interests. In Argentina, the Ministry of Security created in 2024 a "Productive Security Command" specifically intended to protect extractive projects against any "obstacle" to their operation. In 2026, the Defense of National Sovereignty Bill proposes an elastic definition of "critical infrastructure" and empowers the Armed Forces to intervene in its protection, creating a well-founded risk that social protests, mass strikes or labor disputes will be categorized as "threats."

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27 CELS (2021), "Post: How We Fought (and Sometimes Lost) for Our Rights during the Pandemic." Buenos Aires: Siglo XXI. Available at: https://www.cels.org.ar/web/wp-content/uploads/2021/10/POST_Web.pdf (in Spanish)

28 See: https://www.dw.com/es/ordenan-captura-de-evo-morales-por-protestas-que-paralizaron-bolivia/a-78167463 (in Spanish)

29 See: https://www.bbc.com/mundo/articles/c5y408drqzyo (in Spanish)

30 See: https://www.diariobitcoin.com/estados-unidos/37-arrestados-en-ee-uu-por-protestar-contra-centros-de-datos-de-ia-aplaudir-es-delito/ (in Spanish).

3. Use of the counterterrorism framework to persecute Indigenous peoples

In addition to stigmatizing protests, the counterterrorism framework is used against Indigenous peoples, especially those who defend forms of direct action such as the recovery of ancestral territories or who resist the installation of extractive industries in their territories.

In Guatemala the Public Prosecutor's Office uses criminal offenses such as unlawful association and terrorism to criminalize Indigenous and peasant leaders for taking part in social protests. This is possible given the broad definition of terrorism contained in Guatemalan law, which defines as a terrorist anyone who "carries out an act of violence, attacks human life or integrity, property or infrastructure" with "the purpose of altering the constitutional order" or "the public order of the State"31. In 2025 the Public Prosecutor's Office of Guatemala brought serious charges32 against two Indigenous leaders for terrorism, sedition, unlawful association, obstruction of criminal proceedings and obstruction of justice.

In Ecuador at least 61 Indigenous leaders and environmental defenders are under investigation for terrorism, terrorism financing and illicit enrichment, mostly because of their participation in the October 2025 national strike.

In Chile, the coercive response toward the Mapuche people involved the use of the Antiterrorism Law against them, in addition to the State Internal Security Law. Although this was already condemned by the Inter-American Court of Human Rights,33 it continues to be used directly against Mapuche communities in criminal proceedings tied to their territorial claims34. The criminal classification used against the Mapuche enables the restriction of certain due process guarantees and stigmatizes Indigenous communities, which have already lived for years in militarized territories in the Araucanía region.

In Argentina since 2017 different governments have tried to install the idea of the existence of a Mapuche group called the "RAM," characterized by the State as a "violent ethno-nationalist" movement. However, the existence of the RAM has not been proven and there are no court cases attesting to its presence in Argentine territory. The government of Javier Milei decided to include the RAM in the Registry of Persons and Entities Associated with Terrorism (RePET, in Spanish), where it also included eight members of Mapuche communities, even though there are not any judicial proceedings for "terrorism" against them. During the summer of 2025, authorities of Chubut province

31 Human Rights Watch (2025), "Guatemala: Indigenous Leaders Face Terrorism Charges", available at: https://www.hrw.org/news/2025/04/30/guatemala-indigenous-leaders-face-terrorism-charges

32 Inter-American Commission on Human Rights, Preliminary Observations: In Loco Visit to Guatemala (Aug. 15, 2024) OEA/Ser.L/V/II.doc.124/24, paras. 25-26. Available at: https://www.oas.org/en/iachr/reports/pdfs/2024/preliminary_observations_guatemala.pdf

33 Inter-American Court of Human Rights (2014), Case of Norín Catrimán et al. v. Chile. Available at: https://www.corteidh.or.cr/docs/casos/articulos/seriec_279_ing.pdf

34 See: https://www.cels.org.ar/web/2017/10/chile-el-uso-de-la-ley-antiterrorista-para-perseguir-al-pueblo-mapuche/ (in Spanish)

publicly accused Mapuche communities, without any evidence, of being responsible for the forest fires that devastated the area, claiming they had devised a terrorist plan. This translated into a series of very violent raids, which included the compulsory extraction of DNA from several women of the communities. Two of them remain under criminal prosecution even though there is no evidence linking them to the fires.

