

# World Report 2024



## Venezuela

### Events of 2023

*Voters wait in line to cast their vote during the opposition primaries in Caracas, Venezuela, on, October 22, 2023, which Maria Corina Machado won even though Venezuela's then-comptroller general, a close ally of President Nicolás Maduro, barred her from holding elected office.*

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Venezuelans continued to suffer repression and a humanitarian crisis. More than 270 political prisoners are behind bars. About 19 million people are in need, unable to access adequate health care and nutrition. More than 7.7 million Venezuelans have fled the country, generating one of the largest migration crises in the world.

On June 27, International Criminal Court (ICC) judges authorized the resumption of an investigation into alleged crimes against humanity in Venezuela. In September, the United Nations Fact-Finding Mission (FFM) found serious human rights violations that continued the same patterns of conduct that the FFM had previously qualified as crimes against humanity.

Several government actions, including the designation of a new National Electoral Council (CNE) and the disqualification of presidential candidates, increased concerns about the possibility of free and fair elections.

Negotiations between Nicolás Maduro's government and the opposition resumed in October 2023, reaching an agreement related to political rights and electoral guarantees.

Authorities harass, persecute, and jail union workers, journalists, and human rights defenders, restricting civic space. Persistent concerns include the lack of protection for Indigenous people; lesbian, gay, bisexual, and transgender (LGBT) people; and the rights of women and girls.

## Abuses and Repression of Dissent

While the same patterns of abuse continue, there has been a shift from the widescale repression of protesters in the streets to a seemingly more selective repression that includes surveillance, harassment, and criminalization. However, as the FFM found, Maduro's government continues to have the capacity to resort to the "hardline" tools of repression, such as torture and killings, "to stifle dissent."

More than 15,800 people have been subjected to politically motivated arrests since 2014, and about 270 remained in detention, the legal aid organization Foro Penal reported in October. Five political prisoners, including journalist Ronald Carreño, were released on October 18 after the government and opposition resumed negotiations.

The UN Office of the High Commissioner for Human Rights (OHCHR) and the FFM continued to document cases, albeit a decline in number, of killings, short-term enforced disappearances, arbitrary detentions, torture and ill-treatment, and sexual and gender-based violence against opponents of the Maduro government.

The Special Action Forces (FAES), a police unit that engaged in serious human rights violations, was dissolved in 2022 and replaced by the Directorate of Strategic and Tactical Actions (DAET) after continued international pressure. DAET has similar functions and modus operandi as FAES, with former FAES officials who have been involved in gross human rights violations holding key roles, according to the FFM.

## Right to Vote

Venezuela made little, if any, progress in implementing recommendations made by European Union election monitors in 2021 in anticipation of the 2024 presidential elections and 2025 legislative and regional elections.

In late June, the Comptroller General's Office added to its list of electoral disqualifications a 15-year ban for opposition candidate María Corina Machado.

The Supreme Court continued to impose ad hoc leaders on opposition parties. In August, it ordered new leaders for the Venezuelan Communist Party.

The government-controlled National Assembly elected all new members of the CNE in August, after pro-government members resigned. New members include Elvis Amoroso, who, as comptroller general, disqualified opposition candidates, and Carlos Quintero, whom the United States sanctioned in 2017 for his role, as a CNE member, in weakening elections.

On October 17, the government and opposition agreed to honor political parties' right to choose their presidential candidates and to hold the presidential elections in the second half of 2024, along with other electoral guarantees.

Also in October, opposition parties held their first primary elections since 2012, electing María Corina Machado as the opposition presidential candidate. Days later, the Attorney General's Office launched an investigation into the primary organizing committee for alleged fraud and the pro-government Supreme Court suspended "all effects" of the primary election.

# Impunity for Abuses

The judiciary stopped functioning as an independent branch of government in 2004. There has been no meaningful justice for crimes committed with the knowledge or acquiescence of high-level authorities.

In June, ICC judges found that Venezuelan courts are not investigating possible crimes against humanity to the extent of an intended investigation at the ICC, therefore greenlighting the resumption of the investigation. At time of writing, Venezuela was appealing the decision.

In July, OHCHR reported “prolonged delays” in the investigation of deaths during 2014, 2017, and 2019 protests. Only 8 of the 101 deaths the office documented during security operations have been brought to trial.

In September, the FFM had reasonable grounds to believe that far from dismantling structures involved in abuses, Venezuelan authorities have “promoted” individuals responsible for them.

