



**CENTRO PARA
LOS DEFENSORES
Y LA JUSTICIA**

SITUATION OF HUMAN RIGHTS DEFENDERS IN VENEZUELA

AUGUST 2023

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The Centro para los Defensores y la Justicia (CDJ) **documented 60 attacks and security incidents during August 2023 in Venezuela.**

The risks continue to increase for those who are on the front lines of responding to the social, political, and human rights crisis in the country. The State deepens the Criminalization Policy against the promotion, defense, and demand of human rights, within the framework of the electoral context.

Measures and actions continue to be implemented aimed at reducing civic and democratic space in the country, creating an adverse environment for the exercise of the rights to association, expression, assembly, and defense of rights.

The right to defend, promote, and demand rights remains under attack, the State intensifies repressive and social control actions that affect the operation and security of people and human rights organizations.

From the CDJ we urge the effective promotion, protection, and respect without any type of retaliation to the actions of those who defend, demand, and promote human rights in Venezuela.

ATTACKS AUGUST 2023



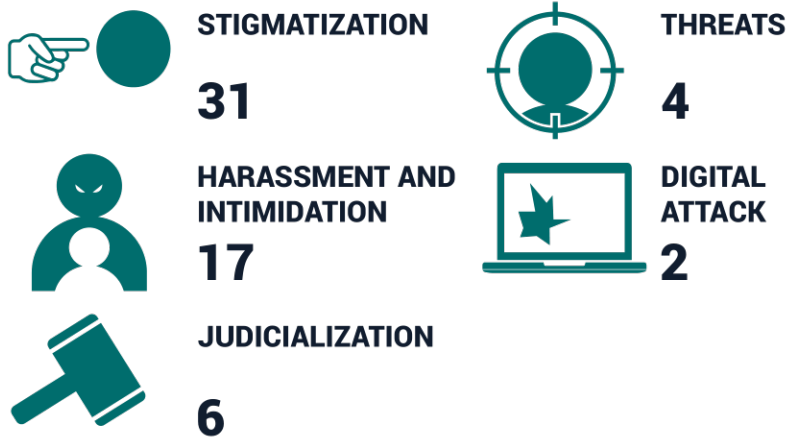
60 attacks and security incidents documented during the month of August show an increase in attacks against people and organizations defending human rights.

We see with concern the increase in acts of intimidation, harassment, and threats against those who carry out documentation, reporting, and demanding activities in the face of serious human rights violations that occur in the country.

The stigmatization campaigns do not cease, the accusations of hatred and disqualification are systematic, the purpose of which is to intimidate and neutralize civil society, while the restrictions on civic and democratic space and the use of regulations relating to the control of terrorism and organized crime to pursue and criminalize.

The 60 events recorded during the month of August were characterized by:

