



**CENTRO PARA
LOS DEFENSORES
Y LA JUSTICIA**

SITUATION OF HUMAN RIGHTS DEFENDERS IN VENEZUELA

MAY 2022

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The Center for Human Rights Defenders and Justice (CDJ) **documented 46 attacks and security incidents during May, 2022 in Venezuela.**

We observed an increase in the documented attacks, with May being the second month with the highest number of attacks so far this year, followed by March, where 51 events were documented.

Situations continue to occur that deepen the closure of the civic and democratic space, resulting in the increase of the levels of risk for the defense, promotion, and demand of human rights in Venezuela.

The State makes use of different forms of violence and control in order to limit the actions of organizations and people who document and denounce the country's crisis.

Those who are on the front line responding to the consequences of the Complex Humanitarian Emergency and accompanying the victims and society in general, due to the serious human rights violations and abuses to which they have been subjected, continue to be the target of attacks, threats, intimidation, and harassment.

A new advance in the approval of an International Cooperation Law puts at risk the legal operation of human rights organizations and civil society in Venezuela, who are once again exposed to attempts to criminalize their work in the framework of the exercise of cooperation.

46 VIOLATIONS TO THE RIGHT TO DEFEND HUMAN RIGHTS IN VENEZUELA DURING MAY, 2022

The closure of the civic and democratic space in Venezuela represents great challenges for organizations in the country, which face an increasingly hostile and restrictive environment for the exercise of their activities.

ATTACKS MAY 2022

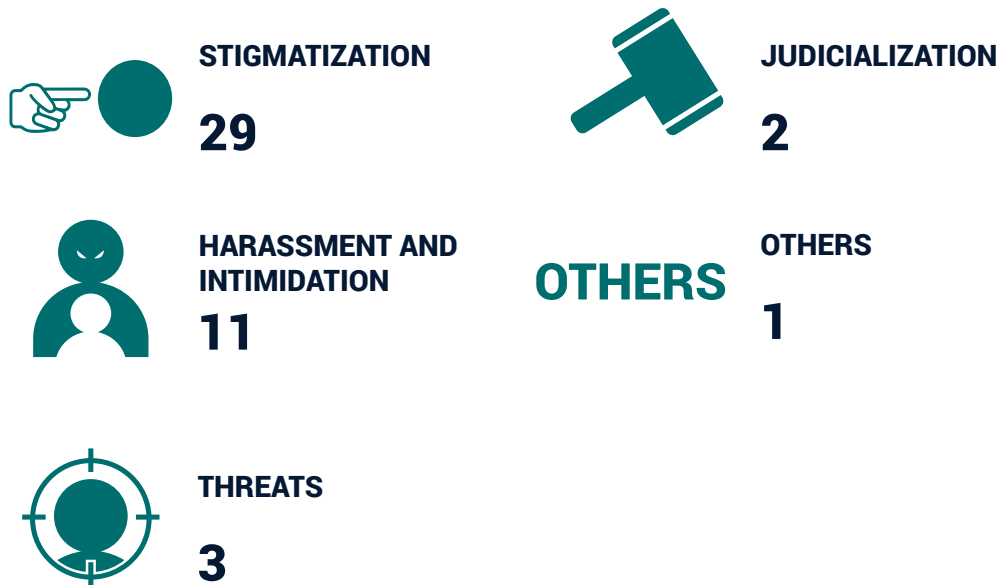


46 ATTACKS

The 46 attacks and security incidents documented during the month reflect an intensification of the Criminalization Policy and the use of the thesis of the internal enemy against people and organizations that defend human rights.

The 46 events documented during May were characterized by:

