



**CENTRO PARA
LOS DEFENSORES
Y LA JUSTICIA**



**SITUATION OF HUMAN RIGHTS
DEFENDERS IN VENEZUELA**

2020

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The Centro para los Defensores y la Justicia (CDJ) registered **303 violations of the right to defend human rights during the year.**

During the Complex Humanitarian Emergency, aggravated by the Covid-19 pandemic, the Venezuelan State implemented authoritarian and social control measures that deepened the existing institutional and socioeconomic crisis in the country.

Under the National Security Doctrine, human rights defenders and humanitarian workers are considered internal enemies.

01 303 VIOLATIONS OF THE RIGHT TO DEFEND HUMAN RIGHTS DURING 2020

ATTACKS 2020



303 ATTACKS

The environment for the defense of human rights becomes increasingly hostile and restrictive with the passing of the days due to the different adverse circumstances that surround and condition the context in which those who defend and demand rights operate in Venezuela.

The defense and demand of rights has been progressively restricted since 2002 with the creation of at least 10 laws and factual measures¹, as well as with the issuance of

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¹Nation Security Law. Ordinary Official Gazette No. 37,594 of December 18, <http://historico.tsj.gob.ve/gaceta/dic/Diciembre/181202/181202-37594-01.html>
Reforms to the Venezuelan Penal Code. Extraordinary Official Gazette No. 5,768 of April 13, 2005. In: <http://www.mp.gob.ve/LEYES/codigo%20penal/codigo%20penal.html>
Law for the Defense of Political Sovereignty and National Self-Determination. Extraordinary Official Gazette No. 6,013 of the December 23, 2010. In: http://historico.tsj.gob.ve/gaceta_ext/dicDiciembre/23122010/E-23122010-3043.pdf#page=1
Law Against Organized Crime and Terrorism Financing. Ordinary Official Gazette No. 39,912 of 30 April 2012. In: <http://historico.tsj.gob.ve/gaceta/abril/3042012/3042012-3417.pdf#page=2>
Registration and Enlistment Law for the Comprehensive Defense of the Nation. Official Gazette No. 40,440 of 06.25.14. It replaces the previous Military Enlistment and Conscription Law. In: <http://historico.tsj.gob.ve/gaceta/junio/2562014/2562014-4009.pdf#page=2>
Decree of Exception and Economic Emergency. Extraordinary Official Gazette No. 6,227 of May 16, 2016. In: <https://albaciudad.org/wp-content/uploads/2016/05/312792311-Gaceta-Oficial-Extraordinaria-N%C2%BA-6-227-pdf.pdf>
Law Against Hate and Intolerance and for Peaceful Coexistence. Official Gazette No.41.274, of November 8, 2017. In: <http://espaciopublico.org/wp-content/uploads/2017/10/Borrador-Ley-contra-el-odio-la-intolerancia-y-por-la-convención-pac%C3%ADfica.pdf>
Measure to prohibit the registration of foundations and non-governmental organizations of the Autonomous Service of registries and notaries (SAREN). Diary As What. "Government prohibits registering NGOs, foundations and associations." 29 September 2019. Available at: <https://talcuaidigital.com/index.php/2019/09/25/gobierno-prohibe-registrar-ong-fundaciones-y-asociaciones/>
Decree of State of Alarm. Decree No. 4,160, Official Gazette No. 6,519 of March 13, 2020. Available at: <http://extwprlegs1.fao.org/docs/pdf/ven194367.pdf>
Creation of the National Anti-terrorism Corps. Official Gazette No. 41,828 of February 27. Available in: http://spgoin.imprentanacional.gob.ve/cgiwin/be_alex.cgi?Documento=T028700032593/0&Nombred=spgoin&CodA-socDoc=2097&Sesion=314179497
Joint resolution of the Ministry of Foreign Relations and the Ministry of Interior and Justice. Gazette Official No. 41,994 of October 27, 2020
Circular that of the Superintendency of the Institutions of the Banking Sector in Venezuela that orders the urges banks to monitor the accounts of human rights organizations Circular SIB-DSB-CJ-OD-06524 of November 20. Available at: <http://www.mppf.gob.ve/wp-content/>

at least 5 judgments by the Supreme Court of Justice², which seek to limit, obstruct and criminalize the defense of human rights and freedom of association under the logic of the internal enemy, in accordance with the presuppositions of the National Security Doctrine. During 2020 we observed the consolidation of criminalization as a State Policy and the use of repressive measures and more violent social control, resulting in at least 303 attacks and security incidents against people and organizations that defend human rights in the country.

During 2020, the process of adapting the domestic legal system continued in order to support and facilitate criminalization through laws and mechanisms that are contrary to the obligations of the State with regard to the promotion and protection of the defense of human rights, and which has in order to prevent, control and hinder the documentation, reporting, advocacy, cooperation and humanitarian action actions carried out by non-governmental organizations to face the consequences of the Complex Humanitarian Emergency, aggravated by the Covid-19 pandemic and to assist and accompany the victims of abuses and crimes committed by the State in their processes of true, justice and reparation.

