

Executive Memorandum

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Venezuela's New Chokehold on Civil Society

Stephen Johnson

Concealed in language that evokes respect for human rights, fundamental freedoms, peace, and democracy, Venezuela's National Assembly has drafted a draconian bill that would block foreign donations to local non-governmental organizations (NGOs) and put such groups under state control. For now, Venezuela's new International Cooperation Law is a framework, but when filled in by President Hugo Chávez, it will muzzle the few voices that still provide a check on his creeping dictatorship.

The United States and democratic allies in the Americas should protest such constraints on basic freedoms of expression and association and press Venezuela to rescind the law. They should also promote action in the Organization of American States (OAS) to clarify the legitimate role of independent civic organizations and foreign donations that support them. Finally, because Venezuela has abused its people's civil liberties, they should oppose its bid for a rotating seat on the United Nations Security Council.

Cues from Uzbekistan and Russia. Hugo Chávez is not the only leader eager to rein in labor unions, political parties, universities, business groups, rights monitors, and special-issue advocates that might challenge his anti-democratic grip on power. Beginning in 2003, the Uzbek parliament reformed laws on NGOs and public foundations, requiring them to pass donations directly to government-controlled banks where authorities

could monitor and withhold disbursement. As a result, over 80 percent of foreign grants to Uzbekistan's NGOs have been blocked, according to the U.S. Agency for International Development.

Worried by the central role that NGOs played in defending individual freedoms in Georgia, Ukraine, and Kyrgyzstan, Russian President Vladimir Putin signed a comprehensive NGO law in May 2006 to increase oversight of activities and monitor foreign funds reaching Russian civic organizations. Heritage Foundation Russia expert Yevgeny Volk reports that rights monitors now fear that this will smother Russian NGOs in red tape, endless reports, check-ups, and increased operating costs—all without risking negative publicity by banning them outright.

Chutes and Ladders. On June 13, 2006, Venezuela's National Assembly—consisting almost entirely of Chávez loyalists—approved a preliminary draft NGO law that uses devices similar to those in Uzbek and Russian reforms. Like Russia, Venezuela would require all local civic organiza-

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- Venezuela's government has approved a draft law to constrain civil society groups with whom President Hugo Chávez disagrees.
 - The United States and its allies should stand in solidarity with Venezuelan democrats and help mark boundaries that no authority should cross in trying to influence citizens' thoughts.
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tions to register as legal entities before a new regulatory body in addition to complying with existing civil code and tax laws. Registered groups would also have to provide detailed information on donations and donors.

As in Uzbekistan, the Venezuelan government would monitor and control all international contributions to civil society groups. Instead of using state banks, Chávez would name a regulatory board to filter donations. This “agency for international cooperation” would have full discretion to issue or withhold funds based on vague criteria. It could also give money to causes that donors never intended to sponsor, including Chávez’s support for radicals in foreign countries. In fact, the agency would finally provide a legal channel for such aid. Until now, Chávez had been helping foreign political movements largely off the books.

The law also requires NGOs to provide information about activities and funding to *anyone* who requests it. On the surface, that might seem like a good way to keep NGOs accountable. However, it could become a harassment mechanism, enabling Chávez’s quasi-official militant groups to flood independent think tanks and electoral monitors with inquiries they would be forced to answer or else face closure. Chávez has yet to announce further details.

What Is at Stake. Venezuela has between 4,000 and 5,000 NGOs, including the president’s own partisan support groups. Although all activities should be known to the public and foreign donations should be disclosed on annual tax statements, that is as far as it should go. NGOs cannot educate voters, promote just institutions, conduct advocacy for special-interest groups, and enrich public discourse if regulatory bodies interfere with their donations or limit their freedom to communicate.

Chávez already insults and intimidates opponents, and media outlets self-censor to keep their licenses from being revoked. Meanwhile, a rubber-stamp National Assembly and crony courts block checks on Chávez’s caprices and whims. The president’s new “international cooperation agency” would add more weight to an already stacked deck.

How to Support Venezuelan Democrats. To defend Venezuela’s civil discourse and its citizens’

rights to dissent, the United States and its democratic allies in the Western Hemisphere should:

- **Protest measures that constrain basic freedoms** of expression and association, both in diplomatic contacts with Venezuelan officials and in multilateral forums such as the OAS and the U.N.
- **Urge private, international human rights monitors to maintain scrutiny** in Venezuela, despite increasing pressure from its government to leave.
- **Promote an OAS resolution** that clarifies the role of local civic organizations in maintaining space for free public discourse in authoritarian societies and specifies the right to receive domestic and foreign donations.
- **Inform Venezuelan citizens of their rights** and what they could expect from public servants if their country was a full democracy. International broadcasting to Venezuela should encourage the poor to ask whether they are any better off than they were before the Chávez regime as well as reveal losses to corruption and transfers to political causes outside Venezuela.
- **Oppose Venezuela’s candidacy for a non-permanent seat on the U.N. Security Council** unless President Chávez governs democratically, respects human rights, and lives peaceably with neighboring countries.

Conclusion. In his rush to establish a police state in South America, Hugo Chávez employs new tactics so fast that it is easy to let some slide, but the international community must stand up to his attempts to stifle discourse. This should be done to lend Venezuela’s unions, universities, think tanks, political parties, and rights monitors courage, as well as to mark boundaries that no authority should cross in trying to influence citizens’ thoughts.

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