

REPORT

**Post-electoral and
Human Rights Crisis
2024 in Venezuela**

THE BLACK BOOK OF THE DICTATORSHIP 2024



Derechos
Humanos
de Venezuela
en Movimiento

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POST-ELECTORAL AND HUMAN RIGHTS CRISIS 2024 IN VENEZUELA

The black book of the dictatorship 2024

Credits

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In 1952, José Agustín Catalá clandestinely edited the book “Venezuela under the sign of terror”, which would be known as “the Black Book of the dictatorship”. It exposed the documentation of the abuses of the tyranny of Pérez Jiménez, the censorship, the torture and the names of the victims, the description of the concentration camps and the courageous conduct of the resistance. This report is a continuation of those desires for democracy and dignity for all Venezuelans.

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“On July 28, we will decide war or peace, guarimba or tranquility, homeland or colony, democracy or fascism. Are you ready? Are you prepared? I am prepared, I have the love for Venezuela, I have the experience, I am not even afraid of the devil.”

“The destiny of Venezuela in the 21st century depends on our victory on July 28th. If you do not want Venezuela to fall into a bloodbath, into a fratricidal civil war, a product of the fascists, let us guarantee the greatest success, the greatest victory in the electoral history of our people.”

Nicolás Maduro before July 28th

“They are the damage of Venezuela. They are not qualified to have political power, to govern this country and they will never, ever, ever, ever come to political power. I assure you. And I know what I am saying”.

Nicolás Maduro before July 28th

INTRODUCTION

Venezuela is experiencing one of the most difficult moments in its contemporary history. The very gravity of the circumstances is reflected in the manner in which this report has been prepared.

For the first time, since its appearance as part of the associative fabric of the country, different national human rights organizations refrain from signing, with their name, a unitary report on the situation of human dignity. The climate of terror imposed by the authorities after the elections of July 28th, 2024 has meant that the work of NGOs, based on the “*Three Rs*” formula (Document, Denounce and Disseminate) has had to be limited, in adverse conditions, almost exclusively to documenting. People around the organizations are part of the more than 2,200 people detained during the elections. The Spokesmen and women refrain from giving interviews to national and international media, at a time when the alerts are much more important and necessary. The approval of a law against NGOs, as well as the appointment of Diosdado Cabello as Minister of Interior and Justice, who for years has been leading the confrontation and persecution against human rights defenders, has forced to lower the public profile and take all kinds of care for most of the organizations.

Several activists, journalists and civil society leaders have left the country in recent weeks, including those whose passports have been annulled. Others pack their bags. The defenders, accustomed to speaking “*loud and clear*”, must moderate their statements and speak in public with metaphors and subterfuges. Although in Venezuela it has never been easy, the work of gathering and verifying information has become more complicated than it already was, after the detention of several lawyers has limited the accompaniment of victims. Had they not been detained and accused of the worst crimes imaginable, Javier Tarazona and Rocío San Miguel would have been an active part of this effort.

Human rights defenders, it is often forgotten, are also human beings. However, despite the fear they share with the rest of society, for themselves and their families, their commitment to the victims and the organizational processes they have been strengthening remains intact. Moreover, the conviction that one of their most cherished values is to continue working as a community of shared principles. Therefore, this joint effort to continue being witnesses of the times in which they lived.

We thank all the people who, in one way or another, were involved in this effort. We do not know if this is the first exercise of working in clandestine conditions. Therefore, sharing this document, processing it into more pleasant and viral communicational products, will be part

of that resistance movement that does not abandon its hopes for a democratic Venezuela, dignity and inclusion for all those who live in it. Hopefully the report will contribute to a better understanding of the details of the situation, and will allow decision makers to take the best measures so that, soon, Venezuelan men and women will open the great avenues where free men and women will pass.

Derechos Humanos de Venezuela en Movimiento.



Back ground



BACKGROUND

On September 28, 2023, the governments of Venezuela and the United States met in the city of Doha, Qatar, in which they [signed an agreement](#) to normalize diplomatic relations. The United States undertook to issue licenses and authorizations for Venezuelan oil, gas and gold transactions. For its part, Venezuela would agree with the opposition, represented in the Unitary Platform (PU), on the date and conditions for the holding of presidential elections. Although the text of this agreement was kept confidential for a long time, it materialized on October 17 with the signing in Bridgetown of the so-called "[Barbados Agreement](#)", which was made public from the very beginning. It stipulated 12 guarantees for the holding of elections, including that they would be called for the second semester of 2024.

According to research by Justicia, Encuentro y Perdón, since the arrival of Nicolás Maduro to the presidency of Venezuela in April 2013, the country has gone through 14 electoral processes. With the exception of 2016 and 2019 when no election day was held, Venezuelans have been called to participate in at least one election per year. All electoral elections have been marked by an increase in acts of political persecution carried out by the national government through its various organs. The persecutory conducts have not only been repeated in each electoral period, but have also increased in intensity, frequency and sophistication. The situation before and after the 2024 elections confirms this assessment.

Although the campaign for the elections formally began on July 4, 2024, the country was electoralized as of January 1, so the increase in the restriction on the exercise of civil and political rights began as of that date.

1.1) CIVIC SPACE

In its [preliminary report](#), the UN Panel of Electoral Experts (hereinafter UN Panel) noted that "*The pre-electoral period was marked by continued restrictions on civic and political space*". The following are the rights affected in the events that took place before July 28th.

A) Freedom of Association and Assembly:

As of January 9, the National Assembly resumed the second discussion of the bill for the control, regularization, performance and financing of Non-Governmental Organizations (NGOs) in Venezuela. The law generated critical reactions regarding its effects on the

freedom of association and assembly of international organizations such as [Amnesty International and WOLA](#), the [Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela](#), the [United Nations High Commissioner for Human Rights and the Inter-American Commission on Human Rights](#), together with the [Office of the Rapporteur for Freedom of Expression](#).

In June 2023, the Office of the Comptroller General of the Republic [disqualified](#) the winning candidate of the primaries of the Unitary Platform (PU) of the opposition, **María Corina Machado**, for a period of 15 years. On 03.25.24, at the closing of the nomination period, the registration of the substitute candidate of the PU was denied, [Corina Yoris](#) and the standard bearer of the Communist Party of Venezuela (PCV) and New Vision for My Country (Nuvipa) [Manuel Isidro Molina](#).

[35 political organizations were qualified](#) to participate in the presidential election by the National Electoral Council, but [11 of them have been intervened](#) by the Supreme Court of Justice (TSJ), therefore the control of their cards was handed over to a board of directors aligned to the ruling party. The Office of the Comptroller General of the Republic informed on 04.16.24, that it disqualified for 15 years the opposition leaders **Josy Fernández, Tomas Guanipa, Carlos Ocaríz** and **Elías Sayegh**. On June 19 it was reported that 8 mayors of Trujillo state and 2 of Nueva Esparta state, in office, had been disqualified, totaling 19 such disqualifications in 2024.

The government called for the subscription of a parallel agreement, with political factors outside the Unitary Platform, called "[Caracas Agreement](#)", which delivered a document with 27 proposed dates to the CNE. Although formally the date selected (July 28, 2024) was within the term of the Barbados Agreement, the decision was not proposed jointly, in violation of the Bridgetown agreement.

At the closing of the special day of registration and update of the Electoral Registry, **604,964 new voters** were incorporated and **847,999 persons** updated their personal data or changed their voting center. Although it is estimated that more than 4.5 million Venezuelans of voting age live outside the country, due to obstacles and restrictions only [509 migrants were able to register](#) to vote in the voting centers abroad. In addition, 170 voting centers were renamed (completely or partially), in which 158 thousand voters will vote. This could generate confusion among voters. Additionally, the CNE eliminated **68 voting centers** (which implies that its 6 thousand voters were relocated) and created **8 new voting centers** (in which 3,273 citizens will vote).

On January 18, 2024, Nicolás Maduro [invited his followers to activate the so-called "Bolivarian Fury"](#), which he described as "a civic, military and police plan to face any terrorist attempt". A day later, [Diosdado Cabello deepened its meaning](#): *"It has to do with traitors, with those who sell out the homeland, with those who [surrender](#) the homeland, but it also has to do with patriots, those of us who love this homeland from*

our soul, from our guts, we are capable of doing anything to defend it, to protect it from its bad sons and daughters who swarm around every day”. According to [data processed by Laboratorio de Paz](#), as a consequence of these messages **20 facades of buildings** of political, social and academic organizations in the country were vandalized, in 11 states of the country, 5 arbitrary detentions were carried out with short-term forced disappearances and there was 1 kidnapping attempt.

The [Centro para los Defensores y Justicia \(CDJ\)](#) documented **592 attacks** and security incidents against organizations and human rights defenders that occurred in Venezuela during the first semester of 2024. The patterns of attack detected were Stigmatization (388 situations), Intimidation and harassment (124 situations), Threats (68 situations), Judicialization (3 situations), Digital attacks (3 situations), Arbitrary detentions (2 situations) and Others (2 situations). 67% of the attacks were against human rights organizations, while 33% of the attacks were against human rights defenders. Regarding the perpetrators, 34% were governmental media, 31% public officials, 27% others, 5% public institutions and 3% security agencies.

a.1) Emblematic case: Arrest of Rocío San Miguel

Rocío San Miguel is a prominent lawyer and human rights defender of Venezuelan and Spanish nationality. In 2004, she became one of the first victims of political persecution under Hugo Chávez. At the time, San Miguel was working at the National Border Council and was a member of the [was arbitrarily dismissed for having signed in favor of a recall referendum](#) against the former president based on the so-called Tascón List, an instrument used by Chavismo to filter loyalties within the State. In 2016, the IACHR submitted the arbitrary dismissal of Rocío San Miguel to the Inter-American Court on the grounds that the State had violated her human rights Two years later, the [Court condemned Venezuela](#) for violation of the rights to freedom of expression and political participation in relation to the principle of non-discrimination, the rights of access to justice and to an effective judicial remedy, and the right to work.



In 2005, San Miguel took an active role in the defense of human rights by founding the NGO [Control Ciudadano](#). This organization monitors national security and defense issues, with special emphasis on the performance of the Bolivarian National Armed Forces (FANB). The acts of persecution against Rocío San Miguel and her family increased as a result of her activism. In 2012, the Inter-American Court of Human Rights granted provisional measures in favor of the defender and her daughter, Miranda Diaz San Miguel, due to the harassment and threats they faced for denouncing the [links of active military members](#) of the FANB to the PSUV.

According to documentation from the NGO Justicia, Encuentro y Perdón on January 17, 2024, the Public Prosecutor's Office initiated an investigation related to an alleged terrorist operation called "*Brazalete blanco*". The Prosecutor in charge of the investigation, Farik Karin Mora Salcedo, indicated that this operation had two objectives. On the one hand, to assassinate President Nicolás Maduro and the Governor of the State of Tachira Freddy Bernal; and, on the other hand, to attack State institutions and several Military Units belonging to the FANB. According to the information, the terrorist acts were planned to begin on January 1, 2024, under the coordination of Captain Angelo Heredia. In the particular case of San Miguel, State officials linked her to Captain Heredia, and consequently to Operation White Armband, simply because she appeared among his telephone contacts.

However, all indications are that the real reason for San Miguel's inclusion in the alleged conspiracy is due to a [statement that the activist issued](#) in November of last year.

2023 regarding the Essequibo Referendum called by the national government, in which she stated: "*The scenario is getting more complicated (...) it is going at a very fast speed and the most dangerous thing for the Venezuelan government is that it is entering a strategic trap, that is, it is going to show a possible triumph in the referendum, but how is it going to apply it in front of a country that already has its president a few meters away from the (Venezuelan) states Bolívar and Delta Amacuro?*"

Such statement caused the wrath of Maduro, who [during a speech](#) delivered at the closing of the campaign "*Venezuela All in Defense of the Essequibo*", publicly called Rocío San Miguel a "*sellout*". At the same time, he stated that he had listened to the interview and questioned the government of Guyana and the news agencies France Press and CNN en Español for repeating it.

JEP's experience in documenting cases of political prisoners has allowed him to observe that, generally, when a high-profile member of the government makes this type of speech, the consequence is the immediate activation of the entire justice system, for the immediate or subsequent persecution, harassment and/or detention of the person mentioned. Administrative agencies such as the Autonomous Service of

Registries and Notaries (SAREN), the SENIAT, the Administrative Service of Identification, Migration and Foreigners (SAIME), among others, usually join this process.

In addition to the arrest of Rocío San Miguel, attorney Juan González Taguaruco denounced that [part of San Miguel's family group had also been arrested](#), including her daughter Miranda Díaz San Miguel, Miguel Angel San Miguel Sosa (brother), Alberto San Miguel (brother), Victor Díaz Paruta (the father of her daughter) and Alejandro Gonzalez (ex-husband of the activist). The Attorney General informed that he requested a prison sentence against Rocío San Miguel for the crimes of “...*Treason to the Homeland, Conspiracy, Terrorism and association among others*” and against Alejandro González for “...*Disclosure of Political and Military Secrets concerning the security of the nation, obstruction to the administration of Justice and association*”. Likewise, the highest hierarch of the Public Prosecutor's Office informed about the imposition of substitute precautionary measures (periodic appearances before the court) against the rest of the relatives of the human rights activist.

B) Freedom of Speech and Information

The UN Panel stated that “*The government campaign dominated the state media, with very limited access for opposition candidates.*” The patterns diagnosed in the period were:

b.1) Arrests for the exercise of freedom of speech

[Espacio Público counted](#) that at least 25 people had been detained, in the context of the electoral process, for exercising their right to freedom of expression. Twenty-three were private citizens, while two were journalists. On 4 occasions these arrests were carried out for alleged hate crimes, instigation or similar. According to data from the National Union of Press Workers up to July 28, 4 journalists had been arrested: Gabriel González, arrested on June 17 in Caracas; Luis López, arrested on June 14 in La Guaira; Carlos Julio Rojas, arrested on April 15 in Caracas. Previously Ramón Centeno had been arrested on February 2, 2021 in Caracas.

b.2) Restrictions on social network

According to the *Probox Digital Observatory*, [between January and May 2024](#), **290 socio-political trends** were positioned in X (Twitter), with around 7,297,888 messages. The conversation was dominated by the ruling party (79.1%), which generated **90 tags**. **103** of the 290 trends were electoral, of which 63 were promoted by the Ministry of Communication and Information. The program “*Con el Mazo Dando*” was in second place, with 14 trends, 7 of them attacking María Corina

Machado and 6 in support to Nicolás Maduro's candidacy. On the other hand, support for María Corina Machado positioned **8 tendencies**, while support for Edmundo González positioned 4 tendencies. Of the total number of trends between January and May 2024, only 15 belonged to civil society. In its report, *Probox* indicated that the Tiktok network gained prominence in the socio-political conversation in the country, pointing out that it was the second most used social network by Venezuelans to learn about political news. According to the organization, the governmental action violates article 222 of the General Regulations of the Organic Law of Electoral Processes, *"national, state or municipal public bodies may not carry out electoral publicity and propaganda and, in this sense, may not disseminate messages aimed at promoting, sponsoring or favoring a certain candidacy or organization for political purposes"*.

However, the conversation trends on X (Twitter) changed as election time approached. [Fake News Hunters](#) mapped the electoral conversation between July 4 and 16, analyzing more than 2.1 million tweets with mentions of the usernames of 11 presidential candidates. On that date **65.58%** of the mentions were for @edmundogu, while **32.25%** for @nicolasmaduro. Military accounts, related to the FANB and Battalion 3.0 participated in **2.98%** of the interactions. *"Despite all the spam and coordination that chavismo has historically had in social networks, it does not surpass the traction that the conversation about the opposition candidate has,"* [they added](#).

For its part, the organization Transparencia Venezuela, in a report sent to international human rights organizations, registered **89 cases** in which public bodies or officials disseminated electoral propaganda through their social networks. Likewise, 41 cases of use of public resources in electoral campaigns were documented. Among the cases, the inclusion of flyers showing María Corina Machado and Edmundo González as a threat to peace in the food bags of the Comité Local de Abastecimiento y Producción (CLAP) stands out.

On March 12, 2024, World Day Against Internet Censorship, the [organization Ve Sin Filtro denounced](#) that they had **561 documented blocking** events in the country. Among them 85 blocked pages and 120 urls, with greater incidence in media sites (51 media and 76 urls) and those containing political criticism (14 sites and 16 urls). [The organization also highlighted](#) that Venezuela had one of the lowest Internet penetration rates in Latin America, ranking fifth. Only above Honduras, Guatemala, Nicaragua and Haiti. For its part, [Espacio Público documented](#) during the first 6 months of the year at least eight blockages of digital media and web platforms, six in the electoral context.

For its part, *Redes Ayuda* documented, in the first 6 months of the year, **22 arbitrary actions** in the digital space.

According to data from *Ipys Venezuela* and *Laboratorio de Paz*, as of July 28, 2024, at least **58 websites** and information portals had been

blocked by telecommunications operators, making them inaccessible to the public within Venezuela.

Web portals blocked until July 28, 2024 (In alphabetical order)

alnavio.es	albertonews.com	analítica.com	antena3.com
aporrea.org	armando.imfo	caraotadigital.net	cazadoresdefake-news.info
cronica.uno	2001online.com	diariolaregion.net	dolartoday.com
efectococuyo.com	el-carabobeno.com	eldiario.com	elestimulo.com
elnacional.com	elpitazo.net	el-politico.com	eltiempo.com
jepvenezuela.com	espaciopublico.org	espaja.com	evtv.online
focoinformativo.com	impactove.com	infobae.com	insightcrime.org
ipysvenezuela.org	lagranaldea.com	lamananadigital.com	lapatilla.com
maduradas.com	medianalisis.org	minuto30.com	monitoreamos.com
noticialdia.com	noticiaypunto.com	Noticias Venezuela	noticierodigital.com
ntn24.com	Fakenewsvenezuela.org	observatoriodefianzas.com	opinionynoticias.com
primerinforme.com	protonvpn.com	puntodecorte.org	semana.com
runrun.es	soundcloud.com	sumarium.info	talcualdigital.com
tvvnetwork.com	vesinfiltro.com	venezuelaaldia.com	vivoplay.net
vpitv.com	noticias.com		

Impact of blockades

Consulted for this report by the media *Tal Cual*, they state that as a result of the blockade, which began on July 23, there was a **40%** drop in the number of users of the website. This forced them to increase their workload: to compensate for the drop in readership, they began to publish much more content through other channels, for example, the percentage of publications on Facebook and Instagram, content sent through WhatsApp and Telegram groups, videos and streaming transmissions. The load increased for both the social media team and the journalists themselves, modifying work schedules. Due to the blockade a potential advertiser cancelled a contract that had already been agreed.

In the case of *Runrunes* the blocking of their website started in 2018. Due to the recent blockades journalists have had problems logging into the website administrator, to publish content. They have not been able to do so even if they use VPN.

On June 27 VeSinFiltro [detected a “phishing” campaign](#) aimed at users interested in registering their “*Comandito*”, an initiative of opposition leader María Corina Machado to build a citizen support network throughout the national territory. Remember that phishing is a technique used by cyber criminals to deceive people and obtain sensitive personal information.

b.3) Situation of media and journalists

[Espacio Público recorded](#), until July 2024, **39 hours** of “*cadena nacionales*”, mandatory radio and television broadcasts, which affect

access to diverse and plural information. Comparatively, during all years 2022 and 2023 the average had been 34 hours in the 12 months. Likewise, in reviewing the historical data, they state that the **98 complaints** on violations of the right to freedom of expression and information linked to the electoral context are the highest in relation to presidential elections in the last 15 years. As of July 15, 2024, the total number of situations, linked or not to the elections, amounted to 112 cases and 267 complaints:

Violations by type	Total	%
Intimidation	35	35,71
Verbal harassment	21	21,43
Judicial harassment	14	14,29
Aggression	11	11,22
Censorship	9	9,18
Administrative restriction	6	6,12
Threat	2	2,04
Total	98	100

Source: Espacio Público

Espacio Público also recorded the closure of at least 17 radio stations, two of them in the electoral context.

C) Freedom of Peaceful Demonstration

According to data compiled by the [Venezuelan Observatory of Social Conflict \(OVCS\)](#), during the first semester of 2024, **2,383 protests** were registered, an average of **13 per day**. Seventy percent of the mobilizations were for the demand of Economic, Social, Cultural and Environmental Rights (ESCR). However, in the disaggregation of the data, during the month of June, demands for Civil and Political Rights (CPR) surpassed DESCAs, in a **proportion of 56% to 44%**. The three states that protested the most were Bolívar (291 demonstrations), Anzoátegui (230 demonstrations) and Sucre (224 demonstrations). The three most demanded DESCAs rights were, in order of importance Housing, Labor and access to fuel supply. In the case of the DCPs, the three most demanded rights were Justice (482 demonstrations), Political participation (365 demonstrations) and Life (90 demonstrations). Of the total, the most frequent protest strategy was the concentration (1,516 episodes), the closing of streets or avenues (331 situations) and creative nonviolent protest (320 episodes). Likewise, 118 hunger strikes were documented. During the period, the OVCS documented **30 repressed protests**, 1.25% of the total, with the balance of 1 protester arrested and 4 injured.

Regarding the demonstrations that occurred during the month of July 2014, the [OVCS counted 1,311 protests](#), an increase of 219% when compared to those that occurred during the month of July 2023. 70% of the protests, i.e. **915 demonstrations**, occurred during July 29 and 30. Ninety percent of the protests were due to FAD demands.

This situation coincides with the [conclusion of the UN Panel](#): “the pre-electoral period was generally peaceful, amid renewed enthusiasm”.

1.2) CIVIL AND POLITICAL RIGHTS

a) Extrajudicial executions

During the run-up to the elections, two cases were reported that were allegedly politically motivated: **José Sánchez Acevedo** in Táchira state and **Winder Molina** in Zulia state.

The first is that of **José Manuel Sánchez Acevedo** (32), who was kidnapped on Tuesday, July 23, allegedly by members of the National Liberation Army (ELN), taken to Colombian territory where he was shot several times and killed. According to the journalist [Sebastiana Barráez Sánchez](#), he had left his home in Lobatera municipality of Tachira state to refuel in the city of San Cristóbal. On his way, before reaching the town of Palmira, he was intercepted by several armed men, who kidnapped him to take him to Colombian territory, to the neighborhood of La Piragua in the municipality of Norte de Santander. According to the journalist, the young man had been fitted with rubber boots to simulate that he was a member of armed organizations. [The Colombian media](#) spread the version that he had been murdered because the ELN had threatened him because of some land he owned that they demanded he sell or hand over. According to Barráez, the victim was traveling in a Ford “Triton” 350 truck, which had been stolen by the armed organization. The journalist assured that Sanchez Acevedo would have under his responsibility 5 electoral centers. *“Killing José Manuel is an action of terror against the leaders of the villages of Táchira”*, since the ELN would have threatened several political activists in the area.

Indeed, at different times there were reports of intimidation by alleged members of the ELN against people involved in the EGU campaign. [On 06.26.24, a pamphlet was placed](#) and a graffiti was made at the headquarters of the Construction Union in Capacho Nuevo, where there were allegedly meetings of the opposition electoral organization. The writing on the pamphlet, attributed to the Germán Velasco Villamizar Urban Front, expressed: *“This building and all those who end up in it are a military objective of this organization”*. [On 07.27.24](#) people dressed in black, in pick-up trucks, made threatening graffiti in the municipality of Guasimos, marking houses with a circle and cross: *“Guásimos territory of peace”, “Leave alone what is alone”*. According to [denunciation of Sebastiana Barráez](#), before the visit of María Corina Machado to the entity, pamphlets were left and marked the houses of the mayor of Rubio Jackson Javier Carrillo Monterrey; of the leaders of Vente Venezuela Luis Carrero and Jorge Hernández, as well as of three members of the organization in the municipality Bolívar,

who were accused of “*financing paramilitarism and groups generating violence*”.

Also threatened were the former mayor **Simón Darío Vargas Duarte**, member of Un Nuevo Tiempo (UNT); **Carlos Alberto Chacón**, secretary general of Primero Justicia; **William Moncada**, secretary general of Voluntad Popular; **Danny Rojas**, secretary general of Vente Venezuela and political activist **Jorge Sayago**. According to the journalist, the marks on the homes of the leaders were allegedly made by two young men under the command of a worker of the Mayor’s Office of Junín municipality in Táchira state.

According to a study by [Insight Crime](#), the Colombian guerrilla would be present in **8 of the 24 states** of Venezuela, where they are present in more than 40 municipalities. The states where they have the greatest presence are Zulia, Táchira, Apure and Amazonas. “*In all four, the guerrillas have settled in border municipalities that allow them to control criminal economies and guarantee mobility between Colombia and Venezuela. There, they act through the Northern, Eastern and Northeastern War Fronts,*” they say. An investigation by the Colombian organization Pares reached [similar conclusions](#), adding that they may have 1,000 people operating in Venezuelan territory.

The second case was that of **Winder Molina**, murdered on 07.26.24 in La Concepcion, a town belonging to the Jesús Enrique Lossada municipality of Zulia state. Molina worked for the extra-urban bus line Maracaibo-La Concepción-La Paz. He was attacked by an individual on a motorcycle who shot him multiple times. The victim belonged to the Primero Justicia party and was the brother of a well known political leader of that political party. Hours before his murder he had participated in the process of installation of the voting tables, in which he would participate as a witness. In the same municipality, councilman **Joenio Negrete** was beaten outside a voting center, which increased speculations on the Molina case. However, Laura Valbuena, of the *Foro Penal Zulia* team, [denied political motivation](#) in the murder.

b) Arbitrary detentions

According to data processed by the *Laboratorio de Paz*, during the first 7 months of the year 2024, before July 28, at least **169 people** had been arbitrarily detained for political reasons. **52 people** (30.7%) before the formal start of the presidential campaign, which began on July 4, while 117 were deprived after that date. Disaggregating the data between the two by time, by state where the detention occurred, we would have the following relation

Arbitrary arrests for political reasons by state, before and after the formal start of the electoral campaign

State	Quantity before 07/04/24	Quantity after 07/04/24
Anzoátegui	0	6
Apure	1	2
Aragua	3	1
Barinas	3	7
Carabobo	0	3
Distrito Capital	13	3
La Guaira	5	0
Lara	0	4
Mérida	3	1
Miranda	4	6
Monagas	2	2
Nueva Esparta	1	5
Portuguesa	3	3
Táchira	11	39
Trujillo	1	1
Yaracuy	2	0
Zulia	0	34
Total	52	117

Source: Laboratorio de Paz

Disaggregating the detentions by sex, we have a total of **20 women** (11.8%) were deprived of liberty, while 149 men (88.2%) were detained during the entire period. Taking into account the period before and after the formal start of the campaign, we would have 9 women and 43 men detained prior to July 4, 2020, while during the formal electoral campaign 11 women and 106 men were deprived of their liberty.

Within the profiles of the persons detained, the arrests against persons who supplied goods and services to the campaign of Edmundo González Urrutia stand out. A total of **49 people** (28.9% of the total) were deprived of liberty for this reason; 12 before July 4 and 37 people during the formal conduct of the electoral campaign. Also noteworthy are the 5 union leaders and 8 relatives of political and social leaders.

The security agencies responsible for arbitrary detentions are the Bolivarian National Police with 75 detentions, followed by SEBIN with 32 detentions, GNB with 23 detentions, DGCIM with 6 detentions, state police with 4 detentions, DIE with 3 detentions, armed civilians with 2 detentions, transit with 1 detention and 23 unidentified cases.

c) Harassments

According to data from *Laboratorio de Paz*, before July 28, at least **104 acts of harassment** against political leaders and activists occurred. **41** situations (39.4%) occurred before the formal start of the electoral campaign, while **63** (60.6%) occurred between July 4 and July 27. Below is a breakdown of the harassment cases, according to both periods, ordered alphabetically by entity:

Entity	Cases before 07/04/24	Cases after 07/04/24
Anzoátegui	0	01
Apure	04	02
Aragua	01	02
Barinas	01	01
Bolívar	02	07
Carabobo	02	01
Cojedes	02	03
Delta Amacuro	05	02
Distrito Capital	0	08
Falcon	0	02
Guárico	01	03
La Guaira	10	01
Lara	0	13
Mérida	02	0
Miranda	01	02
Monagas	01	01
Nueva Esparta	0	01
Portuguesa	02	0
Sucre	01	02
Táchira	03	03
Trujillo	0	04
Yaracuy	02	01
Zulia	01	03
Total	41	63

Source: Laboratorio de Paz

Regarding the profile of the victims of harassment, **30 of them were women** (28.8%), while **74 were men** (71.2%). 35 people belonged to the Vente Venezuela party (33.6%), being the political adherence that most suffered acts of harassment. Other party organizations harassed were Comando Con Venezuela (11 cases), Primero Justicia (5 cases), La Causa R (3 cases), Copei (2 cases), Voluntad Popular (2 cases). Other harassed profiles were trade unionists (6 cases), opposition officials elected by popular vote (4 cases) and religious priests (3 cases).

Regarding the perpetrators of acts of harassment, the Bolivarian Intelligence Service (SEBIN) is the one that accumulates more situations, with **29 cases**; followed by the Bolivarian National Police, with 16 cases. Diosdado Cabello was responsible for 3 acts of harassment, while Tarek William Saab was responsible for two situations. In 18 situations it was not possible to identify the profile of the aggressors.

d) Restrictions to free traffic (road closures)

According to data processed by the *Peace Laboratory*, there were at least **20 cases of obstruction of roads** and restrictions to free transit during the formal electoral campaign, between July 4 and 25, 2024.