In Colombia, peasant and Indigenous communities living in rural areas where illicit economies are present are associated with armed groups or drug trafficking, which has led to territorial militarization, killings of social leaders and forced displacement under the logic of the "fight against terrorism."

In Perú, to achieve a certain level of acceptance of this violence, the idea of an enemy was spread35: the "ecological terrorist" and the "anti-mining" activist. Between 2010 and 2024 more than 58 environmental defenders36 were killed. After the 2022-2023 protests, the government claimed that Indigenous groups were "infiltrated by terrorism," which enabled lethal operations.

4. Administrative persecution tools

The use of the counterterrorism and national security framework to concentrate greater powers in the executive branches and weaken oversight, as described in the first section, has a specific aspect that several countries in the region are importing from the US: the use of designations and administrative sanctions as a political tool, which impacts civic space.

The use of lists of organizations and individuals allegedly linked to terrorism is a tool that has existed for decades, but that was dramatically expanded by the US in recent years to include criminal and political organizations that are not linked to terrorist activities. Because inclusion in these lists depends on the decision of the Executive Branch, with a very low evidentiary standard generally based on "suspicions" and intelligence reports, it is an extremely flexible tool that avoids judicial and parliamentary oversight. Designations come with forms of administrative sanctions with serious consequences (asset freezes, exclusion from the banking system, suspension of the legal status of organizations) that evade the norms of due process and the right to defense.

We are witnessing a shift in the function of these lists in the region. Until recently, they were limited to including those organizations designated as terrorist by the UN Security Council, that is, they formed part of the demands of international systems (including the FATF) to collaborate in the global fight against transnational terrorism. We are now in a phase in which these lists are expanding their scope: on the one hand, Latin American countries replicate decisions made by the US, for example to include criminal

35 Ibid.

36 Global Witness (2024), "Missing Voices", available at: https://gw.hacdn.io/media/documents/Missing_Voices__Global_Witness_land_and_environmental_defenders_report.pdf

organizations; and on the other, they enable the inclusion of individuals and organizations from the countries themselves, through broad definitions of terrorism that, as noted, give rise to discretionary decisions by the executive branches. In other words, they have become powerful tools of US interference on the continent and of domestic use by the various governments.

The inclusion of Mexican and Brazilian criminal organizations in these lists by unilateral decision of the US is a clear case of the use of designation as a form of foreign interference in local politics. In Mexico, this was also accompanied by criminal measures by the US justice system against Mexican officials and by the suspension of entry visas for at least 50 politicians and officials in Mexico. These measures are read by the Sheinbaum administration as attempts by the United States to interfere in Mexico's electoral process37. In the case of Brazil, the decision to designate criminal organizations was taken without the consent of the Brazilian government. In addition, the coalition known as the "Shield of the Americas" was used to get another 14 countries in the region to support and replicate the designation. All of this happened at the request of Brazil's main opposition party, in the middle of the Brazilian election campaign, where the fight against organized crime is one of the most sensitive issues.

The case of Argentina illustrates this trend. The country had had a Registry of Entities and Persons (RePET) linked to Acts of Terrorism since 2019, whose list was limited to following UN decisions. After a reform in 2024, its scope was transformed, as the Ministry of National Security and the Financial Information Unit were empowered to include individuals and organizations in it on their own initiative, without clear procedures or the possibility of appealing the decision. Following this decision, a group of Mapuche women who had faced a criminalization process for land usurpation were included in the list. The offense has nothing to do with terrorism, and moreover the women were acquitted. Nevertheless, they remain on that list, their bank accounts have been closed, and they have been excluded from State social benefits. The current bill that aims to create a National Security Council also includes an article giving the RePET formal legal status, which would now also be subordinated to a body (the Council) in which the State Intelligence Secretariat plays a central role. There are projects to create lists with the same operating logic in Colombia and Chile.