To the restrictive context for the defense of human rights and the existing challenges, the pandemic by Covid-19 and the State of Alarm decree³, as a measure to face the health emergency, was added. Under the justification of the State of Alarm, attacks and aggressions against those who defend and demand human rights increased and worsened in the country, observing greater acts of violence against them. In this framework, we highlight the call by the representatives of the State to act in the so-called Furia Bolivariana, which seeks to activate the components of the Protection for Peace System (SP3, for its Spanish acronym) and encourage citizens to locate and neutralize people who are suspected of being “enemies of the country”, according to the guidelines of those who hold power. With this, the social control measures, aggression, and intimidation against any person who carries out activities considered contrary to the interests of the State and that are oriented to the documentation, denunciation, and visibility of the violations that are committed in Venezuela were also deepened.

We also highlight the promulgation in February of presidential decree No. 4.135⁴, by means of which the National Anti-terrorism Corps was created, which, according to the instrument, will be

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²Cf. Judgment of the Constitutional Chamber of the Supreme Court of Justice No. SC-656 dated June 30, 2000.

Available at: <http://historico.tsj.gob.ve/decisiones/scon/junio/656-300600-00-1728%20.HTM>

Cf. Judgment of the Constitutional Chamber of the Supreme Court of Justice No. SC-1050 dated August 23, 2000. Available at: <http://historico.tsj.gob.ve/decisiones/scon/agos-to/1050-230800-00-2378%20.HTM>

Supreme Court of Justice (2006). Constitutional Chamber. Judgment No. SC. 1939 of December 18, 2008, Exp. No. 08-1572

Cf. Judgment of the Constitutional Chamber of the Supreme Court of Justice No. SC 796 of July 22, 2010.

Available at: <https://vlexvenezuela.com/vid/francisco-javier-suarez-283247347>

Cf. Judgment of the Constitutional Chamber of the Supreme Court of Justice No. SC-656 dated June 30, 2000.

Available at: <http://historico.tsj.gob.ve/decisiones/scon/junio/656-300600-00-1728%20.HTM>

Cf. Judgment of the Constitutional Chamber of the Supreme Court of Justice No. SC-1050 dated August 23, 2000. Available at: <http://historico.tsj.gob.ve/decisiones/scon/agos-to/1050-230800-00-2378%20.HTM>

Supreme Court of Justice (2006). Constitutional Chamber. Judgment No. SC. 1939 of December 18, 2008, Exp. No. 08-1572

Cf. Judgment of the Constitutional Chamber of the Supreme Court of Justice No. SC 796 of July 22, 2010.

Available at: <https://vlexvenezuela.com/vid/francisco-javier-suarez-283247347>

³Extraordinary Official Gazette No. 6,519. March 13, 2020. Available at: https://www.scribd.com/document/452770967/Gaceta-Oficial-Extraordinaria-6519#download&from_embed

⁴Official Gazette No. 41,828 of February 27. Available at: http://spgoin.imprentanacional.gob.ve/cgi-win/be_alex.cgi?Documento=T028700032593/0&Nombrbd=spgoin&CodAsocDoc=2097&Sesion=314179497

able to exercise tactical, intelligence, and counterintelligence tasks for the prevention of crimes of corruption, organized crime, drug trafficking, and terrorism. At the same time, it was granted discretionary powers to investigate, search, and control persons suspected of committing crimes within its competence. In view of this, it is concerning that given the State's attempts to associate the defense of human rights with acts of corruption, terrorism, destabilization, and interference actions, as part of the Criminalization Policy, this could be used as justification for the action of this body against organizations and defenders, as observed in the raids and persecutions against organizations that carry out humanitarian actions that occurred in the last months of the year.

On the other hand, on October 27, 2020, through Official Gazette 41.994⁵ a joint resolution of the Ministry of Foreign Affairs and the Ministry of Interior and Justice, dated October 19, was published regarding the registration and recognition of non-governmental organizations domiciled in Venezuela. The aforementioned resolution seeks to exercise greater controls and limit the work of organizations not domiciled in the country, through regime of request and renewal of permits to have a presence and act in Venezuela. In turn, the instrument establishes the possibility of "visits" by Ministry bodies to the headquarters where representatives of foreign organizations are located in order to "verify the veracity" of the information they provide. CDJ is concerned about the discretion with which State representatives may act and the use that may be made of the instrument, especially actions that may hinder the humanitarian response that international organizations are giving in cooperation with local NGOs.

Another aspect to be highlighted during the year is the systematic nature of the actions and threats regarding the criminalization of international cooperation. On repeated occasions, senior State officials, members of the United Socialist Party of Venezuela (PSUV as its acronym in Spanish), close associates of the ruling party, and people who are members of the Peace Protection System (SP3 as its acronym in Spanish) groups, made calls and carried out acts of intimidation in relation to the creation of a law that "strongly" penalizes non-governmental organizations that receive foreign financing, for being considered "destabilizing agents", "interference" and "coup plotters", and thus control international cooperation.

On at least 5 occasions, the then President of the National Constituent Assembly (ANC as its acronym in Spanish) and current deputy to the illegitimate National Assembly and first Vice President of the United Socialist Party of Venezuela, made televised threats in his weekly program broadcasted on the state channel, stating that an instrument should be approved that provides for the prohibition of the delivery of resources to human rights organizations in the country and that laws should be approved that try to "condemn the issue of the delivery of resources by foreign powers to political parties and NGOs in Venezuela "; and that those responsible for receiving this money from the cooperation should assume the responsibilities that correspond to them⁶.

