

URGENT ACTION

PARAGUAY: WITHDRAW ANTI CIVIL SOCIETY BILL

The Chamber of Deputies will discuss a bill that endangers the work for human rights in Paraguay. The proposed law includes overly broad and ambiguous wordings that could increase the control over the work of civil society organizations and result in arbitrary restrictions, including their dissolution. The Chamber's President and Presidents of relevant commissions must immediately stop and withdraw this bill to uphold and protect the right to freedom of association and to defend human rights in the country.

TAKE ACTION:

- Write a letter in your own words or using the sample below as a guide to one or both government officials listed. You can also email, fax, call or Tweet them.
- [Click here](#) to let us know the actions you took on **Urgent Action 69.24**. It's important to report because we share the total number with the officials we are trying to persuade and the people we are trying to help.

Mr Raúl Latorre,
President of the Chamber of Deputies
Email: raul_latorre@diputados.gov.py
Mr Roberto González Segovia,
President of the Commission on constitutional matters.
Emails: cconstitucionales@diputados.gov.py
Mr Jorge Ramón Ávalos Mariño,
President of the Commission on legislation and codification.
Emails: legislacion_codificacion@diputados.gov.py

Paraguayan Embassy in the United States
Ambassador José Antonio Dos Santos
2209 Massachusetts Ave. N.W.
Washington, D.C. 20008
Email: gabinetembaparusa@mre.gov.py
Phone: (202) 483-6960
Salutation: Dear Ambassador José Antonio Dos Santos

Dear Deputies, or Dear Ambassador José Antonio Dos Santos,

I am deeply concerned by the bill "that establishes control, transparency, and accountability of nonprofit organizations" which is under study of the Chamber of Deputies. After all the social progress of human rights defenders and social movements, it is alarming that your legislature is taking such a grave step back. Under the international human rights treaties to which Paraguay is a state party, all State's authorities have the legal obligation to uphold and ensure respect 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 organization, 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 bill 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, including the permanent cessation of their activities, without due process of law, are completely contrary to the obligation to respect the right to defend rights.

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

Yours sincerely,

ADDITIONAL INFORMATION

Without convening any hearing or public consultation, the Paraguayan Senate approved on July 8, 2024 the bill “that establishes the control, transparency, and accountability of non-profit organizations”. The text is now under the analysis of the Chamber of Deputies. It will then be sent to the President of the Republic, who may enact or veto the law. If passed, Paraguay will endorse highly restrictive conditions for civil society organizations in the country.

The legislative proposal approved by the Senate 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 organizations 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 organizations 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 organizations to operate, and compromises the privacy, intimacy, and security of their members and the people whose rights they seek to defend.

Finally, the draft law establishes sanctions for non-compliance not only for legal entities but also for natural persons in charge of the management and administration of the organizations, including exorbitant fines up to the ‘definitive cessation of their activities’, without 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 jeopardize the right itself.

To sum up, the draft 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 or your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: August 22, 2024

NAME AND PREFERRED PRONOUN: They/them