



Briefing Notes Summary

Group 62 – Information Centre for Asylum and Migration

Venezuela – July to December 2022

01 January 2023

11 July 2022

Indigenous and environmental rights activist killed

According to the NGO Orpia, the indigenous leader and environmental activist Virgilio Trujillo Arana was killed in Puerto Ayacucho in the state of Amazonas on 30.06.22. As a member of NGOs and a territorial indigenous watchdog group of the Uwottuja people, he was campaigning against illegal mining and illegitimate activities of criminal gangs on indigenous territory. According to media reports, he had previously received threats because of his work. According to initial information from the Cicpc investigation unit, the activist was shot at from a moving car, and there is initial suspicion that the perpetrators are related to the illegal mining sector or paramilitary groups linked to drug trafficking.

Seven arrests of trade unionists, human rights activists, and opposition members

On 07.07.22, trade unionist and human rights activist Gabriel Blanco was arrested in Caracas for allegedly violating the Law against Organised Crime and Financing of Terrorism (Ley Contra la Delincuencia Organizada y Financiamiento al Terrorismo). According to the NGO Provea, there had already been a total of six other selective, arbitrary arrests of trade union representatives, social and human rights defenders and political opposition figures, including several leaders of the Marxist-Leninist opposition party Bandera Roja, in the previous 72 hours.

18 July 2022

Temporary protected status for Venezuelan nationals in the USA extended

On 11.07.22, the US Secretary of Homeland Security announced the extension of the Temporary Protected Status (TPS) for Venezuelan migrants. However, the 18-month extension, which takes effect on 10.09.22 and is valid until 10.03.24, only applies to persons who entered the USA prior to or on 08.03.21. According to current government estimates, about 340,000 people are eligible.

Salary payments for teachers suspended for participating in protests

In an interview with Radio Fe y Alegría Noticias on 12.07.22, the president of Formación para la Dirigencia Sindical (Fordisi) criticised the suspension of salary payments to more than 3,000 teachers in the regions of Carabobo, Guárico, Portuguesa, and Caracas. According to Sánchez, the suspension was related to the affected teachers' participation in protests and their public criticism of grievances in the education system.

Security in Venezuelan border areas

According to a report on violent security incidents in the border area published on 14.07.22 by the NGO Fundaredes, their number has decreased by 38 % in the first half of 2022 compared to the same period last year. Thus, in the first six months, the organisation recorded a total of 362 killings in the states of Amazonas, Apure, Bolívar, Falcón,

Táchira, and Zulia. Zulia, in the border area with Colombia, recorded most of the violent clashes (7) in June 2022, with a total of 18 fatalities.

25 July 2022

Demonstrations by public sector workers and unions against Onapre order

For weeks now, public sector workers and the various trade unions, as well as pensioners, have been protesting an order issued by the National Budget Office (Onapre), for higher wages, respect for workers' rights and the release of trade union activists arrested in early July 2022 (cf. BN of 11.07.22). The so-called "Adjustment Process of the Remuneration System of the Public Administration, Collective Agreements, Special Tables and Strategic Enterprises" approved by Onapre has been applied since the last increase in salaries in March 2022 and suspends a number of collective bargaining rights under the collective agreements concluded in August 2021 in the public sector: For example, various bonuses, including for professional experience or level of education, have been significantly reduced, resulting in some cases in a reduction of income by up to 50 %. The NGO Provea criticises the changes in the structure of the pay scales and the cuts in bonuses and benefits in the course of the nominal minimum wage increase as unlawful. Complaints have already been filed against this before the Political Administrative Chamber of the Supreme Court (TSJ). During another such protest in Caracas on 21.07.22, yet another trade union activist was arrested and briefly detained, and a worker in the Barrio Adentro state health programme was physically assaulted. Various media outlets also reported efforts by officers of the Bolivarian National Police and officials and employees of the ruling party Partido Socialista Unido de Venezuela (PSUV) to prevent the demonstration.

