



**CENTRO PARA
LOS DEFENSORES
Y LA JUSTICIA**

SITUATION OF HUMAN RIGHTS DEFENDERS IN VENEZUELA

**FIRST SEMESTER OF
2023**

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The Center for Human Rights Defenders and Justice (CDJ) documented 309 attacks and security incidents during the first half of 2023, against those who promote, defend and demand human rights in Venezuela, within the framework of the deepening of the closure of the Civic and Democratic Space in the country.

ATTACKS FIRST TRIMESTER OF 2023



309 ATTACKS

Between January and June 2023, it was documented how the Venezuelan State advances in the execution of patterns to hinder, limit and affect the activities of those who are in the front line of action, accompanying the victims of the Complex Humanitarian Emergency that persists in the country and responding to the human rights crisis.

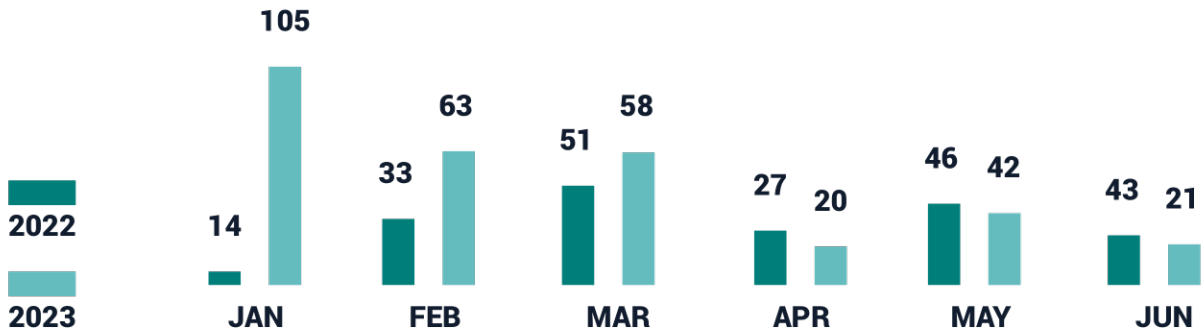
01 **ATTACKS ON HUMAN RIGHTS DEFENSE INCREASED 44% DURING THE FIRST HALF OF 2023**

The 309 attacks and incidents documented in the period compromise and affect the rights of individuals and organizations that defend human rights, representing an increase of 44% compared to the same period in 2022, in which 214 situations were recorded.

The factual and legal measures to criminalize, limit and hinder the defense, demand, and promotion of rights were accentuated, under the logic of the internal enemy, increasing the levels of risk for defenders in the country.

In the context of upcoming electoral events, the State must take all corrective measures to guarantee an entire, free, and safe civic and democratic space. As long as the legal limitations on civil society activities remain in force, as well as the criminalization of them, and in particular of human rights organizations, it will continue to be a risk to defend, promote, and demand rights in the country.

DISTRIBUTION OF ATTACKS PER MONTH



The 309 attacks and security incidents documented reflect the following among the main patterns of aggression and intimidation:

CHARACTERIZATION OF THE ATTACKS



The CDJ continued to document how the reduction of the Civic and Democratic Space leads to the deepening of the Criminalization Policy for the defense, demand, and promotion of human rights, through new limitations and legal obstacles and the increase in repressive actions, resulting in an increase in violent acts.

Stigmatization remains the main pattern of attack. Systematically through official State spaces, social networks, and the media, among others, accusations and smear campaigns are used that seek to discredit the work of organizations and human rights defenders.

Said declarations lead to an increase in attacks against the integrity and freedom of human rights defenders, specifically acts such as arbitrary arrests, acts of intimidation, harassment, forced disappearances, and prosecution, which seriously compromise the physical integrity, personal freedom, and life of those affected, as well as the full operation of the organizations.