Restriction to free transit from July 4 to July 25, in chronological order

Date	State	Description	Perpetrator
07/06/24	Cojedes	Suspension of electric service at gasoline station to prevent María Corina Machado and her team from advancing to Barinas.	N/A
07/06/24	Barinas	Officials prevent the passage of residents coming from Alberto Arvelo, Sucre and Sabaneta municipalities to the campaign rally of María Corina Machado and Edmundo González in Barinas.	GNB y PNB
07/10/24	Anzoátegui	Officials set up roadblocks in Barcelona, Lechería and Puerto La Cruz before the visit of Edmundo González and María Corina Machado to the state.	PNB
07/10/24	Anzoátegui	They prevented the free transit of a Vente Venezuela team from Lechería, who were on their way to the activity in Barcelona.	N/A
07/13/24	Aragua	PNB closed the Autopista Regional del Centro at the height of Las Tejerías, to prevent the passage of María Corina Machado on her way to the state of Carabobo. Subsequently, the PNB opened the highway.	PNB
07/13/24	Carabobo	GNB troops, with a vehicle of Invia, of the Carabobo government, identified as road operations, keep closed the passage through the La Cabrera tunnel, in the direction of Valencia, Autopista Regional del Centro (ARC), to prevent the transit of María Corina Machado to Valencia.	GNB y PNB
07/13/24	Aragua	The Tapa Tapa Maracay toll road is closed to prevent traffic on the Autopista Regional del Centro, to prevent María Corina from arriving in Carabobo.	Officials
07/13/24	Carabobo	Obstacles with mounds of sand in Paseo Cabriale Avenue, to prevent the circulation in Valencia of participants to the rally of María Corina Machado and Edmundo González.	N/A
07/13/24	Carabobo	A patrol of PoliValencia tries to close the way to Cedeño, along Fernando Figueredo Avenue, to obstruct the traffic of the participants heading to the rally of María Corina Machado and Edmundo González.	PoliValencia
07/14/24	Miranda	Police stop a bus on the Panamericana highway in which young people from Altomirandinos were traveling to the "Volver a Casa" event at the UCV.	PNB-DIP
07/17/24	Portuguesa	Officials of the National Bolivarian Police (PNB) Transit, together with road workers, blocked the highway to Guanare, Portuguesa state, and prevented the passage of the caravan of María Corina Machado's team and international press to continue her electoral campaign in the interior of the country. Several machineries decided to carry out supposed repair works in the three channels of the highway.	Road workers and PNB Transit
07/17/24	Portuguesa	More than 10 buses detained by the National Police at the Alcabala de La Flecha. Portuguese citizens on their way to participate in María Corina Machado's event are prevented from passing to Guanare.	Policía Nacional Bolivariana (PNB)
07/17/24	Portuguesa	On Tuesday, July 16, in the evening hours, a police operation was deployed on Unda Avenue of this capital city of Guanare, proceeding to retain a large number of motorcycles and the police informed the motorcyclists that they would hand them over on Friday afternoon "by orders of their superiors".	Traffic and police officers
07/20/24	Monagas	The circulation of public transportation from different towns of Monagas to Maturín is restricted. Due to the lack of transportation units, citizens from different towns travel in trucks to attend the rally of leader María Corina Machado at Libertador Avenue in Maturín.	N/A
07/23/24	Zulia	Militarized Lara-Zulia highway. Both directions of the highway closed	Military
07/23/24	Zulia	Officials obstruct with heavy trucks the passage in Ciudad Ojeda to prevent the advance of María Corina Machado and her team.	DIE, UCTS, DCSE

07/23/24	Zulia	A group of hooded men, dressed in black (presumably colectivos), on motorcycles prevented buses coming from the municipality of San Francisco from arriving to Maracaibo for the rally with María Corina Machado and Edmundo González. Users denounced that the alleged colectivos forced them to get off the buses they were using to go to the rally.	Colectivos
07/23/24	Zulia	Blocked at the bridge over Maracaibo Lake	N/A
07/23/24	Zulia	The PNB deploys road surveillance points on the C1, 5 de Julio and the road to La Chinita International Airport in Maracaibo. On the access road to the bridge, inspections of transport units are more rigorous.	PNB
07/23/24	Zulia	Maracaibo and San Francisco with several PNB checkpoints. Some are on Circunvalación 1 and the main avenue of San Francisco.	PNB

Source: Laboratorio de Paz

e) Closing of business and retention of assets

According to data processed by *Laboratorio de Paz*, at least a total of **24 commercial establishments** were closed by the Integrated Tax Administration Service (Seniat) in retaliation for having supplied goods and services to the EGU campaign. This pattern of action by the Venezuelan authorities violates the provisions of the *“Guidelines on the right to freedom of peaceful assembly and association in the context of elections and the covid-19 crisis”*, issued by the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association. This text states that *“States must ensure that all individuals, associations and political parties are protected against violence, harassment and intimidation”* during electoral contexts. In addition to the fine, the premises were closed for periods ranging from 5 to 30 days.

Establishments closed for supplying goods and services to EGU, listed in alphabetical order of the entity.

State	Name of the business	Closing date
Aragua	“La Encrucijada” Restaurant	07/14/2024
Aragua	“El Recreo” Hotel, La Victoria	05/16/2024
Bolívar	“El Primo” Restaurant, Santa Elena, Uairén	07/18/2024
Carabobo	Auto Repuesto Edmarc, owned by José Peña, the vehicle that transported María Corina Machado.	07/15/2024
Carabobo	Arepera “El portón amarillo”, where José Peña’s daughter-in-law works, motorized vehicle that transported María Corina Machado.	07/15/2024
Cojedes	Barbeques “Taguanes”, Tinaquillo	07/08/2024
Cojedes	“El Sabor de mi pueblo”, Tinaquillo	06/25/2024
Delta Amacuro	Digitel Office Tucupita	06/14/2024
Delta Amacuro	Tucupita Pharmacy	06/14/2024
Delta Amacuro	Unidentified premises, Tucupita	06/14/2024
Falcon	“Urumaco” Hotel, Coro	05/04/2024
Guarico	“Pancho Grill” Restaurant, Corozopando	05/22/2024
Mérida	“San Felipe” Hotel, El Vigía.	06/27/2024
Miranda	“El Tranquero” Tavern-Hotel, Cúa	05/22/2024
Miranda	“Mi Canelo” Restaurant, Valles del Tuy	02/07/2024
Lara	“Agua Linda” Inn, Carora	05/30/2024
Lara	Los Morocho” Inn and Restaurant, Carora	05/30/2024

Táchira	"T-Burger" Restaurant, San Cristóbal	06/27/2024
Táchira	"Plaza Real" Restaurant, San Cristóbal	06/27/2024
Táchira	"El rincón del caballista" Restaurant, San Cristóbal	06/27/2024
Táchira	"Punta del este" Restaurant, San Cristóbal	06/27/2024
Táchira	Granada Alimentos, San Cristóbal	06/26/2024
Táchira	"Altos del Este" Bakery, San Cristóbal	06/26/2024
Zulia	"El Paseo" Hotel, Maracaibo	05/04/2024

Source: Laboratorio de Paz

- Withholding of assets

According to data processed by *Laboratorio de Paz*, there were at least **17 cases of withholding of goods** against those who provided services to the EGU campaign. The objective of the seizure, focused on logistical aspects of the rallies, was to increase the levels of ineffectiveness of the electoral campaign, trying to generate a greater isolation of the campaign command of the democratic alternative. It should be noted that **49 people were detained** for this reason.

The following is a list of the arrests, presented in alphabetical order according to entity.

State	Description	Date
Anzoátegui	Truck promoting the visit in Barcelona of María Corina Machado and presidential candidate Edmundo González was detained.	07/09/2024
Anzoátegui	The truck carrying the ConVzla Women's Movement detained by officials at the "Los Potocos" toll booth.	07/10/2024
Anzoátegui	PNB police officers held the truck in Barcelona that was to interior the call for the visit of Edmundo González and María Corina Machado.	07/10/2024
Barinas	Two Chevrolet NPR trucks, which had been transporting people from Obispo to Barinas to participate in electoral events, were retained and later sent to Caracas.	07/06/2024
Carabobo	Truck transporting Edmundo González Urrutia and María Corina Machado in Valencia confiscated	07/13/2024
Distrito Capital	Retention of shuttle bus by the Strategic and Tactical Actions Directorate.	07/04/2024
Lara	Truck and system sound retained in El Tocuyo	07/04/2024
Lara	Truck and sound system retention in Barquisimeto	07/04/2024
Mérida	Three people arrested and Henry Izarra's sound truck, used in MCM activity in Campo Elias municipality, detained	06/26/2024
Miranda	Retention and transfer to the PNB headquarters of the sound truck that was traveling the streets of Ocumare del Tuy in the campaign activity of EGU.	07/06/2024
Miranda	Armando Pinto was approached by PNB agents in the vicinities of the San Benito cultural center, where he parked his car, after entertaining a house to house activity of the opposition, El Hormiguero neighborhood of Santa Lucía del Tuy. On the night of July 6 he was released while his vehicle was taken to the authorities. They were accused of sonic contamination.	07/06/2024
Nueva Esparta	Truck and sound system retention	07/04/2024
Portuguesa	The sound system "Seduction" was ready to serve at the MCM rally in Guanare. One hour before leaving, the workers were approached by security personnel and the truck with the sound equipment was taken away.	07/17/2024
Tachira	Truck and sound system retention	07/04/2024

Zulia	Officials of the National Bolivarian Police (PNB) arrested six people who were in charge of the sound system of the public event held by MCM in Maracaibo, Zulia state (west), seizing vehicles and equipment.	05/05/2024
Zulia	Officers of the National Guard and the National Police have retained two trucks that were to be used in a campaign activity. One of them with sound and the other one was enabled for the transfer of EGU and MCM.	07/23/2024
Zulia	Ten (10) sound vans and twenty-two (22) buses were detained by the PNB during the closing of the campaign of opposition leaders María Corina Machado and Edmundo González in Zulia state.	07/23/2024

Source: Laboratorio de Paz

**e.1) Emblematic case:
Closure of Pancho Grill Restaurant (Corozopando)**

The Pancho Grill Restaurant is on the side of the road. Due to the crisis, they often do not sell food. Sometimes they sell 6 empanadas in a day and 2 or 3 lunches. That is all. In 2021, in another tour made by María Corina Machado, she stopped at that place, talked with all the sisters, ate, took a picture and went on her way. This time, in the tour to Apure, on the morning of May 22, 2024, she stopped again at the place and told them that she remembered them. He bought breakfast for 14 people. There are photos and videos of this episode.

Hours after Maria Corina Machado’s visit, Seniat arrived. They were two officials and a uniformed officer of the GNB. They came from Calabozo. Calabozo is a town 55 kilometers away from Corozo Pando. *“It is the first time they have come. In 20 years no Seniat official had come. They came only here to this restaurant. There are two more restaurants here, there are businesses, bakeries, wineries, and it was the first time that Seniat came to this place.”* They declared them closed, in principle, for 15 days, saying that they had to be in order with



Seniat. They also mentioned that they needed “a fiscal machine”. That is impossible to cover for any commercial premises in town. A fiscal printer, as required by Seniat, costs between \$780 and \$1,000. “We as vendors have the right to sell empanadas to the public. It does not matter the political position. We are not politicians. We know that the vote is private. It is secret (...) We were rather surprised that this happened to us. If you saw the business. The conditions in which it is. We even have a sister who came from Barlovento and we are here trying to work. We work because we have children studying in universities and we have a mother with special needs because she suffered a stroke”.

The store is kept closed out of fear. One of the sisters has had to go to Calabozo to see Seniat to see what they have to do to be allowed to open. It costs from 3 to 5 dollars one way to Calabozo. More than 3 empanadas. They have to arrange papers and do all the paperwork in Calabozo, but the officials went to the store only to close it. “Today we made a campaign because some people want to help us. They are helping us by buying empanadas so that we can distribute them to the children in the area. This is a support so we don’t lose the ingredients we have. Here we have fillings, seasonings and there are many problems with the electricity, so they can be lost”.

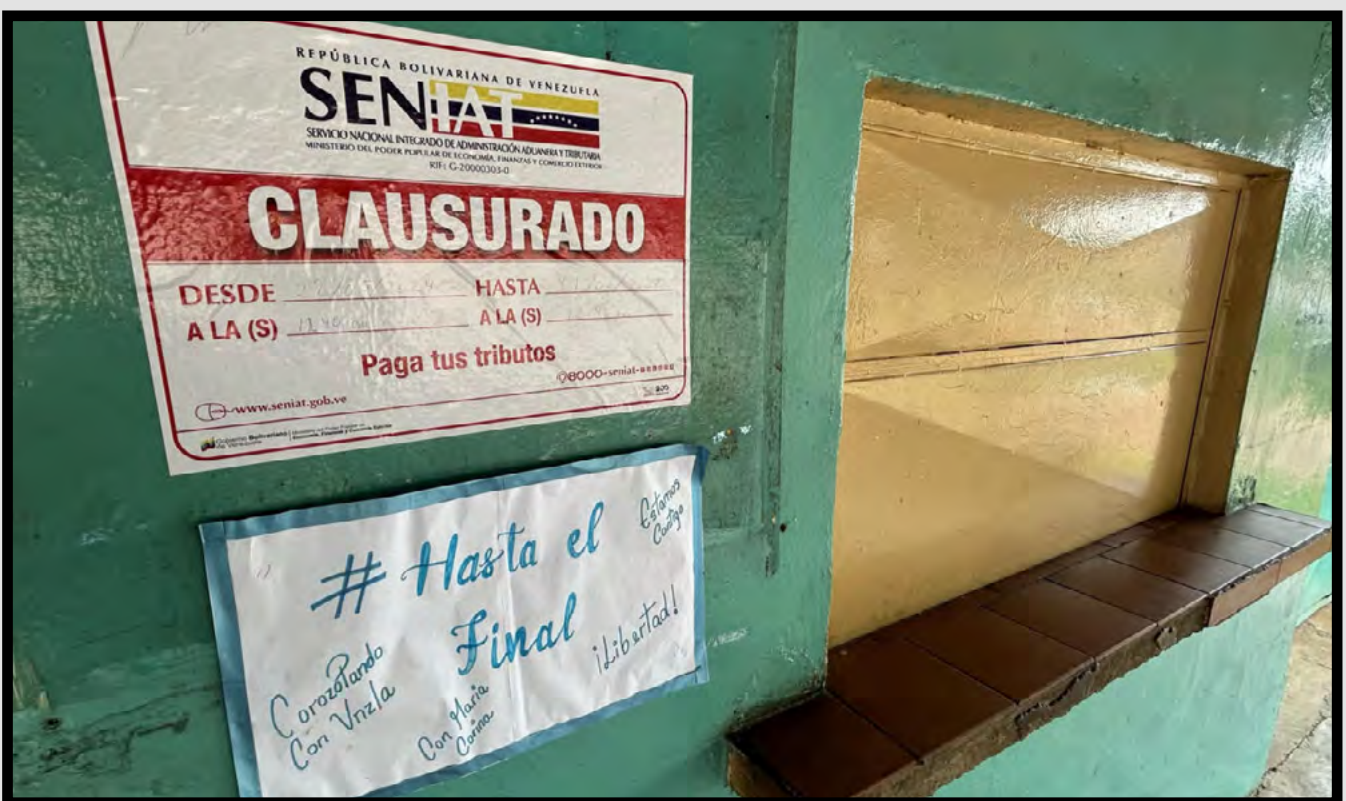


Foto: Juan Barreto (AFP)

e.2) Landmark case Arbitrary detention for providing goods and services to EGU campaign

On 11.07.24 it was reported about the raid on a house in San Cristóbal where MCM would have spent the night. That day it was known about the arrest of its owner, Ricardo Albacete Vidal. One day later his detention was confirmed by the Attorney General Tarek William Saab, who through a speech linked the Tachira businessman to an alleged sabotage plan against the National Electric System (SEN). According

to the official, the arrest would have occurred after investigations carried out by the National Bolivarian Police (PNB) and the Public Prosecutor's Office (MP), and the epicenter of the plan against the SEN would be, allegedly, the states of Tachira, Merida and the Capital District. The arrest warrants were, in addition to Albacete, against Aldo Roso Vargas, responsible for the Voluntad Popular party in the area of El Valle, in Caracas, which included search warrants against properties linked to both of them. *"During the raids it was verified that these citizens were in possession of a large amount of strategic material belonging to Corpoelec. In the warehouses of the company Gurimetal, located in Palmira, Tachira state, the following materials, among others, were found: 20 electric transformers belonging to Cadafe, 500 kilograms of high voltage wires belonging to SEN, 50 electric lightning rods, 250 aluminum ingots weighing 13 kilos each", [he informed](#)*. The Prosecutor added: "it is known, through intelligence information, that the detainees have also received financing from abroad to support the campaign of the neo-Nazi extreme right and movements of destabilization of the country", also linking the detainees to the "Colombian extreme right" of former Presidents Alvaro Uribe and Iván Duque.

A day after the arrest, Loredana Albacete, Ricardo Albacete's daughter, made a statement [to a media outlet](#):

"Forty-eight hours after my dad's care we still don't have access to him. He has not appeared in any court and we don't really know for sure where he is. He most likely has medical needs that we are not being able to attend to. That is why I would like to call on the media to echo this and that the people who are in charge communicate with the lawyer Omar Mora Tosta and let him know the state of my father's health, what he may be needing so that we can send it to him. I thank you infinitely on behalf of my family. We feel desperate and we just want to know that he is well. We will take care of refuting all the false accusations that have been made. We are working hard on that, we are collecting all the information, both documentary and video, all the documents, but that will take time and has its due time. Now, what really worries us at this moment is the state of my father's health".

Pro-government [media](#) and [spokespersons](#) justified the arrest by recalling the link of the businessman from Tachira with a plane crash that killed 71 members of the Chapecoense Football Club of Brazil, which occurred on November 28, 2016. The Venezuela News portal disclosed: *"Opposition parties in Venezuela denounced this Thursday the alleged arrest, in Caracas, of businessman Ricardo Albacete Vidal, for having hosted María Corina Machado in his house, in the state of Táchira. However, Albacete Vidal's history is marked by corruption"*. The arrest was corroborated by the Attorney General himself, and the charges against Albacete are *"theft and robbery of strategic material and sabotage of the electric system in the state of Táchira"*.

On 07.23.24 attorney Omar Mora Tosta [informed](#) that he had filed a Habeas Corpus recourse so that in Albacete's case the provisions of Article 231 of the [Organic Code of Criminal Procedure](#) (*"The preventive judicial deprivation of liberty of persons over seventy years of age cannot be decreed... In these cases, if some precautionary measure of a personal nature is indispensable, home detention or confinement in a specialized center will be decreed"*) and so that his right to a private defense would be respected. The complaints were reportedly filed with the Directorate of Fundamental Rights of the Public Prosecutor's Office and the Ombudsman's Office.

At the time of this writing, he was being held in the Bolivarian National Police jail in Boleíta, with an order to be transferred to the Rodeo 1 Prison (Miranda). Different properties of Albacete were allegedly raided without a warrant and robbed by the officers involved in the operations.



Ricardo Albacete.

f) Infringement of the right to asylum

f.1) Refugees at the Argentine embassy in Caracas

On 06.12.23 the Public Prosecutor's Office [announced arrest warrants](#) against Claudia Macero, Henry Alviarez, Roberto Abdul and Pedro Urruchurtu under the accusations of *"conspiring against the development of the Consultative Referendum"* on the Essequibo, held on December 3. On 03.20.24 the Attorney General, [Tarek William Saab](#), announced that nine arrest warrants had been issued against personalities linked to Vente Venezuela: **Oswaldo Bracho, Pedro Urruchurtu, Omar González Moreno, Humberto Villalobos, Claudia Macero, Magalli Meda and Fernando Martinez Mottola**. Saab accused

them of organizing “a plan to unleash a wave of violence with epicenter in the state of Barinas”. Following these accusations, a group of 6 of them took refuge in the Argentinean embassy in Venezuela and were granted asylum by the Argentinean government. However, the Venezuelan authorities have refused to grant them safe-conduct to leave the country. The list of refugees is detailed below:

Political activists taking refuge in the Venezuelan embassy in Caracas:

No.	Full Name	Profile
01	Magalli Meda	Campaign manager of MCM. Strategic planning manager of Vente Venezuela and creative director and visual communication specialist.
02	Pedro Urruchurtu	International Relations Coordinator of Vente Venezuela. Coordinator of Political Parties of the Liberal Network of Latin America (RELIAL) and graduated Magna Cum Laude in Political and Administrative Sciences from the Central University of Venezuela.
03	Humberto Villalobos	Electoral coordinator of MCM. Former director of ESDATA, an NGO specializing in electoral comptrollership.
04	Claudia Macero	Communications Coordinator of MCM. Former editor-in-chief of the newspaper El Nuevo País and journalist graduated from Universidad Central de Venezuela.
05	Omar González	Journalist. Head of the MCM campaign in the state of Anzoátegui and deputy of the National Assembly. Teacher and writer.
06	Fernando Martínez Mottola	Advisor to MCM, former Minister of Transportation and Communications during the government of President Carlos Andrés Pérez. Electrical engineer graduated from Universidad Simón Bolívar.

Contacted for this report, some of the refugees gave us details about their situation during the first few weeks:

When, for fear of their life, liberty and integrity, they decided to seek asylum in an embassy of the diplomatic corps present in Caracas, Argentina was the first to respond affirmatively. Initially they had thought that two or three would be the asylum seekers, and finally a group of 6 persons was formed. The head of the Mission in Caracas requested authorization from the government in Buenos Aires. They were accepted without a predetermined date of departure, which was linked to the issuance of safe-conducts to leave the country. The facilities of the Argentine embassy in Caracas are sufficiently spacious, although they are located in a wing of the residence they can use all its facilities. Two people have single rooms and the other 4 share a room. The Argentine government guaranteed them services and internet access. They have had no limitations to receive food from family and relatives or other supplies, such as medicines.

They felt permanent surveillance by Venezuelan security officials. There is a security booth with an officer of the Bolivarian National Police (PNB), who was replaced at the moment the group entered the diplomatic residence by someone they believe to be from the Bolivarian Intelligence Service (Servicio Bolivariano de Inteligencia). In the vicinity they have placed itinerant roadblocks. They permanently monitor the networks to know if there is any information about them. Among the official spokesmen who have been attacked the most are Diosdado

Cabello, Michel Caballero and Roigar López. For security reasons, several of their relatives are out of the country. Their relatives have not received any threats due to their refuge situation.

Before the change in the Argentine government, the Chief of Mission had contacts with the Vice-Minister for Latin America of the Ministry of Foreign Affairs. At that time the process of the safe-conducts advanced to the point that the asylum seekers were able to see a draft text of the documents and of a supposed commitment they were to sign, in which their departure was conditioned to renounce political activity and to collaborate with the Venezuelan justice system, even though they were outside the country.

On 07.29.24 the Venezuelan government [announces the expulsion](#) of representatives of 7 diplomatic corps in the country (Argentina, Chile, Costa Rica, Perú, Panama, Dominican Republic and Uruguay), including those of Argentina. On that day, a siege by police officers at the headquarters [was denounced](#). The [Ministry of Relations of Argentina announced](#), on 08.01.24, that *“the Federative Republic of Brazil will be in charge of the custody of the premises of the Argentine mission in Caracas, including the Embassy and the Official Residence, its goods and archives, as well as the protection of its interests (...) The custody of the diplomatic headquarters of the Argentine mission in Caracas, including the Embassy and the Official Residence, its goods and archives, as well as the protection of its interests (...).) The custody of the diplomatic headquarters involves the political asylum seekers of the Venezuelan opposition, who are under protection in the Argentine Residence in Caracas since March 20 last and were deprived of leaving the country together with the personnel of the Embassy due to the non-compliance of the Government of the Bolivarian Republic with the Caracas Convention on Diplomatic Asylum”*. On 08.21.24 it was denounced that [90 thousand dollars](#) deposited in the bank account of the Argentine embassy in Venezuela had been stolen. In addition to the expulsion of the diplomatic corps, air [flights to Panama, Dominican Republic and Peru were suspended](#), restricting mobility and travel options to the country. The measure [was extended](#) until 09.30.24.

The denial of safe conduct to the asylum seekers at the Argentine embassy in Caracas violates several international conventions: The [Convention on Diplomatic Asylum](#), known as the *“Caracas Convention”*, in its article 12: *“Once asylum has been granted, the asylum seeking State may request the departure of the asylum seeker for foreign territory, and the territorial State is obliged to immediately provide, except in cases of force majeure, the necessary guarantees referred to in article V and the corresponding safe conduct”*. Article V states: *“Asylum may be granted only in cases of urgency and for the time strictly necessary for the asylee to leave the country with the assurances given by the government of the territorial State in order that his life, liberty or personal integrity may not be endangered, or that the asylee may be otherwise placed in safety”*.

Other regulations ignored are the [American Convention on Human Rights](#), in its article 22, numeral 7: *“Everyone has the right to seek and receive asylum in foreign territory in case of persecution for political or common crimes related to political crimes and in accordance with the legislation of each State or international conventions”*; Universal Declaration of Human Rights, in its article 14: *“In case of persecution, everyone has the right to seek and to enjoy in any country the right to seek and enjoy asylum”*. Likewise, the [Convention Relating to the Status of Refugees](#), known as the *“Geneva Convention”*, the 1967 [Protocol Relating to the Status of Refugees](#) and [Advisory Opinion 25](#) on the Right to Asylum in Diplomatic Venues, issued by the Inter-American Court of Human Rights.



Diplomatic headquarters of Argentina in Caracas



PODER ELECTORAL

AVISO DE IDENTIFICACIÓN DE LA MESA ELECTORAL

MESA ELECTORAL N.º

4

DE CÉDULA DE IDENTIDAD

HASTA

99

PAQUETE DEL CENTRO GEOGRÁFICO

REGIÓN PRESIDENCIAL 2024

DESDE: 69 HASTA: 99

ENSAMBLE: 026193

PAQUETE DEL CENTRO GEOGRÁFICO	TOTAL VOTOS	PAQUETE DEL CENTRO GEOGRÁFICO	TOTAL VOTOS
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On 28J 2024

2) JULY 28, 2024 ELECTIONS

a) Electoral offenses

The *Citizen Electoral Network (REC)*, a coalition of organizations formed by the *Center for Justice and Peace (Cepaz)* and the *Global Observatory of Communication and Youth Vote*, carried out on July 28 [a deployment of more than 200 observers](#) at national level who were able to monitor **248 electoral centers**, located in 141 parishes of the country. In this way, they verified that **83.8%** of the centers were able to open and start operating at 10:00 a.m. without any inconvenience, while **16.2%** presented some kind of unforeseen event that delayed their opening. In addition, **80.3 %** of the polling stations had the corresponding table members. At 10 a.m., **98 %** of the polling stations already had voters in line: **63.7 %** had more than 100 potential voters in line, **16.1 %** between 50 and 100 people, and 10.9 % between 21 and 50. Only **7.3 %** had a low voter presence, that is, between 1 and 20 people. With respect to the profile of voters, **82.3 %** of the centers had a similar proportion of men and women, **12.9 % had a clear majority of women** in the queue and **4.8 % had a majority of male** voters. In relation to age, in **44 %** of the centers there was a majority of people aged 36 and over, in **6 %** a majority of young voters, while in the remaining 50 % there was an equal proportion between the two age groups.

The REC made a [second report](#) at 3:30 in the afternoon. At that time, **53.8%** of the monitored centers registered some type of failure with the machines, which resulted in an interruption and delay of the voting day. Regarding the time to exercise the right to vote, **35% of the voters waited less than one hour to vote**, while **30.4%** waited between one and two hours, **15.9%** between two and three hours and, finally, **18.7%** of the voters waited more than three hours. Upon arriving at the polling station, **83%** reported that they had to wait less than 10 minutes to exercise their right to vote; while **13.7%** had to wait between 10 and 20 minutes; **2.4%** between 30 minutes and one hour; and 0.9% more than one hour. In another indicator, in **28.2%** of the polling centers there were proselytizing points of both the ruling party and the opposition; in **36.9%** of the centers there were exclusively ruling party points, while in **3.9%** there were only opposition points. Only 31.1% did not register the presence of these points. The monitors were able to detect that in **33.3%** of the centers public resources were used to transport voters. Regarding incidents, in **14.1%** of the centers there was coercion to select the ruling party candidate, while in 0.5% the pressures were in favor of opposition parties. In another finding, in **16.5%** of the centers there were cases of table members who openly stated that they favored the

government party, and in **2.8%** the opposition parties, a situation that contrasts with the **80.8%** of the centers where the table members behaved institutionally. Finally, in 19.2% of the centers there were cases of assisted votes.

A [third and last report](#) was made by the REC at 10 pm. It was found that in **44.2%** of the polling centers witnesses were allowed to be present during the counting of the votes, while in **55.8%** of the centers their presence was denied. Regarding the arguments used to prevent the presence of people at this stage of the electoral process, it was found that in **35.9%** of the centers it was alleged that there was a lack of space. However, in **29.5%** of the cases there was no explanation by the electoral center coordinators and in **24.4%** by Plan Republica officials. The remaining **10.3%** were due to other reasons.

Regarding the delivery of the tally sheets, they were only delivered to those who requested them in 69.5% of the polling centers, while in **30.5%** of the polling centers they refused to provide the copies. In **36.2%** of the cases it was a decision taken without explanation of reasons; in **23.4%** the coordinator or a table member made the decision; in **12.8%** it was because Plan Republica personnel did not allow it, and in **8.5%** it was because the president of the table said there was not enough material. A **12.8%** of the cases could not be observed, and **6.4%** reported other reasons.

After the counting of the votes, the next verification process, with citizen participation, is to verify that there is no difference between what is reflected in the tally sheet issued by the voting machine and the voting slips that the machine delivers to each voter and that are deposited in the ballot box. **54.3% reported** that they were able to participate in this process, while **45.7%** stated that they were not able to do so. Regarding the arguments for not approving it, **31.7%** reported that it was due to insufficient physical space; **27%** because the table president did not allow it, **25.4%** because Plan Republica prevented it, and **15.9%** reported other reasons.

In **82.3%** of the centers there were witnesses from both the ruling party and the opposition. Additionally, in **7.9%** there were witnesses exclusively from opposition parties, and in **1.8%** exclusively from the ruling party. Finally, in **7.9%** of the centers the observers did not detect witnesses from any party.

Regarding the closing of the voting centers, **11.6%** were closed when there were still voters in line waiting to vote, while **88.4%** were closed without voters waiting to vote. Regarding the closing time of the centers, **73.3%** closed between 6 and 7 pm; **19.3%** closed between 7 and 8 pm, and **7.3%** closed after 8 pm.

A second group of observers was coordinated by the *Venezuelan Electoral Observatory (OEV)* who [deployed 696 monitors distributed](#)

[throughout the country](#). In order to guarantee the representativeness of the sample, they divided the voting centers into three types, according to the level of PSUV predominance: Very pro-government, Not very pro-government and Not at all pro-government.

More than **90%** of the polling stations opened before 8:00 am, which coincides with the report of the Consejo Nacional Electoral, which estimated that **95%** of the polling stations had been constituted by 8:30 am. Observers highlighted the high affluence of people. Between 7:00 a.m. and 8:00 a.m., **77.1%** indicated that more than 40 voters were waiting in line to exercise their right to vote.

Delays or interruptions in the voting process were reported: failures in the voting machines (**23.9%**); “Morrocoy operation” (**16.6%**); lack or delay in the CNE personnel (**8.8%**), irregularities in the performance of the Plan Republica, militia, security forces (**4.5%**); electrical failures in the point or zone (**3.4%**); lack or delay in the delivery of material (**0.7%**); in **4%** the cause could not be determined and in 4% the delay was associated to another reason. In **91%** of the polling centers the lists with voter information were visible.

Regarding proselytism and the use of public resources, the OEV observed electoral propaganda in **25%** of the centers. **21.6%** of the propaganda was in favor of candidate Nicolás Maduro, **10.4%** in favor of Edmundo González Urrutia and **1.5%** related to other candidates. **13.4%** of the cases were clothing allusive to the mentioned candidates; **6.9%** reported people showing the “chuleta” to indicate for whom to vote, **5.3%** of the propaganda was distributed through posters or pamphlets and in **5.4%** there was presence of vehicles with propaganda music. During the morning there were partisan points in favor of the ruling party in **70%** of the centers, while in **38.6%** were points of opposition candidates. The most common activity carried out in these points was voter registration, observed in **61.6%** of the points. The scanning of the Carnet de la Patria QR code was confirmed in **14.6%** of the cases. In **22.1%** of the centers the mobilization of voters with public resources was witnessed, broken down as follows: **9.9%** pro-government governorships and/or mayoralties; **9.3%** national government or dependent entities; **2.7%** opposition governorships and/or mayoralties.

In **14.2%** of the polling centers incidents were registered, being: Intimidation, coercion, discouragement to vote (**4.9%**); confrontation in the surroundings of the polling center (**4.0%**); protest or blockade in the surroundings of the center (**2.9%**); violent episodes due to the actions of officials, institutions, political leaders, etc. (**2.2%**); violent episodes due to the actions of civil groups outside the law (**0.7%**); bursting in of State security forces (state or municipal police, PNB, National Guard, etc.), (**2.2%**); violent episodes due to the actions of civilian groups outside the law (**0.7%**); intrusion of state security forces (state or municipal police, PNB, National Guard, etc.).

In a [second report](#), the OEV focused on the events of the afternoon of

Sunday, July 28, with emphasis on the closing of the voting, the scrutiny and the citizen verification.