01 August 2022

Telefónica Transparency Report 2021

According to the 2021 Transparency Report published by Telefónica in mid-June 2022, requests by security authorities to intercept telephone numbers have increased about fourfold since 2017 (234,932) (2021: 861,004). The corresponding measures included the interception of text messages, internet traffic as well as the tapping of telephone calls and the release of personal or location data. In the view of human rights organisations there are indications of abuse of such interventions by the authorities, as the high number of interceptions by far exceeds the needs of law enforcement as such.

Three radio stations closed

On 15.07.22, the three radio stations Moda 105.1FM, NEX 100.1FM y Hits 92.5FM in the state of Cojedes were closed down by officials of the Guardia Nacional Bolivariana (GNB) at the behest of the telecommunications regulator Conatel. According to official information, the reasons for this included the lack of permits. NGOs criticised this measure as restrictions on press freedom. According to the NGO Espacio Público, nine radio stations were closed in 2021.

Killing of three indigenous Jivi

According to the civil society organisation Kapé Kapé, three members of the Jivi indigenous group were killed in the town of Guarataro in the municipality of Sucre in the state of Bolívar on 19.07.22. According to the police investigation unit Cuerpo de Investigaciones Científicas, Penales y Criminalística (CICPC), those responsible for the crime are presumably criminal, armed groups operating in Bolívar. Criminal groups are particularly active in illegal mining in the region.

SAIME platform reactivated

As the official platform of the Administrative Service for Identification, Migration and Foreigners (Servicio Autónomo de Identificación, Migración y Extranjería, SAIME) had been inoperative since mid-June 2022, Venezuelan citizens could not apply for identity documents online until 16.07.22; since 18.07.22 previously cancelled appointments are rescheduled. Initially, the government did not give any reasons for the weeks-long outage, but upon the site's reactivation it cited a foreign blockade of the site and its remodelling. However, former employees of this authority as well as non-government experts are particularly critical of the first part of this

statement. Applying for identity and travel documents can take a very long time in Venezuela, which is why entry into various Latin American countries has been possible for some time, even with expired travel documents. However, in recent months various countries have imposed a visa requirement for Venezuelan nationals, including Ecuador and Peru, which must be observed even with expired documents. A passport currently costs around USD 200 if applied for domestically.

08 August 2022

HRW: Number of Venezuelan migrants passing through Darién jungle increased exponentially

According to the NGO Human Rights Watch, the number of Venezuelan migrants using the dangerous route through the Darién jungle between Colombia and Panama on their way north, increased exponentially in June 2022. Thus, in June 2022, a total of 15,600 people crossed the Darién, of which 11,300 were Venezuelan nationals. In the same month last year, the number of Venezuelans was only 205 out of a total of 10,200 migrants.

Conviction of opposition leader Juan Requesens for conspiracy

On 04.08.22, former student and opposition leader Juan Requesens was sentenced to eight years in prison for conspiracy, according to his lawyer. He is accused, along with 16 co-defendants, of being involved in a drone attack on President Maduro during a military parade in August 2018. Six civilians as well as a retired sergeant and a major general were sentenced to the maximum penalty of 30 years related to the same incident. The dissident Requesens was arrested three days after the suspected attack and initially imprisoned in El Helicóide prison, then under house arrest from 2020. He has always denied being involved in this incident. It is currently unclear whether he will have to serve the rest of his sentence in house arrest or be sent to prison again. Human rights organisations, relatives and large parts of the opposition have always criticised Requesens' arrest as politically motivated and consider him a political prisoner who was arbitrarily sentenced.

29 August 2022

Resumption of diplomatic relations

Diplomatic relations between neighbouring Venezuela and Colombia were officially resumed on 28.08.22, the date on which Colombian Ambassador Armando Benedetti arrived in the Venezuelan capital Caracas. Venezuelan President Maduro announced that former Foreign Minister Félix Plasencia would be sent to Colombia as ambassador. In addition, Venezuelan Defence Minister Vladimir Padrino López said he would contact his Colombian counterpart Iván Velásquez Gómez to restore military relations between the two countries. Several armed groups are active in the border region of both countries. Diplomatic relations were severed in February 2019 after Colombia refused to recognise Maduro's re-election.