CHARACTERIZATION OF THE ATTACKS



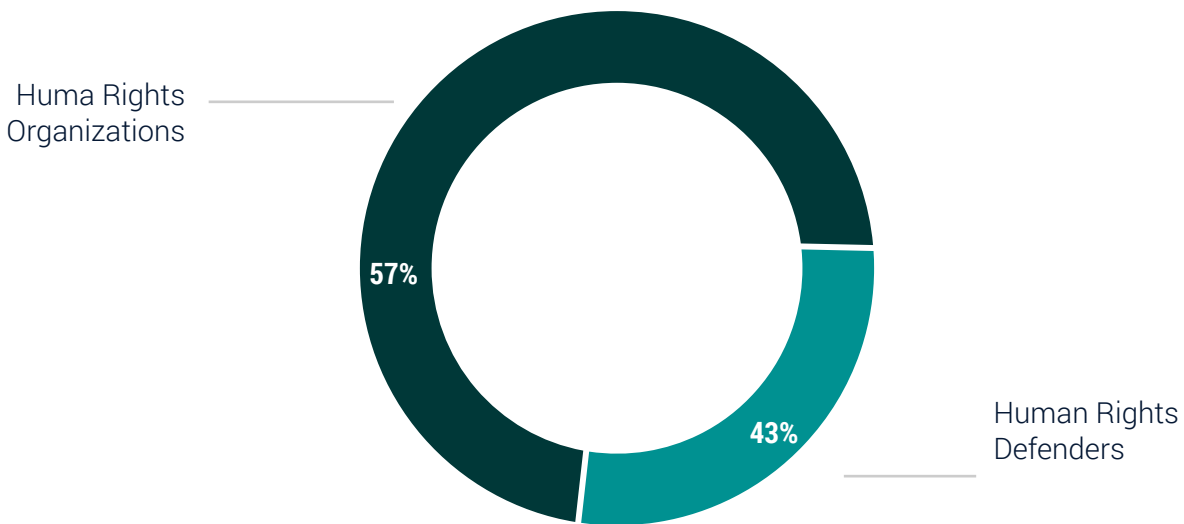
During May, actions aimed at criminalizing international cooperation persisted. A highly restrictive draft Law on International Cooperation was circulated and puts at risk the legal operation of human rights organizations and civil society.

The prior months have been preceded by an increase in accusations and stigmatization campaigns which associate the activities of the organizations with “destabilizing purposes”, and “interfering” among others. The new draft Law on International Cooperation is presented as a new threat in the face of three previous attempts and it situated within a series of repeated threats aimed at sanctioning organizations considered enemies of the State.

The State increases its efforts to hinder and limit the work of civil society and creates new obstacles to the execution of its legitimate activities within the framework of restrictions on civic and democratic space. Persecution and attacks are carried out with the intention of inhibiting civil society from continuing its work for the protection of the right to a dignified life and the demand for due compliance with its international obligations.

VICTIMS OF THE ATTACKS

Of the total number of attacks documented during the month of May 2022, 26 were directed against human rights organizations and organizations that carry out humanitarian actions, equivalent to 57% of the total. While 20 were individualized and targeted against human rights defenders, representing the remaining 43%.



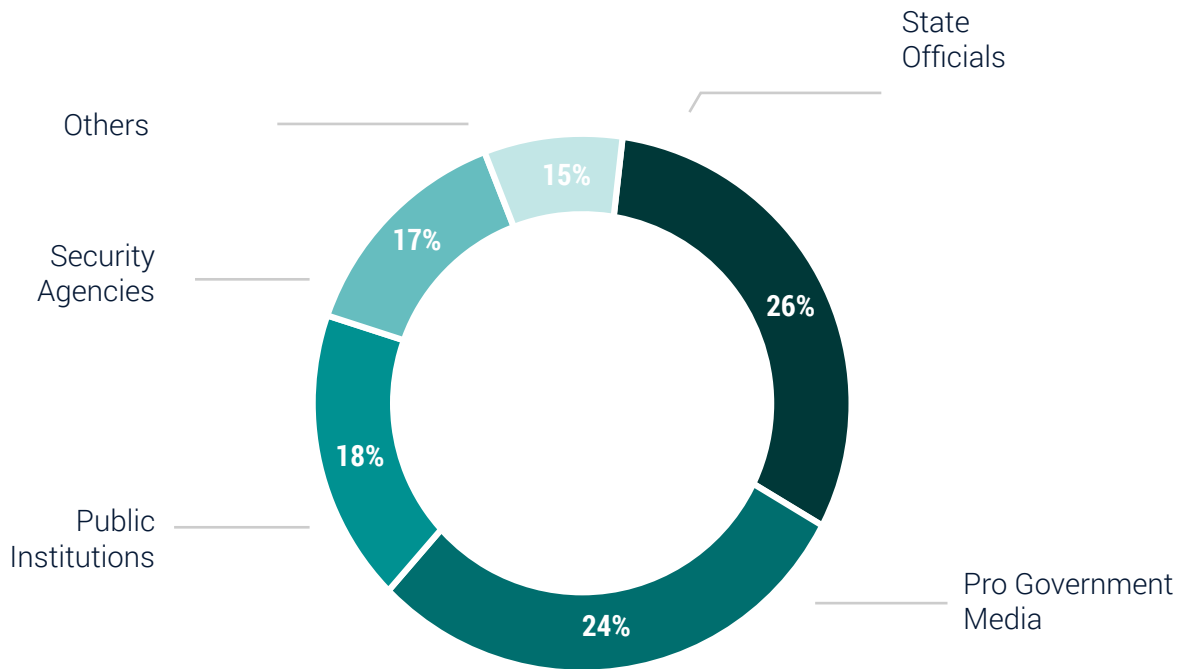
Among some of the cases, we highlight the systematicity of stigmatization campaigns against human rights organizations, criminalized for having actions within the framework of international cooperation. The criminal lawsuit against defenders Marino Alvarado, member of the coordinating team of the *Programa Venezolano de Educación-Acción en Derechos Humanos – PROVEA*, and Alfredo Infante S.J. from the *Centro Gumilla*. The acts of intimidation against the *Fundación de derechos humanos de los llanos (Fundehullan)*. For their part, the organizations *Programa Venezolano de Educación-Acción en Derechos Humanos – PROVEA*, *Transparencia Venezuela*, *Sin Mordaza*, were also some of the organizations targeted.