In the afternoon, the affluence of people in the voting centers decreased: in **37.1%** of the centers there were less than 15 people in line. In **23.4%** of the centers, between 15 and 40 voters, and in **20.1%** more than 40 voters. The day was mostly peaceful. The number of incidents was **19.6%** in the afternoon hours. The irregularities were arguments or fights around the voting centers (**7.5%**); protests or roadblocks around the voting center (**7.2%**); violent episodes due to the actions of illegal civilian groups (**2.9%**); and intimidation, coercion or discouragement of the exercise of the vote (**2.7%**).

With respect to the morning hours, delays or interruptions in the voting process decreased, with reports in **30.3%** of the centers. Interruptions were related to voting machine failures, delays in the process generated by CNE personnel popularly known as "*Morrocoy operation*" and electrical failures.

Regarding the closings of the voting centers, half of the centers closed at the scheduled time, **31.6%** were extended allowing voters in line to vote; however, **13.5%** were extended without voters in line; that is, unjustifiably. The mobilization of voters with public resources dropped slightly to **19.4%** in the afternoon. These transfers were made with resources from the national government and entities dependent on it and governors' and/or mayors' offices of the ruling party, mainly.

The political control points were present throughout the day, according to the reports received, **70.6%** of the points were pro-government and **40.1%** were pro-opposition. The main task they undertook in these spaces was the parallel registration of voters (in **62.7%** of the points). Electoral propaganda was also observed in the surroundings of the center, although on a smaller scale, specifically in **21.9%** of the centers during the afternoon. The majority (**19.4%**) in favor of the candidate for reelection Nicolás Maduro.

Of the 619 volunteers who remained in the vicinity of the polling stations, only **151 observers were able to enter**, which represents **24.4%**. In these tables the transmission was successful almost in its totality.

In the next step of citizen verification, only **143 of the 603** observers (**24%**) who remained in the vicinity of the centers were allowed to enter. Article 439 of the Regulations of the Organic Law of Electoral Processes specifies that the selection of the polling places where the citizen verification will take place is by lottery and the number of polling places to be audited is established and made public by the CNE prior to Election Day. However, the drawing of lots only took place in half of the observed centers; that is to say, in **73 centers**.

Regarding incidents, the OEV was able to verify 155 alerts, of which 82 (**53%**) were associated with the closing of polling stations and the counting of votes. The states in which incidents related to failures in the

transmission of the machines were verified are: Táchira (1 case), Yaracuy (1 case), Miranda (2 case), Mérida (1 case), Carabobo (1 case), Zulia (1 case), Anzoátegui (1 case), Nueva Esparta (1 case).

Thirty-seven acts of violence, incitement to violence or moments of tension were recorded; specifically 14 cases of protests or complaints, 10 of confrontations or arguments, 5 of intimidation, 3 of incitement to violence and 5 attacks or break-ins at the voting centers.

Regarding political proselytism, **14 acts of electoral propaganda** were confirmed, of which 13 were in favor of candidate Nicolás Maduro and 1 in favor of candidate Edmundo González.

The reports highlight **20 cases of parallel voter registrations**, which consisted in the collection of voters' data inside the voting center by table members or CNE coordinators, through handwritten lists, photos taken with a cell phone or an application to scan ID cards.

Here is a contrast between similar indicators used by the two main citizen observation groups in the 28J elections

Comparison of indicators between the Citizen Electoral Network (REC) and the Venezuelan Electoral Observatory (OEV), 28J Elections

	REC	OEV
Centers open without inconvenience	83,8%	90%
Crowds (morning hours), polling stations with more than 40 voters	79,8%	77,1%
Incidents at polling centers that delayed the voting process	53,8%	65,9%
Proselytizing point at polling places	69%	70,6%
Use of public resources for mobilization of voters	33%	22,1%
Coercion to induce voting	14,6%	4,9%
Closing of the centers at the scheduled time (6 pm)	73,3%	50%
Presence of witnesses at the counting of ballots	44,2%	24,4%
Citizen verification between the minutes and the votes cast	54,3%	24%

Source: Red Electoral Ciudadana y Observatorio Electoral Venezolano

b) Human Rights Violations during the 28J Election Day

In the [citizen oversight conducted by the Citizen Electoral Network \(REC\)](#), **157 episodes** of human rights violations were recorded up to 11:59 pm on July 28, 2024. Below is the geographic distribution of the incidents:

State	Number of incidents	Percentage
Mérida	45	28.6%
Táchira	15	9.5%
Anzoátegui	11	7%
Barinas	11	7%
Carabobo	10	6.3%
Trujillo	10	6.3%
Miranda	7	4.4%

Nueva Esparta	7	4.4%
Zulia	6	3.8%
Distrito Capital	5	3.1%
Cojedes	4	2.5%
Monagas	4	2.5%
Portuguesa	4	2.5%
Apure	3	1.9%
Falcón	3	1.9%
Yaracuy	3	1.9%
Aragua	2	1.2%
La Guaira	2	1.2%
Lara	1	0.6%
Sucre	1	0.6%
Unidentified	3	1.9%
Total		

Source: Red Electoral Ciudadana

The REC grouped the incidents into three main categories due to their nature and impact:

Violations of personal integrity:

Pattern	Quantity	Percentage
Threats and harassment by security officials and government supporters	34	21.6%
Physical aggression	7	4.4%
Arbitrary detentions	1	0.6%
Extralimitation of functions	4	2.5%
Red dots installation	2	1.2%
Total	48	30,5%

Violations of the right to political participation

Pattern	Quantity	Percentage
Technical difficulties with voting machines	25	15.9%
Non-admission of witnesses	15	9.5%
Request for requirements not foreseen for voting, such as the scanning of identity cards.	14	8.9%
Irregularities in the opening and closing of polling stations	11	7%
Irregularities in the operation of polling stations	10	6.3%
Refusal of participation in the ballot	5	3.18%
Total	80	

Other rights

Pattern	Quantity	Percentage
irregularity in the allocation of polling station members and witnesses	4	2,5%
irregularities with the fingerprint machine	2	1,2%
electoral offences such as voting photos and attacks on electoral materials	2	1,2%
unannounced polling station changes	1	0,6%
Fatality	1	0,6%
Total	10	

No detailed information: 19 cases

b.1) Freedom of speech and information

The organisation *Redes Ayuda* documents 20 situations that violated the right to freedom of expression and information during the 28-J election day.

Victim	State	Pattern	Description
Calabozo Radio News Programme	Guárico	Censorship	Due to pressure from Conatel, the news programme hosted and produced by journalists Zulay Carrillo and Aitza Pérez was suspended. The programme was broadcast on Emoción 104.9 FM from Calabozo.
Yanara Vidas	Mérida	Intimidation	Two unidentified persons photographed journalist and volunteer delegate of the National Union of Press Workers, Yanara Vidas, while she was talking to the person in charge of Plan República at the Arzobispo Silva polling station, because she denied access to the accredited press at this polling station located in the state of Mérida.
Journalists from various media	Cojedes	Administrative restriction	Plan República officials prevented journalists from Últimas Noticias, VTV, Venevisión, Digital Visión and Agencia Cojedeña de Investigación from documenting the electoral process at the San Ramón pre-school and Liceo 24 de Julio polling station in San Carlos, Cojedes state.
Vanessa de la Torre	La Guaira	Legal restriction	The correspondents of Caracol Radio in Colombia were expelled from Venezuela for allegedly not meeting the 'migration profile' required by the authorities.
Carolina Trinidad	La Guaira	Legal restriction	The correspondents of Colombia's Caracol Radio were expelled from Venezuela for allegedly not complying with the 'migration profile' required by the authorities.
Víctor Federico González	Sucre	Administrative restriction	The coordinator of the Andrés Eloy Blanco polling station in Cumaná, Sucre state, prevented La Pajilla's correspondent from documenting the electoral process despite having his CNE accreditation. The coordinator told him that he had to ask a Plan República official for authorisation to film and denied him entry to the polling station.
Neptalí Querales	Barinas	Administrative restriction	The photojournalist was prevented from entering the voting centre Escuela Básica Simón Jiménez, in Barinas, when the leader of Voluntad Popular Freddy Superlano was going to exercise his right to vote.
Isayen Herrera	Miranda	Intimidation	The journalist denounced that the coordinator of the electoral centre U.E. Rodríguez López, in Los Teques, Miranda state, Margarita Cañas, verbally harassed her and filmed her when she was trying to exercise her right to vote. Cañas told the journalist that journalist that she was 'full of hate'.
Yandris Saldivia	Distrito Capital	Administrative restriction	An official of Plan República forbade Crónica Uno's reporter from interviewing voters at the El Guamal polling station at kilometre 12 of El Junquito. She was forced to erase the photographs she had of the electoral process.
Francesca Díaz	Bolívar	Intimidation	An unidentified person threatened and photographed the journalist, who recorded the booing of Governor Ángel Marcano by voters at the Gran Sabana de Fe y Alegría polling station. They asked for her credentials, asked her about her political position and warned that if 'erroneous' information about Marcano was published, they would know who to hold responsible.
Erika Rincon	Anzoátegui	Arbitrary detention	GNB officers detained the journalist of the newspaper Diario Orbita in El Tigre. The reason for the arrest was the overflight of a drone. After five hours of detention, they were released, but the drone was confiscated.

Miguel Pachano	Anzoátegui	Arbitrary detention	Officers of the Bolivarian National Guard detained the cameraman of the newspaper Diario Orbita in El Tigre. The cause of the arrest was the overflight of a drone. After five hours of detention, they were released, but the drone was confiscated.
Luna Perdomo	Distrito Capital	Administrative restriction	An officer of the National Armed Forces ordered the Tal Cual journalist to leave the Tomás Vicente González polling station in Caricuao, Caracas.
Rafael Ramirez	Bolívar	Intimidation	An officer of the Bolivarian National Guard and a member of a 'red point' threatened the Noticias Todos Ahora journalist when he was in the Ciudad de los Corales sector, Unare parish in Puerto Ordaz, to document the removal of a voting machine.
Alberto Torres	Distrito Capital	Intimidation	A pro-government sympathiser filmed the journalist at the U.E. Pedro Fontes polling station in the parish of La Vega, Caracas. Torres was documenting an irregularity at the polling station.
Roison Figuera	La Guaira	Administrative restriction	A security official prevented Tal Cual's reporter from doing interviews at the Escuela Miguel Suniaga polling station.
Leonervis Hernandez	Bolívar	Administrative restriction	Coordinators at the Alta Vista Sur Puerto Ordaz Basic Common School in Puerto Ordaz, forbade the reporter to document the process there because they had an instruction to prohibit the press from taking pictures.
Luis León	Anzoátegui	Administrative restriction	Coordinators at the Fe y Alegría School in Unare restricted the reporter's access because they had instruction to prohibit press documentation.
Alejandra Triana	Aragua	Administrative restriction	Officials of the Plan República prohibited journalists from entering the U.E. Maracay polling station, despite having accreditation. In order to allow them to enter, they conditioned them not to use their work equipment such as cameras and telephones.
Gerardo Navas	Aragua	Administrative restriction	Officials of the Plan República prohibited journalists from entering the U.E. Maracay polling station, despite having accreditation. In order to allow them to enter, they conditioned them not to use their work equipment such as cameras and telephones.
Karla Ávila	Bolívar	Intimidation	Unidentified persons verbally assaulted the journalist (Qué Pasa en Venezuela) while she was covering the electoral centre Colegio Nazaret.
Beatriz Marciano	Nueva Esparta	Censorship	A GNB officer forced the journalist, head of press for the mayor's office in the municipality of García, to erase a video she had recorded outside the Casa Comunal Villas San Antonio polling station.
Daniela González	Táchira	Administrative restriction	The head of the polling station at the Francisco de Paula Reina school, expelled the journalist from Diario La Nación when she tried to interview Karim Vera, coordinator of the Primero Justicia party. The official argued that only people from the ruling party were allowed to be interviewed.

Source: Redes Ayuda

b) Armed civilians acting to terrorise the population

According to data processed by *Laboratorio de Paz*, at least **86 actions** by groups of motorised persons (known as 'Colectivos'), often armed, were recorded on 28 July, with the aim of terrorising people who wished to exercise their right to vote or who wished to remain in the vicinity of polling stations. In 6 actions, people were shot and wounded, and in 1, one person was killed. The actions occurred in 17 states across the country, suggesting both a level of coordination and tolerance on the part of the authorities.

The following is a breakdown of armed civilian actions by entity:

Actions of armed civilians during 28-J (Alphabetically ordered by entity)

Entity	Number of actions
Anzoátegui	01
Apure	05
Aragua	02
Barinas	01
Bolívar	07
Carabobo	07
Distrito Capital	25
Falcón	03
Guárico	03
Lara	04
Mérida	02
Miranda	06
Monagas	04
Portuguesa	01
Táchira	07
Trujillo	03
Zulia	05
Total	86

Fuente: Laboratorio de Paz

Among the patterns of action detected were that in 25 situations there were attacks, in 57 situations there was intimidation and in 4 situations there was robbery of people. Injuries occurred in 5 states: Apure, Carabobo, Miranda, Monagas and Táchira.



Incidents with groups of armed civilians 28J

The case of the murdered person occurred at the voting centre Escuela John F. Kennedy, located in Patiecitos, Guásimos municipality, Táchira state. A group of voters were waiting to enter the polling station to participate in the citizen audit. A group of individuals approached in a white van and began to throw mortars at the people. They then fired firearms, hitting **Julio Valerio García**, 40 years old, in the neck. He was later taken to the Central Hospital 'Dr. José María Vargas', where he was confirmed dead. His father was grazed in the abdomen by a bullet. He is currently in stable condition, but as a result of his son's death, he has suffering now of high blood pressure.

[People close to Garcia](#) indicated that he had no defined profession. As a consequence of the complex humanitarian crisis, he was engaged in the sale of various items. He was married to a journalist with whom he had a seven year old child. She was *"the light of his eyes"*, according to those close to him. His funeral was held in a funeral home in Táriba, in the municipality of Cárdenas, where he was accompanied by a group of people from the community carrying Venezuelan flags.

Consulted for this report, a human rights activist in the area said that García's father had already been summoned to testify in the Attorney General's Office. The perpetrators moved around in white, double-cabin, high-end pickup trucks, used by members of irregular armed groups that move around the entity with the tolerance of the authorities. According to his testimony, at least since 2017, alleged members of Colombian armed organizations have been carrying out citizen security work in the state.



Funeral of Julio Valerio García. Photo: Maryerlin Villanueva

d) Irregularities related to the dissemination of results

In a private report to international human rights protection organizations, the organization Transparencia Venezuela described the irregularities linked to the announcement of the electoral results:

“From the opening of the polling centers until 6:00 pm there were some incidents that did not compromise the election day. When it was time to proceed with the closing of the centers to begin the counting of the votes, reports began to be received about the impediment to citizens to participate in the counting of the votes. According to the testimonies, the order came from members of the Plan República, police forces, heads of pro-government structures or from personnel accredited by the Electoral Power, either table presidents or center coordinators. In several cases, at the same time, groups of armed civilians arrived to intimidate and prevent citizens from remaining in the polling place to witness the counting and tallying of the tally sheets.

This situation was denounced by opposition leader [Delsa Solórzano](#), designated by the Mesa de la Unidad Democrática as main witness before the CNE. From the Comando con Venezuela, the presidential candidate Edmundo Gonzalez, stated that witnesses were denied access to the tally sheets and that in some centers the transmission of results to the CNE had been paralyzed, which was a violation of the Organic Law of Electoral Processes.

To counter the opposition denunciation, the president of the Electoral Power, Elvis Hidrobo Amoroso, alleged that there was a delay in the transmission of the results due to an attack to the electoral system; however, he [issued a first bulletin with](#) “irreversible” [results](#) in favor of Nicolás Maduro to whom he awarded 5,150,092 votes, equivalent to 51.2%, against 44.2% for Edmundo González, when 20% of the votes were still to be totaled”.

In a private communication to the Inter-American Commission on Human Rights (IACHR), different Venezuelan human rights organizations summarized the situation resulting from the announcement of this first electoral bulletin as follows:

“The electoral body presented partial results that have not been able to be verified, since they have not published the balance disaggregated by each voting center and table, nor have they presented the minutes issued by the electoral machines. A citizen demand has been generated, accompanied by an international call demanding transparency in the publication and auditing of the tally sheets, which has not been heeded. Instead, the CNE proclaimed Nicolás Maduro as president-elect, without having offered any support for the announced results and without attending to technical audits that could clarify reasonable doubts regarding the electoral results”.

On 07.30.24 the **Carter Center** -one of the electoral observation missions invited by the authorities- [released a statement](#) in which it affirmed that *“Venezuela’s 2024 presidential election did not comply with international parameters and standards of electoral integrity and cannot be considered as democratic (...) The fact that the electoral authority has not announced results broken down by polling station constitutes a serious violation of electoral principles”*.

On 08.14.24 the **Panel of Electoral Experts of the United Nations** -a second electoral observation body invited by the authorities- made public a [preliminary report](#) that ratified the serious irregularities that occurred in the elections of July 28th: *“The CNE results management process did not comply with the basic measures of transparency and integrity that are essential to hold credible elections (...) According to the Panel’s experience, the announcement of an electoral result without the publication of its details or the delivery of tabulated results to the candidates is unprecedented in contemporary democratic elections”*.

In the only significant public statements made in months, the Ombudsman [Alfredo Ruiz endorsed the disregard of the popular will](#) by commenting on the decision of the Supreme Court of Justice that accepted the figures revealed by the CNE’s chief rector: *“This decision of the TSJ is a guarantee of peace in the country and therefore the call is to resolve the conflicts through the existing legal and regular steps”*.



Moment in which Alfredo Ruiz, Ombudsman, legitimizes ignorance of the popular will of Venezuelans



*After
28J
2024*



SITUATION AFTER JULY 28

Many of the abusive human rights situations that occurred after the electoral event are, to a large extent, a continuation of the patterns of action [documented and denounced by Venezuelan organizations for years](#). In [Cepaz's opinion](#), although the patterns of repression are not new, the seriousness of the escalation is undeniable. The system has become more efficient in its ability to intimidate and control the population. *“What began as a pattern of violence and control in 2014 has evolved into a perfected system that intimidates, silences and subdues the population. The gravity of the current situation is such that fear has penetrated deeply into the daily lives of Venezuelans.”*

According to the analysis of a Human Rights NGO between July 28 and August 5, 2024, the week following the electoral event, at least **450 events** were registered, classified in 360 cases, 36 measures and 54 acts that affected the rights of the civil society and the civic space. The most affected rights were the right to participation, freedom of peaceful assembly and freedom of expression. There were severe restrictions and insecurity in access to information and democratic participation. The actors most affected were political parties, journalists and society in general. Administrative authorities, security forces, political agents and irregular groups acted in these events.

3.1) CIVIC SPACE

A) Freedom of Association and Assembly:

a.1) Approval of restrictive regulations

On 08.15.24, the National Assembly approved the *Law of Fiscalization, Regularization, Performance and Financing of Non-Governmental Organizations and Non-Profit Social Organizations*

According to an analysis by a human rights NGO, this law presents several violations to the Venezuelan Constitution and international human rights standards:

1) The law, in its article 13, establishes what should be the content of the constitutive act, violating organizational autonomy. States have a negative obligation not to unduly obstruct the exercise of the right to freedom of association, and only the members of associations should have the possibility to freely determine their statutes, structure and

activities, as well as to adopt decisions without interference from the State.

2) Failure to comply with the second transitory provision, regarding the duty to adapt the bylaws within 180 days for organizations that already have legal personality, will result in the nullity of the registration of the organization obtained under the parameters of the Civil Code.

This provision violates a basic principle of the rule of law such as the principle of non-retroactivity of the law contemplated in Article 24 of the Constitution. It also violates standards of freedom of association. The UN Special Rapporteur considers that in case of adoption of new laws, re-registration of all associations already registered should not be required, in order to protect them against arbitrary refusals or interruption of their activities and, secondly, that if a procedure is installed, it should be a *"notification procedure"*, as it is more in line with international human rights standards and should be applied by the States instead of the *"prior authorization procedure"*, which implies receiving the approval of the authorities.

The foregoing is aggravated, since according to Article 35.5 of the law, non-compliance with the transitory provisions is considered a formal offense, under penalty of a fine in bolivars equivalent to between one hundred (100) and one thousand (1,000) times the official exchange rate of the currency of highest value published by the Banco Central de Venezuela (BCV).

And in case of recurrence it will be the equivalent in bolivars of between five hundred (500) and ten thousand (10,000) times the official exchange rate of the highest value currency published by the BCV. Therefore, it is also possible to point out that there is a violation of the principle of non-confiscation and proportionality.

3) Venezuelan authorities have repeatedly stated that the financing of terrorism and organized crime, as well as money laundering, must be prevented. And although this is a plausible and necessary action, the law approved by the National Assembly violates recommendation 8 of the Financial Action Task Force (FATF) which mandates the protection of non-profit organizations in the regulation of the fight against terrorism in the sense that they should be *"focused and proportional measures, in line with the risk-based approach"*, an aspect that is not seen in the recently approved law since it does not differentiate in its application nor in the proportionality of its measures.

a.2) Persecution and obstruction of the work of witnesses and polling station members

It is estimated that the opposition managed to form a team of

90,000 electoral witnesses to participate in the elections of 28J. On 07.31.24 [Juan Pablo Guanipa denounced](#) *“Of the most absurd things that are happening right now, one of them, is the persecution of witnesses and table members. They want to take away the minutes so that there is no evidence of the undoubted triumph of @EdmundoGU”*. According to a Human Rights NGO *“aggressions and persecution by irregular groups and police officers against witnesses of opposition parties and table members were registered, some of them were forcibly removed from their residences without any search and arrest warrant, this practice was intended to sow fear among the people who fulfilled this role”*.

Andres Villavicencio, 30 years old and electoral witness at the Paraguaná Educational Institute, Punto Fijo, Falcon state, [offered his testimony to the BBC](#) about the persecution against him after the elections that forced him to go into exile from Venezuela. After 19 hours of observation at the polling station, Villavicencio read the results of the polling station to the crowd gathered at the doors of the educational institute *“Nicolás Maduro 195 votes, Edmundo González 1046”*. This happened after the CNE members on site had refused to hand out copies of the minutes. They had also said that it was forbidden to photograph them. After 20 minutes of discussion, and the dozens of people who began to congregate at the doors of the electoral center demanding the results, the electoral authorities agreed to hand over the copies of the minutes. Villavicencio is a militant of the Primero Justicia party and its vice-president in the Carirubana municipality. The following day, two men wearing masks knocked on the door of his house saying they were technicians of the Internet company. Andres did not open the door. The men took photographs of his home. A few days later he verified, in the Saime platform, that his passport had been annulled. On Saturday, August 10th, a car parked in front of his house. A man got out of the car and took pictures of her residence. The visitors, who never rang the doorbell, stayed there for four hours without moving. Andres called an acquaintance within the government for information. He was told that *“his arrest was imminent and that his detention center would be El Helicoide”*. He decided to cross the border and, from Colombia, he took a flight to Spain, from where he gave statements to the British media.

On 08.28.24 Roberta Clarke, president of the Inter-American Commission on Human Rights (IACHR), [made a report](#) at the special meeting of the Permanent Council of the Organization of American States (OAS) on the human rights situation in Venezuela. Among the demands to the Venezuelan authorities, it asked to *“Immediately cease repressive actions directed against electoral witnesses (and others)”*, as well as to *“Suspend all strategies of digital persecution and those that use technologies to intimidate or silence electoral witnesses (and others)”*.

Notwithstanding the above, the Coordination of the *“Comanditos”* of witnesses in Venezuela, consulted for this report, complicates the

possible situation of persecution and detention of persons for having been members or witnesses at the voting tables:

“It is difficult to determine the existence of a pattern, due to the fact that repression and persecution has been generalized. The victims have been public figures, operative cadres, witnesses, those who had been designated as members, as well as people in the street, children and others with no political links. Determining a pattern is somewhat complicated since the repression has been extensive. Many of the country’s political leadership played roles at the polling station and as part of the electoral body that day.

In any case, what is generalized is that, in all the territory, the link with the opposition candidacy of Edmundo Gonzalez in public acts, or in operative roles in the campaign or at the table has been the characteristic of the people who have been detained.

Many of the witnesses and table members, who attend public demonstrations, are later victims of persecution, they go home and in many cases, they are summoned to the Prosecutor’s Office. In different political organizations there are repeated cases, in several parts of the country, where they have been summoned by the Prosecutor’s Office”

Regarding the above, political leader Andres Caleca [denounced in a television program](#): *“It is very important to point out: this repression is not only against opposition witnesses, they are also repressing PSUV witnesses, who were witnesses of what happened. Look at what is happening in the popular areas, in the former Chavista strongholds with a number of witnesses of the United Socialist Party of Venezuela who attest that, indeed, those minutes -those published by the opposition in the website <https://resultadosconvzla.com/--> are what they are. Well, the repression against those witnesses so that the minutes would disappear, so that they would delete the WhatsApp... Do you remember that crazy thing Maduro came out with? Apparently not crazy (...) That was for the PSUV witnesses to erase all the evidence of the communications of the transmission they made of the minutes, and to deliver those minutes as soon as possible”.*

A) Freedom of Expression and Information

b.1) Detentions for exercising freedom of expression and information

According to reports of the National Union of Press Workers, by 08.29.24 a number of 10 journalists and media workers had been detained after the 28-J elections. Of these persons, in only 1 case the victim was released from prison on 08.26.24, Carmela Longo, after being [charged with the alleged crimes of terrorism and incitement to hatred](#). She has been banned from leaving the country, is under a reporting regime and is prohibited from testifying and writing about her case.

Name	Rol	Date and Place
Ana Carolina Guaita	La Patilla Journalist	August 20th, Maiquetía
Biagio Pilieri	Journalist and political leader	August 28th, Caracas
Carmela Longo (*)	Journalist specializing in culture and entertainment	August 25th, Caracas
Deisy Peña	Photojournalist	August 2nd, Los Teques
Fernando Chuecos	Photojournalist	August 3rd, Valera
Gilberto Reina	Editor of La Sapa del Orinoco portal	August 16th, Ciudad Bolívar
José Camero	Journalist and political leader	August 3rd, Valle de la Pascual
Paul León	VPItv cameraman and social communication thesis student	July 30, Valera
Roland Carreño	Journalist and political leader	August 2nd, Caracas
Yousner Alvarado	Photojournalist	July 29th, Barinas

(*) Only case of release until 08.29.24. Source: SNTP

[Artur Romeu](#), director of Reporters Without Borders' Latin America office, said: *"We strongly condemn these arrests and demand the release of the journalists. Their detention for carrying out their work sends a frightening message to all those who defend the right to information in the context of the serious political crisis in the country. The generalization and trivialization of accusations of terrorism and incitement to hatred against media professionals illustrate the will of Nicolás Maduro's regime to censor the media, in total violation of fundamental democratic principles."*

On 08.14.24 [Espacio Público asserted](#) that among those mainly affected by the State's policy of criminalization and discrimination, materialized in the massive arbitrary arrests, are the people who use their social networks to express themselves. They exemplified this situation in four cases:

Name	Place	Description
Eleanger David Navas Vidal	Anzoátegui	Professional dedicated to maintenance engineering, graduate in alternative pedagogy with mention in human rights, English teacher and content generator in TikTok through his account "@Eleinforma" where he talked about the situation of the country. On 08.03.24 in Anzoátegui, he was arrested by the Criminal Investigations Division of the Bolivarian National Police (DIP PNB). According to the Public Prosecutor's Office, Navas is detained for allegedly manipulating information and disseminating videos that generate anxiety in the "Diario Oriental". After three days he was presented before the Palace of Justice of El Tigre, where he was charged with the crime of terrorism and incitement to hatred. He was later transferred to the Agro-productive Penitentiary Center of Barcelona. Prior to his arrest, Navas filed a complaint with the Public Prosecutor's Office against officials of the Mayor's Office of El Tigre for defamation and incitement to hatred, since he was being attacked for reporting on the situation in the country. However, the prosecutor's office did not act and instead he was arrested for alleged terrorist activities and for inventing false news.
María Oropeza	Portuguesa	Coordinator of the Vente Venezuela party in Portuguesa state. On 08.06.24 she published a video through the social network X talking about "Operation Tun Tun", indicating that it is persecution for political reasons. Hours after the publication of this video, security forces went to her house in order to carry out a search and proceed to arrest her, a fact that was recorded in a live video that she transmitted in her Instagram account.

Iris Margarita Rincón Villasmil	Zulia	A video circulated on Tik Tok, in which Rincón criticizes the precarious quality of the flour in the subsidized food boxes delivered by the Local Supply and Production Councils (CLAP). Consequently, the Bolivarian National Armed Forces (FANB) arbitrarily detained Rincón in the Maracaibo municipality of Zulia state; they seized a cell phone containing the video, which for the officials consists of the commission of the crime of instigation to hatred against Nicolás Maduro and his family.
Citizen arrested	Miranda	On 08.01.24, a 43 year old woman from Ocumare del Tuy, Miranda state, was arbitrarily detained for appearing in a video that circulated in social networks on July 30, which shows her writing the word “freedom” with the yellow flour marketed by the CLAP, in the context of the demonstrations for the rejection of the results offered by the CNE on July 28th.

Source: [Espacio Público](#)

On the situation of media and journalists after July 28, the National Union of Press Workers has underlined:

- Particularly serious is **the use of criminal legislation**, particularly that related to terrorism, to charge journalists and press workers. In 8 of the 10 cases of detention after July 28th, terrorism, incitement to hatred and criminal association have been charged. The charges against Roland Carreño and Biaggio Pilieri are not yet known.

- In the case of Paul León, a VPITV cameraman, **he was planted with a firearm, cans of gasoline and small firecrackers** (also know as “miguelitos”).

- The IACHR approved **precautionary measures** on behalf of [Roland Carreño](#) and [Ana Carolina Guaita](#).

- **Two journalists** have had to go into forced exile: Mayra Linares (VPITV correspondent in Trujillo) and Lorena Bornacelli (VPITV and El Pitazo correspondent in Táchira). In both cases the existence of an arrest warrant against them was verified.

- After July 28th, a **campaign of hatred and criminalization** against journalists began in the states of Carabobo, Aragua, Portuguesa and Trujillo, which has kept at least 12 journalists in custody.

- Since before July 28 and up to the closing date of this report, **information and opinion programs were off the air** in the main radio circuits: Unión Radio and FM Center. Román Losinsky and Shirley Vernagy are not on the air and Isnardo Bravo’s program was definitively closed.

b.2) Social Networks Restrictions

In a [statement different](#) digital rights [organizations](#) asserted: *“Following the July 28 presidential elections, there has been violent*

repression by police, military and paramilitary groups, as well as allegations of harassment and persecution strategies enabled by the use of technology. The government has intensified its surveillance and digital censorship measures, using tools such as the messaging app VenApp to report dissident activities and reveal confidential information to protesters, video surveillance to monitor protests, and drone patrols to provoke widespread fear.”

As [reported by VeSinFiltro](#) after the elections, the main Internet Service Providers (ISP) blocked, with multiple techniques, [at least three web domains](#) in which the Edmundo González campaign published the minutes of its witnesses and the results broken down by polling station. Simultaneously, the website [elecciones2024venezuela](#), a page providing information on presidential elections, was blocked. Other websites blocked were [The Wall Street Journal](#) and [versionfinal.com.ve](#). The [organization reported](#) that “as of 08.13.24 more than **63 media and news sites are currently blocked** on Venezuela’s main ISPs. These blockages affect 89 domains, which if counted disaggregated by ISP and blocking technique, are 447 blocking events”.

