



CENTRO PARA  
LOS DEFENSORES  
Y LA JUSTICIA

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# SITUATION OF HUMAN RIGHTS DEFENDERS IN VENEZUELA

JANUARY 2024

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*Centro para los Defensores y la Justicia (CDJ)*, documented **97 attacks and security incidents during the month of January 2024 in Venezuela.**

## ATTACKS JANUARY 2024



# 97 ATTACKS

Criminalization of the defense, demand, and promotion of human rights increases, within the framework of the continuous closure of the Civic and Democratic Space.

The attacks against civil society intensified, as a result of new threats to the right to freedom of association, demonstration, and peaceful assembly, as a result of the advances of regulations that aim to control non-governmental organizations as part of the repressive state policy and social control existing in Venezuela.

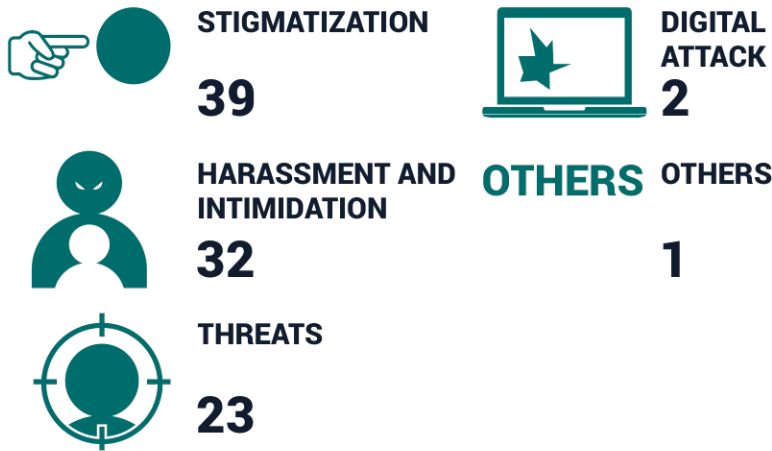
The intimidation and attacks recorded during the first month of the year show the lack of protection for those who defend, demand, and promote rights and the lack of conducive and safe environments for the exercise of their work.

# 01

## **97 VIOLATIONS OF THE RIGHT TO DEFEND HUMAN RIGHTS IN VENEZUELA DURING JANUARY 2024**

Within the framework of the electoral context, an increase in institutional violence against civil society has been observed. Within the attacks on civic space, people and defender organizations have been among the main ones affected, being classified as enemies, traitors, and destabilizers, among others, being the subject of threats and other attacks; as well as a result of advances in a restrictive regulatory framework that makes the exercise of their work even more difficult.

THE 97 EVENTS RECORDED DURING JANUARY WERE CHARACTERIZED BY:



In January we observed new threats, acts of intimidation harassment, and attacks by public officials and other actors that added to the institutional violence against organizations following the start of the public consultation on the Inspection Law. regulation, performance, and financing of non-governmental and related organizations.

Stigmatization remains the main pattern of aggression implemented within the framework of the Criminalization Policy for the defense and demand of human rights, accusing those who carry out activities within this framework of being destabilizing agents, terrorists, and traitors, among others.