PERPETRATORS

The main perpetrators of the attacks and security incidents documented during May, were distributed as follows:

A total of 12 (26%) of the aggressions were perpetrated by State Officials, who used their social media profiles or statements in pro government media in order to stigmatize, threat and intimidate; 11 of the attacks were perpetrated from traditional and digital State media and their social media accounts (24%); 8 of them were perpetrated by Public Institutions (18%); another 8 attacks were executed by Security Agencies (17%); and finally 7 (15%) of the cases were made by people or groups alienated with political interests from the State.

PERPETRATORS



01 THE INTERNAL ENEMY THESIS AS A BASIS FOR THE CRIMINALIZATION OF THE DEFENSE, DEMAND AND PROMOTION OF HUMAN RIGHTS

Human rights defenders continue to be the target of attacks for defending, demanding, and promoting human rights. By making visible and denouncing the arbitrariness and abuses of power committed by the State, its activities are exposed to different types of risks due to the increase in the closure of the civic and democratic space and the deepening of the Criminalization Policy based on the application of the Thesis of the Internal Enemy.

In the current context in Venezuela, an increasingly hostile and adverse environment is observed for the exercise of rights and the development of their work.

The patterns of attack by the State against those who defend rights are systematic. Different mechanisms and types of aggression and limitation of the activities of organizations continue to be used, based on stigmatization as the main modality.

As we have previously denounced, stigmatization is framed in the use of hate speech and discredit used by State officials at different levels of power, which are also widely replicated and disseminated by third parties who are sympathizers of the government party and members of the social control mechanisms established by the State, particularly the Popular Protection System for Peace (SP3).

In this sense, through the communication platforms of the State, and other digital media related to or associated with the current government administration, messages of discredit and unfounded accusations against people and organizations that defend human rights continue to be generated.

There are constant accusations that the activities carried out are aimed at “participating and promoting interventionist activities through foreign financing.” The continuous use of this type of message promotes the construction of a matrix of opinion contrary to international standards related to the defense, promotion, and demand of human rights, and exposes those who carry out these tasks to be the object of other forms of aggression, resulting in an increase in the risk levels of those who carry out documentation, assistance, and complaint actions, as well as humanitarian assistance, or any other activity in these matters.

In the month of May, we continued to identify media outlets such as *Zurda Konducta*, *Con el Mazo Dando*, *Lechuguinos*, *Misión Verdad*, and *Venezuela News*, among the main platforms responsible for the generation and dissemination of these messages and, as a consequence of the stigmatization; as well as the personal accounts on the Twitter social network of previously identified State officials and members of the media¹.

Likewise, during the month there were various acts of intimidation and harassment against defenders’ organizations and individuals, including judicial harassment in cases such as that of the five members of the *Azul Positivo* organization; as well as the acts of harassment and intimidation denounced by the *Fundehullan* organization during the month.

From the CDJ we warn that acts of intimidation and harassment put the integrity and life of human rights defenders at risk. These events derive from and are encouraged by the repeated calls for violence and expressions of disrepute that characterize the use of stigmatization as part of the State’s Criminalization Policy.