On the other hand, we reiterate our concern about the reinforcement of the use of the thesis of the Internal Enemy to criminalize those who defend, denounce, and demand rights and the consequences that this has in the development of their activities.

The State resumed actions for the approval of an International Cooperation Law, as well as progress in the approval of a bill aimed at regulating and controlling the work of civil society. These events led to an increase in attacks against human rights organizations. And representing a new threat to organizations.

There is a constant intention to try to link the actions of civil society and human rights organizations with criminal activities, especially terrorism, destabilization, and an attempt against the peace of the country.

There was also an increase in acts of intimidation, harassment, and threats, as well as other incidents, which affect the free and safe exercise of the promotion, defense, and demand of human rights.

02 **CLOSURE OF THE CIVIC AND DEMOCRATIC SPACE A THREAT TO THE DEFENSE AND DEMAND OF RIGHTS**

The human rights movement continues to operate in an adverse, restrictive, and hostile environment. Legal and factual measures of an authoritarian nature that limit and hinder the work of promoting, defending, and demanding human rights persist.

Repressive actions, persecution, and reprisals for defending and demanding human rights are increasing.

The measures aimed at limiting and hindering the work of human rights organizations, and of civil society in general, are advancing through the creation and possible imposition of new requirements for full operation within the framework of new discretionary controls and contrary to international law that is intended to be imposed through the *Bill on the Inspection, Regularization, Action, and Financing of Non-Governmental and Related Organizations*¹, and the *International Cooperation Bill*², which has tried to be approved in several opportunities³.

The CDJ has denounced that the regulatory proposals show the intention of the State to control the operation of the organizations in their entirety, criminalizing their activities, mainly those related to international cooperation, both financially and technically. Considering that the aforementioned projects are made up of provisions that restrict, limit, and criminalize the defense of human rights and humanitarian assistance independently. Arbitrary and discretionary laws of this nature put people and human rights organizations and civil society in general in Venezuela at greater risk⁴. If the proposals are approved, they would be added to a series of regulations restricting the rights to association, expression, and peaceful assembly, representing a serious threat to the free and full operation of the organizations.

Added to this is the fact that as electoral events approach, there is an increase in threats, acts of intimidation, harassment, and attacks.

On the other hand, we view with concern the approval of the *ordinance on citizen coexistence, civic behavior, and communal justice of the peace*⁵ promoted by the mayor's office of the Libertador municipality of the Capital District. The text, among other things, contemplates within the articles restrictions on the right to peaceful demonstration that are detached from international human rights standards and the constitution itself, being a new element added to the Policy of criminalization, repression, and social control existing in the country.

We reiterate the importance of building a favorable and safe environment for the defense, demand, and promotion of human rights. For this, it is essential to repeal and cease the implementation of restrictive measures of civic and democratic space.

¹See draft of the project at: <https://centrodefensores.org.ve/wp-content/uploads/2023/02/LEY-DE-FISCALIZACION-REGULARIZACION-ACTUACION-Y-FINANCIAMIENTO-DE-LAS-ORGANIZACIONES-NO-GUBERNAMENTALES-Y-AFINES-v24.01h2.00-2.pdf>