⁵Gaceta Oficial Nro. 41.994 del 27 de octubre de 2020

⁶Con el Mazo Dando, program 289. Informative billboard. Minute 59:00:00 to 1:01:10. Available at: https://www.youtube.com/watch?v=0b0U_oXX73M

Con el Mazo Dando, program 294. 03.28.20. Minute 1:30:22 to 1:32:35. Available a t: <https://www.youtube.com/watch?v=UFmN-Coigjdk&pbjreload=10>

Con el Mazo Dando, 04.11.20. Minutes 1:28:22 - 1:30:21 Available at: <https://www.youtube.com/watch?v=AasZ4Sni4Y4>

Con el Mazo Dando. 18.11.20. Minutes 1:14:29 - 1:18:46. Available at: <https://www.youtube.com/watch?v=hw86eqoJ0kY>

Con el Mazo Dando. 09.12.20. Minutes:

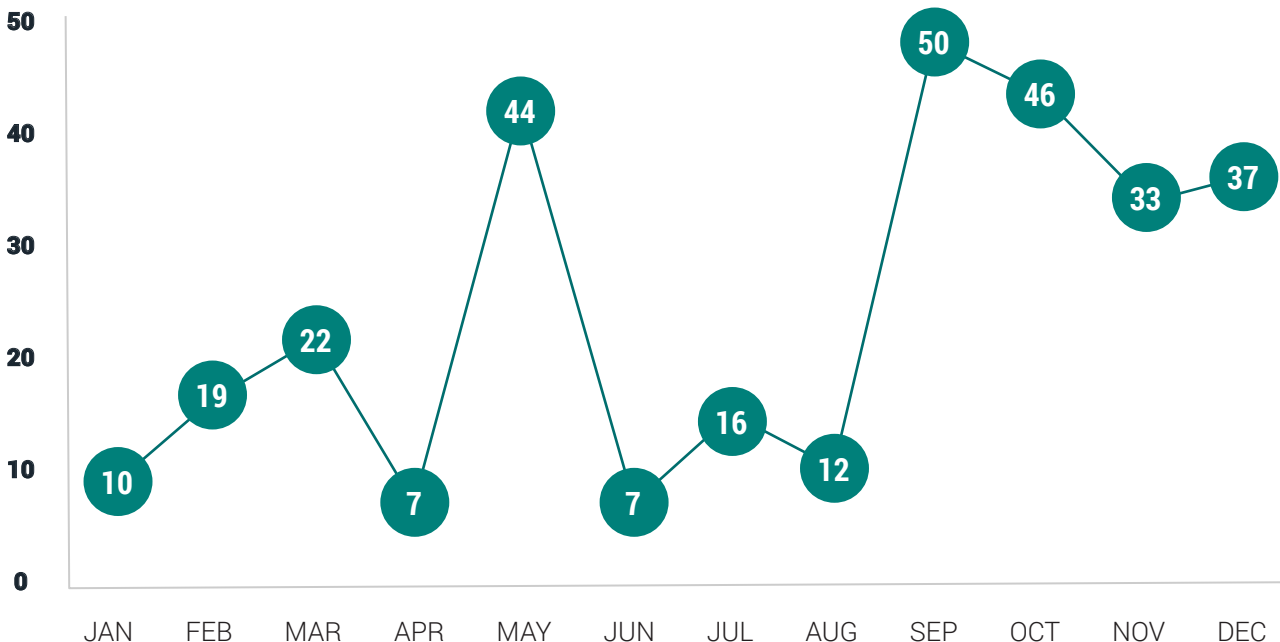
SITUATION OF HUMAN RIGHTS DEFENDERS IN VENEZUELA

In this regard, the Superintendency of Institutions of the Banking Sector of Venezuela (SUDEBAN as its acronym in Spanish), in November, issued a circular in which all banks were exhorted to “monitor” the financial activities of non-governmental organizations’ accounts in order to “detect” illegal activities. This event maintains the same line of State’s discourse and the measures that preceded it during the year and in recent months we have seen effects of its application after raids and persecutions of organizations such as the case of the organizations Alimenta la Solidaridad and Convite A.C.

As part of the actions undertaken to criminalize the defense of rights, it is necessary to highlight acts of obstruction, aggression, and intimidation of organizations and individuals that carry out humanitarian work. During 2020 they were victims of arrests, raids, auditing of accounts, threats, and acts of intimidation and harassment. Affecting humanitarian work continues to be a method of limiting actions to address the country’s social crisis, under justifications that seek to question the legitimacy of the funds and supplies they receive, thus manifesting the policy of criminalizing international cooperation.

Thus, it is appreciated how the National Security Doctrine has been institutionalized and how the Criminalization Policy against the defense of human rights has been consolidated, which has resulted in the systematic attack against the Venezuelan human rights movement. In this context, organizations and human rights defenders are in a state of absolute lack of protection, not only in the absence of effective measures that guarantee their protection and that of their work but also in the absence of investigation and punishment of the events that occurred against them by the competent bodies given the institutional breakdown and the cooptation of public powers.

DISTRIBUTION OF ATTACKS PER MONTH



02

90% OF THE ATTACKS DURING THE ALARM STATE

Of the 303 attacks and security incidents documented during 2020, **272 occurred after the declaration of a state of alarm**, on March 13, **and the calls to action of the *Furia Bolivariana***, by senior State officials. This figure is equivalent to 90% of the total number of attacks registered.