On Thursday 08.08.24 [Nicolás Maduro ordered](#) the blocking of the social network X (Twitter), which for [VeSinFiltro](#) constituted “A particularly critical event with extremely serious consequences in a country like Venezuela, where the media ecosystem is weakened and social networks have been the space to disseminate information and to express opinions with certain freedom”. Other social networks blocked were [Reddit](#), [Signal](#), [Microsoft Teams](#) as well as Cloudfront, which left without functionality the access to different websites such as [icij.org](#), [latimes.com](#), [caracoltv.com](#), [csmonitor.com](#), [drudgereport.com](#), [dailysabah.com](#), [binance.com](#), [mercadolibre.com.ve](#) and entertainment platforms such as Disney+, Max, Amazon Prime Video and Epic Games.

The [Probox Digital Observatory](#) makes a suggestive analysis of these decisions: “during the elections and the following days, the *chavismo* narrative was losing space within the online conversation”. In this regard, they argue: “On July 30, for the first time since we started our monitoring in X in 2019, the MIPPCI did not promote any tag of the day and the Officialism did not position any trend either. All the tags registered that day were of citizen protest, demanding the audit of the electoral records and the freedom of Venezuela (e.g. [#VenezuelaLibreDeDictadura](#), [#YoDefiendoMiVoto](#), [#MuestrenLasActas](#)). In total, 5 trends promoted by civil society were positioned, totaling around 695,700 tweets”. After Maduro’s announcement, the government stopped promoting X tags.

In this regard, the organization concludes: “The censorship measure against X represents the blocking of the social network that is most directed to the informed public in Venezuela. Many opinion leaders, journalists and independent media congregate in this social network and replicate verified information, serving as important references for

people to find out in the country; as part of this informative cascade to circumvent censorship in traditional media and webs, often originating in a social networking platform, it ends up migrating to other applications, whether or not they are in X”.

C) Freedom of peaceful demonstration

After the disregard of the popular will expressed in the 28J elections, spontaneous demonstrations took place in different parts of the country to demand the detailed dissemination of the results. Although most of the protests were peaceful, there were different cases of violent actions by those involved, actions that would not be covered by the guarantees of the right to peaceful demonstration.

Between July 29th and 30, the [Venezuelan Observatory of Social Conflict](#) (OVCS) documented **915 citizen protests** throughout the country. With a balance of **138 protests repressed**, and in which the presence of armed civilians, Colectivos, was observed in at least 119.

For its part *Laboratorio de Paz* [geolocated 210 protests](#) occurred on July 29th. For this NGO:

“During the day of popular rebellion, the crowds in movement focused on symbols of authoritarian domination. The rallies took place in front of the headquarters of municipal and regional powers, as well as in front of the offices of the National Electoral Council (CNE). Likewise, electoral propaganda of candidate Nicolás Maduro was dismantled. 8 statues were taken down, 7 of them corresponding to Hugo Chavez. Also, mayoral offices and headquarters of the United Socialist Party of Venezuela were set on fire.

Protests were self-convened, spontaneous and decentralized. They did not have a single focus of interest, nor predetermined routes from one point to another of the territories. The main profile of the demonstrators were people from popular sectors, although middle class mobilizations were also registered. The main demand diagnosed was to reject the illegal proclamation of Nicolás Maduro and to vindicate the triumph of Edmundo González Urrutia”.

The information verification initiative EsPaja was able to corroborate that the vandalized statues of Hugo Chavez were 9 in total:

Vandalized Hugo Chávez statues. Chronological order

State	Town	Location	Date	Time
Falcón	Coro	Hugo Chávez Square, Chema Saher Avenue	July 29th	3:00 pm
Guárico	Calabozo	Hugo Chávez Square (Former Urdaneta Square)	July 29th	6:30 pm
Carabobo	Mariara	Italy Square	July 29th	7:00 pm
La Guaira	La Guaira	Plaza Bolivar, Soubllette Avenue	July 29th	7:50 pm
Miranda	Los Teques	El Chorrito Urban Development	July 29th	9:00 pm
Aragua	Tejerías		July 29th	
Mérida	El Vigia	Seniat Headquarters	July 30	8:00 am
Bolívar	Municipio Sucre	El Guarataro	July 30	10:20 am
Carabobo	Valencia	Atanasio Girardot Roundabout	July 31	11:00 pm

Source: [Espaja](#)

c.1) Deaths in the context of protests

The mobilizations of the 29th and 30th were confronted by the authorities, ignoring the proportional and differentiated use of force, which resulted in the death of several people on two different days. *Monitor de Víctimas* has reported **24 people killed**, while *Justicia, Encuentro y Perdón* counted **25 people killed**, and one died after his arrest.

Profiles of people killed in the context of demonstrations
(Alphabetical order by state)

State	Name	Age	Description	Wound	Alleged victimizer
Bolívar	Luis Eduardo Roberto Hernández	19	He went to work, but the road was blocked, so he returned to the center of Upata, where the post-election demonstration was being repressed by police and colectivos. There he was shot. He was transferred by his family to several centers: from the Hospital Dr. Gervacio Vera Custodio, in Upata, he was transferred to the Hospital de Guaiparo, in San Felix, and from there to the Clinica Humana to undergo a CAT scan which showed that the bullet was lodged in his skull. On his return to Guaiparo he died. The governor of Bolívar state, Angel Marcano, said in a press conference that he had been killed with a stone, a version denied by the family.	Eye	Collectivo
Carabobo	Víctor Bustos	34	He had three children, a teenager and two girls, and was known by his friends and family as "Tico". He lived on 190th Avenue in the municipality of Naguanagua. Victor worked in a plastics factory	Chest	Military

Distrito Capital	Olinger Montaña	23	Barbero. On Monday he decided to go to the marches for the first time, hoping that the pressure from the street would force Maduro to admit he had lost. He received a mortal wound and his body ended up in the Bello Monte morgue.	Back	N/A
Distrito Capital	Antonhy Cañizález	19	He was an administration student at the National Open University and also worked as a motorcycle taxi driver. The night of his murder, he left his house on his motorcycle to take dinner to a cousin who was hospitalized at the Maternal and Child Hospital in El Valle. Shots were fired and one hit him.	Back	N/A
Distrito Capital	Jeison Javier Bracho Martínez	22	The young man had been working for 6 months as a security guard in a private company. The night of his death, he went out with family members and neighbors to protest in the streets of El Limón and at 8:00 pm, a couple of motorized vehicles passed by the site and fired 5 shots. One of the shots wounded him in the head. His family first took him to the Periferico de Coche hospital and then to the Perez Carreño Hospital, where he was admitted to the operating room. His father informed the press that the young man lost a lot of blood and died at 11:30 pm.	Head	Colectivo
Distrito Capital	Euris Junior José Mendoza Royé	24	He was from Tejerías, Aragua state. He had worked in a fast food restaurant in his area. Father of a one and a half year old girl.	Abdomen	Police
Distrito Capital	Dorian Rair Rondón	22	After graduating, he had dedicated himself to working with a family business selling chickens. He was a very familiar young man and lived between his mother's house, on the old road in Los Teques, and his grandmother's house in Macarao.	Neck	N/A
Distrito Capital	Jeison Gabriel España Guillén	18	He died while protesting on San Martin Avenue after being wounded in the chest. He was taken to the military hospital Dr Carlos Arvelo, where he was admitted without vital signs. He was described as "a good man".	Thorax	N/A
Distrito Capital	Edgar Alexander Aristeguieta	42	Father of four children and laborer. He was currently working in a construction site in El Guarataro and on Monday, July 29 he was on his way back when he stopped to watch the protest. Relatives asked to clarify that he was not participating in the demonstration, since they spoke with several witnesses, who assured them that he was on the side of the road watching the demonstrators.	Neck	N/A
Distrito Capital	Aníbal José Romero Salazar	26	Native of Carapito, Monagas state. He had been living in Carapita for several years. He was known as "Pimpina" and was a construction worker. He had no children. He moved to the capital to work and help his mother due to an illness.	Forehead	Police

Lara	Walter Páez Lucena	N/A	He attended the post-election protest of July 29 in Carora, which ended with the burning of the headquarters of the United Socialist Party of Venezuela (PSUV) in that locality. He was taken to a local clinic and then transferred to the Antonio María Pineda Hospital in Barquisimeto, where he died on August 4, 2024.	Abdomen	Colectivo
Miranda	Carlos Porras	26	He was affectionately known as "Mustache". He was a sports coach and was described as a "good friend, father and husband". He left behind two orphaned children, ages 5 and 2. Neighbors in his area mourn his loss and his family asked for financial help to defray funeral expenses.	Thorax	Military
Miranda	Yorgenis Emiliano Leyva Méndez	35	Murdered in Plaza Bolívar de Guarenas. He was affectionately known as "Chino". Through the networks, his friends expressed their sorrow and ask for justice.	Back	Mix
Táchira	Julio Valerio García	40	He was dedicated to the sale of various items to support himself. He was the father of a 7-year-old boy. He was described as a good father and a good son, a person willing to help. He resided in the same sector where the school that served as a voting center was located. He exercised his right early, and then retired. Hours later he came to observe how the voting day was developing. He worked in a business selling vehicle spare parts and was taking a chef course in an academy located in Urbanización Mérida in San Cristóbal.	Neck	Colectivo
Yaracuy	Jhon Alejandro Graterol Mendoza	19	He was a high school graduate and resided in the Sabanita Bolivariana III sector in Yaritagua. He had just arrived at the protest when, according to his relatives, police and military attacked the demonstration.	Thorax	Mix
Zulia	Isaías Jacob Fuenmayor González	15	He was preparing to attend the 9th grade of elementary school and had turned 15 years old on July 13. He was the third of four siblings. The night he was killed, he was with some friends at a rehearsal for a 15th birthday dance in the Negro Primero neighborhood, and was returning home when he came across the protest. Isaías' family did not have the resources to pay for the burial of the teenager, and together with his neighbors, they started a fundraising campaign to be able to give him a Christian burial.	Neck	Colectivo
Zulia	Gustavo Rojas	29	He protested on Sunday outside a polling station to demand the printing of the polling stations. On his way home he was shot and wounded.	Neck and scapular region	Colectivo

Source: [Monitor de Víctimas](#). Cases in the state of Aragua were excluded, as they are detailed in the box on emblematic cases of extrajudicial executions.

The two additional cases documented by [Justicia, Encuentro y Perdón](#) are:

Entity	Name	Age	Description
Portuguesa	Angel Mora	17	The attack took place during a demonstration in Guanare, Portuguesa, on July 29, in protest against the results of the National Electoral Council (CNE), allegedly beaten by police officials.
Miranda	Carmen Rodríguez	N/A	Arrested after arguing with a pro-government leader in Petare, Miranda state, in the context of a demonstration. Rodríguez's family warned that she suffered from hypertension and that she died after being taken away from her home by state security officers.

It should be noted that all the injuries that caused death occurred during July 29 and 30, so the cases of violation of the right to life that occurred after the election day are concentrated in those two days.

According to Provea another element that serves to understand the rise in the lethality of protests in Venezuela is that, in 2014 of the total number of injured people (1,094) that year, 138 were victims of bullet impacts (12.6%). In 2019, when 984 wounded were registered, 271 of them were gunshot wounds (27.5%), while, in 2024, of the 93 wounded registered by the National Hospital Survey, 40.8% correspond to gunshot wounds.

c.1.1) Emblematic case: "Pimpina" false positive

Nicolás Maduro, in a meeting with journalists from international media, showed a video where a young man said that he had been paid to pretend that he had been killed in a demonstration. He was referring to the case of **Aníbal José Romero Salazar**, with whom he had a certain resemblance. It was quickly discovered that it had been a governmental disinformation strategy to discredit the denunciation of the murder of demonstrators and to criminalize those who demanded the detailed publication of the electoral results. An operation in which different high authorities, state media and influencers linked to the ruling party participated.

[Cazadores de Fake News](#) described that in the afternoon of 07.29.24 the image of a young man bloodied and on the floor had gone viral in the social networks. The victim was identified as **Aníbal José Romero Salazar**, alias "Pimpina". From that moment on, a state strategy was planned to discredit this and the rest of the reports made about people killed in the context of demonstrations.

On 07.31.24, at 1:34 pm, Attorney General Tarek William Saab announces in a press conference: *"[We are investigating these facts as cases of simulation of this punishable fact. As they have had the quality of having cases of alleged peaceful protesters killed, they are simulating punishable facts. \[They are already making serial simulations\]\(#\)](#)*

of punishable acts, identified and imprisoned they are going to go as for example this morbidly obese man who fell to the ground, they put tomato sauce on his face and sprayed it on his face. And then they all laugh after they make the recording. [But among them there are also people](#) who do the bad thing(s) and send it to the Public Prosecutor's Office. The 2nd National Prosecutor's Office was appointed [to investigate this case](#), which will charge those responsible for the crimes of simulation of a punishable act and dissemination of messages that cause anxiety and panic to the population".

At 3:51 p.m. journalist Eligio Rojas, of the pro-government newspaper Ultimas Noticias, [disclosed in a tweet](#): "VIDEO: Albert Giuseppe Salazar Alvarado admitted that he pretended to have been murdered by security agencies, a staging that took place in Las Vegas (Cojedes). "Everything is false because I am in good health", said Salazar Alvarado". In the image on one side the original photo. And on the other a video with a confession of a teenager.

At 4:01 pm Nicolás Maduro [begins an international press conference](#) from the Miraflores Palace. Fifty-eight minutes into the press conference, he declares: "And this whole campaign, moreover, based on what is it called? Fake news - he mispronounces it - that we have already seen in Syria, in Ukraine. Fake News, I don't know if you have seen this Fake news of... there are several and they run around the world. And people see it and believe it. Because it is a laboratory that has a script, laboratory of the terrorist Machado, of the coward Gonzalez Urrutia. It is a laboratory. We are facing the most criminal and dirty conspiracy that we have seen in many times in Venezuela. Then this video was released yesterday, of a supposed young man who had been murdered. Look, what happened? He was not murdered. Look, what happened? Let's play it. -Please, look at the fake news of this tweet. What does it say there that I can't read? Here it is then. I hope you can see it. What happens is that there are people who are watching this transmission by phone. Then it says a guy named Andres Bello Ramirez, I don't know who he is. He says Andres Bello, Caracas, find out who he is. Andres Bello brings out this false positive: a boy on the floor full of blood and they are grabbing his mouth his tongue, as if he is dead. "Vuela alto pimpina." Pimpina is a pseudonym he puts there. "You offered your life for the freedom of our Venezuela, we will not eat soup together anymore, but God will illuminate the way to a free Venezuela. You were not a politician, you had no adversary, your only purpose is a better country. This was in Carapita, Antímano". Many people believe it. Here, in the world. "He was a boy without adversary." "He was a boy from the street." "Poor boy." And And Andrés Bello Caracas, you had to find out who that guy is, you find out immediately, takes out this fake news and tells him "We will never eat soup together again". That moves anybody, right? For them to stimulate hatred and say "Maduro murderer, let's get him.

Here is Pimpina, play the video of Pimpina -appears in a video a

teenager of dark complexion and red shirt, which had been disclosed an hour earlier by journalist Eligio Rojas- *“Good evening, my name is Albert Giuseppe Salazar Alvarado, ID 32.345.894. I live in Cojedes state, Rómulo Gallegos municipality, Las Vegas, Sector Mazatlán 3, 3rd Street, 3rd Street, House Without Number. I would like to inform that through social networks they reported that I had been murdered by the security agencies of the State of Cojedes, when this is totally false because I am in good health”* -end of the video-.

There are several cases like this one, but I am not going to make it too long to present them. We have to make an effort Jorge, Delcy, fellow Chancellor, to expose the truth. So a big attack on Venezuela, they thought “this is a piece of cake, an offensive and they are ready. How much damage they are doing. I said damage and deception. They are the damage to Venezuela. They are not qualified to have political power, to govern this country and they will never, never, never, never reach political power. I assure you. And I know what I am saying. These criminals will never get there”.

At 5:02 pm the pro-government newspaper Ultimas Noticias [publishes a tweet](#) with the “news” of the “false positive”. At 5:17 pm the pro-government influencer [Vanessa Ortiz publishes a tweet](#) with the text: *“María Corina’s circus is over. “We pretended that Venezuelan security agencies had assassinated me, everything is false because I am in good health”*. So confessed Albert Salazar, an opponent used as cannon fodder. He is under arrest”. [Five minutes later](#), the user @DOGDEGA, with the same text. From these first tweets, the interactions of the disinformation campaign were generated, as was graphed by [Cazadores de Fake News](#).

On 08.02.24 [a video of Aníbal’s mother appears](#), claiming the body of her son, which denies the claims made by the authorities:



Anibal Romero’s ID, provided by family members

- *Good morning, ma'am. How are you related to Aníbal?*

- *I am his mother*

- *And where was he born?*

- *In Sucre. He grew up in Los Morros. He went to Caracas to work to help me because I was sick.*

- *And what was his name?*

- *Well, his name was Aníbal José Romero Salazar.*

- *And his nickname?*

- *They called him Pimpina.*

- *Do you have anything to say to the president?*

- *Well, what I want to say to him is that I want him to give me my son's body. My son is five days old and I don't know, I haven't heard anything about him. What I want is for him to give him to me so that I can see him for the last time. This... I am in a lot of pain, I feel very bad and what I am asking you is that you please hand over my son to me.*

- *Today is August 2nd.*

Provea denounced that the young man's body remained in the morgue of Bello Monte in Caracas until Saturday, August 3, when it was handed over to his relatives. As there were no relatives in Caracas, they had to wait several days for the body to be delivered. The efforts made by people close to the family were unsuccessful. According to the information handled by this organization, the alleged perpetrators were officers of the Tactical and Strategic Actions Directorate (DAET) of the Bolivarian National Police.

c.1.2) Emblematic case: Murder of 7 people at San Jacinto Roundabout (Aragua)

On 07.29.24 a case took place in Maracay, Aragua state, which has been described by Provea as "*The massacre of the Redoma de San Jacinto*" or Redoma del Obelisco. Six people were killed when the 42nd Parachute Infantry Brigade fired at demonstrators who were protesting in the vicinity of the military installation adjacent to the redoma. According to the information gathered, both officers of the Bolivarian National Guard and members of the army fired.

The newspaper [Noticias Todos Ahora](#) described the beginning of the demonstration at that point in the city of Maracay as follows:

“The concentrations, in principle peaceful, were detected in different sectors. The ones that reported the highest volume of people in the social networks were those at the Obelisco de San Jacinto, Intercomunal Avenue, at the Libertador Air Base in Palo Negro and Parque Aragua. In the latter, after three o’clock in the afternoon, police and military forces arrived, which broke through the demonstration and remained in place.

In the midst of this spontaneous demonstration, there were groups that intended to burn things; however, they were placated by the same civilians who discarded violence and disturbances. Before 4 o’clock in the afternoon, the demonstrators from Parque Aragua began to move towards the concentration at the Obelisco de San Jacinto due to the blockade at Las Delicias Av. with Casanova Av. which did not allow them to move towards Las Delicias Av.”.

On the other hand, the media [El Periodiquito](#), made the following review:

“Since 2:00 o’clock yesterday afternoon, hundreds of demonstrators gathered in front of this military unit, generating strong confrontations until late at night (...).

In the place of the facts it was known that the demonstrators started the protest with a march which reached the Obelisco traffic circle in San Jacinto, later they started to generate confrontations in front of the Paratrooper Command, meriting the presence of commissions of the Bolivarian National Guard (GNB) assigned to the Anti-riot Brigade.

The demonstrators, some of them hooded, with stones and other blunt objects, attacked the installations of the military unit, using stones and Molotov cocktails, requiring the response of the GNB troops with armored units. Some of them were partially burned and some military personnel stripped of their shields (...)

Later, the demonstrators continued with the siege of the Brigade, stones and Molotov cocktails rained down, later several gunshots were heard and with this, several bullet wounded began to be registered, most of them had holes in the leg, arms and head. The motorized vehicles transported them to the Social Security of San José and the Central Hospital of Maracay (HCM) (...)

A parking lot located next to the Paratrooper Brigade was victim of the Molotov fire, which caused three trucks and two vehicles to be hit by the flames and consumed in their entirety”.

Profiles of the people killed in the San Jacinto Roundabout (Aragua)

Name	Age	Profession	Description	Wound
Jesús Gregorio Tovar Perdomo	21	He studied, worked in the Maracay Wholesale Market as a salesman and was also a barber.	Dies on the spot and at the time of the incident.	Neck
Rancés Daniel Izarra Bolívar	30	Civil engineer graduated from the Universidad Nacional Experimental de la Fuerza Armada (Unefa). He worked in a delicatessen.	He was taken to the Central Hospital of Maracay when he was wounded, but died shortly after arriving at the place. In view of the dramatic situation, the family of the deceased made a request for collaboration to cover the funeral expenses.	Chest
Jesús Ramón Medina Perdomo	56	Worked in the health sector in Maracay.	Dies on the spot and at the time of the incident.	Neck
José Antonio Torres Blanca	S/I	Sergeant of Guardia Nacional Bolivariana	He was wounded during the protest that was taking place at the San Jacinto redoma, where the GNB was repressing the demonstrators. In the midst of the demonstration, a fire broke out coming from the 42nd Army Paratroopers Brigade.	Neck
Anthony David Moya Mantía	20	N/A	He died of spinal shock and was hospitalized at the Intensive Care Unit of the Elbano Paredes Vivas Military Hospital.	N/A
Gabriel Ramos	33	N/A	He was in the front line of the demonstrators, right in front of the 42nd Brigade of the Bolivarian National Guard (GNB). He was wounded in the head and taken to the Central Hospital of Maracay, where he died in the early hours of Friday, August 2.	Head
Andrés Alfonso Ramírez Castillo	36	N/A	He went to protest at the Redoma de San Jacinto, in Maracay, when a shooting began which, according to sources consulted in the region, came from the 42nd Parachute Infantry Brigade. He had several wounds in his body and was taken to the Central Hospital of Maracay, where he was confined for 23 days and was operated five times until he died on August 21, 2024.	Abdomen, neck and legs

Source: [Monitor de Víctimas](#)

According to reports, military officials were firing from inside the brigade's facilities, while GNB officers were potentially firing weapons from a containment operation from the street. Of the 7 fatal victims, 5 of them were shot with the objective of taking their lives, given the area where the wounds were inflicted.

The above seems to ignore the application of norms and principles of the progressive and differentiated use of force, according to the National Experimental University of Security (UNES) Manual itself, available on the website of the [General Police Council](#). The unknown principles were those of proportionality, progressiveness, minimization, instrumentality and differentiation. According to this manual, "lethal

violence” - the last level of the proportional and differentiated use of force - should only be applied “when it is strictly unavoidable in order to protect the life of the police officer and/or third parties”.

It could be argued that, in this case, those who acted were not police officers but military officers, who were not properly trained to apply force according to the police logic of *“preventing, containing, neutralizing and then bringing down the level of confrontation and resistance of the citizen”*, as stipulated by the UNES.



Murdered in the Redoma de San Jacinto (Maracay)

D) Using terror to restrict civic space

d.1) VenApp: Technology for human rights violations

In her 08.28.24 address to the OAS Permanent Council, [Roberta Clarke noted](#), *“The regime has intensified repression in the digital sphere, using technology to profile, monitor and intimidate opponents. The blocking of websites, social networks and instant messaging platforms has been documented. as well as the use of applications that encourage citizens to give information about each other.”*

In this regard, on 07.30.24, during his speech in the so-called *“mobilization in defense of the homeland”*, [Nicolás Maduro announced](#) that *“today a special window will be opened in the VENAPP that we use for the 1x10 of the Good Government, and so that the data of the criminals that have attacked the people can be registered in a confidential manner, and we can go after them so that there is justice”*. [He then added](#): *“the greater the union between the popular, military and police forces, the perfect union in coordination. I have approved and we have to implement a system to search for and capture all the criminals who threatened the neighborhood leaders”*. [Furthermore](#): *“From today and all the days to come, until peace is restored and consolidated, there are two actions to be taken: 1. that the order of military and police patrols in all the cities be complied with; 2. the people mobilized in the streets every day to restore peace, tranquility and normality”*. [Concluding with](#): *“We have captured the criminals, they are convicted and confessed, but we are going after all the criminals and I need the help of the people to get them all”*.

In [May 2022](#), Nicolás Maduro officially launched VenAPP, an application which, as announced at that time, would be used by citizens to make complaints to his government about failures in public services and other requests. [Cazadores de Fake News](#) reported that the application had been created by a company registered in Panama,

which had also participated in the electoral campaign of candidate Jorge Arreaza for the governorship of Barinas. On 07.22.23 [Sara Lárez, commercial manager of VenApp](#), announced that the application had reached 1,700,000 users.

One day after Nicolás Maduro's announcement, the official media informed that the possibility of denouncing demonstrators through the application had been enabled. In a report signed by Yuleidys Hernández Toledo, in [Diario Vea](#) titled *"Here is Venapp! Denounce criminal commanders"* described:

"It is already a fact. In the VenApp application is enabled the window to report criminal and delinquent groups that try to disturb the peace of the country (...) Through Line 58 of the VenApp, the option Denuncia will appear; when you select it, "Guarimba fascista" will appear. Then, in subcategories, you will find 10 options to report looting, damages to public patrimony, alteration of public order, attacks on people, disinformation, theft, closures of public roads, threats, fascist guarimbas, others".

On 08.02.24 [Nicolás Maduro informed](#): *"We have attended to 5 thousand reports of threats to street leaders through the VenApp. Rest assured that one by one we are going to clear them"*.

[Amnesty International questioned](#) the new use of the application in a statement: *"Technology companies set a dangerous precedent with an application to denounce anti-government protesters"*. The text quotes statements by Matt Mahmoudi, director of Amnesty International's Silicon Valley Initiative: *"By encouraging the denunciation of protesters and providing a platform where this can be done on a large scale, the Venezuelan government risks violating international human rights law"*. They added that *"The app has been removed from Google Play and App Store after a massive public outcry, but remains active for those who had already downloaded it on their phones."* As [reported by Observatorio Digital Probox](#) *"On July 31, with the news that VenApp was no longer available on Google Play and Apple Store, the officialist narrative that 'an imperialist power would be censoring it' increased. At this time, the free and uncontrolled distribution of VenApp's APK file was generated, capable of making the application work on devices with Android operating system. This file was shared through different forums"*.

For its part, [VeSinFiltro noted](#): *"The integration of digital platforms to Chavismo's persecution practices follows a decades-long pattern of creating a system of punishments and rewards to obtain social intelligence through accusations of political dissidence, embedded in society through a structure of local party 'street bosses' and snitches known as 'Cooperating Patriots'."*

A digital security expert consulted for this report recalls that before 28J there were already alerts about the potential negative use of the VenApp application: *"There were two lines of criticism: those related to*

cybersecurity and those linked to partisan use or as a tool for capturing Big Data. In the first one there was the doubt that if it is an application linked to the government about whether it delivered cell phone data and they could spy on communications through that application. How safe is a tool of this type? In the second line of questioning if it was an e-government tool, in the hands of an authoritarian government like Venezuela's it could basically be used for many things. Especially for capturing Big Data for electoral purposes, a tool used by the PSUV as well. To capture a large amount of data that can be exploited in electoral situations".

d.2) "Tun Tun Operation", institutionalization of fear

On [May 17, 2017](#), Diosdado Cabello, in his TV show "*Con el Mazo Dando*", invented the phrase "*Operation Tun Tun*" to qualify an arbitrary detention against government dissidents. From then on, he repeated the phrase every Wednesday during his talkshow when he announced the next arrest of a political or social leader of the country. "*Tun tun*" is the onomatopoeia of knocking on a door, which in Venezuela was popularized from the version of the Christmas aguinaldo interpreted by Vicente Emilio Sojo and Antonio Lauro, whose lyrics read "*Tun tun, who is it? People of peace. Open the door, it's already Christmas*".

"*Operation Tun Tun*" was outlined in the [first report](#) of the Independent International Fact-Finding Mission on the Republic of Venezuela, released in September 2020, as follows: "In some cases, government officials announced arrests under Operation Tun Tun against political dissidents, first announced by Diosdado Cabello on his television program "*Con el Mazo Dando*" in reference to the detention of political dissidents and associated individuals ("*tun tun*" imitates the sound of a knock on the door). On June 24, 2017, during a commemorative military event in Carabobo, President Maduro stated that all persons detained during Operation Tun Tun were being tried by military justice and would be "*severely punished*".

On 07.30.24 [Nicolás Maduro announced](#) a series of measures "*to protect the people*", among which was: "The deployment of a special plan 'within the framework of the second phase of Plan República', for the National Armed Forces and the police forces to develop a plan for patrolling and protection of streets, avenues and urbanizations; 'from these violent commando groups', in an interactive plan which, he said, is already known in the past. "Popular, military and police power to the patrolling. I want to see them in the streets until the consolidation of the peace plan", he pointed out".

Since this announcement, the term "*Operation Tun Tun*" became popular among officials and followers of the government to the point that it began to designate all operations to carry out arbitrary arrests in the country. The [ProBox Digital Observatory](#) noted, "*between July 31*

to August 01, Venezuela-based public WhatsApp groups 28 messages in which they mentioned 'Operation Tun Tun' at least once. Underlining the possibility of denouncing neighbors on VenApp. The video accompanying this message, treats opponents as "fascists", "guarimberos" and "terrorists". ProBox developed a social listening project in social networks using key words of the pro-government discourse: "The case of messages with the hashtag #OperacionTunTun, is more alarming, examples were found in which users of X responded to opposition publications with the hashtag to 'mark' those who published content against the government; even, attempts are made to mention the Bolivarian National Intelligence Service (SEBIN)".

On 08.03.24 Diosdado Cabello promoted the hashtag #TunTunLlegóLaPaz from his TV program, in an operation coordinated with other institutional accounts, which according to ProBox accumulated more than **43,000 messages**. In this regard, this [NGO concludes](#):

"Doxxing' is the practice of collecting and disclosing personal information about a person without their consent, often with the intention of harassing, threatening or harming them (...) "Operation TunTun" is, to a large extent, a massive Doxxing campaign, designed to instill dread in the population, and which has been driven mainly by Diosdado Cabello from his personal account on Instagram, as well as from the accounts of his program "Con El Mazo Dando", mainly on X.

In this narrative, the [mockery and exposure of Venezuelans](#) who have expressed their rejection of Maduro in social networks or doubts about the results of July 28 and who participated in demonstrations stands out. It is shown how they were later detained for such publications and how they are made to record videos "apologizing" and assuring that "they were manipulated". All of them are usually accompanied by the hashtags #ComanditosDelTerror and #ElPuebloQuiereJusticia".

As ProBox adds, the messages and videos have been replicated by accounts of military institutions and members of state security forces, "using fragments or audios from horror movies such as 'Game of Fear', '[Chucky](#)' among others". Many of these contents were removed from the platforms after complaints from users, such as a video of the General Directorate of Military Counterintelligence (DGCIM) announcing the opening of a telephone line to denounce citizens. Some publications are still online, [such as this one](#) from the Directorate of Strategic and Tactical Actions (DAET) of Cojedes state. As [counted by Probox](#) "This video has more than 1,900,000 views, 38,500 'likes', 3,484 comments, 3,225 saves and 10,100 shares as of August 15". Other institutional accounts that still have videos published are, for example, those of the [Bolivarian National Guard of Nueva Lucha](#), Zulia State, [accounts linked](#) to the United Socialist Party of Venezuela, [DGCIM](#), [Venezolana de Televisión](#) and the [Anti-Drug Division of the Bolivarian National Police Corps](#). The latter, according to ProBox "was the one that appeared with the highest number of posts sharing photos with 'wanted' notices or

videos of alleged protesters or self incriminating themselves. Of the 56 videos it posted between July 28 and August 9, 24 followed that pattern and reached almost 284,000 views by August 15.”