Violence Observatory Report (OVV): Interpersonal violence in the first six months of 2022

According to a report by the Venezuelan Observatory of Violence (OVV), based on investigations in 14 regions of the country and the analysis of reports from over 60 media outlets, at least 950 homicides were committed in the country in the first half of 2022. Next to 620 intentional homicides, this figure also includes 330 deaths related to police interventions. In addition, the study (Delitos Conocidos por la Sociedad) registered more than 1,500 other acts of interpersonal violence, including numerous assaults and sexual assaults. By far the highest incidence of violence has been recorded in the state of Zulia, followed by the states of Bolívar, Aragua, Falcón and Lara. However, as the title of the study indicates, this investigation only covers crimes known to civil society, which is why the Observatory explicitly advises that the findings might be under-reported, also due to a lack of official data.

Report of the Prisons Observatory (OVP): Control of prisons

A report by the Venezuelan Prison Observatory, which studied the situation in 31 of the country's 52 prisons, warns that only eight of the facilities studied were fully under government control, while just as many were under the full control of prison bosses (so-called pranes). In the remaining 15 facilities, control is shared between the state and pranes. 46 % of all inmates (13,939) lived in the prisons controlled by pranes, which are located in Aragua, Carabobo, Monagas and Anzoátegui and elsewhere and are overcrowded by almost 290 %, the report says. Other inmates

there have to pay a weekly or monthly protection fee, and often additional expenses for food, water, transport to court hearings or visits.

Migration status of 324,000 Venezuelan nationals in Ecuador

According to the Ecuadorian government, more than 300,000 of the over 500,000 Venezuelan migrants currently residing irregularly in Ecuador are to be registered and their status regularised with the support of the UN Refugee Agency (UNHCR) and the International Organisation for Migration (IOM) between 1. and 12.09.22. In addition to having a personal interview, they will be biometrically registered and subsequently receive a permanent registration certificate (certificado de registro de permanencia). This identification document shall also protect the migrants and facilitate their integration into the regular labour market. Also, the stigmatisation of Venezuelan nationals shall be reduced by checking for criminal involvement during the registration process.

12 September 2022

Mulier Report: Trafficking in women and girls

According to a recent report by the NGO Mulier (Libres y Seguras), which collected and analysed news from Latin American media, more than 400 Venezuelan women, including over 130 girls and adolescents, were rescued from trafficking networks in 2021. The numbers are thus down compared to the two previous years (2019: 672, 2020: 517), but the organisation also attributes the reduction to low efficiency and low detection rates in the fight against human trafficking and thus presumably high numbers of unreported cases; it estimates that the real number of trafficked persons tends to be higher. In contrast, however, the number of persons arrested in connection with this offence has increased; the organisation is not aware whether convictions have been handed down in all cases. In addition, the total number of rescued children and adolescents has increased in comparison to previous years; minors travelling alone are particularly affected. The most common motive for human trafficking is sexual exploitation.

26 September 2022

Third report of the Independent International Fact-Finding Mission

In its third report for the UN Human Rights Council, published on 20.09.22, the Independent International FactFinding Mission on the Bolivarian Republic of Venezuela concentrated its examination on the role of the state intelligence services SEBIN (Servicio Bolivariano de Inteligencia Nacional) and DGCIM (Dirección General de Contrainteligencia Militar). Already in its 2020 report, the investigative commission considered that it can be fairly assumed that the state, as part of its systematic policy to suppress dissidence, at times by means of human rights violations, relied on various security organs, including the two intelligence services which constitute two of six structures and are the subject of a detailed analysis. The current report is based on more than 240 newly conducted interviews with victims, their relatives and former employees of the secret services, as well as on background information gathered for previous reports through earlier interviews and document reviews. According to the report, the Venezuelan state has been using both intelligence services since 2014 to suppress actual or presumed opposition figures. Witnesses testified that the executive staff of the secret services and their subordinates have acted to suppress critical and oppositional opinions, also with the knowledge or on the instructions of the highest political leadership, including President Maduro and the vice-president of the ruling party (PSUV) Diosdado Cabello. However, such orders were never issued in writing. The team of experts finds that in addition to the interviews, there are indications for the involvement of the top political leadership, in the form of promotion patterns, equipping security operations with appropriate resources and announcing arrests, in some cases shortly before they are actually made. The targeted opposition members were victims of arbitrary arrests and detentions, sometimes based on falsified evidence or forced confessions, and allegedly there were various acts of torture and sexual violence, the report says. The arrests were often preceded by shorter or longer surveillance phases of the target subject. Numerous human rights violations were allegedly committed, especially in the cells of the two secret service headquarters, the Helicoide (SEBIN) and the Boleíta (DGCIM), but also in hidden houses (so-called casas de seguridad) spread throughout the country, in which the persons concerned were temporarily detained. Furthermore, there is evidence of crimes against humanity being committed by the secret services. Although the Helicoide prison has officially been under the control of the civil prison administration since November 2021, the