Instead of working to protect the Venezuelan population and safeguard their rights, the State has sharpened its policies of social control and criminalization of the right to defend human rights, affecting the operation and security of the people and organizations that are on the front line working for the protection of the most vulnerable, assisting and fighting against impunity and the recovery of the validity of the Constitution, the rule of law and fundamental freedoms.

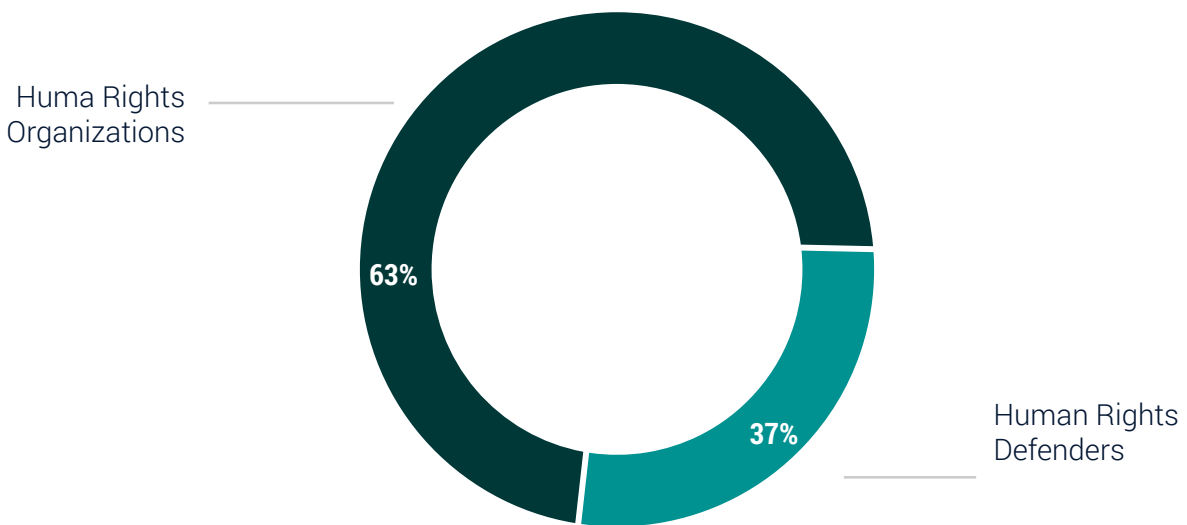
CHARACTERIZATION OF THE ATTACKS



VICTIMS OF THE ATTACKS

During the year 2020, the community of human rights organizations that live in the country were the most affected, with 192 events and threats against them and various acts carried out by the State in order to obstruct or impede their work; while 111 of the registered situations were committed individually against human rights defenders.

VICTIMS OF THE ATTACKS



Of the people affected, **at least 10 were women human rights defenders**, who repeatedly faced stigmatization campaigns, threats and situations of violence related to their work in defense of human rights.

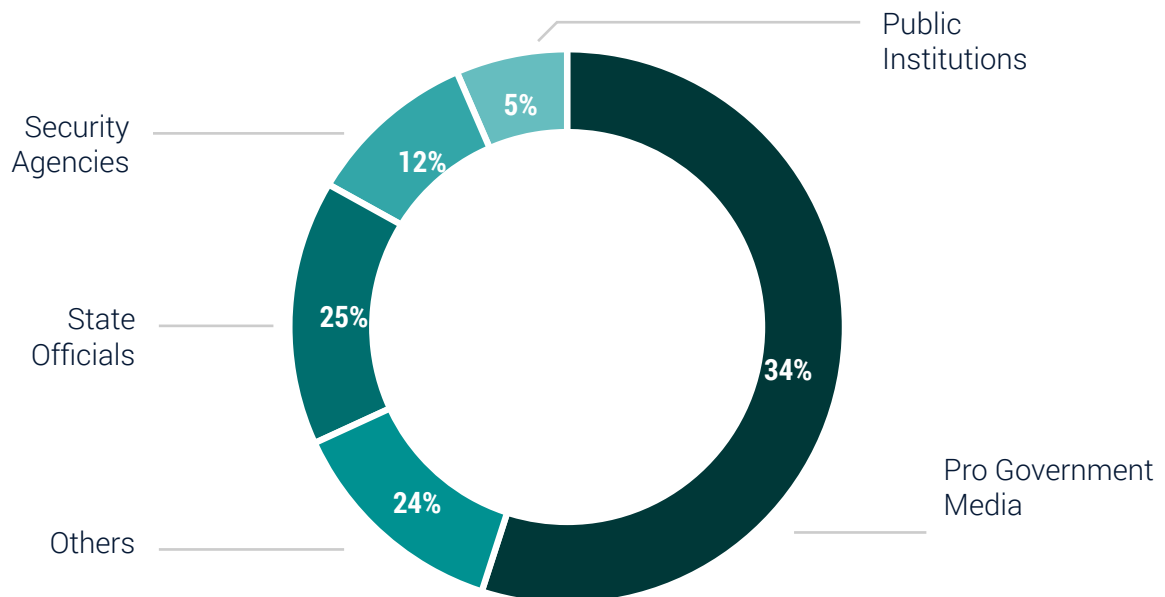
VICTIMS PER MONTH

JAN	FEB	MAR	APR	MAY	JUN
6 NGO 4 HRD	9 NGO 10 HRD	7 NGO 15 HRD	1 NGO 6 HRD	37 NGO 7 HRD	5 NGO 2 HRD
JUL	AUG	SEP	OCT	NOV	DEC
9 NGO 7 HRD	9 NGO 3 HRD	31 NGO 19 HRD	31 NGO 15 HRD	27 NGO 6 HRD	20 NGO 17 HRD