About this campaign, based on the so-called “Operation Tun Tun” Probox concludes: “This multiplatform operation between pro-government spokespersons, proxy media and civilian and military institutions with the use of: technological applications, publications in social networks (X, TikTok, YouTube, Instagram, Facebook) messaging applications (such as Whatsapp and Telegram) aims to generate #TerrorOnNetworks exposing and persecuting protesters; massifying the threat of imprisoning anyone who questions the announcement of the CNE giving Maduro as the winner during the electoral process”.

However, Diosdado Cabello is not the only high-ranking official to threaten in the media with the application of Operation Tun Tun. On 08.05.24, Nicolás Maduro himself, in a rally, [sang a melody with the following lyrics](#): “Tun tun no seas llorón, vas para Tocarón” (“Tun tun, don’t be a crybaby, you’re going to Tocarón”), which he transmitted live through his social networks (minute 11:37); as did the [Governor of Trujillo](#), Gerardo Márquez.



Moment when Maduro sings “Tun tun, don’t be a crybaby, you’re going to Tocarón”



Examples of the videos released from “Operation Tun Tun”

3.2) CIVIL AND POLITICAL RIGHTS

3.2.1) Citizen security: The chain of command of the post 28-J operation.

On 04.18.24 a [joint resolution](#) was issued by the Ministry of Defense and the Ministry of Interior and Justice in which the Strategic Operational Command of the Bolivarian National Armed Forces (CEOFANB) issues instructions on the security operation to be carried out during the electoral process and subsequent days.

Article 7 of the resolution states that the Bolivarian National Police, as well as the state and municipal police forces, will be *“under the direction, operational control and supervision”* of the CEOFANB: *“Each police force will continue to provide its services to guarantee security in the corresponding jurisdiction, complying with the instructions issued by the CEOFANB”*.

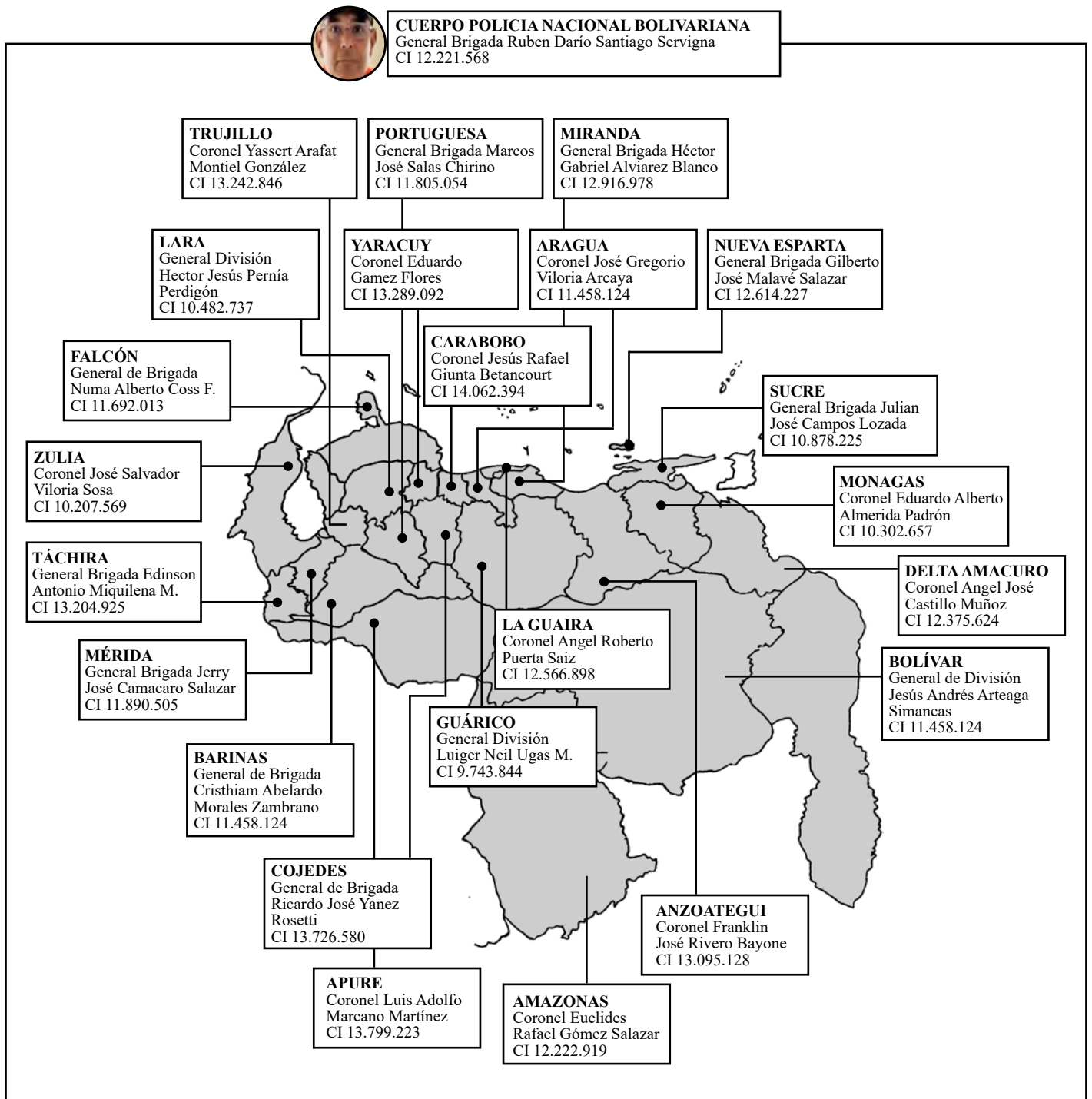
Article 8 adds: *“The Bolivarian National Police Corps and the State and Municipal Police Corps may only intervene or act with the express and specific authorization of the CEOFANB, in coordination with the Ministry of Popular Power for Internal Relations, Justice and Peace, duly communicated through the regular or supervisory channel designated by the CEOFANB”*.

In retrospect, this resolution is important because it describes how part of the citizen security operation implemented immediately after the J-28 elections worked, with its chain of command, as expressed in Article 12: It may *“extend the periods and schedules established in this Resolution, if necessary”*. Article 9 makes an inventory of the FANB officers who would exercise *“the direct direction and supervision of the Bolivarian National Police Corps and the State and Municipal Police Corps”*, under orders of the CEOFANB.

Below is an infographic with the conformation of the leadership in the state police corps:

Chain of command - Bolivarian National Police Corps 28J

(Joint resolution of the Ministry of Defense and the Ministry of Internal Affairs 07/18/24)



A review of the X profile (Twitter) of the officer in charge at the national level of the implementation of the electoral operation of citizen security, the general **Rubén Darío Santiago Sevigna** (@rubensantiagos_), reveals the ideological deprofessionalization of the official. On 04.07.24, the day of the formal start of the campaign, he amplified 6 messages in support of Nicolás Maduro's candidacy, violating the electoral law. 3 of them were RT to [Nicolás Maduro's account](#), 2 to [Jorge Rodríguez's account](#) and 1 of [his own content](#), with the text: *"This is the candidate of the PEOPLE @nicolasmaduro. Venezuela was filled with an extraordinary Chavista tide, all over the country the people came out to celebrate the beginning of the presidential election campaign. The Bolivarian Fury will (sic) arm (sic) this #28Jul"*. From that moment until July 28, it disseminated 51 messages with electoral content supporting the candidate Nicolás Maduro. During the period, some of the messages with their own content reproduced the stigmatizing narrative towards the opposition and violated the electoral regulations: *"[We reject any attempt to destabilize the electoral process of #28Jul](#), the democracy of the Venezuelan people is defended.*

WE WILL NOT ALLOW IT! To doubt is Treason!"; "[We proudly defend the Venezuelan tricolor](#), we are a land of brave people, fighters and who go forward. That's why on #28Jul we vote for the man who has stuck his chest out for his people, we vote for @nicolasmaduro", with an image of the 'Bolivarian Fury'; "[Come on Nico, Venezuela united for a future full of prosperity](#), I vote for the man who dedicates his life to the Venezuelan people. I vote for @nicolasmaduro"; "[We know which is the path that guarantees peace](#) for our Venezuela. We are millions who unite for the popular victory of #28Jul. In perfect union and with all the love for our homeland, I vote for @nicolasmaduro"; "[Faith in a president who day after day is determined](#) to move his country forward. I vote for a president who comes from the people and cares about guaranteeing the good life of Venezuelan families. I vote for @nicolasmaduro".

After July 28 his messages endorsed the results announced by the National Electoral Council ("[We promised you Comandante and we delivered](#), happy 70th anniversary. With 51.20% of the votes of the people #GanóLaPazYLaEsperanza, @nicolasmaduro is the president of the Bolivarian Republic of Venezuela. Congratulations President, count on all the #CPNB to advance in the recovery"), the reinforcement of the stigmatizing narrative ("[Thousands of actas have been found without the respective signatures validating them. Those same minutes that, according to them, give victory to the right wing, are nothing more than a farce](#)") and the justification of repressive actions ("[The guarimbas are not peaceful demonstrations](#), as the violent ones want to make believe. Guarimbas are terrorism, is destruction, is violence. The #CPNB officers strictly stick to Venezuelan laws and defend your safety. #PaísDeOchoEstrellas").

For its part, the resolution established the following responsible parties for the municipal police forces:

Municipal police officers during electoral citizen security operations according to joint resolution of the Ministry of Defense - Ministry of Interior and Justice

Police of the municipality	Name	ID	Grade
Libertador of Distrito Capital	Franklin Martín Melendez Rivas	14.171.984	Colonel
Maracaibo of Zulia State	César Augusto Marcano Dugarte	13.362.495	Colonel
Sucre of Miranda State	Rafael Yastrenky Ludovich Betancourt Rivas	12.160.661	Brigadier General
Chacao of Miranda State	Rafael Yastrenky Ludovich Betancourt Rivas	12.160.661	Brigadier General
Baruta of Miranda State	Rafael Yastrenky Ludovich Betancourt Rivas	12.160.661	Brigadier General
Los Salias of Miranda State	Héctor Gabriel Alviarez Blanco	12.916.978	Brigadier General
Carrizal of Miranda State	Héctor Gabriel Alviarez Blanco	12.916.978	Brigadier General
Guaicaipuro of Miranda State	Héctor Gabriel Alviarez Blanco	12.916.978	Brigadier General

Plaza of Miranda State	Héctor Gabriel Alviarez Blanco	12.916.978	Brigadier General
Zamora of Miranda State	Héctor Gabriel Alviarez Blanco	12.916.978	Brigadier General
Valencia of Carabobo State	Jesús Rafael Giunta Betancourt	14.062.394	Colonel
San Diego of Carabobo State	Jesús Rafael Giunta Betancourt	14.062.394	Colonel
Naguanagua of Carabobo State	Jesús Rafael Giunta Betancourt	14.062.394	Colonel
Maneiro of Nueva Esparta State	Gilberto José Malavé Salazar	12.614.227	Colonel
Mariño of Nueva Esparta State	Gilberto José Malavé Salazar	12.614.227	Colonel
Leonardo Infante of Guárico State	Carlos Javier Pacheco Blanco	12.097.391	Colonel
Maturín of Monagas State	José Rolando Ruiz Muñoz	13.507.813	Brigadier General
Iribarren of Lara State	Orlando Antonio Gomez Crespo	12.694.020	Colonel
Barinas of Barinas State	Gustavo Javier Bustos	12.325.409	Brigadier General
Urbaneja of Anzoátegui State	Franklin José Rivero Bayone	13.095.128	Colonel
Libertador of Mérida State	Jerry José Camacaro Salazar	11.890.505	Brigadier General
San Cristóbal of Táchira State	Edinson Antonio Miquilarena Marcano	13.204.925	Brigadier General

Source: Joint resolution between the Ministry of Defense and the Ministry of the Interior and Justice

3.2.2) Arbitrary detentions

[Nicolás Maduro declared](#) on 07.30.24 that to the arrested demonstrators *“The weight of the law will be applied to them. At least they will spend in jail, at least for the low measure, 15 years as criminals. From 15 to 30 years, the Attorney General tells me here. And this time there will be no pardon. The big heart of forgiveness will be for another time. Not now”*. [Two days later](#), on 08.01.24 he affirmed: *“We have captured 1,200 guarimberos, these criminals, and we are looking for a thousand more. And we are going to catch them. We are going to get them all. They were trained in the United States, in Texas, in Colombia, in Perú and in Chile. The videos are already coming out, where they trained them. And the training was, the way to carry out the attack, they were given an order: “You attack that police module”. They burned more than 300 police modules in the country. Why? The first thing they did was to burn the police module (...) Then they took a video, because this is the cybernetic coup, the first in the history of mankind. They were drunk, drugged, because of the lie they had in their heads. They transmitted everything. And the people, the passers-by recorded them. And with the videos we don’t peel them, we are catching them one after the other. And there will be no forgiveness this time. With my heart as a man of peace and a Christian I say: This time there will be no forgiveness. I am preparing two prisons, which I must have ready in 15 days, they have been under repair. Tocarón and Tocuyito. And all the guarimberos are going to*

Tocorón and Tocuyito, maximum security prisons” In these declarations Maduro established a quota of people to be deprived of liberty, as a mechanism of punishment to inhibit the exercise of the demonstration. On [08.05.24 Maduro added](#): *“With the response capacity of reaction, of the civic-military-police union, we solved the fascist outbreak with the Constitution and in peace. We have captured two thousand prisoners and from there they are going to Tocorón and Tocuyito. Maximum punishment. Justice. This time there will be no pardon, this time there will be Tocorón”*.

As an example of the repressive coordination between the different powers, on 31.07.74 Attorney General [Tarek William Saab declared](#): *“Today we have a tense calm that I am going to explain why we are achieving it. We are achieving it because effectively the arm of justice with the auxiliary organs, with the courts, we have been acting to show that... let’s give some advantage to some... let’s say Venezuelan man or woman living outside the country or the national or international community, who may have some doubt as to what could have happened in 14, 2027. What is happening now, in 2014 and 2017 -was- to instrumentalize also in a paid way, 5, 10, 15, 20 dollars, even little pots of Nutella, so that minors were thrown as cannon fodder for actions of a criminal and vandalic nature, burning of people, burning of property, etc (...) This time you do not see, nobody can point out to me here, that you have seen in these guarimbas, in these brutally negative actions, students, for example, members of some trade union, some social movement protesting, because presumably there has been a fraud. You have not seen peaceful demonstrations (...) what we saw in these fascist attitudes has nothing to do with the peaceful identity of the Venezuelan (...) Unlike what happened in 2014 and 2017 here there is a Public Ministry and there is a justice system that will not allow an escalation that will lead us to embryos of civil war (...) They are detained, then I repeat crying for clemency, but there will be no clemency, there will be justice”*.

A Human Rights NGO reported that *“they have implemented surveillance practices, cell phone searches and detentions or extortion of people by security forces in avenues and airports at national level (...) as well as curfews in areas of popular sectors and concentrations during the days of convocation. This with the intention of generating fear in the population in general and to diminish any expression or public demonstration against the national government”*.

According to data from the *Penal Forum* from July 29 to August 29, 2024 there were **1,590 arbitrary detentions**, of which **1,369** were men (86.1%) and **221** were women (13.9%). When disaggregated by age, 131 were adolescents (8.2%) and 1,459 were adults. The distribution by state is shown below.

Arbitrary detentions from July 29 to August 29, 2024, by state. Sorted by number.

State	Number of arbitrary detentions
Distrito Capital	318
Carabobo	254
Aragua	110
Anzoátegui	108
Miranda	94
Lara	84
Zulia	72
Barinas	69
Nueva Esparta	64
Portuguesa	54
Táchira	52
La Guaira	40
Yaracuy	34
Mérida	33
Guárico	32
Bolívar	31
Monagas	26
Trujillo	26
Apure	25
Amazonas	19
Cojedes	17
Falcón	15
Delta Amacuro	8
Sucre	5
Total	1590

Source: Foro Penal

When detailing arbitrary detentions by police or military body responsible, the distribution is as follows:

Arbitrary detentions from July 29 to August 29, 2024, by police or military body responsible. Ordered by quantity.

Agency	Number of arbitrary detentions
National Bolivarian Police	550
National Bolivarian Guard	523
General Directorate of Military Counterintelligence	108
To be defined	88
State Police	60
Criminal Investigation Directorate (DIP)	45
Bolivarian Intelligence Service (Sebin)	45
Municipal Police	37
Scientific, Criminal and Criminalistic Investigations Corps (CICPC)	23
Unknown	20
Organized Crime Directorate	16
Colectivos	13

National Anti-Kidnapping Command	11
Special Actions Force (FAES)	11
Mixed operation (GNB, Sebin, PNB)	7
Directorate of Intelligence	7
Directorate of Intelligence	6
Policarabobo	5
Directorate of Criminal Investigations	5
GNB/PNB Metropolitan Area	3
National Army	3
Special Actions Group (GAES)	3
Management services	1
Total	1590

Source: Foro Penal

The diversity of the agencies involved in the arbitrary detentions is striking. Almost all police and military institutions detained people after July 29, which can be interpreted as an effort of the entire state security apparatus to comply with the “quota” decided in the Miraflores Palace.

3.2.2.1) Types of arbitrary detentions

According to *Provea*, the arbitrary detentions that occurred after J-28 are classified in two types:

1) Arbitrary mass detentions: people were detained at the time peaceful protests were taking place either because they were participating or were nearby, because they appeared in photographs and videos and then were detained in their residences or workplaces, for having been pointed out by some individuals (*delación*) of having participated in protests. Among the detainees were teenagers and people with disabilities. These mass arrests took place as of July 29.

2) Selective detentions: Targeted at nationally recognized political leaders or regional or community-specific political leaders and activists. The largest number of detainees belong to the political organization Vente Venezuela, Causa R and Acción Democrática. Other persons affected by these arbitrary detentions are media workers arrested while covering the protests or in the days following the protests. These selective detentions occurred after August

3) Comparatively, the daily average of detentions in Venezuela has been the highest in recent years. According to data processed by *Provea* during 2014, between the months of February and May, an average of 28.8% were detained daily. In the 2017 protests, between April and August, an average of close to 17 people were detained

every day by security agents. In 2019, during protests between January and May of that year, about 16 people were detained each day by authorities. In the 2024 Venezuela post-election conflict cycle the average number of people detained, day after day, for 16 days, **rose to 150 people**.

3.2.2.2) Motivations for arbitrary detentions

Provea has diagnosed **12 different situations** for which people have been detained after J-28:

- 1)** For participating in the demonstrations
- 2)** For allegedly being responsible for sabotage to the electrical system.
- 3)** Detention of journalists covering elections or development of protests
- 4)** For attacking electoral centers
- 5)** For recording videos during demonstrations
- 6)** For being political leaders
- 7)** After participating in peaceful demonstrations, when people were on their way to their homes.
- 8)** For carrying out vigil or activities for religious worship as a means of peaceful protest.
- 9)** For placing in their states photographs or messages related to political options other than Madurism, being civil servants.
- 10)** For guarding protesting youths.
- 11)** For approaching to inquire about the situation of detainees, being operators of the justice administration system.
- 12)** For annulment of passports at the migratory point of the International Airport of Maiquetía.
- 13)** For illegal revision of cell phones and according to finding political material, inciting to hatred, among others.
- 14)** For being relatives of political or social leaders, to force them to turn themselves in. This pattern was described by the UN Independent Fact Finding Mission as ["Sippenhaft"](#).

3.2.2.3) Patterns of human rights violations in arbitrary detentions

Provea identified the following repressive patterns in arbitrary detentions:

A) Short-term forced disappearances. The vast majority of the detainees, for several days, had no opportunity to communicate with a family member or a trusted lawyer. Ten days after the detentions, there were still family members who did not know where the detainees were being held. There was no authority to provide information on the names of the detainees and the places where they were being held.

B) Denial to the detainees to meet with a lawyer and to be

represented by a trusted lawyer. All of the detainees were imposed a public attorney (Public Defense) to represent them in the judicial presentation hearing and were prevented from meeting with trusted lawyers. A policy of absolute denial of the right to defense. To date, it is unknown whether the Ombudsman's Office, in accordance with article 15 of the Ombudsman's Office, numbers 1,3,5,6,8,9 and 18, referring to the competencies of this institution, has taken any criminal proceeding as a matter of urgency or carried out any steps necessary for the respect of due process and the right to legal assistance of the detainees.

C) Arbitrary, abusive and massive application of anti-terrorism legislation. The Prosecutor's Office charged all the detainees, including adolescents, with crimes contemplated in the Organic Law against Organized Crime and Financing of Terrorism, approved in Venezuela on April 30, 2012, as well as crimes contemplated in the Constitutional Law against Hate, for Peaceful Coexistence and Tolerance. The crimes charged are: Terrorism, Incitement to hatred, association to commit crimes, obstruction of public roads, resistance to authority and taking advantage of minors to commit crimes.

D) Conducting virtual hearings without individualizing the alleged responsibility of the detainees in acts contrary to the law. Their effective participation in the acts considered criminal, that is, the conditions of their commission and the individualization of their authors and/or participants were not determined. The principle of criminal prosecution was violated, which stipulates that criminal responsibility is very personal and therefore the individualization of the authors or participants and their actions in the investigated act cannot be omitted under any circumstance.

E) Deprivation of liberty of persons with moderate/severe or psychosocial disabilities. This represents a differentiating element from other days of protests in the country since 1989, which contradicts the unimputability established in the Organic Code of Criminal Procedure (COPP) according to Arts. 62 and 130.

In addition to these repressive patterns, there are other elements that must be considered in the context of arrests, court hearings and subsequent sending to prisons.

1- All detainees, regardless of the geographic location where they were arrested, were brought before control courts with jurisdiction over terrorism located in the city of Caracas. The purpose of the virtual hearings, even in Caracas, was to grant to the anti-terrorism courts knowledge of all the cases at the national level. This, in itself, already violates the right to prompt justice without delays, since the courts geographically located in Caracas will hear the cases, even if the detainees are in prisons hundreds of kilometers away and the events have occurred in distant places. Considering that most of the detainees are from low-income families, it is difficult for the families to have contact with the public attorneys located in Caracas and to

have the possibility of receiving information on the development of the proceedings. These judicial proceedings are not only arbitrary and disrespectful of the most elementary norms of the right to defense, but also affect the poorest families.

2 -The detainees were sent to prisons without the relatives being informed with certainty when and where they were transferred, which increased the anguish of the relatives and forced them to travel to different centers to obtain information about the place where their relative was held.

3- As family members have begun to have contact with their incarcerated relatives, they are learning about prison conditions. As of the date of this report, the main complaints of the relatives were related to very bad food, including food in poor condition delivered to the prisoners, alarming shortage of water, no privacy to make physiological needs since the cells do not have a proper bathroom but holes in the floor without the possibility of using water for cleaning.

Consulted for this report, the coordination of the “Comanditos” of witnesses in Venezuela for the electoral campaign of Edmundo Gonzalez, summarized for us the patterns of repression they had observed as follows:

“The main political leaderships, who are generally those who exercise the spokesperson of convocations, political activism and leadership in activities, both national and local, have been victims of the threat of the “tun tun” operation in official media, in presentations that show them as targets and in social networks that threaten to go after them.

Additionally, many others have been the target of raids on their homes or workplaces, with the presence of national police units, DGCIM, Sebin and other state security forces that stand in front of these spaces, in some cases entering the places and in other cases only intimidating.

There have also been interceptions of these people after activities, where units of these bodies intercept the vehicles where they travel to attend or when they leave, they take the person out of their vehicle and disappear without any type of procedure, communication or contact to indicate where they are.

The last situation that has occurred is the fact of delivering summons to people at their homes, where the prosecutor’s office asks them to appear to testify, without further explanation.

There has also been an even more serious situation in which people close to those who are targeted or requested by the security forces are victims of repression, so that these people communicate with their close acquaintance, who is in custody elsewhere, making them leave under the assumption that their close one suffered an emergency or simply with the threat that, if they do not appear, reprisals will be taken against this person.

Along with all this, there has been a situation of extortion where some officials have demanded money in exchange for not arresting the person, this has also been denounced by people who are not political activists or participated in the elections”.

3.2.2.4) Conditions of confinement of detainees

During the first days of detention most of the detainees had been transferred to both men’s and women’s prisons: 1) Centro Metropolitano Yare III Prison, located in San Francisco de Yare in Miranda state; 2) the Centro de Procesados 26 de Julio located in San Juan de Los Morros in Guárico state; 3) the Internado Judicial José Antonio in Anzoátegui, better known as Cárcel de Puente Ayala located in Barcelona in Anzoátegui state; 4) Centro de Formación para Procesadas Femeninas “La Crisálida”, located in Los Teques, Miranda state.

In the case of adolescents in the “*Dr. José Gregorio Hernández*” center, located in the Antímano sector of the Libertador municipality for women and in the attention center in Coche, Libertador municipality of Caracas for men.

Other persons remain detained in preventive detention centers of different police and military agencies in the country, such as Zona 7 de Boleíta in Caracas. Regarding human rights defender Edward Ocariz, he is being held in Tocuyito located in the state of Carabobo. Kennedy Tejada of Foro Penal is being held at the DGCIM headquarters in Valencia.

Another group, especially those who have had political work, are in the headquarters of the intelligence agencies such as the Bolivarian National Intelligence Service (Sebin), the General Directorate of Military Counterintelligence (DGCIM) and the National Anti-Extortion and Kidnapping Command (CONAS) both in Caracas and in the interior of the country.

On Monday 08.26.24 the detainees who were in Yare III were transferred to the penitentiaries that Nicolás Maduro had announced for the detainees in demonstrations: Tocarón and Tocuyito.

3.2.2.5) Searches without warrants

According to complaints received by family members, in cases where homes were raided, the officers did not present a search warrant and in some cases they entered by using violence, affecting not only the detainee but also his family members.

3.2.3) Armed civilians in citizen security tasks

According to data compiled by [Laboratorio de Paz](#), from July 28 to August 29, 2024, at least **184 actions of armed civilian groups** (known as “*Colectivos*”) were carried out, 176 of these interventions, that is, 95.6%, occurred on July 29, 30 and 31, 2024.

The actions occurred in 21 states of the country. Below is the breakdown of the incidents, by entity:

Actions of armed civilians in citizen security tasks after 28J. (Alphabetically ordered by entity).

Entity	Number of actions
Amazonas	01
Anzoátegui	04
Apure	03
Aragua	20
Barinas	01
Bolívar	11
Carabobo	09
Cojedes	03
Distrito Capital	56
Falcón	09
Lara	10
Mérida	03
Miranda	21
Monagas	03
Portuguesa	01
Sucre	03
Táchira	07
Trujillo	02
Vargas	05
Yaracuy	04
Zulia	08
Total	184

Source: Laboratorio de Paz

Regarding the patterns of interventions, the following were found: Raids (4 cases), Assault (60), Impediment of free transit (02), Intimidation (79), Persecution (05), Robbery (14), Looting (02), Kidnapping (17), Vandalism (01).

In the kidnapping pattern, it is presumed that the victims were handed over to security agencies for deprivation of liberty. The case of vandalism, although it is a single situation, is particularly serious. It happened in the parish of 23 de enero, a popular zone in the west of the city of Caracas, in which members of a “*Colectivo*” group [proceeded to mark the facade of a series of houses](#) to identify that they were inhabited by persons identified as opponents to the government, or that they had participated in a demonstration. In the two cases of impediments to free transit, hooded persons set up roadblocks on public roads, where they asked drivers for their documents or to check their

cell phones. Both situations occurred in the city of Caracas, on [Baralt Avenue, Maderero corner](#), and in [Terrazas del Avila](#), which ratifies the coordination of actions with the police and military authorities.

In 11 situations, the attacks by armed civilian groups left people wounded. **In 6**, people were killed (included in the table of people killed in the context of protests).

3.2.4) Labor rights violations

Increase in unjustified dismissals in relation to Election Day. The dismissed workers are being denied due process, even being coerced by security agencies such as SEBIN. The labor inspectorates are not receiving the documentation of those dismissed, leaving them in legal defenselessness and without the possibility of having their benefits liquidated according to their seniority as established in the Organic Law of Labor and Workers. With regard to the career civil servants of the Public Administration, their special procedure is not being respected, as established in the Organic Law of Administrative Procedures (LOPA). The [National Union of Press Workers](#) (SNTP) denounced that at least 40 workers of Venezolana de Televisión (VTV) and Radio Nacional de Venezuela (RNV) have been dismissed for placing “likes” to opposition messages or writing “*fraud*” in their WhatsApp publications. More than one hundred employees of the Venezuelan state-owned oil company PDVSA, in addition to others in the Ministry of Petroleum and other areas of the public sector, [were forced to resign](#) for not endorsing the supposed triumph of Nicolás Maduro. As reported by [Reuters](#), “*employees’ social networks are being closely monitored and anyone who posts anything critical of the current government is summoned by the human resources department. Normally, public sector employees are obliged to participate in pro-government demonstrations, and many of them keep a low profile, preferring to keep their political preferences to themselves.*”

Political persecution has included workers of the justice administration system. On 08.02.24 the dismissal of seven public defenders in La Guaira by Daniel Ramírez Herrera, public defender, [was denounced](#). According to testimonies the public defenders had disobeyed illegal orders such as not to speak or give information to the relatives of those detained in the protests. The dismissed public defenders had reportedly informed the relatives about the situation of the detained youths. [The Public Prosecutor’s Office itself reported](#) that it had dismissed and charged Maglen Marín Rodríguez, Provisional Prosecutor of the Sixth Prosecutor’s Office of the Judicial District of Anzoátegui state for refusing to comply with orders that were not in accordance with the law. According to the official newspaper Ciudad CCS “*Marín refused to carry out the legal process against Alfenis José La Rosa González, Jose Eduardo Malaver Rondón, Luis Antonio Bericote Malavé*”

and Eden de Jesús Naranjo Monasterios, who were prosecuted by another appointed prosecutor”.

3.2.5) Violations of the right to nationality, identity and free transit: Cancellation of passports

After the disregard of the will of the people, expressed last July 28, 2024 in the presidential elections, dozens of persons have denounced the annulment of their valid passports by the Administrative Service of Identification, Migration and Foreigners (SAIME). Prior to that date, it had been denounced that different political and social leaders of the country had had their identity documents annulled as a measure of reprisal and retaliation. However, the recent situation does not seem to follow a clear pattern that could suggest political motivations, except for its massiveness. The cancellation of passports as a measure of intimidation could qualify as one of the “soft” methods of repression denounced by the United Nations Independent Mission for Venezuela.

Despite the massiveness of the measure, which has affected Venezuelans inside and outside the territory, the increase in the situation of repression and persecution for political reasons has significantly limited the collection of information on current cases. As part of the effects sought by the authorities, victims do not want to denounce or have their names appear, even anonymously, in public or private reports on the annulment of identity documents at this time, for fear of further reprisals. Although Laboratorio de Paz has elaborated a private list with 36 cases of political and social leaders, people do not want to make a public denouncement.

3.2.5.1) Rights Violated

The arbitrary cancellation of identity documents such as passports violates 3 rights: Right to nationality, Right to identity and right to free transit.