SEBIN continues to exercise de facto control over the political prisoners, according to witness reports. In addition, the report includes a detailed discussion of the hierarchical structure including chains of command and the modus operandi of the secret services. There are indications that employees who disobeyed orders to commit such offences were forced to carry them out. In addition, another report submitted by the commission also lists numerous violations of human rights of the local population, including numerous indigenous groups in the mining belt (Arco Minero del Orinoco) and other regions of Bolívar. Civilians living there and people working in the gold mines are repeatedly victims of sexual exploitation, homicides, kidnappings, forced labour and human trafficking. Not only armed irregular groups, but also state security forces, such as members of the armed forces (Fuerza Armada Nacional Bolivariana, FANB), are responsible for human rights violations.

Joint decision on checkpoints in the country, criminal investigation initiated after video recordings

According to Art. 20 of a joint resolution (N° 109) of the Ministries of Defence and Interior and Justice of 07.09.22, citizens are henceforth allowed to "record by video or audio the procedures to which they are subjected at police and military checkpoints [alcabalas] in the country, as part of exercising their constitutional and legal rights, they may not be prevented from doing so". According to Art. 20, no one can be obliged to hand over his or her mobile phone at such points, nor to delete any content saved on it. On 17.09.22, an investigation was launched against officers of La Guaira state police because of a video published on social media documenting irregularities during a roadside check by the police and their attempt to prevent the filming.

10 October 2022

Resumption of peace negotiations between ELN and government

On 04.10.22 delegates of the Colombian government and the National Liberation Army guerilla group (ELN) agreed to resume the peace talks which were suspended in 2019. A corresponding declaration, signed by ELN commanders Antonio García and Pablo Beltrán and Colombia's high peace commissioner, Danilo Rueda, was presented at a press conference in the Venezuelan capital, Caracas. Negotiations are to resume at the beginning of November 2022 with the support of Norway, Cuba and Venezuela. Rueda, who travelled to Cuba within days of president Gustavo Petro's inauguration to conduct exploratory talks with an ELN delegation (cf. BN of 22.08.22), stated that the recent release of hostages and the decline in attacks by the ELN had brought about a new atmosphere of trust. Asked about a possible bilateral ceasefire, Rueda replied that the parties were still in the process of building trust.

Extension of mandate for independent fact-finding mission for Venezuela

On 07.10.22 the UN Human Rights Council extended the mandate for the international independent fact-finding mission for Venezuela by a further two years. 23 states abstained from the vote. The mission was deployed for the first time in 2019 in order to investigate human rights violations in the country, and has since published three major reports (cf. BN of 26.09.22). While Venezuela and allied countries have criticised the mission as interventionist and the results of the investigations presented in the reports as "false and unfounded", various national and international NGOs have welcomed the mission's extension.

Flooding leads to deaths in Aragua

Sustained rainfall has led to severe flooding in the town of Las Tejerías in the federal state of Aragua, resulting in an official death toll of 25 on 08.10.22. More than 50 people were still missing on the evening of 09.10.22. Houses and infrastructure were destroyed. President Maduro has stated that emergency accommodation is to be set up for those affected. According to local and international NGOs, this latest incident brings the total number of deaths resulting from sustained rainfall in various parts of the country to over 40 in the past two weeks.