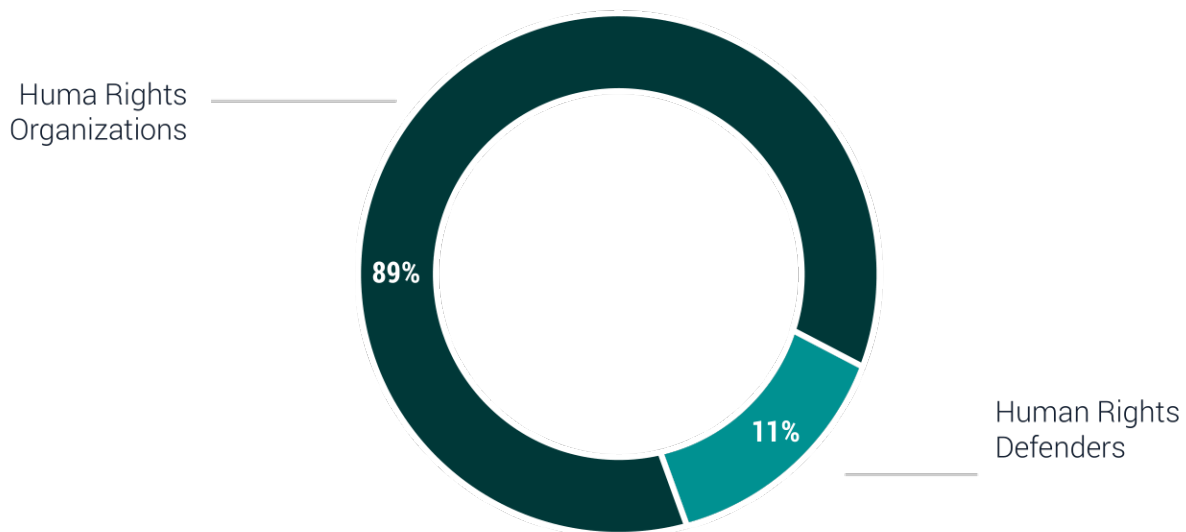
²Twitter. Victoria Mata's tweet. 08.02.23. Available at: <https://twitter.com/MataVictoria/status/1623335236124790788?t=oH69IX-Js1MB6nCieOnFcMw&s=19>

³See: Center for Defenders and Justice (CDJ). SITUATION OF HUMAN RIGHTS DEFENDERS IN VENEZUELA – May 2022. At: <https://centrodefensores.org.ve/?p=423>

⁴See: SITUATION OF HUMAN RIGHTS DEFENDERS IN VENEZUELA – First Quarter 2023. Center for Human Rights Defenders and Justice (CDJ). At: <https://centrodefensores.org.ve/?p=526>

⁵See: <https://tugacetaoficial.com/ordenanza-sobre-convivencia-ciudadana-mun-libertador-2023/> and <https://www.observatorio-deconflictos.org.ve/oc/wp-content/uploads/2022/06/Proyecto-de-Ordenanza-de-Convivencia-Ciudadana-Civismo-y-Paz-Comunal-Municipio-Libertador-mayo-2022-1.pdf>

VICTIMS OF THE ATTACKS



Of the total number of attacks documented during the trimester, 274 were directed against human rights organizations, equivalent to 89%. While 35 of the events were individualized against human rights defenders, representing the remaining 11%.

Among the victims of the attacks, the following stand out: threats, intimidation, harassment, and acts of stigmatization to the detriment of the organization *Programa Venezolano de Educación-Acción en Derechos Humanos – Provea*; acts of intimidation against *Acceso a la Justicia*. Accusations and harassment against organizations such as *Espacio Público (EP)*, *Transparencia Venezuela*, *Foro Penal*, *Control Ciudadano*, *Voto Joven*, and *Sin Mordaza*, among others. The digital attacks against the organization *Observatorio Venezolano de Conflictividad Social (OVCS)* and *Caleidoscopio Humano*.

Likewise, we highlight the increase and systematicity of the campaigns to stigmatize and criminalize international cooperation and qualify their activities as interfering and destabilizing. The systematic threats to the civic and democratic space and the actions taken to further limit it, stand out as the main events recorded in the quarter.