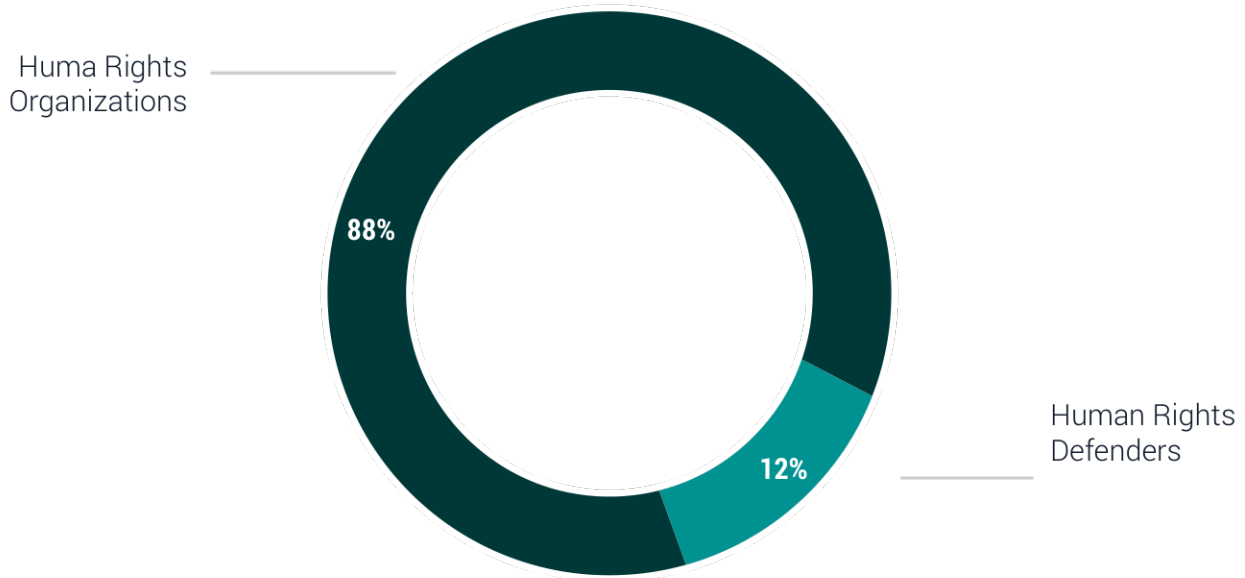
On different digital platforms, media, and institutional spaces such as parliamentary sessions or presidential addresses, accusations were made criminalizing the defense of rights, freedom of association, and freedom of assembly, through systematic smear campaigns. These accusations derived from or were accompanied by acts of intimidation and threats.

It is important to reiterate that the State, under international law, should protect and guarantee the safe work of those who defend, demand, and promote human rights, therefore, it must refrain from hindering and imposing arbitrary and discretionary measures aimed at control the actions of documentation, reporting, incidence, visibility and assistance of victims.

Those who work to protect the right to live with dignity, in conditions of equality and freedom have the right to do so without fear of reprisals and arbitrary and discretionary controls on their actions.

### VICTIMS OF THE ATTACKS

Of the total attacks documented during January 2024, 85 were directed against human rights organizations and organizations that carry out humanitarian actions, equivalent to 88% of the total. While 12 were individualized against human rights defenders, the remaining 12%.



We highlight the constant accusations, stigmatization, threats, and acts of intimidation against the organizations *Programa Venezolano de Educación-Acción en Derechos Humanos – PROVEA*, *Transparencia Venezuela*, and *Control Ciudadano*, among others.

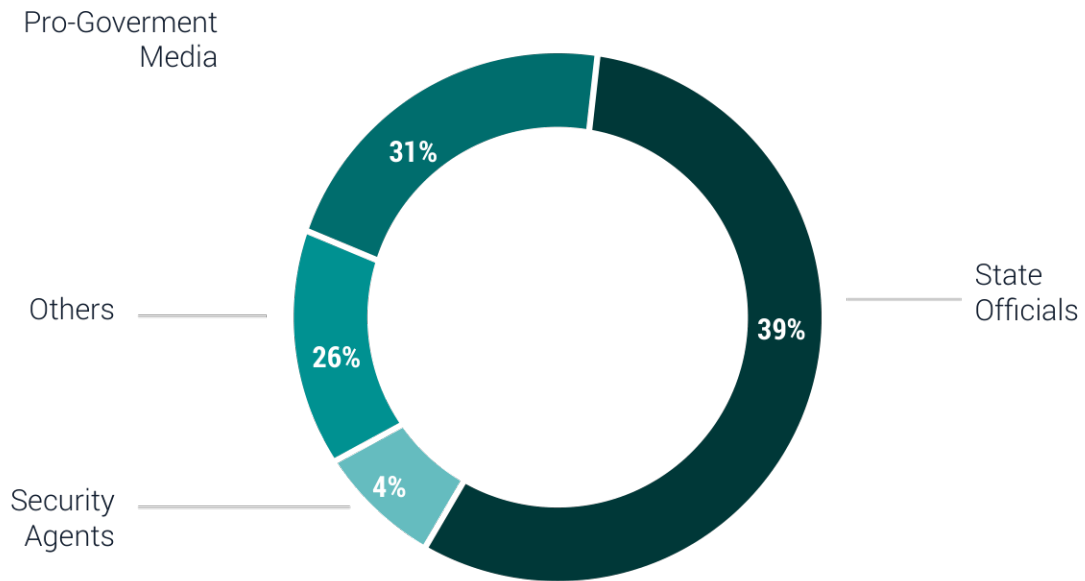
Likewise, we are concerned about the increase in widespread attacks against non-governmental organizations, describing their activities as interfering and destabilizing. Systematic threats to civic and democratic space and actions are taken to further limit it.

