

# THE OBSERVATORY

## For the Protection of Human Rights Defenders

**L'OBSERVATOIRE**  
POUR LA protection des Défenseurs des Droits  
l'Homme

**THE OBSERVATORY**  
for the Protection of Human Rights  
Defenders

### **OPEN LETTER TO Mr. HUGO CHAVEZ FRIAS, VENEZUELAN PRESIDENT**

Ginebra-París, July 11, 2006

#### ***Re: Approval of a Law-project on International Cooperation by the National Assembly***

Dear Mr. President,

The Observatory for the Protection of Human Rights Defenders, a Joint Program with World Organization against torture (WOAT) and the International Federation on Human Rights (IFHR), wishes to express its concern for the contents and far reaching consequences which might bring about the approval in its first discussion of a Law project on International Cooperation being discussed by the Venezuelan National Assembly concerning human rights defenders.

Based on information received by The Observatory, the Venezuelan National Assembly approved on June 13, 2006, in its first discussion, a Law project on International Cooperation where a legal regime framework is established, which will regulate, among others, the functioning of non-government organizations (NGO'S) both local and international in Venezuela.

The Observatory is deeply worried by the contents and possible far reaching consequences that may bring about the approval of this project in second discussion, since it might threaten the independence of human rights organizations in its activities. In fact, the project anticipates the creation of an administrative and financial entity destined to organize and supervise the execution, the follow-up and evaluation of their policies, actions and activities undertaken by them in international cooperation by the Venezuelan State.

Hence, the dispositions of this Law project will allow the regulation and control of non-government organizations; especially their objectives, activities and sources of financing for this might cause them in their quest for human rights promotion and defense, to be restricted, arbitrarily, from their international financing.

Within this framework, the Observatory is preoccupied of what it is established on chapter 3 related to social cooperation and participation and the register of non-government organizations before a State entity. To this respect, the Observatory is asking the Venezuelan State that such requirement of registering and the mechanism to comply with them will not raise interferences or obstacles, direct or indirect, which might hinder or obstruct the autonomous functioning or normal exercise of the organizations activities.

The Observatory fears that final approval of said project will create an opportunity to change, with the help of legislative or institutional ways, the functioning and activities of human rights defenders organizations. As it is, the project allows a State interference in their affairs and this could maim the exercise of some human rights protected by the American Convention as well as the Venezuelan Constitution, among others the freedom of association.

Likewise, the Observatory calls the attention that the Human Rights Commission (HRIC), recently pointed out that one of the most common problems facing the human rights defenders in the region is the arbitrary administrative and finance control exercised by some State institutions devoted to international technical cooperation.

The Observatory reminds the State its obligation to preserve the freedom of association and to assure the respect to all human rights as established in the constitution and the international treaties signed and ratified by the Venezuelan State.

The Observatory reminds the Venezuelan state, in particular, of the obligation to act in conformity with the Human Rights Defenders Declaration, adopted by the U.N. General Assembly on July 9, 1988, regarding the protection of the right of all persons to "...individually or collectively promote the protection and execution of the human rights and the fundamental liberties, both, national or international and to struggle for them" (art. 1).

Dear Mr. President,

The Observatory urges you to take the necessary steps so the content of the Law project be adjusted to meet the international standards in the matter of human rights, with the purpose of guarantying the respect of all rights, most specifically, the freedom of association. At the same time The Observatory requests that, at all times, be respected and guaranteed by the Venezuelan state, the free and total freedom of speech of members and representatives from non-government organizations (NGO's) and in general the organizations from the civil society that work in the defense and promotion of human rights.

Trusting your respect for the human rights and thanking you for the attention given to this letter, we hoping you adopt, immediately, the necessary measures.

Very truly,

Sidiki Kaba  
President HRIF

Eric Sottas  
WOAT Director

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