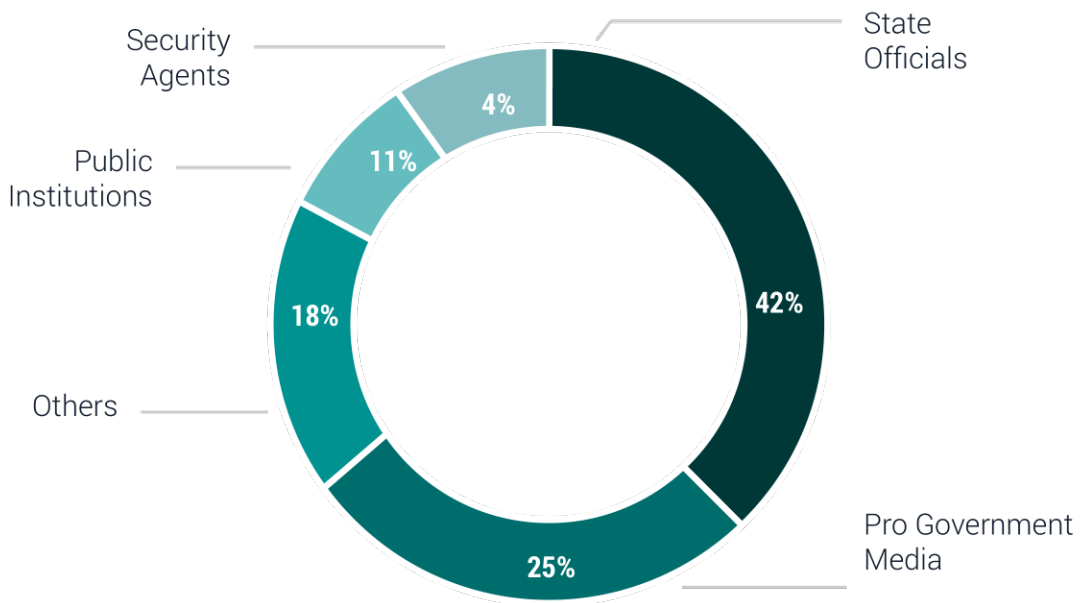
We highlight the continuity of the prosecution process and other acts of intimidation committed against union leaders and defenders Gabriel Blanco and Emilio Negrín. As well as judicial harassment, arbitrary detention, and deprivation of liberty as part of the criminalization of human rights defender Javier Tarazona.

We alert the increase in the persecution, repression, and judicialization of union leaders for their demands and actions within the framework of the claim of rights.

PERPETRATORS

The main perpetrators for the attacks and security incidents documented during the semester were distributed as follows:

A total of 129 (42%) of the acts were carried out by public officials, mainly deputies and members of the National Executive, who made use of their profiles on social networks and institutional spaces to stigmatize, threaten and intimidate; another 78 (25%) of the attacks were perpetrated from the State communication platform; 56 (18%) were carried out by people or groups affected by the political interests of the government; 33 (11%) were the responsibility of Public Institutions or government entities; Lastly, 13 (4%) of the events were the responsibility of state security agencies.



Among those responsible identified are members of the National Executive, ministers, and deputies of the National Assembly (AN by its Spanish acronym), among others. In the same way, institutions that are part of the Justice System, entities associated with the Ministry of Foreign Affairs, and State security agencies are presented as part of the aggressors.

Radio and television programs along with digital media, members of the national public media system, and media associated with the State continue to be used as a platform for stigmatization campaigns and calls for violence. The following stand out: Con el Mazo Dando, Misión Verdad, La Iguana.TV, and other programs from Venezolana de Televisión (VTV by its Spanish acronym), which were spaces used to discredit and attack the organizations.

We highlight the actions of civilians affiliated with the United Socialist Party of Venezuela (PSUV by its Spanish acronym), among others, to carry out actions of stigmatization, intimidation, and harassment as part of the criminalization.

03

**CRIMINALIZATION OF THE DEFENSE,
DEMAND, AND PROMOTION OF HUMAN
RIGHTS**

At the close of the first semester of 2023, the CDJ continued to document an increase in attacks and intimidation as part of the Criminalization Policy against the defense of human rights, as a result of the continuous closure of the civic and democratic space in the country. This situation deepens as activities take place within the framework of upcoming electoral events.