### PERPETRATORS

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

A total of 38 (39%) 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, or statements in government media, and institutional spaces to stigmatize, threaten and intimidate; another 30 attacks (31%) were perpetrated from the State's traditional and digital media and their social media accounts; 25 (26%) were carried out by people or groups affected by the political interests of the State; and finally, 4 (4%) of the events were the responsibility of State security agencies.

## PERPETRATORS



The main people responsible for the attacks committed against those who defend and demand identified human rights were State officials, including members of the National Executive, ministers, deputies of the National Assembly (AN by its Spanish name), among other members of public entities or institutions.

Radio and television programs along with digital media, members of the national public media system, and media associated with the State, served as a platform for stigmatization campaigns and calls for violence. Highlights include Con el Mazo Dando, Misión Verdad, Zurda Kondukta, Correo del Orinoco; Venezuela News and Venezolana de Televisión (VTV), which were spaces used to discredit and attack organizations.

Members associated with the United Socialist Party of Venezuela (PSUV by its Spanish name), journalists identified with government organizations, and other related people are also part of this group identified among those responsible for the violations.

State security organizations, including the military and intelligence services, were responsible for intimidating and harassing.

## 02

## THE CIVIC AND DEMOCRATIC SPACE IN VENEZUELA CONTINUES TO BE THREATENED: DRAFT LAW FOR SUPERVISION, REGULARIZATION, PERFORMANCE AND FINANCING OF NON-GOVERNMENTAL AND RELATED ORGANIZATIONS

On January 9, the president of the National Assembly publicly informed that in the coming days, the public consultation would begin on the *bill for the supervision, regularization, performance, and financing of non-governmental and related organizations*<sup>1</sup>. The deputy and first vice president of the United Socialist Party of Venezuela (PSUV), on January 10, announced that the discussion and steps for the approval of the Law would be resumed during the broadcast of his weekly program *Con el Mazo Dando*, the official threatened again with the creation of an instrument of this type, indicating the need to control organizations that receive and use funds to conspire<sup>2</sup>.

The deputy's statements denote the repressive and criminalizing nature of the proposal. This fact adds to a series of threats made for several years where the need to create an instrument to control organizations was insisted, on by classifying them as enemies or destabilizing agents as part of the criminalization of international cooperation<sup>3</sup>.

On January 12, the presentation and start of the consultation regarding the Draft Law on Supervision, Regularization, Performance and Financing of Non-Governmental Organizations and related organizations took place in the chamber of the National Assembly, which was approved first. discussion and scheduled for public consultation in January 2023<sup>4</sup>. Different actors participated in the meeting, including members of institutions such as the ombudsman's office, the public ministry, and the justice system, officials from government entities and ministries, deputies, members of the National Armed Forces (FAN), and Intelligence services<sup>5</sup>.

The debate was accompanied by stigmatizing statements, intimidation, and threats by deputies and other attendees.