¹Statement by Carlos Pacheco in the weekly program *Zurda Konducta*. Min 19:19-19:55. 12.05.22. Available at:<https://www.dailymotion.com/video/x8arowd>

Statement by Ricardo Gonzalez in the weekly program *Zurda Konducta*. Min 34:40-35:14. 05.13.22. Available at:<https://www.dailymotion.com/video/x8asjvf>

With the Giving Mallet. 11.05.22. Minutes: 33:27 – 33:44 Available at: <https://www.youtube.com/watch?v=o2b6DdFbGWc>
ASKING FOR COCOA! Provea backed down and now calls Lacava to reconcile after a lawsuit for defamation. Lettuce. 05.20.22.

Available at: <https://www.lechuguinos.com/provea-reculo-y-ahora-llama-a-lacava-a-conciliar-por-la-demanda-por-difamacion/>
CONTROVERSY AND CONTRADICTIONS IN CALL FOR THE IX SUMMIT OF THE AMERICAS. Mission Truth Journal. 14.05.22. Available at: <https://misionverdad.com/globalistan/polemica-y-contradicciones-en-convocatoria-la-ix-cumbre-de-las-americas>

Tweet by Pedro Carvajalino. 17.05.22. Available at:<https://twitter.com/PedroKonductaz/status/1526623193955549186>

Twitter. Tweet from William Castillo. 03.05.22. Available at: <https://twitter.com/EfectoCocuyo/status/1521618101892173832>

Twitter. Tweet by Edgar Figuera. 03.05.22. Available at: <https://twitter.com/figueraedgar/status/1521456907843739652>

Twitter. Tweet by Michel Caballero Palma. 04.05.22. Available at: <https://twitter.com/MichelCaballero/status/152196545461248407>

Twitter. Tweet from William Castillo. 05.05.22. Available at: <https://twitter.com/planwac/status/1522208730569449473>

Tweet by Pedro Carvajalino. 05.20.22. Available in:

<https://twitter.com/PedroKonductaz/status/1527753520627212288>

Twitter. Tweet by Pedro Carvajalino.05.23.22. Available at: https://twitter.com/search?q=Despues%20de%20que%20le%20dicen%20asesino%2C%20luego%20de%20la%20demanda%20de&src=typed_query

On the other hand, an increase in threats against human rights organizations was observed in May. In this sense, he highlighted the criminal complaint filed by the Governor of the state of Carabobo, against the defenders Marino Alvarado and Alfredo Infante S.J., for an alleged continued aggravated defamation². This occurs as a form of retaliation for the work of the *Programa Venezolano de Educación Acción en Derechos Humanos PROVEA*, and the *Centro Gumilla* after the presentation of a report on the situation of extrajudicial executions in Venezuela³, determining Carabobo as the state in which this violation was documented the most.

This is added, to the circulation of a new draft Law on International Cooperation, prepared by the Foreign Policy Commission of the National Assembly elected in 2020. The draft reflects provisions that restrict, limit, and criminalize the defense of human rights and humanitarian assistance. From the CDJ we warn that a law of this nature, due to its arbitrariness and discretion, would seriously affect the work and operations of human rights organizations and civil society in general in Venezuela, since it criminalizes activities related to international cooperation that are part of the actions of organizations, and thus have been recognized as legitimate by international law, and even as a right of defenders that States must guarantee.

We reiterate our concerns about the situation faced by those who defend, promote and demand rights in the country. The State, far from guaranteeing favorable and safe environments for the defense of human rights, has advanced in the consolidation of a Criminalization Policy and the deepening of the thesis of the internal enemy. This, moreover, is part of the efforts made by the State to close the civic and democratic space.

It is the obligation of the State to seek the protection and promote the work of those who defend, demand, and promote human rights, therefore, any action or omission contrary to this constitutes a breach of its international commitments assumed within the framework of International Human Rights Law.

02 INTERNATIONAL COOPERATION LAW PROJECT A NEW THREAT FOR THE PROMOTION, DEMAND AND DEFENSE OF HUMAN RIGHTS

At the beginning of the month, a new draft Law on International Cooperation was circulated, this occurs after repeated threats by State officials regarding the “need” approval of a regulatory instrument of this nature.