During the period, those who defend, demand, and promote human rights continued to be classified as enemies and agents who seek to destabilize the peace of the nation. For this reason, measures and strategies have been used to neutralize and hinder their work, among them the use of criminal law with qualifications related to terrorism and organized crime to criminalize, prosecute and intimidate.

An increase in the patterns and modalities of attacks was observed after the legislative advances of two bills aimed at regulating and controlling the work of civil society led to an increase in attacks against human rights organizations, as well as to limit the possibility of demonstrating, expressing themselves, or associating freely.

As a result of legislative threats and the systematic stigmatization that exists against organizations and civil society, acts of intimidation and harassment increased. Through public statements and intelligence tactics, defenders continued to be subjected to attacks that, in addition to generating fear, put the lives and integrity of human rights defenders in the country at risk.

In the same sense, the use of criminal law and judicial harassment persists in Venezuela as a mechanism to consolidate the criminalization of those who defend human rights through judicialization. As of the date of presenting this report, the arbitrary prosecution process against the members of the FundaRedes organization, Rafael Tarazona, Omar de Dios García, and Javier Tarazona, is still ongoing. The latter, in addition to the date of presenting this report, has served two years in prison and has been the victim of violations of his personal integrity while in custody⁶. This same situation occurs in the case of the defenders and union leaders Gabriel Blanco, and Emilio Negrín who have been deprived of their liberty for a year⁷, and more recently Daniel Romero and Leandro Azócar arrested at the beginning of June and subjected to a judicial process⁸.

The criminalization of international cooperation remains the focal point of the State's narrative to criminalize, noting that the use and receipt of funds is for the purpose of carrying out alleged interference activities, as well as trying to delegitimize the interaction of human rights organizations with the International Protection Mechanisms in the framework of the monitoring and accountability processes carried out by them.

⁶See: <https://www.radiofeyalegrianoticias.com/abogados-de-javier-tarazona-no-han-podido-verificar-su-estado-de-salud/> ; <https://twitter.com/amnistia/status/1675459305284440064>

⁷See: <https://provea.org/actualidad/tribunal-ratifica-privacion-de-libertad-de-trabajadores-gabriel-blanco-nestor-astudillo-y-reynaldo-cortes/>

⁸See: <https://provea.org/comunicados/con-otros/sin-libertad-sindical-no-hay-democracia-exigimos-cese-la-persecucion-contra-trabajadores-que-reclaman-derechos/>

The work of documentation, denunciation and incidence that human rights organizations maintain before the International Protection Systems is essential for the achievement of truth, justice, and reparation, for this reason, from the CDJ we warn that the criminalization of these activities represents a serious threat to the promotion, defense, and demand of human rights since it keeps those who carry out this work in a permanent situation of risk of being subjected to reprisals; as well as limiting and compromising the rights of the victims and the work of denunciation, documentation, and accompaniment.

We insist that in the pre-electoral context, it is more necessary to guarantee a favorable and safe environment for the exercise of the defense, promotion, and demand of rights. The State and all actors acting with its consent and acquiescence must immediately cease acts of intimidation, harassment, stigmatization, and threats. Restrictive regulations must be repealed and fundamental freedoms must be respected.

04

THE INTERNATIONAL COMMUNITY REMAINS ALERT AND CONDEMNS THE CRIMINALIZATION OF THE DEFENSE OF HUMAN RIGHTS IN VENEZUELA

The international community remains vigilant of the human rights situation regarding the criminalization of the defense and demand for human rights in Venezuela. International organizations and bodies for the protection of human rights and diplomatic actors continue to speak out in rejection of the attacks committed and demanding that the State comply with its duty to promote and protect the work of human rights defenders.

Among the main actions and pronouncements registered between January and March 2023 are:

On January 28, at the press conference of the United Nations High Commissioner for Human Rights after completing his visit to Venezuela, Mr. Volker Türk indicated that he had raised concerns about the situation of civic space and specified that he "had been able to share observations -and concerns- from the perspective of human rights in relation to the proposed law which regulates NGOs. I strongly urged the authorities to take his comments into account"⁹.