We must remember that the bill, despite being in the consultation phase, is still not available in official spaces; it is also composed of articles with highly restrictive and punitive provisions of the right to free association and, consequently, to the work of non-governmental organizations, as it violates human rights.

<sup>1</sup>Youtube. Asamblea Nacional. 9 de enero, 2024. Minutos 58:08 – 58:33 . Disponible en: <https://www.youtube.com/watch?v=KRENeWbt3kU>

<sup>2</sup>Con el mazo dando. 10.01.2024. Minutos: 1:50:57 – 1:57:34. Disponible en: <https://www.youtube.com/watch?v=KtNNgFh-yTE>

<sup>3</sup>Ver Centro para los Defensores y la Justicia. Situación de personas defensoras de derechos humanos en Venezuela 2017-2021. Disponible en: <https://centrodefensores.org.ve/wp-content/uploads/2022/12/InformeEspecialCDJ-2017-2021.pdf>

<sup>4</sup>Con el mazo dando. 18.01.23.3:08:14 – 3:09:42. Disponible en: <https://www.youtube.com/watch?v=uSlfE6UitL8C>

Con el mazo dando. Cabello: Vamos a presentar una ley ante la AN para conocer financiamiento de las ONG. 18.01.23. Disponible en: <https://mazo4f.com/cabello-vamos-a-presentar-una-ley-ante-la-an-para-conocer-financiamiento-de-las-ong> ANTV. 24.01.23. 2:08:58 - 2:28:22.

Disponible en: <https://www.youtube.com/watch?v=EDQpzxiX8IA>

<sup>5</sup>Youtube. Asamblea Nacional. Minuto 05:02. Disponible en: <https://www.youtube.com/watch?v=6pk4uXMMWQU>



The text is characterized by ambiguous and imprecise wording, which increases the risk of being interpreted with a wide field of discretion. Likewise, the explanatory memorandum reflects the characteristic language of the internal enemy thesis aimed at protecting National Security against the possibility of foreign intervention and interference. The same language that has been used in other restrictive legislation in Venezuela, such as the Law against the Financing of Terrorism and Organized Crime, which has already been applied to arbitrarily judicialize the human rights movement; Administrative Ruling No. ONCDOFT-002-2021, among others.

It is important to reiterate that, although according to international standards on freedom of association, the registration of organizations does not per se limit the right to association, said registration cannot in any way imply a regime of authorization for work or the existence of the same, and cannot impose extraordinary or impossible requirements for them. As we have denounced from the CDJ and other organizations, the Draft Law on Supervision, Regularization, Action and Financing of Non-Governmental Organizations and Related Organizations, in the terms in which it has been presented, fails to comply with these precepts and moves away from the standards of international law. from the human rights.

The progress of approval of this regulatory proposal represents a serious threat to Venezuelan civil society and to any person who wishes to exercise the right to freedom of association, with possible serious consequences for organizations and people who defend human rights, and the victims and beneficiaries they support. In the country there are already regulations aimed at the operation and existence of non-governmental organizations, so a law of this nature is not only unnecessary but also detrimental to their work.

Freedom of association and the defense, demand, and promotion of rights are legitimate activities protected by international law, therefore, they must be guaranteed without arbitrary limitations and obstacles that prevent the operation of organizations within the framework of legality.

# 03

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

The beginning of 2024 was marked by a new increase in attacks against those who defend human rights in the country, raising risk levels for people who defend, demand, and promote rights, as well as for civil society organizations. in a generalized way. The accusations, accusations, threats and stigmatization campaigns that have occurred in recent years materialize with concrete events that affect the operation, life, and integrity of non-governmental organizations and those who make them up.

The legislative process was resumed to approve the draft Law on Supervision, Regularization, Performance, and Financing of Non-Governmental Organizations after the call for public consultation carried out by the Deputy to the National Assembly, Jorge Rodríguez<sup>6</sup>. This marked the pattern of attacks that took place during the month.

Stigmatization continued to be presented as the main pattern of attack; However, we see with concern the aggravating factor that these events are accompanied by threats, intimidation, and harassment, to reinforce the discourse directed against the human rights movement to frighten it and achieve its neutralization and inhibition, in an electoral context and progressive closure of civic space.

