

AI Index: PRE 01/159/2009
24 April 2009

Venezuela: Proposed law on international cooperation could hinder human rights activists

The draft law on international cooperation (Ley de Cooperación Internacional), currently being discussed in the National Assembly, could seriously hamper the work of human rights organizations in Venezuela, said Amnesty International today.

The draft law lacks clarity regarding the criteria by which non-governmental organizations would be granted legal status, leaving the decision to the executive, which would be responsible for issuing regulations on this matter. Under the proposed law, the executive would also be able to unilaterally change the criteria by which an organization would be given legal status.

The bill, if approved, would mean that in order to gain access to international cooperation funds, the work of non-governmental organizations (including national and international human rights organizations operating in Venezuela) would need to be deemed to be in line with the state's development plans and foreign policy.

“In practice, this law would leave the door open for the Venezuelan government to regulate what legitimate non-governmental organizations can and cannot do, including their access to international cooperation funding” said Nuria Garcia, Venezuela researcher at Amnesty International.

“International standards guarantee the right of human rights organizations to define the scope of their work, including to solicit, receive and utilize resources to be able to carry out their activities. The work of human rights defenders is fundamental for the protection of everybody’s rights in Venezuela,” said Nuria Garcia.

Amnesty International recognizes the right and responsibility of the Venezuelan authorities to regulate international cooperation activities and funding. However, the Venezuelan authorities must ensure that this law complies with International human rights standards that guarantee the right to defend human rights, the rights to freedom of association and expression, and the recommendations on human rights defenders of the Inter-American Commission on Human Rights.

Background Information

The draft law on international cooperation was passed by the National Assembly on a first vote on 13 June 2006 and it will now be discussed for a second time by the legislature.

Article 13 of the UN Declaration on Human Rights Defenders explicitly recognizes that human rights defenders, individually or in association with others, have the right to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means.

The Inter-American Commission on Human Rights, in its 2006 Report on the Situation of Human Rights Defenders on the Americas called on the states to “refrain from promoting laws and policies regarding the registration of human rights organizations that use vague, imprecise, and broad definitions of the legitimate motives for restricting their establishment and operation”. The Commission also urged states to “refrain from restricting the means of financing of human rights organizations. The states should allow and facilitate human rights organizations’ access to foreign funds in the context of international cooperation, in transparent conditions”.

END/