

University of Salvador, Argentina  
School of Law  
Legal Opinion

1. In general, the Bolivarian Republic of Venezuela's Project-Law on International Cooperation is being behind others in progress, that is, from the Spanish Law 23/1998 on International Cooperation for Development. Thus, for example, it is important enough to mention the similarities between both texts in reference to objectives, instruments, and non-government organizations (NGO's) participation on cooperation.

2. However, it is in this last aspect where the Venezuelan project, perhaps, intervenes more than the Spanish law, where it is facultative. While in addition to establishing a NGO's integrated register system, here it is a *sine qua non* requisite, for them to perform their activities with similar of other countries, and to be beneficiaries of tax incentives. It is imposed upon them the obligation of informing beforehand their activities, as well as the possibilities of audits with a scope behind the established one, in the legal framework. Numerous NGO's and the Inter American Civil Rights Commission (IACRC) have expressed their opinion, for this means endangering the freedom of association and, worst yet, when it subjects them to the Executive power on regulation, instead of a law (by Congress). The proponents claim that, by doing do, as it is stated in the project's objectives, it will help to consolidate democracy.

3. Likewise, it would be important to make room for other cooperation promoters, as it is stipulated, for instance, in the Spanish law, where it is contemplated the participation of advocates as volunteers, as well as the inclusion of experts on a cooperation basis.

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