It is worrying that the work of organizations continues to be discredited, pointing them out as “conspirators”, “traitors”, “and destabilizers”, among others, to justify the supposed need for an instrument of this nature based on accusations against organizations and defenders about the use of international financing “for political and interventionist purposes,” or that their activities “threaten national peace and sovereignty.” At the same time, it was intended to associate its operation with organized crime activities and the financing of terrorism. Deputies to the National Assembly, members of the Executive Branch, pro-government journalists, and people affected by the ruling party took part in this speech. The main platforms for disseminating these messages were Con el Mazo Dando, Zurda Konducta, Correo del Orinoco, Misión Verdad, and Iguana TV, as well as the personal and institutional accounts of State officials<sup>7</sup>.

The threats and acts of intimidation continued and were supported by the possibility of the approval of the bill, particularly in the opening of investigations and greater control and monitoring of the funds received by non-governmental organizations. This is because the text of the Law, which has not yet been published in official channels despite being in a public consultation process, has a high punitive content against organizations that do not comply with its provisions. Likewise, intimidating statements were presented during the month with messages aimed at provoking fear and inhibition against civil society organizations. In this sense, Provea, Control Ciudadano, Foro Penal, and Transparencia Venezuela were some of the organizations named for this purpose<sup>8</sup>.

The Venezuelan State is advancing its efforts to neutralize the defense, demand, and promotion of rights in the country, even though these activities and the role of organizations in a generalized context of human rights violations, humanitarian emergency, and impunity that exists in the country are essential and should not be criminalized or hindered in an arbitrary and discretionary manner.

# 10

#HABLEMOSDDHH

<sup>6</sup> Youtube. Asamblea Nacional. 9 de enero, 2024. Minutos 58:08 – 58:33 . Disponible en: <https://www.youtube.com/watch?v=KRENeWbt3kU>

<sup>7</sup>Con el mazo dando. 10.01.2024. Minutos: 1:50:57 – 1:57:34. Disponible en: <https://www.youtube.com/watch?v=KtNNGh-yTE>  
Con el Mazo Dando. 10.01.2024. ¡Están desesperados! ONG's controladas por la oposición piden a EEUU acelerar desembolsos de dólares. Disponible en: <https://mazo4f.com/estan-desesperados-ongs-controladas-por-la-oposicion-piden-a-eeuu-acelerar-desembolsos-de-dolares>

AN iniciará consulta pública de ley que regula las ONG. La Iguana TV. 10.01.2024. Disponible en: <https://www.laiguana.tv/articulos/1189885-an-consulta-publica-ley-ong/>

Tweet Oswaldo Rivero. 10.01.24. Disponible en: <https://twitter.com/mangozurda/status/1745118869012844621>

Tweet Pedro Karvajalino. 10.01.24. Disponible en: <https://twitter.com/PedroKonductaz/status/1745293096294715406>

Youtube. Asamblea Nacional. Minuto 05:02. Disponible en: <https://www.youtube.com/watch?v=6pk4uXMMWQU>

<sup>8</sup>Con el Mazo Dando. 11.01.2024. AN iniciará este viernes la Consulta Pública sobre el proyecto de Ley de Fiscalización de las ONG. Disponible en: <https://mazo4f.com/an-iniciara-este-viernes-la-consulta-publica-sobre-el-proyecto-de-ley-de-fiscalizacion-de-las-ong>  
Correo del Orinoco. 12.01.2024. Disponible en: <http://www.correodelorinoco.gob.ve/an-inicio-consulta-publica-de-proyecto-de-ley-sobre-ong/>

Con el Mazo Dando. 26.01.2024. ¿ONG para financiar el terrorismo? ¡No señor!. Disponible en: <https://mazo4f.com/ong-para-financiar-el-terrorismo-no-senor>

Finally, we want to warn that, in the first days of February, new acts of criminalization materialized against human rights defender Rocío San Miguel, president of the organization Citizen Control. The Justice System continues to be responsible for carrying out repressive acts against civil society, instrumentalizing and applying criminal law under the logic of the enemy. As of the date of presentation of this report, San Miguel is deprived of her liberty after having been the subject of accusations of alleged participation in conspiracy activities and being charged with the crimes of conspiracy, treason, terrorism, and association to commit a crime<sup>9</sup>, without having had the judicial guarantees required to ensure due process.