SITUATION OF HUMAN RIGHTS DEFENDERS IN VENEZUELA

Among the most relevant events, we highlight the raids carried out against the organizations Prepara Familia, Acción Solidaria, Alimenta la Solidaridad, and Convite A.C. As well as the constant acts of intimidation and stigmatization campaigns against the organizations Venezuelan Programa Venezolano de Educación Acción en Derechos Humanos - Provea, Transparencia Venezuela, Espacio Público, Observatorio Venezolano de Conflictividad Social - OVCS, Comité de Familiares de Víctimas de los sucesos de Febrero Marzo 1989 - Cofavic, Centro Justicia y Paz - CEPAZ, Fundación Manos Amigas por la Vida (MAVID Carabobo) and Convite A.C. and the organizations of the regions of the country who, in addition to the common risks faced by their defense action, must carry out their actions in contexts of vulnerabilities and particular needs.

PERPETRATORS



The main persons perpetrators for the attacks committed against those who defend and demand identified human rights were mostly senior State officials, including members of the National Executive, ministers, vice-ministers, deputies, governors, and the Attorney General. Likewise, public institutions and the justice system were part of the aggressors. They not only carried out systematic acts of stigmatization, but also promoted violence against defenders, through threats, incitement, and acts of intimidation and harassment.

For their part, security agencies such as the Bolivarian National Police, the Special Actions Forces (FAES as its acronym in Spanish) of the Bolivarian National Police, state police, the Bolivarian militia, and the National Anti-Terrorism Corps, carried out arbitrary detentions, arbitrary, ill-treatments, and other acts of intimidation and harassment.

Programs, channels, stations, and digital platforms, members of the national public media system, served as a platform for stigmatization campaigns and calls for violence. Likewise, other media that act under the guidelines of the State were platforms used to discredit and attack the organizations. Among the most prominent are Con el Mazo Dando, Misión Verdad, la Hojilla, Zurda Konducta, La Iguana. Tv and Aporrea.

Other actors that include members of the structures part of the Peace Protection System (SP3), such as groups, UBCh, members of community councils, members of the Networks of Articulation and Socio-Political Action (RASS as its acronym in Spanish) carried out violent actions, threats, and acts of intimidation and harassment. Members associated with the United Socialist Party of Venezuela (PSUV), journalists identified with the ideals of the National Executive are also part of this group identified among those responsible for the violations.

03 **CRIMINALIZATION OF INTERNATIONAL COOPERATION UNDER THE LOGIC OF THE INTERNAL ENEMY**

In 2020, the actions aimed at criminalizing international cooperation worsened as the months went by. Starting from threats and acts of stigmatization uttered by officials, the creation of new instruments to limit, control even raids are some of the ways in which criminalization materialized.

As the economic and social situation and the human rights crisis in Venezuela continue to deteriorate, it becomes more necessary to work together with international and local actors to respond to the humanitarian emergency, support people in vulnerable situations, document, report, and contribute to the reach of justice. However, the State's response to cooperation between human rights and humanitarian organizations with international actors such as cooperation agencies or protection mechanisms has been criminalization.

In this regard, not only is receiving resources from international cooperation stigmatized and threatened to penalized but also, within the framework of justice processes conducted in international instances such as the Inter-American System, the Universal System or the International Criminal Court, they commit retaliation and acts of intimidation and harassment against those who contribute to such mechanisms. Even though international law recognizes cooperation as a right, including the possibility of requesting, receiving, and using resources in order to protect human rights, including receiving funds from abroad and interaction with international protection systems.

The State's response to international cooperation has been criminalization, and in 2020 an increase in attacks and restrictions was documented as a result of this. During the year there were repeated acts of stigmatization, based mainly on smear campaigns against organizations and individuals who cooperated with international bodies for the protection of human rights. Highlighting the aggressions that arose after the publication of the report of the Independent International Fact-Determination Mission for Venezuela.

In 2020, stigmatization as part of the Criminalization Policy was presented as the main way of attacking the work of people and organizations that defend human rights. In order to discredit the work of documentation and reporting, based on hate speech, protected by the National Security Doctrine. The speeches and declarations of the State representation were reiterated, in which those who take actions around international cooperation were disqualified, being pointed out to promote interventionism or the destabilization of the country, to be associated with the political opposition, to be "thieves", "mercenaries", "terrorists", "enemies", among others.

In addition, the approval of new regulations and mechanisms to control international cooperation led to an increase in persecution, threats of inspection and prosecution, especially against those organizations that carry out humanitarian actions. These facts show that stigmatization and threats with calls for violence lead to aggression.

We reject any act that compromises the operation of organizations and the integrity and security of people who defend human rights. We reiterate that international cooperation should not be criminalized, receive funding, the use of resources of any kind to promote and protect rights, as well as the search for justice in international law is not a crime.

Those who document, report, serve vulnerable groups, contribute to the fight against impunity, and demand that the State fully comply with its international obligations to respect, protect, and guarantee rights are not enemies of the State and their work is essential for the achievement of the principles. equality and non-discrimination, the recovery of freedoms, and the protection of human dignity.