On January 30, the independent international Fact-Finding Mission on the Bolivarian Republic of Venezuela (FFM) expressed its deep concern *“about the possible implications of the draft Law on the control, regularization, action, and financing of non-governmental and related organizations, adopted at first reading by the National Assembly on January 24”*. For the Mission, the new regulation imposes additional requirements for the operation and creation of non-governmental organizations and other non-profit entities, non-compliance with which is subject to strong sanctions, including its ex officio dissolution. Mrs. Marta Valiñas, president of the Mission indicated that *“If sanctioned, the law on NGOs could represent a point of no return in the closure of the civic and democratic space in Venezuela”*. For his part, expert Francisco Cox stated that *“the regulation would impose on NGOs, existing and in the process of formation, a set of formal requirements so onerous that it would grant the State quasi-permanent power to suppress them”* (...) *“The law is clearly aimed at limiting, not facilitating, the exercise of the right of association”*. They also pointed out that *“NGOs dedicated to promoting human rights face progressively more limitations to their operation, both legal and operational, including the key aspect of financing”*¹⁰.

On March 21, 2023, in the framework of the 52nd session of the Human Rights Council in the oral update and interactive dialogue on the human rights situation in Venezuela, the High Commissioner for Human Rights stated that *“human rights defenders and journalists continue to suffer attacks, intimidation, and criminalization. For example, six trade unionists and union leaders have been detained for more than nine months on charges of conspiracy and association to commit a crime”*, as well as a statement regarding the draft Law against NGOs *“and the recent presentation of a draft law to further regulate NGOs has raised serious concerns, which I share. I have provided detailed observations on this matter to the authorities and I reiterate my call for any legislation to conform to international human rights standards”*¹¹.

On March 22, the FFM in the 52nd session of the Human Rights Council in the oral update and interactive dialogue on the human rights situation in Venezuela, reiterated its concern about the increased focus of repression against civil society, stating that *“attacks and threats against organizations and human rights defenders, trade unionists, journalists, humanitarian personnel and other organized civil society actors in Venezuela persist and, in some cases, have increased”*. They spoke out about the case of Javier Tarazona and the increase in the persecution of union leaders. Finally, they reiterated their concern about *“laws and administrative procedures that hinder the free functioning of civil society organizations”*¹².

Similarly, on March 21 and 22 at the 52nd session of the Human Rights Council in the oral update and interactive dialogue, members of the council and other delegations spoke out about the concerns about the closure of civic space in Venezuela and the legislative advances that seek to curtail it even more, calling for an end to the criminalization of individuals and organizations that defend human rights and civil society in general¹³.

¹⁰<https://news.un.org/es/story/2023/01/1518227>

¹¹<https://www.ohchr.org/es/statements/2023/03/turk-updates-human-rights-council-situation-venezuela>

¹²<https://media.un.org/en/asset/k1z/k1z0825tdz>

¹³<https://media.un.org/en/asset/k1b/k1b6yvtv5> y <https://media.un.org/en/asset/k1z/k1z0825tdz>

For its part, on April 22, the Inter-American Commission on Human Rights (IACHR) published its annual report, in which part of the content of its chapter IV.B highlights the situation in Venezuela, and presents findings on the *“monitoring of the Commission to the serious human rights crisis in the country, derived from the absence of the rule of law; and documents the progressive weakening of democratic institutions and the deterioration of the human rights situation”*. The analysis highlights the situation of defenders, and the concern that the IACHR maintains, while the persecution against them continued to be documented, *“the violence they face and the adverse context in exercising their defense role, in which intense smear campaigns, stigmatization, and acts of harassment as retaliation for this activity predominate”*¹⁴. The report refers to cases and situations that occurred during 2022 and reiterated *“the importance that the work of defenders has for the construction of a solid and lasting democratic society, and the leading role they play in the process for the full achievement of the rule of law and the strengthening of democracy. In this sense, it recalls that it is the obligation of States to fully protect the right to defend rights. Therefore, it is essential and urgent that the State refrain from creating a hostile environment and, on the contrary, promote a culture of rights and an environment free of violence and threats; recognize the value and importance of the work of defenders, and seriously and effectively investigate any violation of human rights against them”*¹⁵.

