

World Report 2023



Venezuela

Events of 2022

A migrant wears a Venezuelan flag in Necocli, Colombia, a stopping point for migrants taking boats to Acandí which leads to the Darién Gap, Thursday, Oct. 13, 2022. An exodus of some 7.1 million Venezuelans represents one of the largest migration crises in the world.

© 2022 AP Photo/Fernando Vergara

- [English](#)
- [Português](#)
- [Español](#)

In November 2021, the International Criminal Court (ICC) prosecutor Karim Khan opened an investigation into possible crimes against humanity in Venezuela. In 2020, the United Nations Fact-Finding Mission (FFM) had found sufficient grounds to believe crimes against humanity have been committed as part of a state policy to repress opponents.

The UN Office of the High Commissioner for Human Rights (OHCHR), which has a presence in Venezuela, lost access in 2022 to detention centers where political prisoners are held.

Judicial authorities have participated or been complicit in the abuses, serving as a mechanism of repression.

Venezuela faces a severe humanitarian emergency, with millions unable to access adequate health care and nutrition.

Authorities harass and persecute journalists, human rights defenders, and civil society organizations. Persistent concerns include brutal policing practices, lack of protection for Indigenous people, and poor prison conditions.

An exodus of some 7.1 million Venezuelans represents one of the largest migration crises in the world.

A 2022 report by a European Union electoral observation mission laid out concrete recommendations to pave the way to free and fair elections.

Negotiations, that were stalled since October 2021, resumed in November.

Persecution of Political Opponents, Arrests, and Torture

The government has jailed political opponents and disqualified them from running for office. As of October, the Penal Forum, a network of pro-bono defense lawyers, reported 245 political prisoners.

At least 114 political prisoners have spent more than three years in pretrial detention, despite time limits included in a recent Criminal Code reform. Approximately 875 of the 15,770 civilians arbitrarily arrested from 2014 through June 2022 have been prosecuted in military courts, the Penal Forum reported.

While some detainees have been released or transferred from Bolivarian National Intelligence Service (SEBIN) facilities to prisons, new critics have been subject to arbitrary detention.

OHCHR continued receiving complaints of torture, ill-treatment, and incommunicado detentions in 2022.

Security forces and *colectivos*—pro-government armed groups—have repeatedly attacked demonstrations since 2014, including with violent raids, brutal beatings and point-blank range shootings.

According to official sources consulted by OHCHR, the Attorney General's Office recorded 235 complaints of human rights violations involving deprivation of liberty, from May 2021 through April 2022, including 20 in terrorism-related charges.

OHCHR and the UN Working Group on Arbitrary Detentions, reported persistent challenges to ensuring the rights to liberty and fair trials. There are also delays in implementing judicial release orders.

In September, the UN FFM reported that crimes committed by intelligence services, on orders of high-level authorities, including Nicolás Maduro, were part of a deliberate policy to repress government opponents. The mission again described these as crimes against humanity.

Alleged Extrajudicial Killings

Agents of the Special Action Forces (FAES) and other police and military units have killed and tortured with impunity in low-income communities, including during security raids called “Operations To Liberate the People.”

Between 2016 and 2019, security forces alleged “resistance to authority” in more than 19,000 killings. Evidence showed many were extrajudicial killings. OHCHR documented continuing patterns of such killings in marginalized neighborhoods but reported a significant reduction in number in 2022.

Armed Groups

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

On January 1, 2022, clashes broke out between the Joint Eastern Command—a coalition of dissident groups that emerged from the demobilized FARC—and ELN guerrillas, over control of territory in Colombia’s Arauca state and Venezuela’s Apure state. Both groups committed abuses including killings; forced displacement; and forced recruitment, including of children.

Venezuelan security agents have conducted joint operations with ELN fighters and have been complicit in their abuses.

Judicial Independence, 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 knowledge or acquiescence of high-level authorities.

Judicial authorities have been complicit in abuses, the FFM reported in 2021, including by issuing retrospective warrants for illegal arrests, ordering pre-trial detention routinely, upholding detentions based on flimsy evidence, and failing to protect victims of torture.

Venezuela’s National Assembly, controlled by supporters of Nicolás Maduro, revised the Organic Law of the Supreme Court of Justice in January, requiring an entirely new Supreme Court, which plays a critical role in appointing and removing lower court judges, of 20 justices—down from 32. The selection process, was not independent. Although Venezuela’s constitution allows only one 12-year term, justices who had failed to act as a check on executive power were reappointed for longer.

Indigenous Rights and Mining

Authorities reportedly failed to consult residents before creating a special mining zone in 2016, which encompasses 14 Indigenous territories. Mining is one of the main drivers of deforestation and water pollution, contributing to diseases including malaria. SOS Orinoco and the media outlet Correo del Caroní reported that people from Indigenous communities close to mines are experiencing severe poisoning from the mercury used to separate gold from impurities. Some have been forcibly displaced.