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

Faced with the systematic policy of criminalization, international bodies for the protection of human rights and international organizations whose mandate specializes in the protection, kept in contact with the organizations and people who were victims of these events, their work of monitoring the situation of defenders was present and given the seriousness of it, pronouncements, actions and measures were generated, condemning the affectations of the right to defend rights in the country and calling for an end to criminalization and not to obstruct or affect their work.

Among the actions, we find the precautionary measures issued by the Inter-American Commission on Human Rights (IACHR) in favor of Defender Javier Tarazona Sánchez and his family nucleus⁸, Director of the FundaRedes organization, and in favor of the defender Katherine Martínez⁹, Director of the organization Prepara Familia. As well as the expansion by the Inter-American Court of Human Rights (IACHR) of the provisional measures of the Observatorio Venezolano de Prisiones, to the current Director, the defender Carolina Girón and her family nucleus¹⁰.

Likewise, the international organization Front Line Defenders during the year issued 10 urgent appeals¹¹ to the Venezuelan State in order to request the protection of defenders and organizations victims of attacks, harassment, intimidation, among others. Among the cases, Programa Venezolano de Educación-Acción en Derechos Humanos – Provea, Prepara Familia y Centro de Acción y Defensa por los Derechos Humanos (CADEF), as well as those of the defenders Raquel Sánchez and Vanessa Rosales and of the defenders Henderson Maldonado, Gabriel Aranguren, Charles Newbury and Pedro Hernández. The organization expressed its concern about the continued oppression of the human rights movement in Venezuela and the context of persecution, stigmatization, and systematic criminalization against human rights defenders, and demanded an end to criminalization.

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⁸See: Inter-American Commission on Human Rights. Resolution 30/2020 Precautionary measure No. 258-20 José Javier Tarazona Sánchez and family regarding Venezuela. June 18, 2020. In: <https://www.oas.org/es/cidh/decisiones/pdf/2020/30-20MC258-20-VE.pdf>

⁹See: Inter-American Commission on Human Rights. Resolution 42/2020 Precautionary measure No. 1039-17 Katherine Martínez regarding Venezuela (Director of Prepara Familia) August 6, 2020 (Extension). In: <https://www.oas.org/es/cidh/decisiones/pdf/2020/42-20MC1039-17-VE-Ampliacion.pdf>

¹⁰See: Inter-American Court of Human Rights. Order of the Inter-American Court of Human Rights of July 8, 2020. Provisional Measures Regarding Venezuela Matters of Certain Penitentiary Centers in Venezuela Humberto Prado Marianela Sánchez Ortiz and family. In: https://www.corteidh.or.cr/corteidh/docs/medidas/centrospenitenciarios_se_06.pdf Prado Marianela Sánchez Ortiz y familia. En: https://www.corteidh.or.cr/corteidh/docs/medidas/centrospenitenciarios_se_06.pdf

¹¹See: Front Line Defenders. #Venezuela at: <https://www.frontlinedefenders.org/en/cases/location/venezuela>

For its part, the Observatory for the Protection of Human Rights Defenders (the Observatory) made up of the World Organization Against Torture (OMCT) and the International Federation for Human Rights (FIDH), carried out various actions to promote the work of human rights defenders in Venezuela and to demand their protection. Highlighting the joint report published in alliance with the Comité de Familiares de Víctimas de los sucesos de febrero y marzo de 1989 (COFAVIC), la Vicaría de Derechos Humanos de la Arquidiócesis de Caracas y el Centro para los Defensores y la Justicia (CDJ), which gives an account of the causes of vulnerability of human rights defenders in Venezuela¹². In light of this, they issued statements and calls to demand the protection of human rights defenders at risk¹³.

Among the urgent actions issued by the Observatory for the Protection of Human Rights Defenders (the Observatory) made up of OMCT and FIDH, we highlight the one published on September 29, for the benefit of organizations such as the el Comité de Familiares de las Víctimas de los Sucesos de Febrero y Marzo de 1989 (COFAVIC) –, Espacio Público, Centro de Justicia y Paz (CEPAZ), Observatorio Venezolano de Conflictividad Social (OVCS) y Control Ciudadano. In the text, they warned about “the prelude to a new campaign of state repression against people and organizations that defend human rights in Venezuela”¹⁴.

Among other relevant actions, we find pronouncements by the Inter-American Commission such as the one issued on July 15, 2020, in which it expressed its concern “about the continuous acts of harassment and stigmatization against human rights defenders in Venezuela.” The text published by the Commission highlights patterns of attacks such as defamation, stigmatization, harassment, persecution, threats, and criminalization for receiving international cooperation. Likewise, it highlights the worsening of risks in the framework of the Covid-19 pandemic. Finally, the IACHR urged the State of Venezuela “to promote an environment free of hostilities and respect for the fundamental freedoms of defenders”, and urged “to guarantee that human rights defenders can carry out their work of defense and information in the context of the pandemic and to refrain from detaining human rights defenders for the surveillance they carry out regarding the actions of the State in the face of the pandemic and in the event of possible violations of human rights in accordance with the provisions of Resolution 01/20”.