²Provea - Rafael Lacava sues Marino Alvarado and Alfredo Infante, human rights defenders, for alleged defamation. 16.05.22. Available at: <https://provea.org/actualidad/derechos-civiles-y-politicos/derecho-a-la-vida/rafael-lacava-demanda-por-supuesta-defamacion-contra-marino-alvarado-y-alfredo-child-human-rights-defenders/>

³Lupa por la Vida: 1,414 alleged extrajudicial executions at the hands of police and military in Venezuela during 2021. 03.14.2022. Available at: <https://provea.org/publicaciones/investigaciones/1-414-presuntas-ejecuciones-extrajudiciales-a-manos-de-policias-y-militares-en-venezuela-dur-2021/>

It is imperative to recall that in the year 2005 a first project was introduced that was approved in the first discussion in the year 2006, which was then taken up again on two other occasions in the years 2010 and 2015 without its promulgation being finalized, but which has been a constant threat to organizations and that has gone hand in hand with the closure of civic and democratic space and specifically as part of the adaptation of the internal legal system contrary to the defense, demand, and promotion of human rights.

Likewise, between 2019 and 2021, the *Centro para los Defensores y la Justicia* registered at least 15 public threats, regarding the approval of a law aimed at regulating cooperation, under justifications such as “approving a law to sanction NGOs that conspire”⁴; the need to impose “the maximum sanctions on those who use financing to conspire”⁵, indicating that it is “a pending task”⁶ and that those who carry out activities that can be considered destabilizing, interventionist or interfering⁷, “are enemies of the country and as such they must be dealt with”⁸, demonstrating a clear intention that an instrument of this type is clearly oriented towards the criminalization of international cooperation.

In this context, at the beginning of 2021 with the installation of the 2020 National Assembly, the representative of the National Executive Nicolás Maduro, in the Council of Ministers, determined that an International Cooperation Law should be incorporated into the legislative plan for that year, in addition, he delegated the follow-up to the then Foreign Minister Jorge Arreaza⁹. Subsequently, in April 2021, the Foreign Policy Commission of the National Assembly announced that it had made progress in preparing a bill, which would later be presented to the plenary session of the National Assembly¹⁰. Although, beyond the announcements, no concrete progress was made in this regard, between April and May of that year, Administrative Ruling No. ONCDOFT-001-2021 was enacted, modified by No. ONCDOFT-002-2021¹¹, an unconstitutional instrument that seeks to regulate human rights through the arbitrary limitation and imposition of new controls on the activities of organizations within the framework of international cooperation.

For the year 2022, the State advances in new actions in the matter, and that is part of the criminalization of international cooperation, where since 2002 different obstacles and limitations have been established by means of fact and law, not only through threats and televised calls for the promulgation of an instrument of this type, but also through the execution of raids, arbitrary arrests, and the creation of legal and sub-legal regulations for the monitoring and control of activities of the organizations oriented to international cooperation, activities that according to the State may be related to interfering or destabilizing purposes¹².

⁴Con el Mazo Dando | 14/08/2019 <https://www.youtube.com/watch?v=J6aDSevNgaA> (Minuto 2:12:36 a 2:17:32).

Con el Mazo Dando: Cabello: Aprobaremos ley para sancionar severamente a las ONG que reciban dinero para conspirar <https://www.conelmazodando.com.ve/cabello-aprobaremos-ley-para-sancionar-severamente-a-las-ong-que-reciban-dinero-para-conspirar>

⁵Con el Mazo Dando, programa 289. Cartelera informativa. Minuto 59:00:00 al 1:01:10. Disponible en: https://www.youtube.com/watch?v=0b0U_oXX73M

⁶Con el mazo dando. 04.11.20. Minutos 1:28:22 – 1:30:21 Disponible en: <https://www.youtube.com/watch?v=AasZ4SNi4Y4>

⁷La Hojilla. 13.02.21. Minutos. 1:10:42-1:14:00. Disponible en: https://www.youtube.com/watch?v=7Y6F4YQhExY&ab_channel=VTVNoticias

⁸Con el mazo dando. 18.11.20. Minutos 1:14:29 – 1:18:46. Disponible en: <https://www.youtube.com/watch?v=hw86eqoJ0kY>

⁹Consejo de Ministros. 02.03.21. Minutos 15:59 – 16:11 Disponible en:<https://www.youtube.com/watch?v=W44ijVZIHzENota> en el portal web de Con el mazo dando: <https://mazo4f.com/an-aprobo-el-plan-legislativo-nacional-para-el-202>