CHARACTERIZATION OF ATTACKS

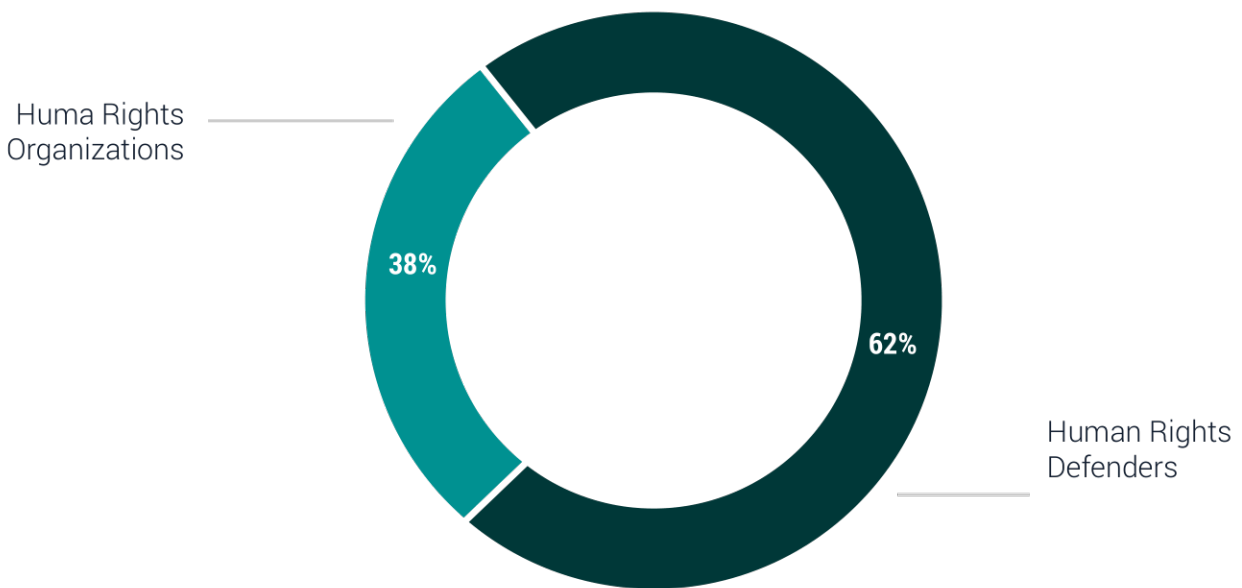


Considering the complexities that surround the Venezuelan sociopolitical environment and in the face of upcoming electoral events, we reiterate that the work of promoting and defending human rights is essential for the protection of human dignity and ensuring the validity of Peace and the recovery of the State. of Law.

It is essential that effective mechanisms be generated for the full and free exercise of fundamental freedoms and a favorable and safe environment for this is guaranteed, as well as the protection of those who defend them.

VICTIMS OF THE ATTACKS

Of the total attacks documented during the month of August 2023, 37 were individualized against human rights defenders, equivalent to 62% of the total. While 23 were directed against human rights organizations, representing the remaining 38%.



SITUATION OF HUMAN RIGHTS DEFENDERS IN VENEZUELA

Among some of the cases, we highlight the systematic stigmatization campaigns against the organizations Programa Venezolano para la *Educación-Acción en Derechos Humanos* – PROVEA; new accusations against *Acción Solidaria* and *Un mundo Sin Mordaza*; as well as disqualification, threats, and widespread intimidation against the work of human rights organizations in the country.

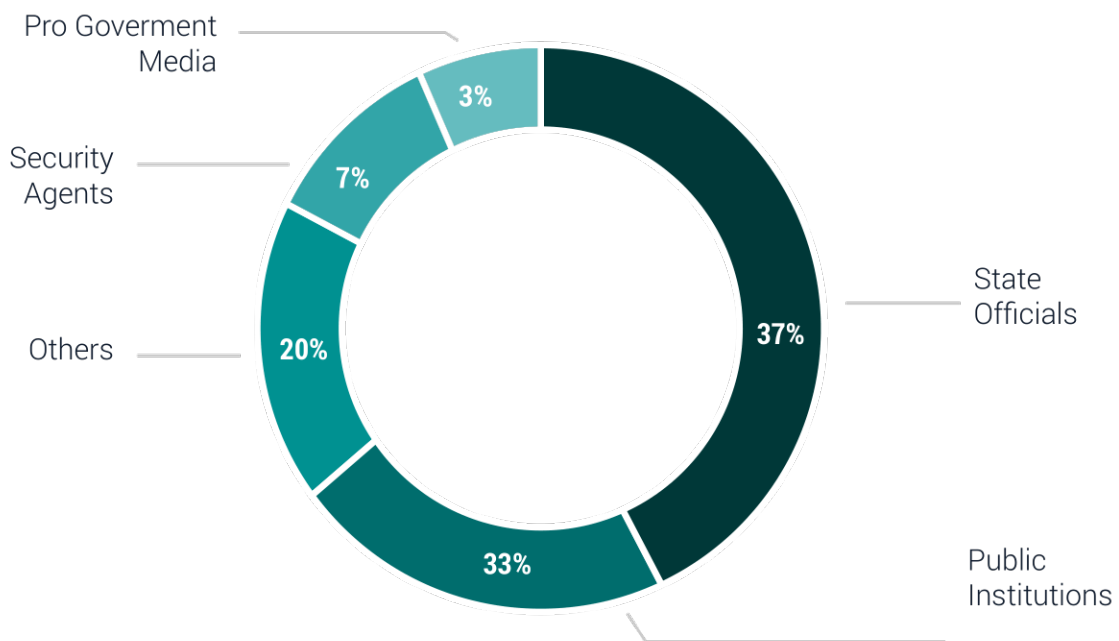
Six workers and union leaders were sentenced to 16 years in prison for the crimes of “conspiracy and association to commit a crime”. They were also stigmatized after the sentence was issued, evidencing the increase in persecution and repression in retaliation for their activities. of demand for the vindication of social rights.