A particularly worrying aspect of this expansion of administrative (and at times also criminal) powers is the extension of counterterrorism enforcement to conduct other than terrorist attacks, through notions such as "preparatory acts" and "material support." The inclusion of criminal organizations in US lists is already causing deep concern throughout the region over the possibility that it will enable forms of economic sanction against civil society organizations or social movements that work in areas under the control of criminal groups, or with populations affected by them. The breadth

37 Steve Fisher and Kate Linthicum, June 10, 2026. The United States Is Investigating Two More Mexican Governors for Their Ties to Cartels. Available at: https://www.latimes.com/espanol/mexico/articulo/2026-06-10/u-s-is-investigating-two-more-mexican-governors-for-connections-to-cartelsestados-unidos-esta-investigando-a-otros-dos-gobernadores-mexicanos-por-sus-vinculos-con-carteles

of the definition of “material support” and “preparatory acts,” and the vagueness of membership in criminal groups, create a zone of enormous discretion, the consequences of which have already been seen in other contexts, such as the use of tools of this kind to persecute civil society in the Middle East and Africa.

5. Opaque coalitions that undermine sovereignty and create risks of political persecution

The US’s strategic aims of turning Latin America into an exclusive zone of influence and securing its access to critical materials for the supply chains of the technology and defense industries anywhere on the continent38 translate into various tools of pressure on the countries of the region. One of the main tools is the formation of alliances or coalitions that, under the guise of multilateral spaces alternative to the established ones (such as the OAS), are in reality arrangements guided by the objectives of whoever convenes them (the US), while the rest are expected to go along and show their agreement. They are also spaces without clear rules or procedures, where the objectives shift according to the designs of the US. The spread and expansion of the counterterrorism and national security framework across the continent is one of the main objectives of these spaces. This entails promoting a policy of militarization throughout the region, through the redeployment of US military forces and the alignment of the armed forces of all the countries that join these alliances. The specific agreements, conventions and commitments assumed by the countries that join this arrangement are not publicly known, which obstructs any form of control or scrutiny of their legality.

The most accomplished example of this is the “Shield of the Americas”, presented by US Secretary of State Marco Rubio on March 7, 2026, at a meeting with twelve like-minded presidents held at Trump’s golf club in Doral, Florida. Two days earlier, at Southern Command headquarters, the military chiefs of 16 countries had formed the “Counter-Cartel Coalition,” with the notable exceptions of Mexico, Brazil and Colombia, which joined later after the change of government in August 2026. The differences between these two initiatives are not clear39, but in the following months the Shield of the Americas, which has already reached 19 members, consolidated itself as the space used by the United States to drive actions of various kinds. At the March 7 presentation, Rubio made it clear that the alliance is a materialization of the US’ national security and defense strategies: “It is an absolute priority for us. While there is a clear focus on the security of the hemisphere, there is also a strong focus on our opportunities to work together on economic issues. But you cannot have economic

38 National Security Strategy of the United States of America, November 2025. Available at https://www.whitehouse.gov/wp-content/uploads/2025/12/2025-National-Security-Strategy.pdf

39 Jeremy McDermott and Deborah Bonello, “The Shield of the Americas Is Growing, but Does It Have a Strategy?”, InSight Crime, August 18, 2026. Available at: https://insightcrime.org/news/the-insight-take-the-shield-of-the-americas-grows-but-does-it-have-a-strategy/

progress without security”40. The fight against narcoterrorism is the initial pretext for forming a space that functions as a transmission belt for the decisions of the United States on diverse matters. For example, the Shield of the Americas was used as a forum to pressure member countries to replicate the measures the US took against the International Criminal Court. The sovereignty of Latin American countries is replaced by an idea of “hemispheric sovereignty” defined in terms of the interests of the United States and its assessment of risks and threats.

