

URGENT ACTION

PARAGUAY: VETO ANTI CIVIL SOCIETY LAW

On 9 October the Congress approved the so-called #LeyGarrote that endangers the work for human rights in Paraguay. The law includes overly broad and ambiguous wordings that increase the control over the work of civil society organisations and result in arbitrary restrictions. We call the President of Paraguay to immediately veto this law in order to uphold and protect the rights to freedom of association and to defend human rights.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Mr Santiago Peña,
President of Paraguay
Email: correspondencia@presidencia.gov.py

Dear president,

I am deeply concerned by the recently approved bill “that establishes control, transparency and accountability of nonprofit organisations”. After all the progress on human rights, the work of defenders and social movements, it is alarming that your government might be associated with such a grave step back.

Under the international human rights treaties to which Paraguay is a state party, you have the legal obligation to uphold and ensure respect to the right to freedom of association, which is also part of the Paraguayan Constitution. The guarantee of this right includes the possibility of constituting associations, carrying out the statutory activities of an organisation, seeking, receiving, and using human, material, and financial resources, among other points. The State must foster an enabling environment for the free and effective exercise of this right.

This law contains ambiguous provisions that could lead to arbitrary restrictions to civil society work, while the unjustified increase on control over their operation and imposition of sanctions without due process of law, are completely contrary to the obligation to respect the right to defend rights.

I call on you to immediately veto this law and promote an enabling environment for all Paraguayans to fulfil their human rights.

Yours sincerely,

ADDITIONAL INFORMATION

Without convening sufficient public consultation and ignoring the international and national cry of human rights defenders and organisms, the Paraguayan Congress approved on 9 October 2024 the bill “that establishes the control, transparency and accountability of non-profit organisations”. On October 22, it was sent to the President of the Republic, who has 12 days to enact or veto the bill. If enacted, Paraguay will endorse highly restrictive conditions for civil society organisations in the country.

The bill approved by the Congress is in many respects contrary to the international human rights treaties to which Paraguay is a state party, including the International Covenant on Civil and Political Rights and the American Convention on Human Rights which guarantee the rights to freedom of association, expression, privacy, and participate in public affairs.

One of the main points of concern about the adopted text is the lack of precision and clarity about its scope and implementation. It treats organisations that receive public or private funds without distinction, subjecting them to the same registration and state control requirements. Furthermore, without justifying the need to introduce these new restrictions, the bill ignores the existing broad national regulatory framework that currently allows the Paraguayan state to guarantee the transparency and accountability necessary for non-profit organisations to operate.

The broad scope and vagueness of the provisions contained in the bill, including detailed reporting obligations on the use and destination of resources received, also threatens the independence necessary for civil society organisations to operate, and compromises the privacy, intimacy and security of their members and the people whose rights they seek to defend.

Finally, the bill establishes sanctions for non-compliance not only for legal entities but also for natural persons in charge of the management and administration of the organisations without clearly specifying in which cases each sanction would be applied. The imposition of these sanctions without the necessary clarity and due process violates the principle of legality and the rights to freedom of association and expression, which should under no circumstances be subject to restrictions that are disproportionate or so onerous as to jeopardise the right itself.

To sum up, the bill poses a serious threat to the civic space in Paraguay. This regulatory framework, if applied in practice, would have a chilling effect that would inhibit people from freely exercising their human rights including the rights to association and expression.

PREFERRED LANGUAGE TO ADDRESS TARGET: Spanish.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 7 November 2024.

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: They/them

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/amr45/8620/2024/en/>

ADDITIONAL TARGETS

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