Likewise, there is concern about intimidation and harassment against human rights defenders, and the use of digital attacks against the organizations’ communication platforms.

PERPETRATORS

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

A total of 22 attacks (37%) were carried out by public officials, who used their profiles on social networks, or statements in government media to stigmatize and intimidate; 20 of the events were the responsibility of Public Institutions (33%); 12 of the violations (20%) were committed by other actors related to the government or associated with the structures of the Popular Peace Protection System (Sp3); Another 4 attacks (7%) were carried out by State security agencies; and finally 2 of the events were perpetrated through the State’s traditional and digital media and its social media accounts (3%).



01

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

The attacks against the defense, demand, and promotion of human rights continue to the extent that the human rights movement and other civil society actors continue to carry out advocacy, denunciation, and documentation of violations committed in the country. The use of the logic of the Internal Enemy continues to manifest itself through patterns of attacks aimed at neutralizing the work of those who defend rights in the country.

Stigmatization continues to be the main mode of attack, based on arbitrary questions and accusations about the independence and veracity of the work of human rights organizations. The central axis of this discourse continues to be the alleged links and activities with destabilizing purposes promoted by foreign governments¹. The main people responsible for these attacks continue to be senior state officials, as well as people affected by the ruling party who use social networks. Likewise, the State channel, Venezolana de Televisión, as well as the digital media associated with the National Public Media System and related to the governing party, continue to serve as the main platforms for disseminating this discourse. Con el Mazo Dando, Zurda Konducta, La Hojilla, and Diario Misión Verdad were presented as the main channels for the dissemination of attacks during the month of August.

On the other hand, the CDJ warns of an increase in acts of intimidation and harassment in the month of August, the State uses different measures to control, criminalize, and neutralize the defense of human rights.

The forms of surveillance and monitoring by state and non-state actors of human rights defenders and organizations increased. This type of attack, in addition to having a direct impact on the victims, has a deterrent and inhibiting effect on the rest of the organizations and civil society, who are indirect victims of these events, as they feel afraid to continue carrying out their activities. Acts of intimidation and harassment are a way of hindering the work of those who defend, demand, and promote rights.

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#HABLEMOSDDHH

¹Youtube. Declaraciones del Fiscal General. Disponible en: <https://www.youtube.com/watch?v=j3dnteU7pFE>

Twitter. 03.08.23. Disponible en: <https://twitter.com/MinpublicoVEN/status/1687128856371560448>

Con el mazo dando. La Cruz Roja como fachada de la USAID en la región. 04.08.23. Disponible en: <https://www.conelmazodando.com.ve/la-cruz-roja-como-fachada-de-la-usaid-en-la-region>

Tweet de William Castillo. 04.08.23. Disponible en: https://twitter.com/planwac/status/1687502464306577408?t=8q1fMTntVAIt_paPqobjVg&s=19

Declaraciones de Mario Silva durante la transmisión semanal del programa La Hojilla. Min: 1:13:20-1:13:48. Disponible en: (1192) La Hojilla con Mario Silva 5 de agosto de 2023 - YouTube

Tweet de Pablo Fernandez. 13.08.09. Disponible en: <https://twitter.com/pabloefb/status/1690711134997762048?t=dp27elKpnEKgr-ZIZNS8GtQ&s=19>

Twitter. Tweet de RespetoXTodos. 21.08.09. Disponible en: <https://twitter.com/RespetoXTodos/status/1693346901263855908>

Tweet de Diario Misión Verdad. 21.08.23. Disponible en: https://twitter.com/Mision_Verdad/status/1693780271093760460?t=FpZ-7vA8ZDMw2UVMa4mf_gg&s=19

Youtube. Con el Mazo Dando. Minutos 39:53 – 42:08. Disponible en: <https://www.youtube.com/watch?v=IIX6xxxYhWw>

Declaraciones de Ricardo Gonzalez durante la transmisión semanal del programa Zurda Konducta. Min: 1:02:31-1:02:49. Disponible en: Zurda Konducta | Nuevo CNE generará las condiciones ideales para los comicios presidenciales - video Dailymotion

During the month of August, actions were carried out by the Judiciary that further deepened the criminalization of the defense of human rights. Firstly, union leaders Gabriel Blanco, Emilio Negrín, Reynaldo Cortes, Alonso Meléndez, and Alcides Bracho were sentenced to 16 years in prison for crimes, among others, of association to commit a crime and conspiracy, established in the Venezuelan Penal Code and in the Organic Law against Organized Crime and Financing of Terrorism². This after having been subjected to an arbitrary judicial process plagued by irregularities since 2022.