Another especially worrying venue for coordination are the meetings convened by the US to promote the idea of a supposed growth of “left-wing terrorism.” The first meeting took place in July 2026, convened by Marco Rubio. It was attended by the member countries of the Shield of the Americas but also by countries from other parts of the world. In other words, this is not just a regional agenda. The aim was to warn about the “resurgence of far-left terrorism” and to promote cooperation among the intelligence services and security forces of the countries to “crush it.” The meeting was accompanied by the publication of a State Department document on the same subject. It speaks of a transnational left-wing terrorism that “attacks private citizens, government officials, police and security agents, businesses, and critical infrastructure around the world.” With extremely imprecise data and mixing together situations of very different kinds that occurred in Europe and the US, the US government presented a line of continuity between the armed movements of the 1960s and 1970s (fundamentally Latin American ones) and these diffuse events, taking for granted that something like “left-wing terrorism” actually exists. At this meeting and in other statements, Rubio also put forward the idea that there is an alliance between left-wing organizations and Islamist terrorist groups. A second meeting of this kind was announced for November 2026 in Germany41.

The events and political groups that the US government has been treating as left-wing terrorists are the “Antifa,” decentralized groups that confront the far right, racism and colonialism with street tactics and digital activism. The US has repeatedly referred to these groups as a kind of highly organized international conspiracy. In September 2025 Trump declared them a terrorist organization, even though they are clearly not an organization. Some of the groups that oppose the systematic persecution of migrants carried out by ICE have also been classified as “domestic terrorists.” In August 2026 the US designated as a terrorist organization the collective Autistici / Inventati, a group of “hacktivists” that provided IT infrastructure to antifascist and anti-racist non-profit organizations.

Clearly, the first target of this political persecution is protest and social organizing, especially those associated with direct action. Both in the United States and in Europe

40 “Secretary of State Marco Rubio and Secretary of Homeland Security Kristi Noem at the Shield of the Americas Summit Working Lunch,” March 7, 2026. Available at: https://www.state.gov/releases/office-of-the-spokesman/2026/03/secretary-of-state-marco-rubio-and-secretary-of-homeland-security-kristi-noem-at-the-shield-of-the-americas-summit-working-lunch/

41 See: https://www.pagina12.com.ar/2026/10/17/plan-condor-ii-trump-prepara-otra-cumbre-para-coordinar-la-persecucion-de-la-izquierda/ (in Spanish)

there has been a trend in recent years of classifying as “terrorists” or “violent extremists” demonstrators or activists who use direct action tactics that, in some cases, cause some damage to property. These acts are framed, prosecuted and tried as “national security” cases. But given the content of Rubio’s rhetoric, with its anti-Marxist rallying and attacks to the left in general, everything indicates that the persecution could extend to opposition groups and political dissidents of any kind.

6. Consequences of reducing the right to migrate to a national security problem

Migrants have been presented as threats to security or facilitators of criminal networks, enabling mass deportations, prolonged detention and restrictions on access to asylum, in addition to the persecution and criminalization of the organizations that show solidarity with them. In the United States, under the current administration migration has been characterized as a “foreign invasion,” justifying collective expulsions and deportations, mostly of Venezuelans, to detention centers in El Salvador without prior trial, where they reported torture and ill-treatment42.

The United States has signed agreements with at least 35 countries to deport migrants and asylum seekers to their countries of origin or to other States. The content of these agreements is opaque: the terms on which these deportations were negotiated are not known, nor are the mechanisms for identifying risks to the protection of the people being transferred. Migrants end up being a bargaining chip in a negotiation to which they are not a party, and which undoubtedly harms them.

