



The International Center for Not-for-Profit Law

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President Hugo Chavez has urged the Venezuelan legislature to adopt a draft International Cooperation Law (ICL), and his allies in the National Assembly promise action on the ILC this week. The ICL would require a vast array of organizations to register and subject themselves to highly discretionary government supervision if they engage in any international cooperation activity, broadly defined. Key features of the ICL include:

- **Restrictions on Funding and other Resources**

The ICL establishes a Fund for International Cooperation and Assistance. The Fund's resources will consist of inheritances, donations, transfers, and other resources *received from other governments, international entities, cooperating sources, and national or foreign public and private institutions* for purposes of supporting cooperation. The ICL potentially allows the government to collect international funds from donors and redirect them in accordance with national priorities as determined by the state. Venezuelan organizations will face serious restrictions on their ability to raise funds, particularly for projects or activities that the government disfavors. This burden will disproportionately affect human rights defenders, advocacy organizations, and similar groups.

- **Creation of the Agency for International Cooperation**

The ICL creates a new executive agency to regulate international cooperation with foreign states, international organizations, NGOs, and others. The ICL can be interpreted to empower the agency to organize, direct, control, coordinate, pursue and evaluate all "activities of international cooperation" in Venezuela. The agency, whose officials are chosen by the President, will create its own rules regarding how to register and regulate organizations – and it is far from clear at this point how the agency will exercise this unbounded discretion.

- **Restraints on Freedom of Expression**

The ICL prohibits Venezuelan groups from freely exchanging, in addition to money, goods, and services, "improvement of institutional capacities," and "creation of human talent." These terms are not defined, and this provision might be interpreted to regulate the exchange of ideas, information, and opinions with foreign counterparts related to the betterment of their organizations or staff.

- **Registration and Reporting Requirements**

The ICL creates a system of mandatory registration in order for an organization to be recognized by the state as having the ability to engage in activities with foreign counterparts, as well as to receive money, goods, and services. These registration requirements appear to be in addition to the registration process required in order to create an organization. A wide range of organizations would be required to register, including: organized communities; nongovernmental organizations; universities; corporations; entrepreneurial organizations; unions; and other "social agents regarding those activities related to the international cooperation." This is a major change from the original draft of the law, which would have required only NGOs to register.