The conviction of the union leaders follows a pattern of the use of judicialization to persecute and neutralize the work of defenders, as occurs in the case of the members of the FundaRedes organization Javier Tarazona, Omar de Dios García and Rafael Tarazona, who have been under judicial process for more than two years and Javier has been arbitrarily deprived of his freedom. Demonstrating that the Judiciary continues to serve as the executing arm of criminalization and the actor responsible for repression.

On the other hand, ruling No. 1057 of the Constitutional Chamber of the Supreme Court of Justice was issued on August 4, 2023³, which ordered, through judicial means, the intervention of the Venezuelan Red Cross organization and the removal of its board of directors based on “urgent” circumstances related to an investigation into the internal management of the organization. In addition to this, he ordered the restructuring of the organization, contrary to the regulations that govern said organization as a civil association, under which internal changes to its structure depend entirely on its members. This ruling sets a dangerous precedent in the face of repeated attempts at state control of the free functioning of civil society and violates the right to freedom of association, which must also be understood in a pre-electoral context in which the probability of an increase in the persecution of civil society becomes higher.

It is also important to highlight that the Public Ministry also contributes to criminalization. Public accusations and accusations are issued that stigmatize and harass victims of the criminalization policy and human rights organizations⁴.

The defense, demand, and promotion of human rights continue under attack, thus hindering the rights to association, assembly, and defense in Venezuela. Criminalization as a State policy, the context of generalized impunity, and the validity of a Complex Humanitarian Emergency make the Venezuelan context hostile and adverse for Venezuelan civil society.

The State must take the necessary corrective measures to reverse this policy and its effects; Defending human rights is not a crime, it is a right and legitimate activity necessary for the reconstruction of a democratic society and the recovery of the rule of law.

² Efecto Cocuyo. Quienes son los líderes sindicales condenados a 16 años de cárcel. 01.08.23. Disponible en: <https://efectococuyo.com/la-humanidad/quienes-son-los-lideres-sindicales-condenado-a-16-anos-de-carcel/>

³ Sentencia 1057, Sala Constitucional, TSJ. Disponible en: <https://accesoalajusticia.org/wp-content/uploads/2023/08/SC-nro-1057-04-08-2023.pdf>

⁴ 03.08.2023. Youtube. Declaraciones del Fiscal General. Disponible en: <https://www.youtube.com/watch?v=j3dnteU7pFE>

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

Faced with the advances of the Criminalization Policy for the defense and demand of human rights in Venezuela, international organizations and international organizations for the protection of human rights 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 calls by international organizations registered during the month of August are:

On August 11, the special rapporteurs of the United Nations on the promotion of human rights in the fight against terrorism, Ms. Fionnuala Ní, Aoláin; and on the rights to freedom of peaceful assembly and association, Mr. Clément Nyaletsossi Voule, issued a press release in which they warn that *"Venezuela abuses anti-terrorist laws to condemn trade unionists and union leaders"*⁵. The Experts expressed concern about the sentence issued on August 1 of this year that condemns six union members and union leaders using the Organic Law against Organized Crime and the Financing of Terrorism. They indicated that *"it is evident that we are witnessing a chronic abuse of anti-terrorist measures against those who defend the rights of workers, seek to improve working conditions, and participate in union organizations in Venezuela"*. Also, they indicated that *"in a process judicial marked by irregularities and exceptionalities, such abuse of anti-terrorist measures is totally contrary to international law"*. Likewise, they emphasized that the use of anti-terrorist measures must be necessary, proportional, and non-discriminatory; recalling that the United Nations Security Council and human rights bodies maintain that the use of any anti-terrorist action, within the law and in practice, must be implemented with due respect for human rights. At the same time, within this press release, deep concern was expressed about the exceptionally long prison sentences that were awarded to the union members. *"We consider that such high prison sentences are an attempt to remove civil society actors from circulation and damage civic space in Venezuela"* the experts noted. *"These sentences are an attack on freedom of association, directed against organizations whose raison d'être is to attract individuals to collective action to improve their lives and those of their communities"*, stated. Finally, they urged the Venezuelan courts to urgently review the sentences, applying international standards consistent with human rights in matters of adjudication and review, urging that *"the use of anti-terrorist legislation against civil society actors and human rights defenders must stop immediately"*.