¹²Venezuela: “Internal Enemies” - The defense of human rights under attack. Joint Report: OMCT, FIDH, COFAVIC, CDJ and Vicariate for Human Rights. In: https://www.omct.org/files/2005/03/25728/venezuela_informe_2020.03_informe_completo.pdf

¹³See: <https://www.omct.org/es/human-rights-defenders/urgent-interventions/venezuela/2020/04/d25773/>
<https://www.omct.org/es/human-rights-defenders/urgent-interventions/venezuela/2020/05/d25824/>
<https://www.fidh.org/es/temas/defensores-de-derechos-humanos/venezuela-la-crisis-del-coronavirus-como-excusa-para-silenciar-a>
https://www.omct.org/es/human-rights-defenders/urgent-interventions/venezuela/2020/09/d26094/#_ftn2
<https://www.omct.org/es/human-rights-defenders/urgent-interventions/venezuela/2020/09/d26094/>

¹⁴ Press release. IACHR expresses its concern over the continuous acts of harassment and stigmatization against human rights defenders in Venezuela. July 15, 2020. In: <https://www.oas.org/es/cidh/prensa/comunicados/2020/165.asp>

Similarly, on September 29, 2020, the President Commissioner and Rapporteur on human rights defenders of the Inter-American Commission on Human Rights (IACHR), expressed before the Permanent Council of the Organization of American States (OAS), his concern regarding the serious campaign of criminalization, attacks, and stigmatization against NGOs and defenders following the presentation of the report of the Independent International Fact Finding Mission and urged the Venezuelan authorities to put an end to all types of attacks and harassment against organizations, defenders of human rights and journalists¹⁶.

Regarding organs of the United Nations System, pronouncements and calls for an end to the criminalization of human rights organizations and defenders were also issued by Special Procedures of the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights, and other experts. Among the most prominent we find that on April 30, 2020, 6 of the special procedures of the United Nations, spoke jointly, through a statement in which they expressed their concern about the increase in stigmatization, attacks, and the criminalization of human rights defenders and journalists since the state of health emergency was declared due to the Covid-19 Pandemic¹⁷. For their part, on May 6, 2020, another 3 special procedures issued a joint statement in which they expressed alarm at reports that journalists, lawyers, and medical workers who have been victims of reprisals and arbitrary detention for raising concerns about conditions in the country, with emphasis after the declaration of the state of health emergency due to the Covid-19 Pandemic¹⁸. Finally, on December 18, 2020, a new statement was issued in which 4 special procedures requested an end to the stigmatization and systematic persecution of civil society organizations and human rights defenders, stating that “Freedom of association and freedom of expression are essential pillars of a democratic society”, (...)“ Venezuela must stop trying to control civil society organizations and stop publicly stigmatizing their leaders and criminalizing the work of civil society and human rights defenders. human rights”¹⁹.

In relation to the Office of the United Nations High Commissioner for Human Rights (OACNUDH) in its report on the “Results of the investigation of the complaints of possible violations of the human rights to life, liberty and physical integrity and morality in the Bolivarian Republic of Venezuela”, various patterns of attack and obstruction against human rights defenders were revealed, including arbitrary detentions, stigmatizing and discrediting statements, intimidation, defamation, significant delays in the registration of new organizations and in the registration of new compulsory legal information and threats of the adoption of a law that criminalizes the activities of organizations that receive international funds²¹. Faced with this situation, the OHCHR in its recommendations urged the Venezuelan State to “refrain from discrediting

¹⁶Statement by Commissioner Joel Hernández before the OAS, Retrieved by the Center for Defenders and Justice: <https://twitter.com/DefensoresDDHH/status/1311053718524174336>

¹⁷See: <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=25849&LangID=S>

¹⁸See: <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=25867&LangID=S>

¹⁹See: <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=26620&LangID=S>

²⁰A / HRC / 44/20 Human Rights Council 44th session. June 15 to July 3, 2020. Agenda Item 2. In: https://www.ohchr.org/Documents/Countries/VE/A_HRC_44_20_UnofficialVersion_SP.pdf

²¹Ibid. Paragraphs 24, 27, 31 and 81.

human rights defenders and media professionals and adopt effective measures to protect them, including the adoption of a specialized protocol for investigating human rights violations and crimes committed against them”²². On September 25, 2020, during the 45th session of the Human Rights Council, within the framework of the oral update on the situation of human rights in Venezuela, the United Nations High Commissioner for Human Rights, Michelle Bachelet, denounced, “... restrictions on freedom of expression. This includes the application of anti-hate legislation, attacks against human rights defenders and attacks and arrests of journalists”²³.

Finally, we also highlight calls made by member representatives of diplomatic delegations in the Human Rights Council and the Permanent Council of the Organization of American States who requested respect for human rights organizations and journalists in the exercise of their work.

05 THE CDJ CONTINUED TO PROMOTE THE CONSTRUCTION OF PROPER AND SAFE ENVIRONMENTS FOR THE DEFENSE OF HUMAN RIGHTS

The Centro para los Defensores y la Justicia, based on our mandate as an organization and in line with our commitment to generating spaces for advocacy and capacity building for the work of human rights defenders in Venezuela, carried out a series of discussion panels with international and national experts by virtue of promoting the construction of conducive and safe environments for the exercise of the right to defend human rights and of providing tools for the strengthening of human rights organizations in the face of their work in restrictive environments.