¹⁰<http://www.asambleanacional.gob.ve/noticias/presentaran-proyecto-de-ley-de-cooperacion-internacional>

¹¹Gaceta Oficial Nro. 42.118 del 3 de mayo de 2021. Disponible en: http://spgoin.imprentanacional.gob.ve/cgi-win/be_alex.cgi?Documento=T028700035845/0&Nombred=spgoin&CodAsocDoc=2526&TipoDoc=GCTOF&t05=png&TSalida=&Sesion=164964439&T05=PDF&T04=0

¹²See: Centro para los Defensores y la Justicia. Situación de las personas defensoras de derechos humanos en Venezuela - 2020. Disponible en: <https://www.centrdensores.org.ve/oc/wpcontent/uploads/2021/01/INFORMECDJ-2020-1.pdf>

In this sense, the Bill released this year does not arise as an isolated action, but rather as part of the deepening of the Criminalization Policy and the use of the thesis of the internal enemy to control and affect defenders' organizations and individuals.

The instrument collects and reflects the official narrative against the defense of human rights while basing its existence on justifications for the preservation of sovereignty, self-determination, and protection of the security of the nation, thus strengthening the logic of the internal enemy. applied to civil society organizations. In addition, this law is intended to exercise excessive control of the activities of organizations and associations in Venezuela, not only by trying to regulate international cooperation from the financial field but also from the technical field, and human resources, among others, thus compromising the operation and legality of organizations.

When analyzing the text, a manifestly restrictive normative proposal is observed. Starting from the statement of reasons, where the main arguments that guide the meaning and scope of the norm are exposed, it is observed that even when it is mentioned to be protected by constitutional precepts and international standards, it is really associated with the articles of the constitution that allude to principles of protection of sovereignty, national self-determination, non-interference and refers to States and actors related to these as subjects contrary to these principles and consequently qualified as internal and external enemies.

It is intended to condition the operation of organizations within the framework of legality with the subjection of organizations to a new registration system to be created by the Regulation of this law, in addition to subjecting cooperation to a series of new requirements, including the creation of an administration fund whose organization and operation will be regulated by the State. In the same way, it seeks to regulate and control the forms of cooperation by social actors.

In addition to the ambiguous and discretionary aspects present in the proposal, article 26 of the project is of particular concern, which provides sanctions such as the *"prohibition, suspension, restriction or elimination"* of those organizations *"directly or indirectly, promote or participate with other associations, organizations, governments or international organizations, in the application of unilateral coercive measures against the Republic, especially when said measures threaten or affect the comprehensive development of the nation"*¹³. What is established in this article, and the project itself is framed within a systematic policy of criminalization, characterized, among other elements, by the repeated unfounded accusations against the organizations of participating in interventionist activities and the imposition and support of sanctions; which could lead to a discretionary application and as a clear form of punishment or retaliation against human rights organizations and those dedicated to humanitarian assistance whose activities are contrary to the interests of the State.

On the other hand, elements contemplated in the articles such as the duty of information, as well as the excessive powers that may be given to state instances in the matter that in a context such as the one described could generate serious consequences for the legitimate exercise of the activities of society civilian in Venezuela, who are exposed to being a victim of greater damages to the rights to association, assembly, expression, and defense of human rights, among others; even in itself to the right to cooperation which is internationally recognized and regulated in order to guarantee the development, evolution, and protection of human rights.

In the terms in which this proposal is presented, we must say that the instrument, far from adhering to international standards, goes against aid and seeks to further affect the work of the civil society in an environment of decreased civic space. Not being an isolated event, but added to a State Policy of repression, criminalization, and social control.

The regulations to the cooperation in no case can mean excessive controls or greater regulations to the development of activities of the civil society. There are already mechanisms in Venezuela to register organizations and guarantee their legality, so the imposition of these new controls is unnecessary and they are just one more obstacle that civil society faces in order to carry out its activities.

Finally, it is important to highlight that the approval of this law in the terms proposed would go against cooperation and against aid in the face of human rights violations, directly affecting the victims.

The attacks and reprisals against the organizations have a direct impact and also result in the violation of the rights of the assisted victims or beneficiaries of their activities, as they are left in a situation of greater vulnerability in the face of the actions and omissions of State obligations and face new obstacles to see their rights guaranteed or redressed. It is the human rights organizations that have remained at the forefront, ensuring the due respect, protection, and guarantee of rights and responding to the failure of the State to comply with its obligations and their activities should not be criminalized.