Right to nationality. Article 15 of the Universal Declaration of Human Rights (UDHR) establishes that everyone has the right to a nationality, in its numeral 1, and that no one shall be arbitrarily deprived of his nationality or the right to change his nationality. The right to nationality is also part of the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Civil and Political Rights; the Convention on the Rights of the Child; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Nationality of Married Women; the Convention on the Rights of Persons with Disabilities; and finally, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Right to identity: Article 56 of the Constitution of the Bolivarian Republic of Venezuela states: “Every person has the right to a proper

name, to the surname of the father and mother, and to know their identity. The State shall guarantee the right to investigate maternity and paternity. Every person has the right to be registered free of charge in the civil registry after birth and to obtain public documents proving his biological identity, in accordance with the law. These shall not contain any mention that qualifies filiation”.

Right to freedom of transit: Article 12 of the International Covenant on Civil and Political Rights establishes that:

- Everyone lawfully within the territory of a State shall have the right to liberty of movement and freedom to choose his residence therein.
- Everyone shall have the right to leave any country, including his own.
- No one shall be arbitrarily deprived of the right to enter his own country.

However, the Covenant clarifies that “The above-mentioned rights shall not be subject to any restrictions except such as are provided by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant”.

3.2.5.2) National legal framework

The regulations governing the issuance of passports in Venezuela are the Partial Regulations of the Decree with Rank, Value and Force of Law for the Reform of the Organic Law of Identification, regarding the Issuance, Renewal and Extension of Passports. This decree was published in Official Gazette No. 42,092 dated March 22, 2021, entering into effect on April 15, 2021.

Article 9 establishes the possibility of annulment of the passport, due to 6 causes:

1. Robbery.
2. Theft.
3. Loss.
4. Substantial deterioration of the document that prevents its use.
5. Alteration, modification or amendment of the data contained in the document.
6. By administrative or judicial order.

The following article of the regulation, number 10, added the possibility of “*Disqualification of the passport*”: “*The judicial order issued by the competent body is a cause for disqualification to obtain a passport*”.

The possibility of annulling or disabling passports was a novelty of the 2021 regulations over the previous regulations. Neither the Organic Law of Identification, corresponding to the year 2006, nor the Passport Regulations, of the year 1974, contemplated this possibility. When any

of the first 5 numerals established in article 9 occurred, the person had to go through the procedure to obtain a new passport. Therefore, it is from the enactment of the 2021 regulation that the annulment of passports by the Venezuelan State is institutionalized.

3.2.5.3) Emblematic Case: Nelson Bocaranda

One of the first known cases of passport annulment occurred on May 17, 2017 when Venezuelan journalist César Miguel Rondón was on his way to an event abroad and was detained at Maiquetia International Airport by SAIME officials, who informed him that his passport and that of his wife, Floralicia Anzola, were annulled due to a *“theft complaint”*. The incident occurred after Nicolás Maduro, on May 16, stated on television that journalists Tulio Hernández and César Miguel Rondón should be imprisoned for *“promoting hatred”*. The following day Henrique Capriles Radonski, former presidential candidate, denounced that his passport was retained and cancelled at the airport when he wanted to travel to New York to meet with the UN High Commissioner for Human Rights.

More than a year later, on September 6, 2018, journalist Nelson Bocaranda denounced through his twitter account that he and his wife had been held for 1 hour at the Maiquetía airport where his passport was retained after informing him that it was *“annulled”*. The Saime officials handed him a *“Document Retention Act”* in which it is stated: *“By means of this document, a document retention act is hereby issued to citizen Nelson José Bocaranda Sardi, passport no. (deleted), identity card no. (deleted) of Venezuelan nationality, since at the time of the immigration check he presented in our SAIME system ‘VOIDED PASSPORT’. The aforementioned citizen was scheduled to board flight AA968 of AMERICAN AIRLINES to MIAMI. Note: The aforementioned citizen was not subjected to physical/verbal abuse or extortion while in this office. ONE (01) VENEZOLAN PASSPORT No. (Deleted)”*.

“We missed the flight. The reservations. The whole trip. Also “for now”, “the passport”, Bocaranda expressed on his Twitter. The next day, September 7, Bocaranda went to the main Saime headquarters, in Plaza Miranda Caracas, to get his passport back. However, he received no response. Ten days later he stated for the newspaper El Universal that he had no explanation from the authorities about his situation. In January 2019 the journalist recorded a video for the Instituto Prensa y Sociedad (Ipys), Venezuela chapter, where he expresses: “the government wants me to feel something that many of them feel: that they cannot go out anywhere (...) to take a passport away from one, or to hold it or whatever they did, they had to have a court order there is absolutely nothing. I felt too much beaten, it affected me and it still affects me the fact that I do not have the freedom to travel. I think it is a whim of someone, or of Maduro himself, or of some official who, in order to harm me and to please the regime, took that as his decision”.

Nelson Bocaranda was able to obtain a passport some time later. However, after some time it has been annulled again.

3.2.5.4) Testimonies

Prior to July 28, the cases of passport cancellation were part of the pattern of emblematic and exemplary punishments against political and social leaders, or “soft” methods, denounced by the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela. The following are testimonies of affected persons from previous years, given the difficulty of obtaining recent testimonies:

(a) Melanio Escobar, journalist and human rights defender.

In 2019 I was performing duties as executive director of the organization Redes Ayuda. That forced me to travel constantly to different countries to attend different international advocacy commitments, conferences, events where the situation of human rights violations in Venezuela was exposed. That work took me to more than 22 countries and to collaborate with institutions such as the International Criminal Court, to give speeches in the European Parliament and other instances of considerable media notoriety. The passport I had, which is the last passport I had, all the pages were full, there was no more space left to stick visas or to put stamps. So I tried to renew the passport through the Saime system, I got an appointment to get a second book. When I went to the appointment, all this in 2019, I was the first one to arrive, they passed me, they sat me in one of the machines with one of the officials, I gave him the appointment. The person who was working at that time could not take pictures of me, could not process the data. She told me that there was an error in the system. I was passed to a second machine. The second officer, the same story. He could not process either. I was passed to a third officer who also could not process and they called the manager of that office, which was the National Guard office located in El Paraíso, Caracas. The official entered the data and, to tell the truth, her face changed. She promised to give me another appointment, she gave me a paper certifying that they were committed, that they were going to call me soon for an appointment, in the next seven days, a situation that never happened. Then, through a contact I was able to make with Saime, I was able to verify that my passport had been annulled. Through another contact I was able to talk to one of the assistants of Gustavo Vizcaíno, the president of Saime, who asked me to pay 7,000 dollars to issue me a passport and remove the annulment, to remove the blockage that the system had. I refused, I decided not to pay that money because I felt extorted by Saime officials. What I had to start doing was to find out what situation I was in. After the conversation with Gustavo Vizcaino’s assistant, the contact who was helping me with the procedures at Saime was able to verify that I was completely blocked, that there was no possibility of getting a new passport under any circumstances. Additionally, I had an “orange alert” imposed by Saime at the Simón Bolívar International Airport in Maiquetía, so I could not transit freely

through that airport to travel anywhere. Orange alert means passport retention. Now through different contacts that I have accumulated over time to help journalists who have been in risky situations, their lives, and have needed to be relocated outside Venezuela I was able to arrange my departure from the country through the same airport and using my annulled passport. Once the departure was coordinated the plan was executed and put into action and I headed for exile in the United States. A situation that I considered was going to be temporary for maybe two or three months while I could fix my situation, but after almost 5 years in exile, it could not be possible even today, the orange alert is maintained, the passport annulment is maintained and I am not able to get any kind of document from my country. This has affected my professional and personal life at all levels, separating me from my family and making it impossible for me to work and earn a living”.

b) S, political activist

S is a young political activist, affiliated to one of the parties of the United Democratic Platform: “They gave me a new passport after the one I had, the last one, which was an extension in February 2022. And then, my first exit as such through Maiquetía was in July 2022 and well, nothing happened to me. Then in the third departure I made in 2022, from Maiquetía, was when I got the first cancellation in my passport. They told me at immigration that my passport was annulled. They were not hostile, what they did was that the policemen saw it and said “No, no, leave it, that is a problem”. I have two hypotheses. There was one person who told me that apparently there were massive passport cancellations at Saime, and others who told me it was for political reasons. So maybe they let me pass, it could have been for both reasons. On the screen it was cancelled for theft. A Chavista said to someone in the party “Tell S that we know he is traveling, we are going to give him a scare at the airport” I don’t have it as an official thing, but well. The issue was more hostile in a departure in March 2023. There at the airport it came out again as cancelled and they became more hostile. I was about to miss the flight, although they didn’t take my quartos or anything. I said that it was cancelled due to theft, that I did not understand what had happened. And since we could not enter the Saime website there, they let me board the plane and I was able to leave. Then I went back and again the police “No, this... Why do you have this passport?” and I said “It’s a cancellation for theft, it was a mistake”. And they told me “Go to the main Saime headquarters and try to correct it”. I was not going to go to the main Saime hall, and they had not managed to unblock me. I made four more exits to the country, but all through San Antonio del Táchira, and what I did was to stamp the entry and exit of Colombia. And I never had any problems, neither in the United States nor in other countries or anything. In February 2024 I was invited to another event, but I was required to leave through Maiquetía, for administrative reasons. Then a person unblocked me in the system, I was able to make my new passport application and I got it in a week. I only had to pay the statutory

200 dollars plus 70 dollars for the unblocking. I left in February, calmly, nothing happened, when I entered absolutely nothing happened, so well, that was my case”.

c) R, journalist

“Well, they finally annulled my passport, they informed me that, for the second time in less than six months, they annulled a document. The first time I managed to get a new document, this second time I don’t think so because I am out of the country. This has been done to other journalists who are inside Venezuela. I was warned that they were going to cancel my passport. I had already received threats that if I continued to say and write the things I write, they were going to retaliate against me. And they have already complied”.

d) LM, human rights defender

“I have had a well-known public profile in the defense of human rights, as well as in the work for the initiation of the investigation on Venezuela by the International Criminal Court. In the month of February 2024 I was informed that my passport had been annulled. When I tried to enter the Saime platform, they had changed my user’s email address to one that I had never had before. At this moment, trying to get a solution, I met a Saime worker who corroborated the cancellation of the document and offered to process me a new passport if I paid him \$2,000. While he was doing this, he told me that I had to stop giving opinions about politics and human rights in my social networks. When he handed me the document he told me “The validity of this passport depends on your behavior”. At that moment I decided to leave the country, by land, to Colombia, without stamping my exit at the Venezuelan immigration office. When I was out, I was informed that my situation had changed and that I was now in “red alert” in SAIME, which meant detention in any migratory point of the country”.

3.2.5.5) The annulment of passports as part of the pattern of soft techniques documented by the UN Mission

On September 20, 2023, the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela released a report to the 54th session of the United Nations Human Rights Council. In that report they established that the repression strategy of the government of Nicolás Maduro was a combination of “hard” and “soft” mechanisms, which “contribute to the state policy of silencing, discouraging and annulling opposition to the Government (...). Taken together, these human rights violations create a state of permanent control, surveillance and fear, and inhibit the development of a robust civic and democratic space in which civil society and political actors can act freely without being subjected to government oversight or coercion”.

In this report, the Mission describes the complementarity of these “hard” and “soft” techniques: “These are two components of an oppressive State apparatus that has been used to varying degrees,

depending on the nature of social dissent and the perception of its influence. On the one hand, during the previous period of massive popular protests in the Venezuelan streets between 2014 and 2019, the more violent “mano dura” tactics were actively used to silence opposition voices at any cost, including through the commission of crimes. On the other hand, the state’s use of “softer” coercive tactics, although present before, has become more recurrent in recent years.”

Before the electoral process of July 28, the patterns of repression were focused and selective. During the protests against the disregard of the popular will, with more intensity during July 29, 30 and 31, the authorities appealed to hard techniques, which they have later complemented with soft techniques, as suggested by the Mission: *“The State’s use of its oppressive apparatus has become more selective, due in part to the chilling effect of its previous efforts to quash dissent, international scrutiny of past violations, as well as the fact that many people fled the country out of well-founded fear of politically motivated persecution. Moreover, once the State’s history of violent repression became widely known, the use of softer coercive tactics carried a latent threat. However, the mission’s investigations demonstrate that, should situations arise in which the authorities deem it necessary, the state still has the capacity to resort to harsher tactics, which it can activate or deactivate at will, as a means of stifling dissent.”*

The cancellation of passports generates an inhibiting effect similar to that of other “soft” techniques recently promoted by the authorities, such as the dissemination of frightening messages through institutional social networks. *Laboratorio de Paz* has spoken with different victims and all of them coincide in their concern about not being able to travel outside the country, feeling watched and controlled, and therefore have decided to limit the exercise of their rights in the civic space. In trying to solve their situation, including the use of “managers” and the payment of bribes, people have decided to lower the profile of their public actions.

3.2.5.6) Conclusions on cancellation of passports

1) The annulment of passports as a punishment measure against political and social dissidence has been used in countries with closed civic spaces such as Nicaragua and, recently, Venezuela.

2) Although cases of passport annulment have been registered in Venezuela at least since 2017, it was the approval in 2021 of the Partial Regulation of the Decree with Rank, Value and Force of Law on the Reform of the Organic Law of Identification, regarding the Issuance, Renewal and Extension of Passports that legally allowed the annulment of passports and generated the regulatory conditions for the institutionalization of the measure.

3) The annulment of passports can be qualified within the patterns of “soft” repression determined by the UN Independent Fact-Finding

Mission for Venezuela. According to a report of this organization, the government combines “hard” and “soft” techniques according to the contingencies and situations it must face, with the objective of neutralizing dissidence.

4) Although different journalists, human rights defenders and civil society leaders have been affected, after June 28, with the cancellation of their passports, the measure has affected ordinary citizens with little public visibility, including Venezuelans with several years living outside the country. Therefore, the only verifiable pattern at this moment is the “massiveness” of the measure, with the objective of generating inhibition and fear in the citizens in the exercise of their rights, including the freedom of expression to denounce the disregard of the popular will.

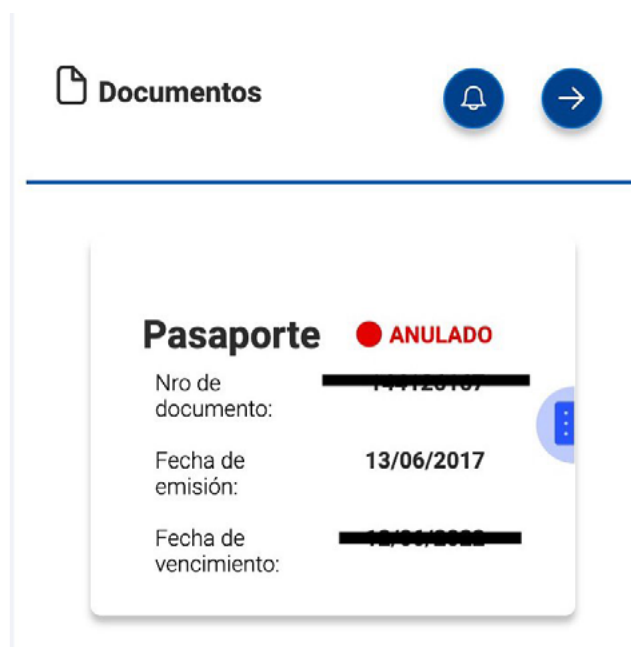


Image of canceled passport Saime platform



Outside Caracas

3.3) Human rights situation in the interior of the country

3.3.1) Emblematic case: State of Yaracuy

Carried out by CAMPO and the Legal Training and Advisory Team of Yaracuy.



3.3.1.1) Context:

In the rural state of Yaracuy, the governing party has had political hegemony since 2013, when they seized power of the governorship and the 14 mayoralties in all the municipalities of the state; a situation that has allowed the governing party to persecute, intimidate and arbitrarily detain citizens for carrying out social protests or anti-government protests carried out in 2016, 2017, 2018, 2019 and 2020. During these years, political activists, human rights defenders, adolescents under 18 years of age, union and trade union leaders, as well as community and social leaders have been detained and persecuted.

In the state of Yaracuy, the presidential elections of July 28th, 2024 were carried out with numerous irregularities; several human rights organizations and political activists reported through different media, since the first hours of the elections, the electoral crimes that were taking place in different municipalities of the state of Yaracuy, especially in the most rural voting centers where there were cases in which witnesses and table members selected and accredited by the CNE could not enter the voting centers for the installation of the tables. Other centers were installed in the early hours of the morning in an arbitrary manner and outside the law with accidental table members with accreditations granted by the CNE, thus not complying with the rules of installation hours and criteria for the order of access for the table members selected by the same electoral governing body, where the main table members have the priority to enter as established by the LOPRE (Organic Law of Electoral Processes).

During the development of the elections there were also reports of "*Morrocoy Operation*" in urban centers and at the closing of the electoral process, most of the polling centers presented problems for the closing of the polling stations as established by law; however, due to the pressure of the citizens, the centers were closing to start the citizen verification process, thanks to the work of the various members of the polling stations, the citizens were able to know the results table by table, center by center. It is worth mentioning: There was a lot of excitement.

An unexpected situation: the machine operators were reporting a failure in the transmission of data at each voting center. They were

seen in different voting centers checking the equipment, looking for some reason for the problem. There was never any mention of hacking. Then, together with the Plan República, they took the electoral material to the GNB (Bolivarian National Guard) commands in the different municipalities, but by that time, it was already an open secret what had happened in each voting center.

3.3.1.2) Post-election Protests 28J

As from the electoral results disseminated by the current president of the National Electoral Council, numerous protests began to become visible in all Venezuelan states and abroad, in rejection of the official information.

Yaracuy was no exception and in this sense, on July 29 to date, thanks to citizen reports, more than 50 protests were registered, being July 29 the day of greatest participation of the different sectors of society, with peaceful protests in the **14 municipalities of the state**, while the State's response was a series of arbitrary detentions by the excessive and disproportionate action of its security forces such as the Bolivarian National Police (PNB,) Bolivarian National Guard (GNB), Bolivarian Intelligence Service (SEBIN) and the Directorate of Preventive Strategic Intelligence (DIEP), among others, being already a generalized pattern in recent years, especially, arbitrarily detaining minors under 18 years of age; situation that had already occurred in 2019, when 11 adolescents were prosecuted.

Among the data we can mention that Yaracuy state presented more than 53 post-election protests, occurred under the following circumstances:

- On July 29 in a spontaneous manner the whole country came out in cacerolazos and in Yaracuy state the **14 municipalities peaceful demonstrations** were held by citizens going through the main streets of the cities and towns with pans.
- On July 29 in the municipality San Felipe **young people were arrested** who were only watching the protests, among them a young man with difficulty hearing and speaking.
- In the municipalities San Felipe, Independencia, Cocorote, Peña and Nirgua on July **29 street blockades** were reported, in Peña and San Felipe there was repression with excessive use of force, a bullet left an 18 year old young man dead in Yaritagua.
- In the municipality Arístides Bastidas a statue of Hugo Chávez was demolished by demonstrators.
- Yaracuy state reported **assemblies and peaceful demonstrations** on July 30, August 3 and August 17 as part of the national call.
- On August 3, **4 citizen demonstrations** were suspended due to repression and intimidation of citizens in the municipalities of Yaracuy state.

- On August **8 there were religious protests called locally** in Yaracuy state, where citizens prayed for Venezuela.
- In Peña on August 17 the Yaracuy state Police did not allow parishioners to pray a rosary for Venezuela.
- Of the **53 protests registered** in Yaracuy **14 of them were religious demonstrations**, which were the most frequent among the last convocations.

3.3.1.3) Deaths and arrests

On the same day 29, the death of 18 year old **Jhon Graterol**, from Yaritagua, Peña municipality, was recorded, due to projectile impact from security officials who proceeded to repress the protests with this type of fatal strategy such as the use of organic weaponry.

- The number of arbitrary apprehensions reached 40, up to the present date.
- Among them, that of four adolescents under 18 years of age.
- Six women.
- One detainee with a disability.
- Two detainees with serious health conditions.
- 35 of those apprehended were male, with an average age of 18 to 20 years old, almost all students and/or athletes.
- In the following days, 6 of these detainees were released without being subjected to trial; it is presumed that some of them went home under economic extortion.
- Two of those apprehended were subject to precautionary measures of periodic presentation, i.e., subjected to criminal proceedings.
- One was released under the benefit of conditional suspension of the process.
- At present, there are 32 young people deprived of liberty, in the investigation stage, among them, 4 adolescents, 3 women, one young person with a disability and one with a serious health condition (asthma).
- Last 08.16.24 there were 7 transfers from the PNB General Command in the city of San Felipe to the Patrulleros headquarters in the municipality of Independencia. The opacity of information has been an obstacle to know the personal data of the transferred detainees.

3.3.1.4) Other harm caused

There is an important number of people who feel threatened, because a large part of the police repression has been against those who acted as members and witnesses at the tables, others because they were near the protest concentrations. In this regard, there have been

publications of posters showing photographs and images of people from at least seven municipalities of Yaracuy state, disseminated through different networks, with logos identifying some police forces, indicating in large letters "WANTED", in order to generate anxiety and psycho-terror.

Members of community organizations have also been used to exercise surveillance and inform on their own neighbors, with the arrests taking place even at night, when people are found in light clothing or in their rooms or beds. This situation weakens the social fabric of the community. In a few days, the system succeeded in making people feel fearful, no longer of what the Miraflores Palace or the state media said, but of the neighbor who might have something against them or their children.

Many students of higher education institutions such as UNEY have had to abandon their regular classes to take refuge, due to the accusations unleashed against them within the university structure, generating the serious risk of losing their courses.

At the labor level, there have been known arbitrary measures of removal from public positions for political reasons. This constitutes a flagrant disregard for the principles and guarantees of non-discrimination, suffrage and the right to demonstrate, as provided for in Articles 21, 40, 62, 63 and 68 of the National Constitution.

One of the most delicate reports has been presented in **6 municipalities of Yaracuy State** where police officers have practiced arbitrary detentions with the purpose of extorting the victims with amounts in dollars, in excess of hundreds and thousands.

3.3.1.5) Procedural situation of detainees

The persons subjected to criminal proceedings were arrested arbitrarily, without meeting the requirements of the national constitution, article 44, which refers to the only two ways in which a person can be arrested, meaning that they were not caught "*in fraganti*" committing a crime, nor was there a judicial arrest warrant against them.

Likewise, they were prevented from appointing trusted attorneys, as established in Article 49, literal a of the Constitution, Articles 126-A and 127.2 of the Organic Code of Criminal Procedure.

They were charged without the existence of a plurality of elements of conviction that would determine the existence of the crimes charged and even less, the participation of the detainees in their commission.

They were not charged by their natural judges, but by non-conventional courts; rather, exceptional courts in matters of terrorism, located in a different venue from the one that corresponds to them, according to the place of their domicile. In contravention of the provisions of Article 49.4 of the Constitution.

This has caused serious harm to the detainees, most of whom lack the resources to travel to the seats of these courts and offices of the public defense counsel imposed in an unconsulted manner, so that family members and detainees are unaware of the real procedural situation of each one, that is to say, if investigation proceedings have been carried out, what the results have been, and if the defense counsel arbitrarily imposed by the State have effectively fulfilled their judicial representation.

In this sense, it is worth mentioning that the relatives have videos, eyewitnesses, publications and other elements to prove the non-participation of the detainees in crimes charged “*against hate*” or provided for in the “*Law against terrorism*”; likewise, they have proof of work, studies, letters of good conduct and residence that demonstrate the territorial roots of the youths and therefore, the danger of flight and obstruction is disproved. However, it is difficult to get it into the hands of the defenders imposed and domiciled in Caracas, since there is no direct communication.

These circumstances demonstrate the serious state of defenselessness in which the detainees find themselves, since the competence of the natural judges for the territory to hear the proceedings instituted against them has been taken away, and instead, assigned to the Courts of Caracas. In this order, it is worth mentioning that the investigation stage that takes place within 45 days after the arrest is the most important, since it is the moment when both the prosecutor and the defense attorney have the opportunity to carry out procedures that will serve to establish the truth of the facts imputed to the detainees, that is, if they are really linked to the crimes attributed or if there are no elements and consequently, they must be exonerated. If there are no investigative movements at this stage, the detainees may be left in a state of defenselessness.

Several of them are at risk of health deterioration due to the fact that, in order to authorize transfers for medical evaluations, the competent courts are those in Caracas and there is no possibility of expeditious communication by the family members or the detainees with the



Protest in Yaritagua. Photo by Jhon Graterol

defense attorneys in the capital of the country, who are the ones who are called upon to manage the necessary steps.

Many of the detainees are athletes and students, and the time spent in detention reduces their athletic conditions and impairs their academic performance.

The four detainees under 18 years of age are not being held in the only Specialized Care Center “*Bachiller Manuel Segundo Álvarez*” in Yaracuy state, which is intended for adolescents in conflict with criminal law, as established in article 549 of the Organic Law for the Protection of Children and Adolescents (LOPNNA). In this regard, there is information that until now they have been held in police facilities for persons over 18 years of age. This does not guarantee their separation from the adult population, as required by the socio-educational principles that govern the criminal process for adolescents.

At the time of writing this report, it is known that the young detainees are being transferred far from the place where they are rooted and have family support, to other states in the country. This affects not only the economic situation of their immediate environment, but also their emotional stability, a fundamental component for coping with their time in detention. It is appropriate to point out that most of the accused come from families with scarce financial possibilities and the damage caused is deepened by these transfers, which are as unconstitutional as the criminal process itself, initiated to the detriment of these young people.

Unprecedented damage

The psychological damage that is being caused to these young people, most of whom have not yet reached adulthood and intellectual maturity, is of such magnitude that the effort for self-improvement and the natural joy of youth, as well as the enthusiasm to outline their life projects, could soon be displaced by fear, frustration, discouragement and depression, as they feel that the prominent future that awaited them before the unjust deprivation of liberty to which they have been subjected is at risk.

The moral destruction that will be caused to society, due to these repressive actions, materialized in unjust detentions, judicial, labor and academic persecutions, as well as in psychoterror and intimidation policies by the authorities of the Yaracuyan region, will be unprecedented and will further aggravate the existing gap between citizens and the state.

3.3.1.7) Emblematic cases:

Ricardo Brito young man with difficulty to speak and hear arbitrarily detained.

Ricardo Brito is a young man with speech and hearing difficulties; he

was arbitrarily detained on July 29, by the Yaracuy State Police, after the electoral results published by the CNE, when citizens went out to protest peacefully. The police officers approached the protest points located in the center of the city and proceeded to arrest people regardless of whether or not they were participating in the peaceful demonstrations. Ricardo Brito was detained while he was sitting on a bench at the “*Nuestra Señora de Lourdes*” promenade watching his cell phone at some distance from the UE Rómulo Gallegos, while observing what was going on. Ricardo is not registered in the CNE, he is not a militant of any party and according to his grandmother’s testimony, he did not participate in the citizens’ demonstration of July 29, 2024.

Ricardo was born with cleft palate and cleft lip, he underwent 5 surgeries and as a defect he was left with a problem of recurrent oozing of fluids that ascends to the front part of the head and to the auditory ducts, for which he continues presenting intense headaches, as well as problems to listen, speak and relate with the environment. It is a young man is under the care of his grandmother who reports that he presents hearing impairment, product of the inflammation that produces the recurrent suppuration, producing moments of stress also generated by the complex of having to deal with his condition of cleft palate, reason for which he requires medical treatments that he did not return to be carried out for lack of economic means.

The place of confinement is a police prison that, by common knowledge, lacks the minimum conditions for the prolonged stay of detainees undergoing criminal proceedings. Therefore, since it is classified as a place of preventive and temporary detention, that is, until the jurisdictional decision that indicates the release or ratifies the deprivation of liberty, it is not given to the judicial system to keep inmates in inadequate places for long periods of time, and by not observing this limitation, overcrowding and other situations endemic and endemic to the country’s criminal justice system are the result of



Ricardo Brito, young man with hearing disabilities detained in Yaracuy on 07/29/24

overcrowding, This leads to overcrowding and other endemic and untidy situations that put Ricardo's health at risk, as he remains with common prisoners of different levels of danger, causing him strong states of fear and depression, as well as sadness due to the separation from the person who inspires him security and trust, that is, his grandmother. The information about her current state of health is that she eats little and is poorly hydrated. Therefore, he requires urgent medical and psychological evaluations.

Ricardo's grandmother, who has been responsible for his care since his birth, claims to have gone to the Ombudsman's Office, where an administrative file was initiated and from where she was subsequently referred to the Criminal Courts, without providing her with proof or documents that accredited the process before that administrative defense body; Therefore, when she went to the headquarters of the Criminal Judicial Circuit of Yaracuy, the recommendation she received was that she should travel to Caracas to obtain information, since it was not possible to inquire about her grandson's case before the local courts, since they did not have jurisdiction in the matter.

The Legal Team of Formation and Counseling of Yaracuy provided orientation and drafted the document requesting the processing of investigation proceedings, as well as the consignment of elements of conviction, such as medical, work, good conduct and residence certificates, CD with video and photographs of his apprehension, for the corresponding expertise of sequence and originality, promotion of testimonies, among others. Currently, the grandmother is preparing the trip to carry out these diligences (useful and pertinent for the clarification of the case) and to inquire about the status of the investigation.

Mónica Martínez Bowen, a mother from Yaracuyan detained in front of her daughters.

Yaracuyan Mónica Martínez Bowen was detained by DGCIM officials on July 30 at 9:00 PM at Maiquetia International Airport in front of her husband and her two daughters, one of them only 10 years old. Monica had scheduled a family trip to Colombia, in order to carry out personal errands, when on the night of July 30, just before entering the plane she was detained.

According to her maternal family tree, she is the granddaughter of the last worker of the Aroa Mines; hence her English surname, since her grandfather was known in Yaracuy as "Coti" Encarnación Bowen, son of English immigrants who came to work in the Aroa Copper mines. Mónica Martínez Bowen is known in her native Aroa as a woman of honorable and respectable family, therefore, her arrest is surprising.

In spite of the opacity with which the judicial authorities have handled

her case, it is known that the lady remains deprived of her freedom in the Women's Penitentiary Center La Crisálida, El Retén sector, in the capital of Miranda.

The brother of Mónica Martínez Bowen denounced in X that the leader was apprehended at the Simón Bolívar Airport, where she had planned to take a flight to Bogotá with her husband and daughters, to carry out personal errands.

She is well known in the state of Yaracuy, especially in Sabana de Parra, where she lives with her family. She was a candidate for mayor in the last elections, to give continuity to her social actions within the most vulnerable communities.

Her mother, Coromoto Bowen, a teacher like Monica, is currently living outside the country and is waiting for a response from the authorities regarding her daughter's case, hoping to see her free again and returning to her usual family and professional routine.

Unconstitutional removal of Ricardo Mendoza from elected office

On July 31, 2024, information was made known about the suspension of Representative Ricardo Mendoza from the position he holds as main legislator of the CLEY (Legislative Council of the State of Yaracuy), for political reasons not contemplated in the internal regulations of the institution, nor in the rest of the national legal system.

According to reports in the digital media, the governor of the state, in his morning speech, made mention of the alleged offenses perpetrated by Deputy Mendoza; So that, hours later of the same day, the majority of members of the legislative body met to comply with the executive order, alleging that the deputy had not complied with the electoral laws by having asked the authorities of the NEC to allow the witnesses to have access to the tally sheets, attributing to him the commission of crimes against the questionable "*Law against hate*".

Mendoza was illegally suspended, without complying with the formalities of the Law and in contravention of the principle of innocence, the backbone of all judicial and administrative proceedings.