Finally, the Commission presented recommendations regarding the situation of defenders, urging the State to: *“Abstain from criminalizing human rights defenders who work in favor of the sexual and reproductive rights of girls, women, and pregnant persons of all ages”*. And, *“refrain from demanding the registration of human rights organizations before anti-terrorism agencies, especially if as part of the requirements it is requested to report on the people who benefit from their work, since among these there may be victims of human rights violations”*¹⁶.

Likewise, in a press release published on June 27 on violence against human rights defenders in the region, regarding Venezuela, it expressed its concern *“over the approval of the first debate of the draft “Law on the supervision, regularization, action, and financing of non-governmental and related organizations,” in Venezuela, which, in addition to limiting the activities that can be carried out by the organizations, grants State authorities the power to unilaterally dissolve those that participate, in their opinion, in political activities or that violate national stability and the institutions of the Republic”*¹⁷.

International organizations also joined the complaints regarding the bill that seeks to criminalize and hinder the work of civil society organizations in Venezuela:

On January 25 Amnesty International issued a global Urgent Action, warning about the risk of NGOs in Venezuela. The organization indicated that the bill presented *“seeks to control, limit and possibly criminally prosecute non-governmental organizations that operate in Venezuela”*; They also called to *“immediately put an end to this bill in the National Assembly and to stop all efforts to attack, control, prosecute or censor civil society organizations that work to protect the rights of all people in Venezuela, particularly those most in need”*¹⁸.

¹⁴https://www.oas.org/es/cidh/docs/anual/2022/capitulos/9-IA2022_Cap_4B_VE_ES.pdf Párrafo 98

¹⁵ibidem. Párrafo 112

¹⁶ibidem. Página 744

¹⁷<https://mailchi.mp/oas.org/cidh-persiste-la-violencia-contra-personas-defensoras-en-el-primer-cuatrimetre-de-2023?e=8271a8a5d2>

¹⁸<https://www.amnesty.org/en/documents/amr53/6379/2023/en/>

On January 25, the Peace and Reconciliation Foundation (Pares) published an article in which the main concerns of Venezuelan defenders and organizations regarding the project are expressed¹⁹.

On January 26, the Center for Justice and International Law (CEJIL), the Robert F. Kennedy Human Rights, the Foundation for Due Process (DPLF), the Global Center for the Responsibility to Protect (GCR2P), the Washington Office on Latin American Affairs (WOLA), the World Organization Against Torture (OMCT), the International Institute on Race, Equality and Human Rights, and Human Rights Watch (HRW), expressed *“deep concern over the approval in the first round of a bill that seeks to further criminalize and hinder the work of civil society organizations in Venezuela”* (...) they indicated that *“if approved, this law would have the effect of seriously hindering and potentially criminalizing the work of civil society organizations in the country, and would increase the closure of civic space. This is one more government strategy to limit the fundamental work of civil society organizations, which legitimately defend rights and work on behalf of victims of human rights violations, and the humanitarian emergency in Venezuela”*. Finally, they urged actors from the international community to *“reject this bill and call on the Venezuelan government to put an end to the criminalization and persecution of human rights defenders and CSOs”*²⁰.

On February 2, the Regional Alliance for Free Expression and Information, made up of 15 organizations from America, together with Civicus, IFEX-ALC, and Voces del Sur; rejected the new legislative initiative that *“enables the criminalization of legitimate organizations and activities of Venezuelan civil society protected by the human right to freedom of association”*. The signatories asked the international community for *“support with actions that prevent this and other similar laws in the region from continuing to proliferate since they only seek to reduce civic space”* (...) and argued that *“if this law is approved, the work of non-governmental organizations in Venezuela would be under serious threat, which would increase restrictions on an already narrow civic space in the country”*²¹.