# Humanitarian Emergency

HumVenezuela, an independent platform of civil society organizations monitoring the humanitarian emergency, estimated that from March 2020 to March 2022, 66 percent of Venezuela’s population needs humanitarian assistance and 65 percent have “irreversibly lost or exhausted their means of livelihood.”

Venezuela has the highest prevalence of undernourishment in South America, according to the 2022 *UN Regional Overview of Food Security and Nutrition*.

In August 2023, over 72 percent of people were unable to access public health services when needed, compared to 65.5 percent in July 2021. Medicine shortages stood at 26.3 percent by August 2023, the humanitarian organization Convite estimated. Despite a reduction in shortages, medicines are unaffordable to many.

Lack of electricity and running water undermine hospital services. Deteriorated infrastructure and lack of basic services in rural areas have pushed people to move to urban centers.

Due to illness and the lack of basic services, food, and school supplies, over 26 percent of children between 0 and 17 years old are out of school.

At time of writing, the UN had greenlighted the creation of the fund for humanitarian aid using the government’s frozen assets abroad, to which the government and the opposition agreed in 2022.

# Refugee Crisis

More than 7.7 million Venezuelans have left Venezuela since 2014, of whom about 6.5 million relocated within Latin America and the Caribbean. The number crossing the Darién Gap, a dangerous jungle on the Colombia-Panama border, skyrocketed, owing in part to visa restrictions that effectively closed safer routes. Over 440,000 Venezuelans crossed the Darién Gap between January 2022 and October 2023.

Many Venezuelans were fleeing harsh economic conditions. Some were escaping persecution, including by security forces and gangs.

Unemployment or inadequate income, inability to regularize their immigration or refugee status, and discrimination and xenophobia drive many to keep heading north.

In October, the US announced the resumption of direct deportations of Venezuelans.

## **Freedom of Association**

In 2023, restrictions on civic space increased, resulting in the erosion of the right to freedom of association and undue constraints on labor and civil society organizations.

Several trade unionists have been subject to intimidation, arbitrary prosecution, and detention. On August 1, six Venezuelan union leaders who had led protests for labor rights and fair salaries were sentenced to 16 years in prison on charges of conspiracy and criminal association. UN special rapporteurs denounced a “chronic misuse of counter-terrorism measures against those advocating for the rights of workers.”

On August 4, the Supreme Court named an interim president of the Venezuelan Red Cross, tasked with overseeing its restructuring. Courts have established ad hoc boards for unions, federal associations, and political parties.

## **Attacks on Human Rights Defenders**

On January 24, the National Assembly advanced a bill giving the executive branch broad powers to control, register, sanction, and dissolve nongovernmental organizations (NGOs). NGOs, OHCHR, the FFM and UN special rapporteurs expressed concern. At time of writing, the bill remained pending.

At time of writing, Javier Tarazona, from the NGO Fundaredes, arrested in July 2021 after exposing links between Venezuelan security forces and armed groups, remained in prison.

## **Freedom of Expression**

The authorities have stigmatized, harassed, and repressed the media, closing dissenting outlets. Fear of reprisals leads to self-censorship. In September, the civil society organization Espacio Público reported 261 violations of freedom of expression in 2023; censorship and intimidation were the most common.

In January, *El Nacional* director Miguel Otero reported the detention of journalist José Gregorio Meza and said four other journalists from the outlet were summoned to testify about “certain works published by the media.”

## **Armed Groups**

Armed groups—including the National Liberation Army (ELN), the Patriotic Forces of National Liberation (FPLN), and groups that emerged from the Revolutionary Armed Forces of Colombia (FARC)—operate mostly in border states, brutally enforcing curfews and regulations governing everyday activities.

Fundaredes reported in 2023 that armed groups and criminal gangs are expanding extortion in the border area with Colombia, threatening civilians’ lives and properties.

## **Mining and Indigenous Peoples’ Rights**

Mining is one of the leading drivers of deforestation in the Venezuelan Amazon. Environmental and human rights organizations have accused security forces of collaborating with illegal miners, including by providing mercury for gold mining, and indiscriminately targeting civilians with disproportionate use of force.

In September, soldiers clashed with suspected illegal miners in the Yapacana national park, resulting in two fatalities and six people injured.

Journalists and SOS Orinoco, an NGO, reported that Indigenous people living close to gold mines are experiencing severe poisoning from mercury. Some have been forcibly displaced.

## **Sexual Orientation and Gender Identity**

Venezuela has no comprehensive legislation protecting people from discrimination based on sexual orientation and gender identity.

In March, the Supreme Court decriminalized consensual same-sex conduct by military personnel.