3.3.1.8) Other cases of unresolved arbitrary detentions

It is impossible not to mention two emblematic detentions of two native leaders of the state of Yaracuy. On January 23, 2024, within the framework of a rally in commemoration of the date of liberation of our country from the dictatorial regime of 1958, **Luis Camacaro**, Coordinator of the organization Vente Yaracuy, was subjected to forced disappearance and then arbitrarily, illegally and violently taken to criminal proceedings before non-conventional and rather exceptional courts. On the other

hand, in the city of Caracas, the Yaracuyan citizen **Dignora Hernandez** was detained under similar circumstances to those of her party colleague, that is to say, first under circumstances of forced disappearance and then arbitrarily and unconstitutionally subjected to trial.

Both leaders were detained without regard to their human and constitutional rights, such as the right to know the reasons for their arrest, the appointment of a trusted defender, to be tried by their natural judges, to be exempted from criminal liability in the absence of evidence to support a prolonged deprivation of liberty, violating also the guarantee of effective judicial protection, as neither of them had a balanced and transparent justice without undue delays.

To date, the reasons for their arrest and for which they remain deprived of liberty are unknown, suffering the remoteness of their relatives, friends and closest family members, creating a situation of stress and depression for having to face such adverse and undeserved circumstances.

These circumstances generate a reasonable doubt when comparing the procedural situation of these leaders, deprived of liberty since the first quarter of this year, and the situation of the thirty-two detained under similar procedures since a little less than a month ago. It is worth asking the question: Will these young people also have to go through the same unjust and prolonged process that Camacaro and Hernandez are going through?

- Arbitrary detention of Biagio Pilieri.

As a method of repressive action already institutionalized, **Biagio Pilieri**, from Yaracuy, and national coordinator of the Convergencia party, was also subject to arbitrary and unconstitutional detention on August 28 in the city of Caracas, and has been held incommunicado to date, with respect to his family and trusted lawyers, and unknown.

As his procedural situation became clear, Biagio was arrested along with his youngest son Jesús Pilieri and two other people. On August 29, his house, family businesses and other assets were raided in the Bruzual and Paez municipalities. This would be the second arbitrary detention that Biagio and his family have experienced; more than 15 years ago he had also been deprived of liberty when he was a councilor in Chivacoa. On August 31, Mrs. María Livia de Pilieri was in the criminal courts of the city of Caracas demanding the freedom of her husband.

Av. José Martí

Pattern Analysis



4) PATTERN ANALYSIS

4.1) Criteria for the configuration of the crime against humanity of politically motivated persecution and its materialization in the Venezuelan situation.

The following analysis is a summary of an internal document of the organization Justice, Encounter and Forgiveness (JEP).

Since the establishment of the Nuremberg International Military Tribunal to date, international criminal tribunals have considered persecution in all its forms as a serious crime capable of threatening the peace, security and welfare of mankind. For this reason, they have expressly included it within their founding Statutes as a modality of crimes against humanity, thereby encouraging the investigation and prosecution of its perpetrators. Like its peers, the [Rome Statute of the International Criminal Court](#) (ICCPR) includes persecution in the catalog of crimes against humanity and makes it imprescriptible.

According to Article 7, paragraph 2, subparagraph g of the ICCPR, the crime of persecution consists of any *“intentional and severe deprivation of fundamental rights in contravention of international law by reason of the identity of the group or collectivity”*. This definition is complemented by the Elements of Crimes, which requires the fulfillment of five concurrent elements to prove that persecution has indeed taken place. These are: **1)** that one or more persons have been intentionally and severely deprived of their fundamental rights in contravention of international law, **2)** because of their membership of a group or collectivity, **3)** the deprivation being founded on political, racial, national, ethnic, cultural, religious, **4)** the persecutory act was committed in connection with any act referred to in Article 7(1) of the ICCPR or any crime within the jurisdiction of the ICC, **5)** in the context of a widespread or systematic attack directed against a civilian population.

As will be observed, each element of the crime of persecution is duly accredited in the political conflict that has taken place in Venezuela, from at least 2014 to date.

1) That the perpetrator has seriously deprived one or more persons of their fundamental rights in contravention of international law.

For the purpose of determining which deprivations of fundamental rights may constitute persecution, the notion of human dignity reflected in international human rights standards is used as a basis. Thus, the rights protected are understood to be those recognized by international custom or enshrined in international human rights treaties. This includes, among others, the Universal Declaration of Human Rights

(UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights.

The term “*fundamental rights*” thus encompasses a wide range of customary and/or treaty rights, encompassing both civil and political rights and economic, social and cultural rights. If any of these rights is violated in a serious and intentional manner, preventing its holder from enjoying it, without there being any justification for it, the violation is considered to represent a “*contravention of international law*” in the sense alluded to by the first element of the crimes, capable of giving rise to the crime of persecution.

In the Venezuelan situation, the arbitrary conduct of State security agents and “*pro*” government armed civilian groups (*colectivos*) has affected a multiplicity of internationally recognized fundamental rights. In particular, the right to life, personal liberty and personal integrity of all those persons real or perceived as opponents, as reflected in the various reports issued by the OHCHR, the MIDH, JEP and other Venezuelan civil society organizations of recognized trajectory.

a. Regarding the violation of the right to life

JEP has found that, from February 2014 to March 2023, at least 334 people were killed for political reasons in Venezuela at the hands of State security officials and/or collective groups. Of these, a total of 126 victims were killed for actively demanding the release of political prisoners, the holding of free elections, respect for human rights and/or improvements in general living conditions (access to health and food, provision of basic services, wage increases, etc.). Likewise, 50% of the victims identified by JEP, equivalent to 168 people, were killed because they were perceived as opponents by the perpetrators after they were caught near the places where protests were taking place.

In the same period, JEP also documented 40 selective killings against opponents, some of whom were in state custody at the time of death after being arbitrarily deprived of their liberty.

In both groups of victims, the impunity rate amounts to 94.31%. In only 19 cases have the perpetrators been convicted and in all of them the sentences have been directed only against the material perpetrators, leaving out those most responsible, who are not even subjected to investigative processes. Moreover, in at least three cases, the initial legal qualification and the sentence handed down by the judge did not correspond to the seriousness of the facts. All of which shows that such investigations and prosecutions are nothing more than a façade of legality to avoid international scrutiny.

b. On the affectation of the right to liberty and personal integrity.

The organization Foro Penal has documented the arbitrary detention for political reasons of around 15,800 people from January 2014 to December 2023. By April 2024, at least 273 victims continued to

be deprived of liberty. All apprehensions have been practiced under an unlawful pattern consisting of: (i) the omission of a court order supporting the arrest, justifying its absence in the alleged commission of a crime in flagrante delicto; (ii) the imputation of a range of crimes of wide discretion, consisting mostly of treason, agavillamiento, association to commit a crime and incitement to hatred; (iii) repeated violations of due process, including the impossibility of appointing trusted lawyers, coercion to incriminate oneself, undue delays in the investigation and unjustified suspension of hearings; and (v) use of the special jurisdiction against terrorism.

In addition, victims are often subjected to periods of enforced disappearance following their detention. According to the Robert F. Kennedy Center, as of 2019 the use of forced disappearance as a mechanism of repression against real or perceived opponents of the national government has been on the rise. In that year, Foro Penal registered a total of **2,246 persons detained for political reasons**, of which 23%, equivalent to **524 victims**, were subsequently disappeared. In April 2024, the United Nations Working Group on Enforced or Involuntary Disappearances warned of a new upturn in the number of enforced disappearances, especially against citizens exercising their right to freedom of expression, association and participation in matters of public interest. The experts of the Working Group mentioned that most of the victims forcibly disappeared since December 2023 are members of opposition political parties or the military, and warned of the deterrent and hindering effect that this practice could have on the right of the population to vote freely in the presidential elections scheduled for July 2024.

2) That the perpetrator has directed his conduct against that person or persons by reason of the identity of a group or collectivity or against the group or collectivity as such.

When choosing the group or collective against which to direct his arbitrary action, the perpetrator may use two criteria. Positive identification, which consists of the selection of the victims for being part of a specific group or collectivity; and negative identification, which occurs when the perpetrator attacks all those persons who do not belong to a specific group or collectivity.

In Venezuela, the selection of the targeted victims has been carried out using a criterion of negative identification. It is enough that the person is perceived as an opponent, dissident or as a threat to the continuity of the government in power, for his human rights or those of his family to be violated by the State security forces, often acting jointly with groups of armed civilians. Precisely for this reason, the victims of the crime against humanity of persecution in Venezuela are varied in number and kind, involving human rights defenders, members of political parties, students, social communicators, health personnel, military, among others.

3) That the conduct has been directed against these persons on political, racial, national, ethnic, cultural, religious or gender grounds, as defined in Article 7(3) of the ICCPR, or on other grounds universally recognized as unacceptable under international law.

Discrimination is the element that distinguishes persecution from the other crimes against humanity covered by Article 7 of the ICCPR. The list of discriminatory reasons that give rise to this crime may be based on a variety of grounds, including political, racial, national, ethnic, cultural, religious, or gender. Although discrimination may be based on several grounds, to establish the crime against humanity of persecution, it is sufficient that at least one of them is verified.

In the particular case of political persecution, the ICC has recognized that it involves depriving members of a group or collectivity of their fundamental rights because of their political affiliation, whether real or only perceived by the perpetrator.

Persecution in Venezuela is motivated by politically motivated discrimination and has come to affect both real opponents and members of civil society and/or the military perceived as such. This is reaffirmed by assessing two key aspects. First, the anti-government nature that has given rise to the perpetration of the persecutory acts. Secondly, the fact that no activity organized by “pro” government individuals has been violently dispersed by the national authorities, despite its similarity to those organized by the sector perceived as opposition. Nor were there any violations of the rights to physical integrity, personal liberty, freedom of association, assembly or expression against these individuals by State security forces or collectives. Hence, the distinction made by the government on political grounds between people who support its political ideology and those who do not, directing its arbitrary actions only against the latter, can be clearly evidenced.

4) That the persecutory act was committed in connection with any act referred to in Article 7(1) of the ICCPR or with any crime within the jurisdiction of the ICC.

The requirement of the so-called “connectivity element” has generated great controversy in international law, as it has been considered by the International Criminal Tribunal for the Former Yugoslavia (ICTY) as contrary to international custom. However, since it is expressly mentioned in Article 7(1) of the ICCPR, its accreditation is indispensable for the ICC to be able to assert its jurisdiction.

In this sense, the persecutory act, i.e. the intentional and serious violation of the fundamental right, must be connected to any of the forms of crimes against humanity set forth in Article 7(1) of the ICCPR (e.g. murder, enforced disappearance, imprisonment) or to any crime within the jurisdiction of the ICC (genocide, war crime or aggression). Circumstances that may arise in two ways:

1. Through the intentional and serious violation of fundamental rights executed through acts that coincide with those set forth in the ICCPR.

a. For example, in a context in which those who profess a different political ideology from those in power are killed, the killing (conduct foreseen as a crime against humanity in Article 7(1)(a) of the ICCPR) would, in turn, constitute the intentional and serious deprivation of an internationally recognized fundamental right (the right to life). This would automatically establish the connecting factor.

2. Through the intentional and serious violation of fundamental rights carried out through acts other than, but in connection with, those identified in the CCPRRS

a. For example, the unjustified prohibition of a group or collectivity from accessing employment or educational opportunities, the appropriation or destruction of their property, the unjustified denial of their participation in public affairs, the violent dispersal of peaceful demonstrations, etc. Although such acts are not expressly mentioned in the ICCPR, when committed in connection with one of those provided for therein, they will give rise to the crime against humanity of persecution.

Thus, for example, the unjustified expropriation of property belonging to members of a group opposed to the government in power, resulting in the death of one of them, would constitute persecution by means of appropriation of property (serious deprivation of the fundamental right to property) in connection with murder (conduct foreseen as a crime against humanity in Article 7(1)(a) of the ICCPR).

Almost all of the intentional and serious violations of fundamental rights committed in Venezuela due to political persecution can be subsumed under more than one act set forth in Article 7(1) of the ICCPR. Namely, murder, imprisonment, torture, enforced disappearance, rape or other forms of sexual violence, forced displacement and other inhumane acts. Hence, the element of connection is proven.

5) In the context of a widespread or systematic attack directed against a civilian population.

Finally, to distinguish the crime against humanity of persecution from a human rights violation, the fifth element of the crimes requires that the persecutory act be committed in the context of an attack, generalized or systematic, against the civilian population in implementation of a plan or policy, of which the perpetrator must be aware. In the Venezuelan situation, all of these elements are present.

a. There is an attack against the Venezuelan civilian population.

The definition of attack encompasses any campaign or operation, not limited exclusively to acts of a military nature, committed against a civilian population, that is, one that does not belong to the armed forces of the State or to any other combatant group. In order to accredit

this element, it is not necessary that the entire population of a given geographical area be the object of the attack, but it is necessary that the civilian population be the main target of the attack.

Since at least February 2014, Venezuela has been facing a context of politically motivated violence, the lethality of which has been increasing over the years, reaching a higher level after the disregard of the popular will expressed on July 28, 2024, as described in this report.

b. The attack is both widespread and systematic

According to Article 7, paragraph 1 of the ICCPR, the attack against the civilian population must be widespread and/or systematic in nature. The jurisprudence of the ICC has interpreted these elements as being in a relationship of alternativity. In other words, the attack may be only generalized or systematic, without the concurrence of both being necessary, although not exclusive.

Regarding the generalized element, its accreditation depends on two major factors, namely, the scale of the attack and the number of victims. Thus, it will be understood that an attack is of this nature when it is committed massively and frequently against multiple victims. This circumstance could result either from the joint effect of several inhumane acts or from the individual effect of a single large-scale inhumane act.

For its part, the systematic element refers to the organized sequence of the acts and the impossibility of their random occurrence. Thus, the existence of a criminal pattern, understood as the constant repetition of a criminal conduct, is a characteristic that makes it possible to prove this element.

The attack directed against the Venezuelan civilian population has been both generalized and systematic. Generalized to the extent that the intentional and serious violations of fundamental rights that form the basis of the crime of persecution (i.e. murder, imprisonment, torture, forced disappearance, forced displacement, etc.) have been carried out throughout the country, which allows categorizing it as a large-scale attack.

Moreover, the attack was massive to the extent that it resulted in a large number of affected victims. For example, between 2014 and 2023, at least 334 people were killed for political reasons and around 15,800 were arbitrarily detained. Similarly, 573 cases of torture and other cruel, inhuman and degrading treatment, practiced against opposition victims in state custody, have been recorded. However, given the absence of official data and the lack of confidence of the victims to file formal complaints, it is highly probable that the real number of victims is higher.

In the same vein, the systematic nature of the attack is also accredited to the extent that the national government, acting through the security

forces, public authorities, individuals in positions of command and allied governmental groups, has implemented a pattern of intentional and serious violations of the fundamental rights of those who in a real or merely perceived manner are considered dissidents to its partisan ideology. As the IACHR has pointed out, this pattern has taken the form of multiple acts of harassment, including the removal of dissident politicians from public office, political disqualification through administrative acts, violation of immunity, interference in public functions, irregular searches of private property, stigmatizing pronouncements by senior government officials against members of the opposition, and acquiescence in violent acts against those who express dissent.

Similarly, the National Executive has taken advantage of its control over the Parliament and the Judiciary to dictate laws for persecutory purposes which are subsequently applied by prosecutors and judges to give legitimacy to the arbitrary actions of state agents. In this sense, the creation of the Special Jurisdiction against Terrorism and the Constitutional Law against Hate, for Peaceful Coexistence and Tolerance stand out for their indiscriminate and politicized use. The role of the justice system in fostering and sustaining political persecution has been of such magnitude that the MIDH dedicated one of its reports to analyze exclusively the scope and effects of its intervention.

c. The attack has been committed as part of a plan or policy put in place by the national government.

In accordance with the introductory paragraph of Article 7, paragraph 3 of the Elements of Crimes, it is understood that the attack against the civilian population has been committed as part of a plan or policy of the State when the State actively promotes or encourages it. These circumstances may occur through the State's action or deliberate failure to act, provided that it is consciously directed at inciting such an attack.

On this point, the ICC has taken into account a number of factors to consider the aforementioned element satisfied. These include that the attacks are planned, directed and organized, that public resources are used to carry out the policy, that State agents participate and that violence is used as a pattern of conduct.

In the Venezuelan situation all these elements are verified. In the first place, the attacks directed against the Venezuelan civilian population perceived as opponents have followed a criminal pattern that makes evident the level of planning, direction and organization employed in their implementation. This circumstance is evidenced by the coordinated action of the different perpetrators, which has resulted in the application of the pattern referred to in previous paragraphs.

Secondly, it is observed that all the attacks perpetrated have involved the participation of officers belonging to the State security forces, attached to the SEBIN, the DGCIM, the Special Action Forces (FAES) -

later converted into the Directorate of Strategic and Tactical Actions (DAET), the GNB and other units of the FANB, the PNB and the Scientific, Criminal and Criminalistic Investigations Corps (CICPC). As previously stated, all of them have had the support of the different public powers, especially the Judiciary.

Furthermore, such illegal actions have usually been encouraged by high-ranking State officials, including the President of the Republic himself, the Minister of Defense and the Minister of the Interior, who have often publicly expressed their agreement with the agents participating in the repressive operations against the opposition population. They have even gone so far as to decorate and promote them in State events.

All of the above allows affirming that, since at least 2014 and intensified in this year 2024, in Venezuela there is a context of generalized and systematic attack against the civilian population, particularly against those considered as opponents to the government of Nicolás Maduro. In this context, several crimes have taken place, being the persecution for political reasons the transversal axis of all of them.

4.2) Venezuela: Systematic Application of State Terrorism

By 08.30.24 a number of 6 communications from the Inter-American Commission on Human Rights (IACHR), the highest regional body on the subject, referring to Venezuela after the post-electoral crisis characterized the actions of its authorities as “*State terrorism*”. What do we mean when we use this concept?

As Raúl Carnevali Rodríguez expresses in his text [“State terrorism as a violation of human rights”](#), the term “*terrorism*” has been the subject of an endless debate, in which its contours have not yet been fixed in a general conceptual framework agreed upon internationally: “*Proof of this -says Carnevali-, is the Inter-American Convention against Terrorism of 2002, which is rather aimed at urging States to adopt cooperation measures, referring to international instruments to specify what terrorist crimes are*”. So far, [19 legal instruments](#) have been adopted to combat terrorism, but all of them deal with the actions of non-State actors. Although the term “*State terrorism*” has historically been used, it has not been defined by any international instrument, “but it expresses a special context, namely, when the use of violence against its population is carried out by the State itself, either through its own agencies or through parastatal groups”. It should be clarified that [Resolution 2625 \(xxv\)](#) of the United Nations General Assembly of October 24th 1970, which contains the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, mentions the term “*State Terrorism*”. However, the concept of State terrorism implicit in this declaration is the organization, encouragement or instigation of such activities directed against another State.

Carnevali notes that, not being a legally delimited term, the qualification of “*State terrorism*” could refer to when the State uses systematic terrorization as a method of controlling the population, it could be in the presence of crimes against humanity.

[Jose Zalaquett](#) points out that terrorism is an insurrectional strategy, rather than an ideology, so it would make more sense to describe terrorism by focusing on the terrorist actions, rather than the organization undertaking such actions. Citing Walter Laqueur, he lists 5 elements that would be common to terrorist operations:

In the [judgment on the Case of Goiburú et al. versus Paraguay](#), of September 22, 2006, the Inter-American Court of Human Rights describes as “*State Terrorism*” the policy carried out during the dictatorship of Alfredo Stroessner in which the executive branch was in charge, using as tools the Executive Branch, the Ministry of the Interior, the Police Headquarters, the Armed Forces and the Judicial Branch in the detention and systematic torture of persons opposed to the government. Let us quote the judgment: “*The State agents not only seriously failed in their duties to prevent and protect the rights of*

the alleged victims, enshrined in Article 1(1) of the American Convention, but also used the official position and resources granted by the State to commit the violations. As the State, its institutions, mechanisms and powers should have functioned as a guarantee of protection against the criminal actions of its agents. However, there was an instrumentalization of State power as a means and resource to commit the violation of the rights that should have been respected and guaranteed (...) In other words, the State became the main factor in the serious crimes committed, thus creating a clear situation of "State terrorism".

In the sentence, Judge Sergio García Ramírez explains his vote, giving a suggestive conceptualization of the term: *"State terrorism means that the State becomes terrorist, sows fear and alarm in the population, causes anguish that seriously disturbs peace in the heart of society. State policy implies that the State itself - a complex and diverse entity, which is certainly not a physical person, an individual, nor can it be summarized in a criminal gang - assumes a plan and develops it through certain conducts that are disciplined to the purpose and strategy designed by the State itself".* It goes on to add: *"use of power and of the means and instruments available to those who wield it, aimed at committing crimes. The expression "State policy" can be examined in a similar way, which implies a consensus, social and political participation, a generalized, or perhaps unanimous, admission, generated through aims, goals and agreements".*

[In 1990](#), the Inter-American Commission on Human Rights (IACHR) issued a warning about the use of State terrorism justified precisely by the fight against terrorism: *"The other phenomenon that led the Inter-American Commission on Human Rights to specify the legal framework for its actions in relation to terrorism was the frequent use of terrorism by governments that the Commission had found to be carrying out massive and systematic violations of human rights. Thus, for example, governments such as those resulting from the coup d'état of September 11, 1973 in Chile or March 26, 1976 in Argentina -to cite just a few cases- argued that their actions were due to the need to confront terrorist actions".*

State Terrorism in Venezuela in the year 2024

On 08.15.24 the first communication of the IACHR appears pointing out the existence of this phenomenon from the crisis caused by the disregard of the popular will: ["IACHR and RELE condemn State terrorism practices in Venezuela"](#). In a particularly harsh tone, reflecting the seriousness of the situations diagnosed, the IACHR stated: *"The regime in power is sowing terror as a tool to silence the citizenry and perpetuate the authoritarian regime in power"*. Recalling as background Nicolás Maduro's announcement of a *"bloodbath"* if he lost the elections, they indicated: *"This announcement had the objective of instilling terror in the population and generating a paralyzing effect on citizen participation in*

the process". The text alluded to the publicity given to the frightening messages: "An official propaganda campaign is observed that combines elements of terror, including actions of cyber patrolling by intelligence agencies, arrests and production of contents that exhibit critical people as criminals, who would be forced to issue messages of repentance as exemplary acts and public scorn."

In its conclusions, the communiqué stated: "The practices of state terrorism perpetrated by the current regime and observed by the Commission are not only aimed at the persecution of specific sectors, but also generate a climate of fear and intimidation among the Venezuelan population. Practices that consolidate the denial of the right to political participation. This, in a context of absolute lack of protection and vulnerability in the face of abuses of power for which there is no recourse for protection, since the control agencies respond to the regime and are part of the repressive strategy of the State". In the recommendations they demanded "to cease, immediately, all patterns of repression and practices that seek to generate terror in their own population."

On August 23, 24, eight days later, a second communiqué appeared signed by the Special Rapporteur for Freedom of Expression (RELE): "[RELE alerts the international community about the arbitrary detention of journalists and the criminalization of dissidence in Venezuela](#)". In the text they ratify what was previously said: "RELE condemns the abuse of power of the Venezuelan regime, which uses institutional mechanisms to silence and repress those who criticize or dissent, especially in relation to the electoral process. These practices of institutional violence and State terrorism are not only aimed at the persecution of specific sectors, but also establish a climate of fear and generalized intimidation, with the objective of perpetuating the authoritarian regime in power".

The IACHR then used the term State terrorism to justify the precautionary protection measures in favor of [Américo De Grazia](#), [Carmen Leonor García Azuaje](#) and [Freddy Superlano](#). Likewise, to request the [end of the persecution against](#) human rights [defenders](#) in Venezuela.

According to all the elements presented above, there is sufficient evidence to sustain that, in a coordinated manner, at different levels of the administration, state power was used as a means and resource to commit, in a systematic and generalized manner, human rights violations. The government, through its dignified spokespersons, announced the implementation of a plan, "the second phase of Plan República", which it developed with the objective of violating the law and repressing, at any cost, dissidence and criticism. Repression, at all levels, was a state policy implemented unanimously by state and para-state agents.

The [5 elements](#) cited by Chilean human rights defender José Zalaquett, as constituting a terrorist action, were fulfilled in the actions of the authorities after J-28:

- a)** The use or threat of the use of force.
- b)** Such use or threat is a means of combat or an element in a strategy to achieve certain objectives.
- c)** The purpose is to induce a state of fear in the victim(s)
- d)** The force is used without any consideration, or such use does not conform to humanitarian standards
- e)** Publicity of the acts is an essential element.

4.3) Regime of exception by way of facts

According to available information 76 articles of the Constitution of the Bolivarian Republic of Venezuela are systematically ignored at all levels of public administration. This means that **21.7% of the Magna Carta has been repealed by de facto means**, thus transforming the government into a de facto regime.

Articles of the Constitution repealed by way of facts

Number	Text
Art. 02	Venezuela is a democratic and social State based on the rule of law and justice, which upholds life, liberty, justice, equality, solidarity, democracy, social responsibility and, in general, the preeminence of human rights, ethics and political pluralism as the highest values of its legal system and its actions.
Art. 03	The essential purposes of the State are the defense and development of the individual and respect for his dignity, the democratic exercise of the will of the people, the construction of a just and peace-loving society, the promotion of the prosperity and welfare of the people and the guarantee of compliance with the principles, rights and duties recognized and enshrined in this Constitution.
Art. 05	Sovereignty resides non-transferably in the people, who exercise it directly in the manner provided for in this Constitution and the law, and indirectly, through suffrage, by the organs that exercise the Public Power. The organs of the State emanate from the sovereignty of the people and are subject to it.
Art. 06	The government of the Bolivarian Republic of Venezuela and of the political entities that compose it is and will always be democratic, participatory, elective, decentralized, alternative, responsible, pluralistic and with revocable mandates.
Art. 07	The Constitution is the supreme law and the foundation of the legal system. All persons and the organs that exercise the Public Power are subject to this Constitution.
Art. 19	The State shall guarantee to every person, in accordance with the principle of progressiveness and without any discrimination whatsoever, the unrenounceable, indivisible and interdependent enjoyment and exercise of human rights. Their respect and guarantee are obligatory for the organs of the Public Power in accordance with this Constitution, with the treaties on human rights signed and ratified by the Republic and with the laws that develop them.
Art. 20	Every person has the right to the free development of his personality, with no other limitations than those deriving from the rights of others.
Art. 21	All persons are equal before the law; consequently 1. Discrimination based on race, sex, creed, social status or any other grounds which, in general, has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of the rights and freedoms of all persons, shall not be permitted. 2. The law shall guarantee the legal and administrative conditions for equality before the law to be real and effective (...).
Art. 23	Treaties, covenants and conventions relating to human rights, signed and ratified by Venezuela, have constitutional hierarchy and prevail in the internal order, to the extent that they contain rules on their enjoyment and exercise that are more favorable than those established by this Constitution and the laws of the Republic, and are of immediate and direct application by the courts and other organs of the Public Power.
Art. 24	No legislative provision shall have retroactive effect, except when it imposes a lesser penalty (...). When there are doubts, the norm that benefits the defendant shall be applied.
Art. 25	Any act dictated in the exercise of the Public Power that violates or impairs the rights guaranteed by this Constitution and the law is null and void, and the public officials who order or execute it incur in criminal, civil and administrative liability, as the case may be, without being excused by superior orders.
Art. 26	Every person has the right of access to the organs of administration of justice to assert his rights and interests, including collective or diffuse ones, to the effective protection thereof and to promptly obtain the corresponding decision. The State shall guarantee free, accessible, impartial, suitable, transparent, autonomous, independent, responsible, equitable and expeditious justice, without undue delays, without formalities or useless reinstatements.
Art. 27	Every person has the right to be protected by the courts in the enjoyment and exercise of constitutional rights and guarantees, even those inherent to the person that do not expressly appear in this Constitution or in international instruments on human rights.
Art. 28	Every person has the right to access information and data about himself or herself or his or her property contained in official or private records, with the exceptions established by law, as well as to know the use made of them and their purpose, and to request before the competent court the updating, rectification or destruction of such data, if they are erroneous or illegitimately affect his or her rights. Likewise, it may access documents of any nature containing information whose knowledge is of interest to communities or groups of persons.

Art. 29	<p>The State shall be obliged to investigate and legally punish crimes against human rights committed by its authorities.</p> <p>Actions to punish crimes against humanity, serious human rights violations and war crimes are imprescriptible. Human rights violations and crimes against humanity shall be investigated and tried by the ordinary courts. Such crimes are excluded from benefits that may entail impunity, including pardon and amnesty.</p>
Art. 30	The State shall have the obligation to fully compensate the victims of human rights violations attributable to it, or their successors in title, including the payment of damages (...)
Art. 31	Every person has the right, under the terms established by the treaties, covenants and conventions on human rights ratified by the Republic, to address petitions or complaints before the international bodies created for such purposes, in order to request the protection of his human rights.
Art. 43	The right to life is inviolable. No law may establish the death penalty, nor may any authority apply it. The State shall protect the life of persons deprived of their liberty, performing military or civilian service, or otherwise subject to its authority.
Art. 44	<p>Personal liberty is therefore inviolable:</p> <p>1. No person may be arrested or detained except by virtue of a court order, unless caught in flagrante delicto. In this case he shall be brought before a judicial authority within a time not exceeding forty-eight hours from the time of arrest. She shall be tried at liberty, except for the reasons determined by law and appreciated by the judge in each case. The provision of surety required by law for the release of a detained person shall not give rise to any tax.</p> <p>Any detained person has the right to communicate immediately with his or her relatives, lawyer or person of his or her confidence, and these, in turn, have the right to be informed of the place where the detained person is being held, to be notified immediately of the reasons for the detention and to have a written record made in the file of the physical and mental condition of the detained person, either by themselves or with the assistance of specialists. The competent authority shall keep a public record of all arrests made, including the identity of the person arrested, the place, time, conditions and the officials who made the arrest. With respect to the detention of foreigners, the consular notification provided for in international treaties on the subject shall also be observed.</p> <p>3. The sentence may not extend beyond the convicted person. There shall be no life sentences or infamous sentences. Sentences of deprivation of liberty shall not exceed thirty years.</p> <p>4. Any authority that executes measures of deprivation of liberty shall be obliged to identify itself.</p> <p>5. No person shall continue to be detained after an order for release has been issued by the competent authority or after the sentence imposed has been served.</p>
Art. 45	The public authority, whether civil or military, even in a state of emergency, exception or restriction of guarantees, is prohibited from practicing, permitting or tolerating the forced disappearance of persons. The official who receives an order or instruction to practice it, has the obligation not to obey it and to report it to the competent authorities. The intellectual and material authors, accomplices and accessories to the crime of forced disappearance of persons, as well as the attempt to commit the same, shall be punished in accordance with the law.
Art. 46	<p>Every person has the right to respect for his physical, mental and moral integrity, consequently:</p> <p>1. No person may be subjected to punishment, torture or cruel, inhuman or degrading treatment. Any victim of torture or cruel, inhuman or degrading treatment practiced or tolerated by agents of the State has the right to rehabilitation.</p> <p>All persons deprived of their liberty shall be treated with the respect due to the inherent dignity of the human person.</p> <p>4. Any public official who, by reason of his or her position, inflicts physical or mental mistreatment or suffering on any person, or who instigates or tolerates such treatment, shall be punished in accordance with the law.</p>
Art. 47	The domestic home and all private enclosures of persons are inviolable. They may not be searched except by court order, to prevent the commission of a crime or to comply with the law, the decisions of the courts, always respecting the dignity of the human being (...)
Art. 48	The secrecy and inviolability of private communications in all their forms is guaranteed. They may not be interfered with except by order of a competent court, in compliance with legal provisions and preserving the secrecy of private matters unrelated to the corresponding process.