On February 14, the Observatory for the Protection of Human Rights Defenders made up of the International Federation for Human Rights (FIDH) and the World Organization Against Torture (OMCT), ruled on the draft Law on Inspection, Regularization, Action and Financing of Non-Governmental Organizations and related organizations. In their statement, they *“strongly reject the approval”* since it *“seriously restricts the right to freedom of association in the country”*. In addition, they expressed concern that *“if the law is approved, the consequent closure of Venezuelan civil society organizations will also cause an increase in mobility and forced migration of the Venezuelan population to countries in the region”*. Finally, they urged the State *“to immediately put an end to all attacks, acts of criminalization, intimidation, harassment, and discredit against organizations and individuals who defend human rights in the country, and to take all necessary measures to guarantee the right to freedom of association in Venezuela, in accordance with international and regional human rights standards”*²².

¹⁹ <https://www.pares.com.co/post/ley-para-regular-las-ong-en-venezuela-aprobada-en-primer-debate-por-asamblea-nacional>

²⁰ <https://cejil.org/comunicado-de-prensa/organizaciones-internacionales-denuncian-proyecto-de-ley-que-busca-criminalizar-y-obstaculizar-el-trabajo-de-las-organizaciones-de-la-sociedad-civil-en-venezuela/>

²¹ <https://www.alianzaregional.net/unamos-fuerzas-en-defensa-del-espacio-civico-en-venezuela/>

²² <https://www.fidh.org/es/region/americas/venezuela/venezuela-aprobacion-de-proyecto-de-ley-restringe-gravemente-el>

SITUATION OF HUMAN RIGHTS DEFENDERS IN VENEZUELA

On March 21 and 22 at the 52nd session of the Human Rights Council in the oral update and interactive Dialogue, organizations such as Amnesty, the International Commission of Jurists (ICJ), the International Service for Human Rights (ISHR), Human Rights Watch, Civicus, the International Federation for Human Rights (FIDH) and the World Organization Against Torture (OMCT), spoke out about the situation of criminalization and the new restrictive regulatory proposals²³.

05 CONCLUSIONS AND RECOMMENDATIONS

The increase in repression and violence against individuals and organizations and the increase in restrictions on civic and democratic space in the pre-electoral framework demonstrate the authoritarian nature of the State and the lack of interest in assuming international recommendations and solving the sociopolitical and human rights crisis facing the country.

The Criminalization Policy and social control continue to seriously affect the free and full operation of human rights defenders and organizations, particularly the rights to association, demonstration, expression and defense of rights.

The State must immediately cease the criminalization of defenders and guarantee the exercise of their activities, preventing the occurrence of aggressions and attacks that affect the life, liberty, and personal integrity of the victims, investigating and punishing those responsible if they occur, and guaranteeing the operation and legality of the organizations. For this, restrictive legislation must be repealed and no progress is made in the approval of new instruments against the activities of civil society and the exercise of rights.

Given the upcoming electoral events, the work of those who document, denounce, and disseminate the violations committed by the State is essential to respond to the crisis, promote democratic values, and protect the human dignity of Venezuelans.

We urge that the Civic Space and the exercise of fundamental freedoms of those who document, denounce, and disseminate violations of human rights be guaranteed.

From the CDJ we insist that the defense, demand, and promotion of rights are essential for respect for human dignity and the maintenance of democracy and the rule of law. By criminalizing and attacking those who carry out such actions, the State transgresses its international obligations and entails its international responsibility.

We urge the State to move forward in complying with the recommendations of the international community and adopt all the necessary measures for the construction of favorable and safe environments that allow the right to defend human rights to be exercised without fear of being a victim of aggression or reprisals.

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