The case of El Salvador is very telling. More than 200 people who had not been subjected to any trial were transferred to the Centre for Terrorist Confinement (CECOT). Families of deported people did not know where they were, had no way of communicating with them nor obtaining legal advice. In some cases, people who were seeking asylum or who were refugees were transferred. In Panama, irregularities and violations of the rights of the nearly 300 people sent by the United States were also reported. The vast majority came from Asian and African countries, did not know the local language and were not informed of their destination until they arrived in Panama. They remained there for more than two months, in a shelter in the Darién province, until a court order forced the State to offer them regularization alternatives.

These kinds of agreements fit within a narrative of responding to national security threats that link migration with criminality, terrorism and organized crime. This narrative is spreading across the region and is embedded in the internal dynamics of States that are shifting their migration policies toward more restrictive models which, under the pretext of preventing the entry of external threats into national territory, stigmatize and exclude migrants even in countries where irregular migration (or terrorism) is not a generalized problem.

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[42] See: Fact Sheet: President Donald J. Trump Further Restricts and Limits the Entry of Foreign Nationals to Protect the Security of the United [States] (December 2025).

An example of this is the change in migration policy in Argentina, a country that does not face serious migration crises and that had developed a legal framework based on the recognition of migration as a human right. In recent years, responsibility for migration policy was transferred to the Ministry of National Security, a decision accompanied by stigmatizing rhetoric, migration control operations led by the security forces, and statements by Executive Branch authorities who labeled as “terrorists” people whose entry into the country was denied because of documentation problems.

Along those lines, Chile’s President José Antonio Kast is pushing a series of measures that tighten migration policy in order to allow prolonged detention of those who are eligible for expulsion from the country and to make irregular migration a criminal offense. These proposals are framed within a discourse of security emergency that seeks to enable the use of exceptional measures in different areas.

Thus, a region that for more than 20 years had pursued migration policies oriented toward the protection of rights and integration is turning toward a securitarian and expulsive approach that appears to respond not to States’ evidence and data, but to the rhetoric and positions promoted by the United States.

Concluding remarks

The use of the counterterrorism and national security framework is expanding in Latin America. It is already affecting security policies, promoting dangerous remilitarization across the continent. But it also entails serious risks for civic space. Broad and vague definitions of what constitutes a “threat,” discretionary powers for the executive branches, increased secrecy surrounding government decisions and operations, and weakened parliamentary, judicial and citizen oversight make for a worrying cocktail. Especially when these tools are in the hands of governments that trivialize the category of “terrorism” by applying it to phenomena that have nothing to do with it.

Part of this concern is conjunctural: we are going through a stage in the region in which there is an authoritarian feedback loop between national governments and the US hemispheric project. In other contexts, US ambitions could meet some resistance, nuance or negotiation from Latin American governments. The opposite has also happened at certain historical moments: highly authoritarian drifts by Latin American governments could be denounced and sometimes even limited by US governments and by multilateral bodies such as the IACHR and the Inter-American Court. The current political horizon is that the use of counterterrorism and national security as a path toward more authoritarian regimes is promoted and reinforced both by the current US government and by most Latin American governments.

But beneath this conjunctural political horizon, whose duration cannot be foreseen, lies a more structural problem. The issue of terrorism and, more generally, the notion of a “national security” that confronts multiform threats has become associated with the need to use exceptional tools, military instruments and discretionary interventions. When this becomes a permanent situation (because that is what the national security

agenda is), the impact on institutions and rights no longer depends on the political orientation of one government or another. In this framework, the “fourth pillar” of the UN counterterrorism architecture43 (respect for human rights) tends to disappear, even as a rhetorical element. Until this architecture that legitimizes exceptional tools is called into question, the temptation of governments to abuse the counterterrorism and national security framework will be a permanent feature of politics in Latin America, as it has long been in other counter-parts of the world.

43 See: https://www.un.org/counterterrorism/en/un-global-counter-terrorism-strategy