Art. 49	<p>Due process shall apply to all judicial and administrative proceedings; consequently:</p> <ol style="list-style-type: none"> 1. Defense and legal assistance are inviolable rights at every stage and degree of the investigation and the process. Every person has the right to be notified of the charges for which he is being investigated, to have access to evidence, and to have adequate time and means to exercise his defense. Evidence obtained in violation of due process shall be null and void. Any person found guilty shall have the right to appeal the verdict, with the exceptions established in this Constitution and the law. 2. Every person is presumed innocent until proven guilty. <p>Every person has the right to be heard in any kind of proceeding, with due guarantees and within a reasonable time as determined by law, by a competent, independent, and impartial tribunal previously established. Anyone who does not speak Spanish or cannot communicate verbally has the right to an interpreter.</p> <ol style="list-style-type: none"> 4. Every person has the right to be tried by his natural judges in the ordinary or special jurisdictions, with the guarantees established in this Constitution and in the law. No person may be put on trial without knowing the identity of the person who is trying him, nor may he be tried by courts of exception or by commissions created for that purpose. 5. No person may be compelled to confess guilt or testify against himself or herself, his or her spouse, concubine, or relative within the fourth degree of consanguinity and second degree of affinity. The confession shall only be valid if it is made without coercion of any kind. 6. No person may be punished for acts or omissions that are not foreseen as crimes, misdemeanors or infractions in pre-existing laws. 7. No person may be tried for the same acts for which he has been previously tried. 8. Any person may request from the State the reestablishment or reparation of the legal situation injured by judicial error, unjustified delay or omission.
Art. 50	<p>Every person may move freely and by any means through the national territory, change his domicile and residence, leave the Republic and return, move his goods and belongings in the country, bring his goods into the country or take them out, without any limitations other than those established by law. (...)</p>
Art. 51	<p>Every person has the right to represent or address petitions before any authority, public official or public servant on matters within their competence, and to obtain a timely and adequate response. Those who violate this right shall be sanctioned in accordance with the law, and may be removed from their respective positions.</p>
Art. 52	<p>Everyone has the right to associate for lawful purposes in accordance with the law. The State shall be obliged to facilitate the exercise of this right.</p>
Art. 53	<p>Everyone has the right to assemble, publicly or privately, without prior permission, for lawful purposes and without arms. Meetings in public places shall be governed by law.</p>
Art. 55	<p>Every person has the right to protection by the State through the citizen security bodies regulated by law, against situations that constitute a threat, vulnerability or risk to the physical integrity of persons, their property, the enjoyment of their rights and the fulfillment of their duties (...).</p> <p>State security forces shall respect the dignity and human rights of all persons. The use of weapons or toxic substances by police and security officers shall be limited by principles of necessity, convenience, opportunity and proportionality, in accordance with the law.</p>
Art. 57	<p>Everyone has the right to freely express his or her thoughts, ideas or opinions orally, in writing or by any other form of expression, and to make use of any means of communication and dissemination for this purpose, without censorship.</p> <p>Censorship of public officials in reporting on matters under their responsibility is prohibited.</p>
Art. 58	<p>Communication is free and plural, and carries with it the duties and responsibilities established by law. Every person has the right to timely, truthful and impartial information, without censorship, in accordance with the principles of this Constitution, as well as the right to reply and rectification when directly affected by inaccurate or offensive information. (...)</p>
Art. 60	<p>Everyone has the right to the protection of his or her honor, private life, privacy, self-image, confidentiality and reputation.</p> <p>The law shall limit the use of information technology to guarantee the honor and personal and family privacy of citizens and the full exercise of their rights.</p>
Art. 61	<p>Everyone has the right to freedom of conscience and to manifest it, unless its practice affects his personality or constitutes a crime. Conscientious objection may not be invoked to evade compliance with the law or to prevent others from complying with it or exercising their rights.</p>
Art. 62	<p>All citizens have the right to participate freely in public affairs, directly or through their elected representatives.</p> <p>The participation of the people in the formation, execution and control of public administration is the necessary means to achieve the protagonism that guarantees their full development, both individually and collectively. It is the obligation of the State and the duty of society to facilitate the generation of the most favorable conditions for its practice.</p>
Art. 63	<p>Suffrage is a right. It shall be exercised through free, universal, direct and secret voting. The law shall guarantee the principle of personalization of suffrage and proportional representation.</p>
Art. 66	<p>Voters have the right to hold their representatives accountable publicly, transparently and periodically for their performance, in accordance with the program presented.</p>

Art. 67	<p>All citizens have the right to associate for political purposes, through democratic methods of organization, operation and management. Their governing bodies and candidates for elected office shall be selected in internal elections with the participation of their members. The financing of associations for political purposes with State funds shall not be allowed.</p> <p>The law shall regulate the financing and private contributions of organizations for political purposes, and the control mechanisms that ensure the cleanliness in the origin and management of the same. Likewise, it shall regulate political and electoral campaigns, their duration and spending limits, tending to their democratization.</p> <p>Citizens, on their own initiative, and associations for political purposes, have the right to participate in the electoral processes by nominating candidates (...)</p>
Art. 68	<p>Citizens have the right to demonstrate, peacefully and without weapons, with no other requirements than those established by law.</p> <p>The use of firearms and toxic substances in the control of peaceful demonstrations is prohibited. The law shall regulate the actions of the police and security forces in the control of public order.</p>
Art. 70	<p>The following are means of participation and protagonism of the people in the exercise of their sovereignty, in the political sphere: the election of public officials, the referendum, the popular consultation, the recall of the mandate, the legislative, constitutional and constituent initiatives, the open town council and the citizens' assembly whose decisions shall be binding, among others (...)</p>
Art. 72	<p>All popularly elected offices and magistracies are revocable (...)</p>
Art. 76	<p>Maternity and paternity are integrally protected, regardless of the marital status of the mother or father (...). The State shall guarantee comprehensive assistance and protection to maternity, in general from the moment of conception, during pregnancy, childbirth and puerperium, and shall ensure comprehensive family planning services based on ethical and scientific values.</p>
Art. 80	<p>The State shall guarantee the elderly the full exercise of their rights and guarantees. The State, with the joint participation of families and society, is obliged to respect their human dignity and autonomy, and will guarantee them comprehensive care and the benefits of social security to raise and ensure their quality of life. Pensions and retirement benefits granted through the Social Security system may not be less than the minimum urban salary. The elderly shall be guaranteed the right to work in accordance with those who express their desire and are able to do so.</p>
Art. 87	<p>Every person has the right to work and the duty to work. The State shall guarantee the adoption of the necessary measures to ensure that every person may obtain a productive occupation that provides a dignified and decent existence and guarantees the full exercise of this right (...).</p>
Art. 89	<p>Work is a social fact and shall enjoy the protection of the State. The law shall provide what is necessary to improve the material, moral and intellectual conditions of male and female workers. For the fulfillment of this obligation of the State, the following principles are established (...)</p> <p>2. Labor rights are inalienable. Any action, agreement or covenant that implies the waiver or impairment of these rights is null and void. Transactions and agreements are only possible at the end of the labor relationship, in accordance with the requirements established by law (...).</p> <p>5. Any type of discrimination for reasons of politics, age, race, sex, creed or any other condition is prohibited.</p>
Art. 91	<p>Every worker has the right to a salary sufficient to allow him/her to live with dignity and to cover the basic material, social and intellectual needs of himself/herself and his/her family (...).</p> <p>The State shall guarantee workers in the public and private sectors a minimum living wage that shall be adjusted every year, taking as one of the references the cost of the basic food basket. The Law shall establish the form and procedure.</p>
Art. 95	<p>Workers, without distinction whatsoever and without the need for prior authorization, have the right to freely form the trade union organizations they deem convenient for the best defense of their rights and interests, as well as to join or not to join them, in accordance with the Law. These organizations are not subject to administrative intervention, suspension or dissolution. Workers are protected against any act of discrimination or interference contrary to the exercise of this right.</p>
Art. 97	<p>All public and private sector workers have the right to strike, under the conditions established by law.</p>
Art. 104	<p>Education shall be the responsibility of persons of recognized morality and proven academic suitability. The State shall encourage their permanent updating and shall guarantee them stability in the exercise of a teaching career, whether public or private, in accordance with this Constitution and the law, in a work regime and standard of living commensurate with their lofty mission. Admission, promotion and permanence in the educational system shall be established by law and shall respond to merit-based evaluation criteria, without partisan or other non-academic interference.</p>
Art. 109	<p>The State shall recognize university autonomy as a principle and hierarchy that allows professors, teachers, students, graduates and alumni of its community to devote themselves to the pursuit of knowledge through scientific, humanistic and technological research, for the spiritual and material benefit of the Nation. The autonomous universities shall establish their own rules of government, operation and the efficient administration of their patrimony under the control and supervision established by law. University autonomy is established to plan, organize, develop and update research, teaching and extension programs. The inviolability of the university campus is established. (...)</p>

Art. 112	All persons may freely engage in the economic activity of their choice, with no other limitations than those provided for in this Constitution and those established by law, for reasons of human development, security, health, environmental protection or other social interest. The State shall promote private initiative, guaranteeing the creation and fair distribution of wealth, as well as the production of goods and services that satisfy the needs of the population, freedom of labor, enterprise, commerce and industry, without prejudice to its power to dictate measures to plan, rationalize and regulate the economy and promote the integral development of the country.
Art. 115	The right to property is guaranteed. Everyone has the right to the use, enjoyment, enjoyment and disposition of their property. Property shall be subject to the contributions, restrictions and obligations established by law for purposes of public utility or general interest. Only for reasons of public utility or social interest, by means of a final judgment and timely payment of fair compensation, may the expropriation of any kind of property be declared.
Art. 120	The use of natural resources in indigenous habitats by the State shall be made without harming the cultural, social and economic integrity of the same and, likewise, is subject to prior information and consultation with the respective indigenous communities. The benefits of this use by indigenous peoples are subject to this Constitution and the law.
Art. 129	All activities likely to cause damage to ecosystems must be previously accompanied by environmental and socio-cultural impact studies. The State will prevent the entry into the country of toxic and hazardous waste, as well as the manufacture and use of nuclear, chemical and biological weapons. A special law will regulate the use, handling, transport and storage of toxic and dangerous substances. In the contracts that the Republic enters into with natural or juridical persons, national or foreign, or in the permits granted, which affect natural resources, the obligation to conserve the ecological balance, to allow access to technology and the transfer thereof under mutually agreed conditions and to restore the environment to its natural state if it is altered, under the terms established by law, shall be considered included, even if not expressly stated.
Art. 138	Any usurped authority is ineffective and its acts are null and void.
Art. 139	The exercise of public power entails individual responsibility for abuse or misuse of power or for violation of this Constitution or the law.
Art. 141	The Public Administration is at the service of the citizens and is based on the principles of honesty, participation, speed, effectiveness, efficiency, transparency, accountability and responsibility in the exercise of the public function, in full compliance with the law and the law.
Art. 143	Citizens have the right to be informed in a timely and truthful manner by the Public Administration about the status of the proceedings in which they are directly interested, and to know the final resolutions adopted in this regard. Likewise, they have access to administrative files and records, without prejudice to the limits acceptable within a democratic society in matters relating to internal and external security, criminal investigation and privacy of private life, in accordance with the law governing the classification of confidential or secret documents. No censorship whatsoever shall be allowed to public officials who report on matters under their responsibility.
Art. 145	Public officials are at the service of the State and not of any partiality. Their appointment or removal may not be determined by political affiliation or orientation. (...)
Art. 146	The positions of the organs of the Public Administration are career positions. Exceptions are those of popular election, those of free appointment and removal, hired men and women, workers in the service of the Public Administration and others determined by law. The admission of public officials to career positions shall be by public competition, based on principles of honesty, suitability and efficiency. Promotion shall be subject to scientific methods based on the merit system, and transfer, suspension or retirement shall be in accordance with their performance.
Art. 148	No person may hold at the same time more than one remunerated public position, except in the case of academic, accidental, welfare or teaching positions determined by law. Acceptance of a second assignment that is not one of those excepted in this article implies the resignation of the first, except in the case of substitutes, as long as they do not definitively replace the principal.
Art. 158	Decentralization, as a national policy, should deepen democracy, bringing power closer to the population and creating the best conditions both for the exercise of democracy and for the effective and efficient provision of government services.
Art. 254	The Judicial Branch is independent and the Supreme Court of Justice shall enjoy functional, financial and administrative autonomy. To such effect, within the general budget of the State, the justice system shall be assigned a variable annual allocation, not less than two percent of the ordinary national budget, for its effective functioning, which may not be reduced or modified without prior authorization of the National Assembly.

Art. 255	<p>Entry into the judicial career and promotion of judges shall be through public competitive examinations that ensure the suitability and excellence of the participants and shall be selected by the juries of the judicial circuits, in the manner and under the conditions established by law. The appointment and swearing in of judges corresponds to the Supreme Court of Justice. The law shall guarantee citizen participation in the procedure for the selection and appointment of judges. Judges may only be removed or suspended from office by means of the procedures expressly provided by law.</p> <p>The law shall promote the professionalization of judges and the universities shall collaborate in this purpose, organizing the corresponding judicial specialization in university law studies.</p> <p>Judges are personally liable, under the terms determined by law, for errors, delays or unjustified omissions, for substantial non-observance of procedural rules, for denial, partiality, and for the crimes of bribery and malfeasance in the performance of their duties.</p>
Art. 256	<p>In order to guarantee impartiality and independence in the exercise of their functions, magistrates, judges, prosecutors of the Public Prosecutor's Office; and public defenders, from the date of their appointment and until they leave their respective positions, may not, except for voting, carry out political, partisan, trade union or similar activism, nor engage in lucrative private activities incompatible with their functions, either by themselves or through an intermediary, nor exercise any other public function except for educational activities.</p>
Art. 261	<p>The military criminal jurisdiction is an integral part of the Judiciary, and its judges shall be selected by competition. (...) The commission of common crimes, human rights violations and crimes against humanity shall be tried by the ordinary courts. The jurisdiction of the military courts is limited to crimes of a military nature.</p>
Art. 272	<p>The State will guarantee a penitentiary system that ensures the rehabilitation of inmates and respect for their human rights. To this end, penitentiary establishments will have spaces for work, study, sports and recreation, will operate under the direction of professional penitentiary professionals with university academic credentials, and will be governed by a decentralized administration, in charge of the state or municipal governments, and may be subject to privatization modalities. In general, the open regime and the character of penitentiary agricultural colonies will be preferred. In any case, non-custodial sentences will be applied in preference to measures of a reclusive nature. The State will create the necessary institutions for post-penitentiary assistance to enable the social reintegration of the former inmate and will promote the creation of an autonomous penitentiary entity with exclusively technical personnel.</p>
Art. 274	<p>The bodies exercising Citizen Power are responsible, in accordance with this Constitution and the law, for preventing, investigating and sanctioning acts that violate public ethics and administrative morality; ensuring good management and legality in the use of public assets, compliance with and application of the principle of legality in all administrative activities of the State, and likewise, promoting education as a process for the creation of citizenship, as well as solidarity, freedom, democracy, social responsibility and work.</p>
Art. 280	<p>The Ombudsman's Office is responsible for promoting, defending and monitoring the rights and guarantees established in this Constitution and international human rights treaties, as well as the legitimate collective or diffuse interests of citizens.</p>
Art. 281	<p>The powers of the Ombudsman are as follows:</p> <ol style="list-style-type: none"> 1. To watch over the effective respect and guarantee of the human rights enshrined in this Constitution and in the international treaties, conventions and agreements on human rights ratified by the Republic, investigating ex officio or at the request of a party the complaints that come to his or her knowledge. 2. To watch over the proper functioning of public services, protect and safeguard the legitimate, collective or diffuse rights and interests of individuals against arbitrariness, deviations of power and errors committed in the provision thereof, filing, when appropriate, 3. To file actions of unconstitutionality, amparo, habeas corpus, habeas data and other actions or remedies necessary to exercise the powers set forth in the preceding paragraphs, when appropriate in accordance with the law. 4. To urge the Prosecutor General of the Republic to bring such actions or remedies as may be appropriate against public officials responsible for the violation or impairment of human rights. 5. To request the Republican Moral Council to adopt the necessary measures with respect to the public officials responsible for the violation or impairment of human rights. 6. Request before the competent body the application of corrective measures and penalties for the violation of the rights of the consumer and user public, in accordance with the law. 7. To present before the municipal, state or national legislative bodies, bills or other initiatives for the progressive protection of human rights. 9. To visit and inspect the dependencies and establishments of the organs of the State, in order to guarantee the protection of human rights. 10. Formulate before the corresponding bodies the recommendations and observations necessary for the effective protection of human rights, by virtue of which it shall develop permanent communication mechanisms with public or private, national and international bodies for the protection and defense of human rights. 11. To promote and execute policies for the dissemination and effective protection of human rights.

Art. 285	<p>The attributions of the Public Prosecutor's Office are</p> <ol style="list-style-type: none"> 1. To guarantee in judicial proceedings respect for constitutional rights and guarantees, as well as international treaties, conventions and agreements signed by the Republic. 2. To guarantee the speed and proper functioning of the administration of justice, the prior trial and due process. 3. To order and direct the criminal investigation of the perpetration of punishable acts in order to record their commission with all the circumstances that may influence the qualification and responsibility of the perpetrators and other participants, as well as the securing of the active and passive objects related to the perpetration. 4. To exercise criminal action on behalf of the State in cases in which it is not necessary to bring or prosecute it at the request of a party, except as otherwise provided by law. 5. To bring such actions as may be necessary to enforce the civil, labor, military, criminal, administrative or disciplinary liability incurred by public sector officials in the performance of their duties. 6. Any others established by this Constitution and the law. 7. These powers do not prejudice the exercise of the rights and actions that correspond to individuals or other officials in accordance with this Constitution and the law.
Art. 287	<p>The Office of the Comptroller General of the Republic is the body responsible for the control, oversight and supervision of revenues, expenditures, public property and national assets, as well as the operations related thereto. It enjoys functional, administrative and organizational autonomy, and directs its actions to the inspection functions of the agencies and entities subject to its control.</p>
Art. 294	<p>The organs of the Electoral Power are governed by the principles of organic independence, functional and budgetary autonomy, non-partisanship of the electoral bodies, impartiality and citizen participation; decentralization of the electoral administration, transparency and celerity of the voting and scrutinies.</p>
Art. 328	<p>The National Armed Force constitutes an essentially professional institution, without political militancy, organized by the State to guarantee the independence and sovereignty of the Nation and ensure the integrity of the geographic space, through military defense, cooperation in the maintenance of internal order and active participation in national development, in accordance with this Constitution and the law. In the fulfillment of its functions, it is at the exclusive service of the Nation and in no case to that of any person or political partiality (...)</p>
Art. 330	<p>The members of the National Armed Forces in active duty have the right to vote in accordance with the law, without being allowed to run for elected office, or to participate in acts of propaganda, militancy or political proselytism.</p>
Art. 332	<p>The National Executive, in order to maintain and reestablish public order, protect citizens, households and families, support the decisions of the competent authorities and ensure the peaceful enjoyment of constitutional guarantees and rights, in accordance with the law, shall organize:</p> <ol style="list-style-type: none"> 1. A uniformed national police force. 2. A corps of scientific, criminal and criminalistic investigations. 3. A corps of firemen and firewomen and administration of emergencies of a civil nature. 4. A civil protection and disaster management organization. The organs of citizen security are of a civilian nature and shall respect human dignity and human rights, without any discrimination whatsoever.
Art. 350	<p>The people of Venezuela, faithful to its republican tradition, to its struggle for independence, peace and freedom, will disavow any regime, legislation or authority that contravenes democratic values, principles and guarantees or undermines human rights.</p>

Source: Prepared by Movimiento de Derechos Humanos de Venezuela

4.4) Qualitative changes in the actions of police and military officials.

The repressive deployment of police and military officials offers continuities and ruptures with respect to previous periods of crisis for human rights, such as those that occurred in the country during 2014 and 2017. One of the “novelties” is found in the widespread practice of extortion against those who are arbitrarily detained. This reveals a profound degradation in citizen security practices in the country.

In this regard, in 2023, [in a report](#) the Monitor of the Use of Lethal Force in Venezuela (Muflven) asserted:

“There are political, and economic functionalities. For the upper echelons it offers a greater availability of public resources and influence, for the middle and lower strata -thanks to the power generated by the discretionary disposition of the life and death of people- it opens wide possibilities for the control of illicit markets. At the same time, there are also political functions of State terrorism, which seek to terrorize the population and dissuade any act of resistance or dissidence”.

Muflven links the absence of the rule of law, which generates favorable conditions for state terrorism practices, with the actions of lawless officials:

“It is characterized by secrecy and great discretion in its processes of creation, organization, administration, action protocols and financing. There are no major public accountabilities or subsequent responsibilities in their actions. Under these circumstances, the opportunities for private, group and financial interests to predominate over public interests increase, hence the various acts of plunder, robbery, extortion and kidnappings practiced by this division”.

The establishment of “quotas” to be met by officials would exacerbate criminal behavior, according to Muflven:

“In this framework, it is possible that these lethal balances, on the one hand, constitute in themselves an instrument of power to be administered under corporate and group interests. And, on the other hand, they are presented as “results” through which they show their capabilities to their political bosses, being thus these institutional deaths their “product”. Consequently, they justify larger budgets, staffing and corporate growth of these groups, which end up operating as small private armies. In this way, they obtain greater power and influence within the armed apparatuses of the State and the coalitions that exercise the government”.

In a [communiqué](#), the irregular practices deployed by police and military officials are linked to broader control devices, with a particular incidence within the popular sectors, which after July 28 led the demonstrations for the disregard of the popular will:

“These lethal devices are complemented and fed with various

disciplinary and neighborhood denunciation mechanisms, ranging from the Local Food Committees (CLAP), through the UBCH (Hugo Chávez Battle Units), the RAAS (Network of Articulation and Socio-Political Action), to applications for cell phones such as VenApp for neighbors to denounce, anonymously, dissidents, opponents and demonstrators.

The permanent state of exception that Venezuela has been living for years has gone to another level; in the streets there is a state of siege, the military and police have checkpoints, where, among other things, they check the cell phones of citizens, and if they find any information alluding to the opposition candidate or his allied parties, they arrest them. Illegal searches, arbitrary detentions and forced disappearances have become common. After 6 pm it is no longer possible to circulate freely in the streets, anyone who does so is detained. Even a massive use of drones has been arranged to expand surveillance on citizens while terrorizing them, completely undermining freedom of movement and tranquility in the country. None of this has been formally decreed, everything is imposed by deed.

This unlimited institutional violence is applied in a differentiated manner according to the social stratum: in the peripheral neighborhoods of the cities it is more lethal. This unlimited exercise also brings as a consequence that extortions and robberies by officials against their victims also become common during these days. The booty is part of the reward”.

A citizen security specialist consulted for this report adds an additional element: “Maduro could be opening or activating a portal of violence, not only with the civic-military-police union, which, although it already existed, could strengthen the collectives and cloud even more the performance of the police. It is also giving a role, a place and I don’t know if it is belligerence to the criminal mega-gangs by mentioning these groups in these contexts and attributing them a role in the official communiqués”.



*Conclu
sions*

5) CONCLUSIONS

1) The 28J elections took place in asymmetric and disadvantageous conditions for the non-official candidates. The evidence collected by local organizations on the different human rights violations coincides with the findings of the [preliminary report](#) of the United Nations Panel of Electoral Experts: *“The pre-electoral period was marked by continuous restrictions to the civic and political space. The government campaign dominated the state media, with very limited access for opposition candidates. Numerous restrictions on the right to run for public office remained in place for several prominent political figures.”* Even if the will of the people had finally been recognized, the continuous barriers erected in the electoral process, in a generalized and systematic manner, hindering the exercise of the rights of freedom of peaceful assembly and of association, **would also have prevented the electoral process from being qualified as “free” or “fair”**.

2) On the other hand, we disagree with the conclusion of the Panel of Electoral Experts of the United Nations, who in their [preliminary report](#) assured that the 28J *“took place in a predominantly peaceful environment”*. As detailed in this report, although the actions of military officials, at least until 6 pm, could be described as *“institutional”*, that day there were at least **86 attacks by groups of armed civilians**, who operated tolerated by the authorities. People were wounded by such attacks in 5 states of the country, while in the Guásimos municipality of Táchira state, a person, **Julio Valerio García**, 40 years old, was murdered when several people were waiting to exercise their right to the citizen’s audit. Likewise, on July 28 there were 20 cases of violation of the right to freedom of expression and information. To this should be added that the day took place in a context of censorship, with 60 media outlets blocked, and with the precedent of 169 arrests of people during the first months of the year for political reasons. Despite the enthusiastic participation, the population went to the polls with apprehension about the transparent recognition of the results by the authorities, fears that were later confirmed.

3) After the disregard of the popular will, and in the face of the expressions of collective indignation through self-convened and spontaneous mobilizations, led by popular sectors, the reaction of the authorities was to respond to the demands by **repressing the protests and neutralizing them at any cost**. The strategy implemented was in line with the diagnosis made by the [Independent Fact Finding Mission](#): The combination of *“hard”* or *“soft”* methods of repression: *“These are two components of an oppressive State apparatus that has been used to varying degrees, depending on the nature of social dissent and the*

perception of its influence (...) the more violent 'mano dura' tactics were actively used to silence opposition voices at any cost, including through the commission of crimes. On the other hand, the State's use of "softer" coercive tactics, although present before, has become more recurrent in recent years." During the most intense days of protests, "harsh methods" were used, which had a tragic toll of 24 to 26 people killed. Subsequently, they were complemented with "soft" mechanisms that included the massive elimination of passports and the dissemination of frightening messages through the state media. This combination of mechanisms ratifies the [Mission's conclusions](#): "Used together, the 'hard' and 'soft' mechanisms contribute to the State's policy of silencing, discouraging and annulling opposition to the Government".

4) As part of the "hard mechanisms", massive arbitrary detentions took place. Nicolás Maduro determined a quota to be met, announced through the media, in which more than two thousand people had to be apprehended so that "the full weight of the law" would be applied and "peace would return". **The criminalizing narrative that attempted to legitimize the mass arrests was reproduced at different levels by state and parastatal spokespersons**, which demonstrated an esprit de corps to promote, execute and tolerate actions outside the law in a coordinated action.

5) The actions of the authorities after June 28 ratify **the continuation of the commission of the crime of political persecution in Venezuela**, qualified as a crime against humanity by the Rome Statute. Venezuela is under investigation by the Office of the Prosecutor of the International Criminal Court, which must incorporate all the elements and state actions that occurred after the elections. In this regard, there is enough evidence to determine the responsibilities of the chain of command. Nicolás Maduro has been the official spokesman of the repressive strategy implemented, publicly announcing a quota of persons to be detained, that they would be transferred to maximum security prisons, such as Tocuyito and Tocarón, creating and repeating narratives to generate generalized fear in the population, showing videos of detained persons shouting pro-government slogans and congratulating the performance of the police and military agencies of the country.

6) The use of generalized fear as a mechanism of social control also **characterizes the actions of the authorities as "State Terrorism"**, updating a way of repression that had had prominence and its own characteristics during the Latin American dictatorships of the twentieth century.

7) Venezuelan authorities have seriously eroded the rule of law and are acting on the basis of arbitrary decisions outside the law. As described in this report, **21.7% of the articles of the Constitution, relating to fundamental rights, have been derogated by de facto means**. In Venezuela the different powers act de facto, applying a state of exception by de facto means. Therefore, the TSJ, the Prosecutor's

Office and the Ombudsman's Office, as institutions, can no longer be in charge of settling internal conflicts in the country, for which the participation of third parties, independent international arbitrators, who generate confidence both to the parties and to the process itself, would be necessary.

8) The evident political and ideological bias of the officials in charge of citizen security, and the generalized practices of extortion against the citizens, especially the sectors of the population identified as "*opponents*", has transformed the public policies for the maintenance of order into **a practice of military and police domination and coercion of the Venezuelan territory**, whose main motivation is the maintenance of power, generating conditions for extortion and blackmail of those affected.



Reco mmen dations

6) RECOMMENDATIONS

A) The international community should maintain mediation efforts and diplomatic pressure on Venezuelan authorities to pave the way for a transition to democracy. This diplomatic advocacy needs new multilateral mechanisms and human rights protection mechanisms to **contain the abuse of power and protect the population.**

B) Due to the serious disregard for the will of the people, the persistence of the crime against humanity of persecution and the establishment of a generalized and coordinated public policy of State terrorism, the known mechanisms of the international community must **increase the individual accountability of officials who, by action or omission, are involved in the serious human rights violations** that have occurred in the country.

C) Given the departure of a new wave of people in forced displacement as a result of the crisis, as suggested by the Inter-American Commission on Human Rights in its report "[Migrants and Refugees from Venezuela](#)", the international community must **recognize those who leave our country as refugees under the Cartagena Declaration:** *"the vast majority of people leaving Venezuela are displaced by imminent threats to their lives, integrity and freedom as a result of the massive violation of human rights"*. Therefore, procedures in host countries for refugee status determination should be streamlined and improved. In addition, priority should be given to a special migration status for victims of human rights violations and human rights defenders in exile.

D) The different States Parties must make the necessary advocacy in the International Criminal Court so that the recurrence of crimes against humanity in Venezuela, after the elections of July 28, be taken into account by the Prosecutor's Office and pave, in a peremptory time, **a decision on the judicial initiation of specific cases on the file called "Venezuela I"**. Likewise, we encourage that the States may open, in a complementary manner, processes of universal justice that may respond to the claims of the victims.

E) We demand that the international community continue not to recognize the results declared by the President of the National Electoral Council, Elvis Amoroso, **until the detailed results of the 28J elections are published and a forensic electoral review by independent electoral technicians is allowed.** It is urged that they continue to promote all actions within their reach for the respect of the right of self-determination of the peoples and that the channels of dialogue be formalized.

F) The serious disregard of the popular will in Venezuela merits

that the regional community **review and update the Inter-American Democratic Charter**, and generate new multilateral mechanisms that can address the crisis situations generated by authoritarianisms such as that of Nicolás Maduro, whose precedent has emptied of meaning and significance the holding of elections under closed civic spaces.

G) We demand of the European and Colombian governments that during the next CELAC-European Union Summit, to be held in Bogotá during the year 2025, **the point of the serious democratic crisis caused by the disregard of the popular will in Venezuela be included**, generating spaces for the participation of civil society.

H) We call on human rights and social organizations in the region to promote different strategies to *“Name and Shame”* those responsible, by action or omission, for the serious human rights violations in Venezuela. Likewise, **develop strategies of solidarity with Venezuelan organizations and their members** who are currently leaving the country and will have to continue developing activities from outside the territory.

I) We encourage the international community to **recognize the victims of human rights violations as an interlocutor of the Venezuelan situation**, incorporating them in any bi-national, group or regional initiative for the reestablishment of democracy and the rule of law in the country.

Resist is made up of “re” (again) and “sistere” (stand firm, fix position). It is the will to stand up, stay in place, not give up or give in. Sistere also serves as a root for other concepts: insist, persist, and even exist.

Resistance Poetry

END OF THE BLACK BOOK OF THE DICTATORSHIP 2024



Derechos
Humanos
de Venezuela
en Movimiento