17 October 2022

Migration: New US provisions, situation for Venezuelan migrants and refugees

Under a plan relating to new US migration conditions for Venezuelan nationals which was officially presented on 12.10.22 and which is to enter into force with immediate effect, in future all migrants illegally entering the US from Venezuela as their country of origin are to be returned to Mexico under the contentious "Title 42" policy. The relevant passage was introduced under Trump at the beginning of the pandemic in March 2020 and the Biden

government's attempt to abolish it was overturned by US courts in May 2022. It allows individuals seeking to enter the country illegally to be refused entry directly at the border and sent back. According to the US secretary of homeland security, Venezuelan migrants who continue to cross the border illegally will not be granted access to an admission process in future. At the same time, under a humanitarian programme there is provision for up to 24,000 Venezuelan nationals to legally remain in the country for two years subject to certain conditions, including legal entry by air and the involvement of a sponsor in the USA acting as a guarantor. Previously, Venezuelan migrants illegally entering the country were commonly not deported, as returns to Mexico or removals to Venezuela were generally all but impossible. Many subsequently filed an asylum application in the USA. Through the current change of policy in consultation with Mexico, the US government is seeking to control the number of Venezuelans illegally entering the country, which has risen sharply in recent months, while at the same time warning against dangerous migration routes, such as the option leading through the Darién jungle between Panama and Colombia.

According to a collection of statistics from host countries compiled by the Regional Interagency Coordination Platform for Refugees and Migrants (R4V), as per October 2022 more than 7.1 million people have left Venezuela for reasons including economic motives, the humanitarian situation or in order to escape violence. According to an official statement by the IOM on 12.10.22, based on R4V's results and analysis, around 4.3 million of these Venezuelan migrants and refugees are finding it increasingly difficult to earn a livelihood, gain access to healthcare and find secure accommodation in Latin American and Caribbean countries due to the pandemic, the rising cost of living and unemployment, among other factors. As a result, many are forced to beg or turn to prostitution in order to obtain regular meals and a place to live. One alternative is to move on to other countries, which often involves dangerous journeys. Notwithstanding various regularisation initiatives and humanitarian programmes, the IOM has called for a further increase in protection for Venezuelan refugees in the Latin American and Caribbean host countries and improved access to basic services and provisions, education and the labour market.

31 October 2022

Freedom of expression and freedom of the press: Closures of radio stations

A report published by the national press union (SNTP) on 28.10.22 claims that almost 80 radio stations in 16 of the country's federal states were closed by the national telecommunications commission (Conatel) between January and October 2022. The states with the highest numbers of station closures were Zulia (23), Sucre (11), Táchira (10), Cojedes and Falcón (6 each). The closure instructions were generally issued on the telephone or verbally and without any fair procedural safeguards, such as the possibility of filing an objection to the decision. By way of explanation for the closures, in most instances the regulatory authority only briefly referred to the broadcasting licence having allegedly expired or lapsed, without providing any further details.

07 November 2022

NGO report: Medical examinations at selected police station detention centres

On 27.10.22 the NGO Una ventana a la libertad (UVL) published a new report on the results of medical examinations which were carried out over a period of eleven days at 177 police station detention centres in nine of the country's states (Anzoátegui, Aragua, Bolívar, Carabobo, Miranda, Nueva Esparta, Vargas, Zulia and the capital district). The majority of the cell complexes at the police stations are under civilian state control (158), while 19 are controlled by the military police (GNB). The current report refers to the data obtained on 820 prisoners examined at the facilities concerned, 90 % of whom were men. At least 17 deaths were recorded at these police station detention centres between April and September 2022. The causes of the prisoners' deaths included malnutrition and infectious diseases such as HIV, tuberculosis and COVID-19, for which they did not receive any treatment, according to their dependants. The UVL report states that 39 prisoners were severely malnourished, 156 individuals were suffering from tuberculosis and 57 from HIV. 126 people also tested positive for COVID-19 at the time of the medical examinations. The NGO criticised the standard of medical care as "inadequate", adding that diseases spread more easily as a result of severe overcrowding and poor sanitary conditions. The current level of overcrowding at the investigated police station detention centres was found to be 218 % (10,193 people instead of 4,679); only around 50 % of the facilities had toilets and only 80 a regular supply of drinking water. The facilities were furthermore found to be unsuitable for accommodating detainees over prolonged periods.