Authorities have failed to protect Indigenous populations from violence, forced labor, and sexual exploitation. Human Rights Watch has documented horrific abuses—amputations, shootings, and killings—by groups controlling illegal gold mines in southern Venezuela, operating with government acquiescence.

On March 20, a clash between the Bolivarian National Armed Forces (FANB) and a remote Yanomami Indigenous community in Amazon State left four Indigenous people dead. Authorities held incommunicado at a Caracas military hospital for more than three months a 16-year-old who had been shot and was seriously injured. OHCHR urged a proper investigation, including of the incident’s “underlying causes.” Lawyers said investigations are stalled.

The UN FFM in September referred to abuses by security forces and armed groups, including the ELN, against people in mining areas.

Several Indigenous leaders have been threatened or attacked by state and non-state actors. In June, Virgilio Trujillo, an Indigenous leader who opposed illegal mining in the Uwottuja community and had received death threats, was shot dead.

Disability Rights

In May the Committee on the Rights of Persons with Disabilities concluded there is no law or mechanism to combat and punish discrimination against people with disabilities and a non-inclusive education model. There is a need to ensure accessibility, access to justice, and remove restrictions on legal capacity.

Sexual Orientation and Gender Identity

Venezuela has no comprehensive civil legislation protecting people from discrimination on the grounds of sexual orientation and gender identity, apart from specific provisions in the Labor Code and the housing law. There are no legal protections for same-sex couples.

The Military Code of Justice punishes consensual same-sex conduct by service personnel with up to three years in prison and dismissal. Following a challenge by the group Venezuela Igualitaria, the Supreme Court of Justice has announced that it will review the provision.

Women's Rights

Abortion is criminalized in Venezuela except when the life of the pregnant woman is at risk.

According to a study by HumVenezuela, an independent platform by civil society organizations monitoring the humanitarian emergency, sexual and reproductive health services for women suffer from a loss of capacity. By March, there was a 61.7 percent shortage of contraceptives and 55.8 percent of pregnant women were “unable to receive adequate obstetric care.”

In September, the UN FFM documented that women and girls have reported sexual violence by FANB agents working at checkpoints and armed actors controlling mining areas.

Right to Vote

In February, the European Union mission that monitored 2021 elections issued a final report describing serious obstacles to voting and running for office, including arbitrary disqualification of government opponents seeking to run, partisan use of state resources, unequal access to media and social media, blocking of websites, and lack of judicial independence and respect for the rule of law. Such conditions, they said, undermined the election's fairness and transparency.

Presidential elections are scheduled for 2024, legislative and regional elections for 2025.

Humanitarian Emergency

The 2022-2023 UN Humanitarian Response Plan for Venezuela estimates that there are 5.2 million people in need of support in areas such as health, food security and water, sanitation, and hygiene.

HumVenezuela said in March that most Venezuelans face difficulties in accessing food, with 10.9 million undernourished or chronically hungry. Some 4.3 million are deprived of food, sometimes going days without eating.

The collapse of Venezuela's health system has allowed a resurgence of vaccine-preventable and infectious diseases. Barriers to performing transplants are reportedly resulting in hundreds of deaths. As of March, some 8.4 million gravely ill people were having trouble obtaining medical services, and more than 9 million people needing medications and healthcare supplies could not afford them. Power and water outages at healthcare centers—and emigration of healthcare workers—were further weakening operational capacity.

The government has not published official epidemiological data since 2017.

Lack of access to basic services aggravates the humanitarian crisis. Access to drinking water and sanitation declined from 2021 to 2022, HumVenezuela reported, leaving some 4.4 people in dire need of drinking water and 1.3 million people in dire need of basic sanitation services.

Refugee Crisis

Some 7.1 million Venezuelans have fled the country since 2014, the Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V) reports, some 5.9 million to Latin American and Caribbean countries.

While many neighboring governments welcome them, lack of a coordinated regional strategy leaves thousands stranded in inadequate conditions or unable to obtain refugee status or other legal protection, forcing them to head north. Xenophobia remains a significant challenge.

New visa restrictions have prevented Venezuelans from flying to Mexico and Central American countries, significantly increasing the number struggling through a dangerous jungle on the Darien Gap, along the Colombia–Panama border. over 107,000 Venezuelans crossed the gap between January and September, compared to around 1,500 in 2021. They face egregious abuses, including sexual violence.

As of May, some 76,000 Venezuelans had obtained Temporary Protected Status in the United States. In July, the US extended protection for them through March 10, 2024.

On October 12, the US and Mexican governments announced that Venezuelans crossing the border irregularly would be expelled to Mexico without the chance to seek asylum. A new program will allow some Venezuelans to apply to travel to the US by plane. Requirements to apply to the program are often difficult to fulfil.