We reiterate that these facts are contrary to the international obligations that the Venezuelan State has to respect, guarantee and protect freedom of association, the right to defend human rights, and safeguarding the rights of victims, among other essential principles for the protection of rights and the functioning of a democratic order.

Arbitrarily and discretionally limiting or hindering the work of civil society transgresses democratic principles and fails to comply with international obligations acquired by the State, for which an instrument such as the one proposed should not be approved.

The CDJ warns that organizations and individuals have the right to seek, receive and use resources, not only financial but technical and of all kinds for the effective promotion and protection of human rights. As we have mentioned, international cooperation is a right and, consequently, it is the duty of States to guarantee it. In a context such as the Venezuelan one, where a human rights crisis persists and the complex humanitarian emergency continues, it is essential to guarantee the different ways and possibilities of aid, including financial and technical cooperation.

03 INTERNATIONAL RESPONSE TO THE CRIMINALIZATION OF THE DEFENSE OF HUMAN RIGHTS IN VENEZUELA

Facing the advances in the Criminalization Policy against the defense and exigency of human rights in Venezuela, multiple international organizations and organisms dedicated to the protection of human rights, continue making statements in rejection to the aggressions perpetrated and demanding for the State to fulfill their duty of promoting and protecting the work of human rights defenders.

Inside the activities made by international organizations during the month of May, we could remark the following:

On May 17, the director for the Americas of Amnesty International, Erika Guevara, published a message rejecting the criminal lawsuit filed against human rights defenders Marino Alvarado and Alfredo Infante S.J., expressing *“total condemnation of the persecution and attempted criminalization”*¹⁴.

Along the same lines, on May 23, Amnesty International launched a Global Urgent Action calling for an end to the attacks against Venezuelan human rights defenders Marino Alvarado and Alfredo Infante S.J. The text states that *“human rights defenders must be protected, not attacked, especially when they bravely face threats to their integrity, work, and life for exposing serious human rights violations and demanding the highest standards of justice for victims”*¹⁵. Likewise, among other things, the withdrawal of the lawsuit was requested.

On the other hand, international organizations joined the concerns of Venezuelan civil society in relation to the proposed law on international cooperation and how *“this project violates the standards of international cooperation and the rights of civil society to exercise the freedoms of association, peaceful assembly, expression, the right to defend human rights and the initiative to provide humanitarian assistance”*. These include Amnesty International, Center for Civil and Political Rights (CCPR), Center for Justice and International Law (CEJIL), FIDH, Freedom House, Human Rights Foundation, Human Rights Watch, International Service for Human Rights (ISHR), Washington Office for Latin American Affairs (WOLA), World Organization Against Torture (OMCT), among others¹⁶.

¹⁴<https://twitter.com/ErikaGuevaraR/status/1526558890745335811>

¹⁵International Amnesty. Venezuela: Venezuelan defenders face criminalization May 23, 2022 Index Number: AMR 53/5642/2022 <https://www.amnesty.org/es/documents/amr53/5642/2022/es/>

¹⁶MAY 18, 2022 | JOINT STATEMENT Civil society organizations reject the anti-solidarity bill that closes international cooperation in Venezuela. <https://www.wola.org/es/2022/05/organizaciones-civil-society-rechazan-lay-cooperacion-internacional/>

04 CONCLUSIONS AND RECOMMENDATIONS

Human rights defenders and organizations continue to see their work affected under the protection of the logic of the Internal Enemy. The deepening of the closure of the civic and democratic space and the increase in criminalization seriously affects the development of the activities of organizations and individuals that promote, defend and demand human rights.

The right to international cooperation is once again threatened by the State's attempts to criminalize actions in this area, which are legitimate under international law. The approval of the instrument in the terms in which it has been proposed would increase risks for those who defend and demand human rights in the country

The Criminalization Policy must cease immediately. Acts of intimidation, harassment, stigmatization, aggression, and threats must be investigated; the laws, mechanisms, and instruments contrary to the defense and demand of rights must be repealed and the institutional framework and the rule of law must be reestablished.

We reiterate the need to generate effective mechanisms that seek and promote the effective protection of human rights defenders and organizations and the construction of favorable and safe environments for the exercise of their work.

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