On August 13, the first panel of the cycle of talks “Defending Human Rights in Venezuela during the Covid-19 pandemic and the Humanitarian Emergency” was held²⁴. Where the participation of the international experts Esmeralda Arosemena de Troitiño, Commissioner and Rapporteur for Venezuela of the Inter-American Commission on Human Rights - ICHR and Ivi Oliveira, Protection Coordinator for America Front Line Defenders - FLD, and the defender Marino Alvarado, member of the coordinating team of the Venezuelan Programa Venezolano de Educación Acción en Derechos Humanos - Provea.

On November 10, the third the second cycle of discussion panels “Defending Human Rights in Venezuela during the Covid-19 pandemic and the Humanitarian Emergency” take place²⁵. Where the participation of International Experts Irina Tabirta, of the Office of the United Nations High

²²Paragraph 86 (d)

²³Oral update on the situation of human rights in the Bolivarian Republic of Venezuela. Michelle Bachelet, United Nations High Commissioner for Human Rights. 45th session of the Human Rights Council. Geneva, September 25, 2020. In: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26295&LangID=S>

²⁴Centro para los Defensores y la Justicia ONG: Defender derechos humanos en Venezuela durante la pandemia por COVID-19 y la Emergencia Humanitaria. https://www.youtube.com/watch?v=bBYMps0De_s&t=1s

²⁵Centro para los Defensores y la Justicia ONG: Defender derechos humanos en Venezuela durante la pandemia por COVID-19 y la Emergencia Humanitaria. 10.11.2020. Disponible en: <https://www.youtube.com/watch?v=3vWUOYimDig&feature=youtu.be>

Commissioner for Human Rights, Civil Society Team, Division of the Mechanisms of the Human Rights Council and Human Rights Treaties and Francisco Quintana, Program Director for the Andean Region, North America and the Caribbean of the Center for Justice and International Law -CEJIL, as well as with the participation of the Venezuelan experts and defenders Rocío San Miguel, President of Citizen Control for Security, Defense and the National Armed Forces - Citizen Control; and Katherine Martínez, General Director of Prepara Familia.

These spaces allowed a debate on the role and work of those who defend human rights in Venezuela and promote their effective protection. During the activities, the panelists spoke about the functioning of the mechanisms of the United Nations organization in the sphere of the Human Rights Council and the Treaty Bodies with which human rights defenders can cooperate. Likewise, there was a debate on the challenges and additional global, regional and national challenges faced by those who defend rights as a result of the Covid-19 pandemic. Also, a lecture was made on the need and importance of the recognition and guarantee of the right to defend human rights in Venezuela and on strategies to effectively protect those who demand and defend rights. Finally, the particular and additional challenges faced by Venezuelan defenders as a result of the Covid-19 pandemic, which has been added to a serious situation of pre-existing human rights violation framed in a Complex Humanitarian Emergency, were highlighted.

International experts expressed their concern about the hostile environment in which those who defend or demand human rights in Venezuela must work in , highlighted the importance of their role and the achievements obtained in different international instances to seek justice and the guarantee and protection of human rights. National experts spoke about defense work in the country and the way in which they cope with risks. The panelists also highlighted the additional challenges they face as a result of the Covid-19 pandemic, which has been added to a serious situation of pre-existing human rights violation framed in a Complex Humanitarian Emergency.

06

CONCLUSIONS AND RECOMMENDATIONS

In 2020, new legal and factual actions were incorporated to facilitate and endorse the criminalization of the defense and demand of human rights. The increase in repressive measures directed even against organizations, human rights defenders, and humanitarian actors, the deepening of social control, and the lack of propitious and safe environments to defend rights shows the strengthening of the logic of the internal enemy and of Politics of criminalization based under the *National Security Doctrine*.

The exercise of the legitimate right to defend human rights freely and without retaliation was threatened by greater restrictions and obstacles, actions that added to the precariousness of basic services and social conditions that further affected and conditioned the work of defenders and the full operation of their organizations.

We observe that the institutional crisis and the lack of independence in the institutions served as the executing arm of criminalization. Both by action and by omission, those who should seek the promotion and work of the human rights defenders, were responsible for the attacks registered against them and some became perpetrators.

In an increasingly adverse context for the defense of human rights, the CDJ continues to accompany, document, and denounce the attacks against humanitarian actors, health defenders, union leaders, social leaders, and organizations that carry out documentation, denunciation, and dissemination actions of human rights violations and crimes committed in Venezuela.

Faced with the different vulnerabilities of a circumstantial, structural nature or of specific conditions identified, which affect the work of defenders in Venezuela, a timely, strong, and clear response from the different actors that make up the international community, especially the international mechanisms for the protection of human rights.

We call on the Venezuelan State to cease the criminalization policy. Defending rights and carrying out humanitarian action is not a crime. Effective mechanisms must be created that seek and promote the protection of all the people and organizations that are providing response and support to the victims of the Complex Humanitarian Emergency, crimes, and serious human rights violations in the country.

Given the lack of protection and existing risks, we will continue working on the construction of conducive and safe environments that allow the right to defend human rights to be exercised without arbitrary interference and without reprisals. Trying to create spaces that guarantee freedom of association, demonstration, transparency, and freedom of opinion and expression. From the Centro para los Defensores y la Justicia we reaffirm our commitment to the effective application of the Declaration on the right and duty of individuals, groups, and institutions to promote and protect universally recognized human rights and fundamental freedoms; known as the Declaration of Defenders, adopted by the United Nations General Assembly on December 9, 1998.

CENTRO PARA LOS DEFENSORES Y LA JUSTICIA