Freedom of Expression

Authorities have stigmatized, harassed and repressed the media, closing dissenting outlets. Fear of reprisals makes self-censorship a serious problem.

Authorities use the vague 2017 Law Against Hatred—under which publishing “messages of intolerance and hatred” is punishable by imprisonment of up to 20 years—to restrict anti-government speech.

In February, internet service providers blocked media websites, including of Efecto Cocuyo, Crónica Uno, and El Nacional, the watchdog VeSinFiltro reported. The Inter-American Commission on Human Rights’ (IACHR) Office of the Special Rapporteur for Freedom of Expression, in July, reported increased censorship through deliberate blocking digital platforms and cuts in Internet service.

Human Rights Defenders

Venezuelan authorities harass and persecute human rights defenders and civil society organizations addressing the human rights and humanitarian emergencies.

Javier Tarazona, from the group Fundaredes, remained in prison, as of writing. He was arbitrarily detained in July 2021, after exposing links between Venezuelan security forces and armed groups.

Several organizations and the IACHR expressed concerns that an international cooperation bill introduced in the National Assembly in May could enable arbitrary cancelations of organizations' legal status for promoting or participating in activities contrary to government interests.

On June 28, authorities dismissed charges brought in 2021 against five workers of the humanitarian group Azul Positivo.

In September, two intelligence officers visited the offices of the human rights organization Provea, which was hosting a press conference with family members of union workers arrested in July.

Prison Conditions

Corruption, weak security, deteriorating infrastructure, overcrowding, insufficient staffing, and improperly trained guards allow armed gangs effectively to control detainees.

The Venezuelan Observatory of Prisons (OVP) estimates around 54 percent of detainees are being held pretrial.

The OVP estimates 7,792 people died in prison between 1999 and 2021. Low-quality hygiene and medical services and lack of access to clean water and sufficient, nutritious food contribute to hunger and disease. In the past four years, deaths from malnutrition and tuberculosis exceeded violent deaths, according to OVP.

Key International Actors

In October, the UN Human Rights Council extended the FFM's mandate for an additional two years. In a September report, it concluded high level authorities were responsible for a deliberate policy to repress opponents and the Venezuelan government "colluded" with "criminal groups" in the Arco Minero region.

During a visit to Venezuela in March, the ICC prosecutor announced he would establish an in-country office in Caracas. On April 15, Venezuelan authorities asked him to defer his investigation into possible crimes against humanity, asserting their "genuine will" to investigate cases domestically. On April 20, Khan notified ICC judges of Venezuela's request, indicating he would ask them to reject it and allow him to continue his probe.

The UN high commissioner for human rights updated the Human Rights Council, in March, on continuing abuses, including challenges to due process, restriction of civic space, and arbitrary detentions. In June, she called for independent investigations and accountability, reparations for victims and families, strengthening judicial independence, and separation of powers. She mentioned persistent challenges to the full realization of economic, social, and cultural rights.

The UN's World Food Program, which gained permission from the Maduro government in 2021 to supply food to young children, had by August 2022 delivered meals to 210,000 beneficiaries in 1,700 schools across seven states. Representatives expect the program to reach 1.5 million people by the end of the 2022-2023 school year.

The R4V Platform called for US\$1.79 billion to assist 8.4 million people in the region, including Venezuelan migrants, Colombian returnees, and host communities. As of October, only 16.8 percent of the plan was funded.

The 2022-2023 UN Humanitarian Response Plan for Venezuela called for \$795 million to assist 5.2 million of the most vulnerable Venezuelans. As of October, \$130.7 million was raised, covering 16.4 percent of the plan.

In October, Venezuela failed in its bid to be re-elected as a member of the UN Human Rights Council.

Several governments and institutions retain targeted sanctions against Venezuelan officials implicated in human rights abuses and corruption.

Newly elected Colombian President Gustavo Petro announced Colombia would reopen its border with Venezuela and appointed an ambassador, who took office in Caracas on August 29. Argentina also announced its intention to reestablish diplomatic relations in April.

In March and June, the United States sent official delegations to Caracas for the first time in years for conversations apparently prompted by an interest in accessing Venezuelan oil. In June, President Joe Biden offered his support to Juan Guaido—whom the US acknowledges as the interim president of Venezuela—and reaffirmed the US willingness to calibrate sanctions policy based on the outcomes of negotiations. The US eased oil sanctions the same day negotiations resumed in November.

In October, Venezuela released seven US citizens wrongfully detained, in exchange for the release of two nephews of Nicolas Maduro's wife who were detained in the US on drug smuggling charges.

In November, the Venezuelan government and opposition signed an agreement to increase the humanitarian aid reaching Venezuelan people.