Illegal border crossing points between Colombia and Venezuela

Despite the opening of the official border crossing points between Colombia and Venezuela in September 2022, according to various reports in the media and information from Colombian president Petro the majority of trade continues to take place via the informal border crossing points (so-called trochas). Petro's government is thus seeking to close these trochas. According to the NGO FundaRedes there are currently around 400 such trochas leading across the green border, including 250 between the federal states of Norte de Santander and Táchira alone.

15 November 2022

Study shows slight fall in poverty rate, substantial inequality persists

The results of the 2022 National Survey of Living Conditions for Venezuelans (ENCOVI), which has been conducted regularly since 2014 by the Economic and Social Research Institute of the Catholic University Andrés Bello (IIESUCAB), show the multidimensional poverty rate in the country to be falling for the first time. The sample size of the survey comprised 2,300 randomly selected households nationwide. The figures have thus fallen back to the level ascertained in the 2018 survey, prior to the pandemic and the worst phase of hyperinflation. This slight recovery is attributable in particular to improvements in the areas of income and employment, however. The average income in public employment rose to around US\$ 113 per month, while the corresponding figure in the private sector stood at almost US\$ 150 and formal employment also rose by more than 7.5 % compared to the figure in last year's survey. While poverty due to economic factors fell from 69 % to 57 % between 2019 and 2022, poverty resulting from social factors rose over the same period from 31 % to 42 %, however. This indicates an increase in the impact of structural factors, such as access to education, housing or public services. In addition, the growth of the economy benefits different segments of the population to varying extents. Substantial inequality persists in the country. The upper 10 % of the population earn 70 times that of the bottom 10 %; almost 40 % of the households with the highest income are located in the capital, Caracas. Some reports in the media refer in this connection to so-called "recovery bubbles". According to the survey, the most important social programmes in the period under review were, in particular, monetary payments (regular and irregular bonuses) through the Patria system and also the distribution of so-called CLAP boxes containing subsidised food. However, only 35 % of people receive these boxes on a regular basis at the standard monthly intervals, while almost 10 % never receive any at all. The number of adults who received bonuses has dropped from over 60 % in the last survey to 48.4 %. The share of return transfers of money to Venezuela from emigrants abroad has fallen by 10 % in comparison to the last survey. The number of households without food insecurity has risen from 11.8 % in 2020 to 21.9 % in 2022.

28 November 2022

Agreement between government and opposition on humanitarian aid

The first formal talks since October 2021 between Nicolás Maduro's government and the opposition led by Juan Guaidó took place on 26.11.22. Representatives of both sides signed a partial agreement on humanitarian cooperation in Mexico City. Under the agreement, an application has been submitted to the UN to release public funds which have been frozen as part of international sanctions. Around US\$ 3 billion are to be allocated to a social fund in order to finance urgently needed welfare spending in the areas of healthcare, food security, flood protection and electricity. The negotiators agreed to continue the talks next month in order to sound out a timetable for the elections in 2024 and human rights issues. Following the agreement, the US government granted US corporation Chevron permission to resume the extraction of Venezuelan oil and imports of the same to the USA.

19 December 2022

30-year prison terms handed down

According to information from relatives of the three defendants, Maria Delgado Tabosky, major (retired) Juan Carlos Marrufo and colonel (retired) Juan Francisco Rodriguez, who are accused of participating in an alleged attempted attack involving the detonation of drones at a rally by president Maduro in 2018, have each received the maximum sentence of 30 years in prison for terrorism, treason and forming a criminal organisation. The UN Human Rights Council working group for arbitrary arrests criticised the arrests of the first two individuals as arbitrary back in 2019, and NGOs stated that they had only been arrested because they are related to the person alleged to have financed

the attack, who lives abroad and cannot be apprehended. 17 other people charged in connection with the same case were sentenced to prison terms of between five and 30 years in August (cf. BN of 08.08.22).

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