The CDJ is concerned about the intensification of criminalization and the increase in risks for organizations and defenders in 2024, this being an electoral year, not only with the possible approval of the bill but also with the commission of acts of violence and intimidation as a form of persecution in the context of elections that could put at risk the integrity of those who are part of the human rights movement in the country.

## 04 INTERNATIONAL RESPONSE TO THE CRIMINALIZATION OF THE DEFENSE OF HUMAN RIGHTS IN VENEZUELA

The situation of criminalization of the defense and demand of human rights in Venezuela continues to be a focus of concern for the international community.

International organizations and human rights protection bodies and diplomatic actors expressed their concern and rejection of the attacks committed, demanding that the State fulfill its duty to promote and protect the work of human rights defenders.

Among the main actions and pronouncements recorded by international organizations in the month of January are:

On January 26, through a press release, the Inter-American Commission for Human Rights (IACHR) and the Office of the Special Rapporteur for Freedom of Expression (RELE)<sup>10</sup> urged the new advances in approving the law that seeks to control organizations, called on the State of Venezuela to “refrain from approving a bill that would have the effect of limiting the right of association, citizen participation in matters of public interest and the defense of human rights” Expressing concern about a bill that limits the activities of non-profit organizations and grants state authorities the power to unilaterally dissolve those that participate in political activities or that threaten national stability and the institutions of the Republic. This project is part of a series of government acts that seek to control and limit the work of civil society organizations and restrict civic space. The IACHR and the RELE expressed their concern about the stigmatizing statements made by pro-government deputies towards NGOs, describing them as “enemies”, “destabilizers”, “traitors of the country” and “party fronts”. These statements show a climate of hostility towards people and organizations that defend human rights or practice journalism in Venezuela. This Commission continues to urge the Venezuelan State to refrain from

<sup>9</sup> <https://twitter.com/TarekWilliamSaab/status/1757451120522178839?t=dgAWcDemKAYyPDL-WRq8xg&s=08>

<sup>10</sup> <https://www.oas.org/es/CIDH/jsForm/?File=/es/CIDH/prensa/comunicados/2024/022.asp>

approving legislation that arbitrarily limits the right of association, freedom of expression and participation in matters of public interest. Furthermore, they highlight the importance of the work of defenders in building a solid and lasting democratic society.

Likewise, within the framework of the possible approval of the draft Law on supervision, regularization, performance and financing of non-governmental and related organizations, the National Assembly, whose discussion was resumed on January 12 of this year, after having been approved its first debate in January 2023. With this in mind, numerous international organizations for the defense of Human Rights have spoken out on the matter.

On January 12, the Center for Justice and International Law (CEJIL) stated that they are *“seriously concerned about the reopening of the discussion of a bill that has the practical effect of criminalizing and hindering the legitimate work of the organizations of the civil society in that country”* and in response to the stigmatizations made during the debate, they indicated *“as part of their obligations to create an environment conducive to the defense of rights, Venezuelan state actors must refrain from contributing to rhetoric that insults or stigmatizes defenders”*<sup>11</sup>.

On January 17, the international organizations Robert F. Kennedy Human Rights, Center for Justice and International Law (CEJIL), Human Rights Watch, the Washington Office on Latin America (WOLA), World Organization Against Torture (OMCT), and The International Federation for Human Rights (FIDH) (within the framework of the Observatory for the Protection of Human Rights Defenders), and the Foundation for Due Process of Law (DPLF), issued a statement expressing their concern about legislation that seeks to criminalize and hinder the work of civil society in Venezuela, warned that *“If enacted, this law would seriously hinder freedom of association and the free and independent functioning of civil society organizations by requiring them to request government authorization for their operations and disclose any foreign financing.”* *The vague and ambiguous language of the current draft bill raises fears of further persecution of human rights defenders, with possible fines, cancellations of registrations, and even criminal charges. The bill’s explicit emphasis on foreign funding and labeling NGOs as “foreign agents” adds to its troubling features”*<sup>12</sup>.