On August 21, the Inter-American Commission on Human Rights (IACHR) and its Special Rapporteur for Freedom of Expression (RELE CIDH) presented a press release in which they rejected *attacks on freedom of association in Venezuela*⁶, considering the recent decisions of the Court Supreme Court of Justice (TSJ) relating to the matter. Experts call to protect civic space and guarantee participation in matters of public interest without any type of discrimination. On August 4, through ruling No. 1,057, the TSJ dismissed the National Steering Committee of the Venezuelan Red Cross and appointed an "Ad Hoc Restructuring Board" with powers

⁵ <https://www.ohchr.org/es/press-releases/2023/08/venezuela-un-experts-condemn-use-counter-terrorism-laws-convict-trade>

⁶ <https://www.oas.org/es/CIDH/jsForm/?File=/es/cidh/prensa/comunicados/2023/189.asp>

to reorganize it. This decision would be contrary to what is established in the organization's internal statutes regarding its governance and would grant powers contrary to the constitutional framework. In the same way, on August 11, the TSJ announced ruling No. 1,160, through which it arbitrarily appointed an Ad Hoc Board of Directors for the political organization Communist Party of Venezuela (PCV). The IACHR and its RELE expressed that situations of this type have been observed for several years in the country; explaining that these judicial decisions, basically arbitrary in nature, *"affect freedom of association and political participation free of discrimination and, even more seriously, deepen distrust in the electoral system, creating new obstacles to overcome the institutional crisis in a country characterized by absence of the rule of law"*.

Regarding international organizations, on August 29, the organization Amnesty International presented a report detailing new cases of arbitrary detentions, also denouncing the persistence of the policy of repression implemented by the government of Nicolás Maduro and documenting the cases of nine people who were arbitrarily detained currently within the framework of this policy, including human rights defenders. The organization demands his immediate and unconditional release. *"The evidence shows that the policy of repression of the government of Nicolás Maduro and the human rights crisis continues to put the rights to life, liberty, and integrity in Venezuela at risk. Our report not only documents the unjust detentions of teachers, trade unionists, and human rights defenders in the country, but also the arbitrariness in the justice system, inhumane prison conditions, and impacts on life projects that go unpunished. Arbitrary detentions cannot continue to be a tool of repression and social control by the government"*, said Erika Guevara Rosas, the then Americas director of Amnesty International. In the report *"Lives Detained: Arbitrary Detentions for political reasons continue in Venezuela"*⁷ a pattern is evident regarding repeated actions over time, in different geographies, and authorship by the State security forces. Within the framework of these arbitrary detentions, serious violations of human rights or even crimes under international law are repeated, including torture and other cruel, inhuman, or degrading treatment, forced disappearances, lack of guarantees of due process and a fair trial, use of courts with special jurisdiction over "terrorism" and inhumane prison conditions.

03 CONCLUSIONS AND RECOMMENDATIONS

Criminalization, persecution and the implementation of actions contrary to civic and democratic space must stop. In view of the upcoming electoral events, organizations and individuals who defend human rights are essential actors to guarantee respect for democratic values and fundamental freedoms, which is why their actions must be promoted and protected.

We reiterate our call to the different actors that make up the State to work to build favorable and safe environments so that those who promote, demand and defend rights and that these people can exercise their activities freely and without fear of reprisals.

As long as the legal and factual actions that reduce civic and democratic space do not cease, risks will continue to exist for civil society in the country.

Acts of intimidation, harassment, stigmatization, aggression, threats and other types of retaliation must be investigated and punished; The laws, mechanisms and instruments contrary to the defense and demand of rights must be repealed and the State must seek the reestablishment of democratic institutions and the rule of law in accordance with Constitutional mandates and international standards.

The CDJ continues working to establish mechanisms and public policies that seek and promote the protection of people and organizations defending human rights in Venezuela.

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