



11 October 2024

OPEN LETTER TO PRESIDENT SANTIAGO PEÑA ON A BILL THAT COMPROMISES THE DEFENCE OF HUMAN RIGHTS

Dear Mr. President,

Greetings from Amnesty International. We are a global movement of more than 10 million people that carries out research, campaigns and advocacy work on human rights violations around the world. For decades, we have been monitoring and documenting the human rights situation in Paraguay, and today we are writing to express our concern about the passage of a bill in the National Congress that would violate the right of association and impose serious restrictions on civil society organizations.

The bill approved by the National Congress on 9 October, on "*the control, transparency and accountability of non-profit organizations*" (Exp. S-2300683), violates in many respects both the 1992 Paraguayan Constitution and the international human rights standards to which Paraguay is a party. In particular, it violates the right to freedom of association and expression, as well as the right to privacy, the right to participate in public affairs, and the right to defend human rights.

Of particular concern is the bill's lack of precision and clarity, including its purpose, scope and implementation, which violates the principle of legality and opens the door to arbitrary application. The lack of conclusive justification of the need for the bill is striking, considering that Paraguay already has rigorous state procedures in place for ensuring accountability and transparency in the operation of non-profit organizations. Furthermore, the bill makes no distinction between organizations that receive public funding and those that receive private funds, subjecting the latter to unnecessary and disproportionate state interference. The requirements for registration and accountability, together with the sanctions regime established, threaten the legal existence of many organizations, as well as their ability to seek, receive and manage resources, leaving them vulnerable to highly arbitrary sanctions that could even jeopardize their very viability. The bill also threatens the privacy and security of civil society organizations, their donors and the people whose rights they seek to defend.

The approval of such a restrictive legal framework, following a legislative debate that took place in a context of threats and harassment against civil society organizations and human rights defenders, and without adequate public consultation, represents a very high-risk scenario that would lead to the closure of civic space in Paraguay. This would have an intimidating and chilling effect on the exercise of the right to freedom of association and expression and the right to defend human rights.

It is alarming that Paraguay is considering adopting a legal framework that goes against its international human rights obligations. The bill already raised concerns among the [international community](#), and resembles equally repressive initiatives in other countries in the [region](#) and the [world](#), such as [Venezuela](#), [Nicaragua](#), [Mexico](#), [El Salvador](#), [Guatemala](#), [Cuba](#), [Hungary](#) and [Russia](#), among others. [Some of these laws](#) have led to heavy fines, threats, criminalization and even the arbitrary and unjustified closure of civil society organizations. These organizations are essential for safeguarding the human rights of the entire population, and states have a duty to ensure that they enjoy the autonomy and conditions necessary to carry out their activities freely and to seek the resources they require to do so.



For these reasons, Amnesty International calls on you to exercise your constitutional prerogative and uphold Paraguay's human rights commitments by vetoing this approved bill in its entirety. We also urge you to publicly and unequivocally condemn all attacks and threats against civil society organizations and human rights defenders.