On July 23, police raided a club frequented by LGBT people and arrested 33 on noise level and public indecency charges. Of those arrested, 30 were granted “conditional parole” after 72 hours, and 3 were released 10 days later. Activists accused authorities of “criminalizing” people for their sexual orientation.

## **Disability Rights**

Venezuelan law prohibits discrimination against people with disabilities and requires accessible public parks and buildings. But there is still prejudice and minimal access to public transportation, including because of drivers unwilling to transport people with disabilities. Access to public health services for people with disabilities is difficult and private services are unaffordable.

## **Women’s and Girls’ Rights**

Abortion is criminalized except when the life of the pregnant person is at risk.

Sexual and reproductive health services for women and girls are suffering a loss of capacity, HumVenezuela reported. Contraceptives and menstrual hygiene products are unaffordable.

According to UNFPA, Venezuela has a high maternal mortality rate, with 125.4 maternal deaths per 100,000 live births, as well as a high adolescent pregnancy rate of 97.7 per 1,000 girls and women aged 15-19.

Venezuela lacks the regulations and gender-sensitive protocols needed to implement the Organic Law on Women’s Right to a Life Free from Violence, the UN Committee on the Elimination of Discrimination against Women reported in May.

The Observatory of Femicides of the Center for Justice and Peace (Cepaz), an NGO, documented 160 femicides and 93 attempted femicides between January and July. No official data on femicides has been released since 2016.

## **Key International Actors**

After visiting Venezuela in January, the UN High Commissioner for Human Rights flagged human rights challenges in the “civil, political, economic, and social spheres.” The UN Office for the Coordination of Humanitarian Affairs (OCHA), which oversees the UN’s humanitarian work in Venezuela, estimates that 7 million Venezuelans in the country are in need of assistance.

In addition to noting cases of torture and delays in investigations, OHCHR flagged the following for the UN Human Rights Council: unlawful and arbitrary detentions; restrictions on civic space; obstacles to free participation in political affairs; and economic and social challenges that have contributed to the humanitarian emergency.

During June, days before the ICC’s decision on the resumption of the investigation into alleged crimes against humanity, the ICC prosecutor visited Venezuela and signed a memorandum of understanding with Maduro, agreeing to establish an in-country office.

In September, the FFM issued its fourth report concluding that, while the state has adopted less overt coercive tactics, it still possesses the capacity to resort to harsh measures to suppress dissent; therefore, international scrutiny should persist.

Brazil invited Maduro to a South American leaders’ meeting in May. President Luiz Inácio Lula da Silva implied that democracy is thriving in Venezuela, calling the undermining of democratic institutions there a “constructed narrative.” His remarks prompted negative reactions by local and international NGOs.

In Bogotá in April, Colombian President Gustavo Petro convened an international summit aimed at reigniting negotiations between the Venezuelan government and opposition.

Also in Bogotá in April and again during the EU-CELAC Summit in July, the EU high representative for foreign affairs (HRVP), Josep Borrell, recalled the need to implement the EU Electoral Observer Mission’s recommendations. Jointly with the presidents of Colombia, Brazil, Argentina, and France, the HRVP encouraged the resumption of negotiations and expressed support for lifting sanctions on Venezuela if transparent and inclusive elections take place in 2024. In July as well, the European Parliament strongly condemned political disqualifications of candidates.

In July, a prosecutor in Argentina launched an investigation into potential crimes against humanity in Venezuela, following a criminal complaint filed by the Clooney Foundation for Justice under the principle of universal jurisdiction.

On August 8, during the first day of an Amazon Summit, Venezuela, along with seven other Amazon countries, signed the Belém Declaration, establishing a collective agenda to protect the Amazon environment.

In October, shortly after the government and opposition reached an agreement, the US relieved some sanctions by granting six-month licenses related to Venezuela’s gas and oil sector. Failure to abide by the terms of the October agreement will lead the US to “reverse” them.

In November, the Council of the EU decided to extend its restrictive measures, including individual travel bans and asset freezes, for six months, until May 14, 2024, instead of one year.

In December, the Maduro government held a referendum on the creation of a Venezuelan province in the Essequibo, a territory controlled by neighboring Guyana that has been in dispute for over a century including in ongoing proceedings before the International Court of Justice. The Maduro government said that 10 million people participated in the referendum and over 90 percent voted in favor. Governments in Latin America, Europe, and the US urged Maduro to de-escalate the situation, fearing an international armed conflict. At time of writing, Guyana and Venezuela had agreed to initiate talks.