



Venezuela's National Assembly Passes Law Regulating NGOs

By Holland & Knight

Venezuela's National Assembly, controlled by the ruling party, unanimously passed a bill that will allow the government to more strictly regulate non-governmental organizations (NGOs). This legislation, proposed by Minister of the Popular Power for Interior, Justice and Peace Diosdado Cabello in 2023, will require NGOs to disclose the origin of their donors, whether domestic or foreign. Although the text does not specify the consequences for receiving international funds, the law prohibits the registration of organizations that promote behaviors such as fascism, intolerance or hatred based on racial, ethnic, religious, political, social, ideological or gender grounds.

From a legal perspective, this law not only introduces new transparency obligations for NGOs, such as the mandatory disclosure of their funding sources but also grants the state discretionary powers to intervene in the operation and even the existence of these organizations.

One of the most concerning aspects of the law is its ambiguity regarding the consequences that NGOs receiving international funding might face. Although the text does not detail specific sanctions, the lack of legal clarity opens the door to discretionary interpretations by the government, which could result in the cancellation of registrations, fines or even the dissolution of organizations deemed contrary to the interests of the state. This could potentially violate fundamental principles of international law, including those related to freedom of association and the protection of human rights.

Furthermore, the law sets out broad and vague criteria for denying the registration of organizations, such as the promotion of "fascism, intolerance, or hatred." From a legal standpoint, these terms lack precise definitions and could be used arbitrarily to suppress dissenting voices or criticisms of the government. This type of regulation not only challenges the legality of state actions but also can be seen as a tool of censorship and social control.

The approval of this law occurs in the context of a deep institutional crisis in Venezuela, where the judiciary has been widely criticized for its lack of independence and for acting in collusion with the executive. This reinforces concerns that the law will be selectively applied to persecute NGOs that defend human rights, promote democracy or document government abuses.

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