On January 18, the organization Fundación Paz y Reconciliation expressed its concern about legislative advances that could affect the right to association of organizations in Venezuela<sup>13</sup>.

Amnesty International, in a call not to approve the Law on supervision, regularization, performance, and financing of non-governmental and related organizations, on January 18 made a call against regulatory advances: It is extremely worrying that the National Assembly of Venezuela has resumed the discussion of the bill aimed at non-governmental organizations (NGOs) operating in the country. This bill represents another attempt to control, limit, and possibly criminally prosecute NGOs, which play a fundamental role in Venezuelan society. This is especially serious in the context of the possible presidential elections that will take place this year 2024. (...). The content of this bill contradicts international human rights norms and standards and constitutes a serious threat to the work of NGOs, humanitarian organizations, and other members of civil society in Venezuela. Furthermore, it represents a shameful effort to limit their valuable work supporting the most vulnerable people in the country. The letter ends with a strong call to immediately end this bill in the National Assembly, and ensure that all efforts aimed at attacking, controlling, prosecuting, or censoring civil society organizations that work hard to protect the rights of all people in Venezuela, especially those who need it most<sup>14</sup>.

<sup>11</sup><https://twitter.com/cejil/status/1745935746987405667>

<sup>12</sup> <https://dplf.org/en/news/international-organizations-express-concern-over-legislation-aiming-criminalize-and-obstruct>

<sup>13</sup><https://twitter.com/parescolombia/status/1748089453107642641/photo/1>

<sup>14</sup><https://www.amnesty.org/es/documents/amr53/7602/2024/es/>

On the other hand, on January 19, Amnesty International published a news item regarding the imminent approval of this law, for which Ana Piquer, Director for the Americas of this organization, expressed that “If approved, this law would have devastating consequences for the most vulnerable populations. vulnerable, affected by the humanitarian crisis, migratory expulsion factors, and daily abuses of power. This law would outlaw all civil associations and, therefore, all citizen initiatives that have sought to contain and reverse the very serious human rights situation and institutional challenges in Venezuela. “We demand in the strongest terms that the bill be stopped immediately.” Furthermore, countries and international organizations that have facilitated conversations between different groups in Venezuela with the aim of improving the human rights situation in the country must protect civil society organizations due to their fundamental role in supporting the Venezuelan population. which is in a situation of great vulnerability. Piquer and Amnesty International are confident that they will not remain silent or be complicit in any attack on civic space in Venezuela.

# 05 CONCLUSIONS AND RECOMMENDATIONS

The Venezuelan State continues to advance in the closure of civic and democratic space and criminalizing the defense, demand, and promotion of human rights, in an electoral context where the protection of fundamental freedoms is essential.

We warn that the Policy of criminalization, repression, and social control in Venezuela has a frightening effect aimed at neutralizing legitimate activities protected by international law, such as the right to demonstrate, express, associate, demand, and defend human rights. For this reason, we urge the State to guarantee and respect civic space, only in this way can the defense and demand of rights be exercised fully, freely, and without fear of reprisals.

We reiterate that as the economic and social situation and the political and human rights crisis in Venezuela continue to deteriorate, joint work between international and local actors is therefore even more necessary to respond to the human rights crisis, and the humanitarian emergency, and support people in vulnerable situations, contribute to the achievement of justice and the recovery of freedoms, the rule of law and the validity of the Constitution without retaliation for the exercise of said activities.

We continue working to establish public policies and effective mechanisms that seek and promote the effective protection of people and organizations defending human rights in Venezuela.

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