



Briefing Notes Summary

Group 62 – Information Centre for Asylum and Migration

Venezuela – July to December 2023

31 December 2023

17 July 2023

OVV Zulia, Lara and Sucre warn of increase in extortion crimes

According to the regional units of the Venezuelan Violence Observatory (Observatorio Venezolano de Violencia, OVV) in Zulia, Lara and Sucre, extortion crimes are on the rise in these states. In 2022, supermarkets and so-called bodegones were particularly affected by such offences in Zulia. Along with drug trafficking, extortion was one of the most important sources of income for armed groups, and the demands for money were often made in USD, OVV said. The groups mostly operated by means of written and telephone threats, sometimes cars were set on fire, houses and shops were shot at and there were kidnappings or individual homicides in case of non-payment. In Lara, the regional OVV also criticised the involvement of members of different units of the state security forces in such crimes. While the extortion of cattle farmers in Zulia continues, people in the fishing sector are often affected in Sucre, OVV said.

EU election observers not admitted to presidential election 2024

After the European Parliament adopted a resolution on 13.07.23 denouncing the exclusion of several opposition politicians by means of a ban on holding public office, the President of the Venezuelan Parliament, Jorge Rodríguez, announced that no EU election observers would be admitted for the 2024 presidential elections.

24 July 2023

Obstructions of election campaign appearances by two opposition candidates

According to various media reports, during the election campaign for the opposition primaries in June and July 2023, the candidates María Corina Machado and Henrique Capriles Radonski and their respective supporters were physically and verbally assaulted and attacks against them were attempted at least six times. Supporters of the ruling party PSUV or militias close to the government ("colectivos") were responsible for the corresponding restrictions and obstructions of campaign appearances, the reports said.

31 July 2023

LGBTIQ rights: 33 people arbitrarily arrested and charged

According to media reports on 23.07.23, at a private spa popular with the LGBTIQ community, the Avalon Man Club, situated in Valencia, Carabobo state, 30 guests, as well as the owner and two employees, were arrested in a police raid without a search warrant. The police also published photos of the men. The guests were accused of lewd behaviour or association to commit a crime, the owner and employees were accused of making excessive noise. On 26.07.23, all the accused were released on various conditions or, in some cases, on bail pending their trials.

On 28.07.23, demonstrators, including numerous LGBTIQ rights activists and NGO members, demanded that the proceedings against all persons be stopped and that action be taken against the police forces who made the arbitrary arrests in front of the Attorney General's Office in Caracas. Many criticised the arrests as homophobically motivated and the subsequent discourse by the police and some media outlets as stigmatising and discriminatory.

Monitor Salud report: Assaults and threats against health workers in the first six months of 2023

According to a report by the NGO Monitor Salud of 28.07.23, in the first half of 2023 134 threats and physical attacks, as well as eight forced dismissals of employees in 55 public health facilities were recorded, all of whom had previously criticised the poor situation in health facilities or their working conditions. Most of these incidents occurred in various health facilities in the west of the country. The NGO also reported that 49 trade union leaders in the health sector had been forced into retirement. According to the report, Monitor Salud also observed other cases of forced retirement between August 2022 and July 2023, which it criticised as a way of suppressing critical voices. The report said that this is mainly affecting the patients in a situation of staff shortages due to emigration or job changes because of low wages.

07 August 2023

Proceedings against 30 arrested homosexual or bisexual men to be dropped

According to information from Attorney General Saab on 03.08.23, the public prosecutor's office will apply to dismiss the cases against the 30 homosexual or bisexual men who were arrested on 23.07.23 during a police raid on a private spa (cf. BN of 31.07.23) and detained for three days. Prior to the statement, the arrest and the homophobic treatment of the persons concerned had evoked considerable public criticism. At the same time, however, further investigations are to be initiated against the owner of the spa and the two employees. The latter three persons - contrary to initial media reports (cf. BN of 31.07.23) - only succeeded in meeting the conditions for their release from prison pending possible proceedings on 02.08.23. At the same time, Saab announced that due to numerous complaints about the mockery of those arrested and the abuse of power, investigations into the behaviour of the officials involved might be initiated. According to media reports, some of the 33 detainees, who had previously kept their sexual orientation a secret, were forcibly outed by the publication of photographs after their arrest, while others reported discriminatory and degrading conditions during their detention.

Six trade union leaders sentenced to 16 years in prison in controversial verdict

On 01.08.23, the six activists and trade union leaders, Reynaldo Cortés, Alcides Bracho, Emilio Negrín, Gabriel Blanco, Néstor Astudillo and Alonso Meléndez, were sentenced to 16 years in prison for conspiracy and criminal association. The convicts had already been arrested in connection with protests for better wages and respect for workers' rights between 04.07 and 07.07.22. While the defence criticised the trial, the evidence presented and the conviction based solely on trade union activities, Attorney General Saab contradicted this account. He stated that the conviction was based on conspiratorial acts directed against the state. He said that the six people belonged to a subversive organisation called the Unidad de Resistencia Popular (URP) and had planned a robbery to obtain weapons and to influence an event organised by President Maduro in July 2022. National activists, opposition activists and NGOs criticised the sentence as arbitrary and politically motivated. They were joined by the Secretary General of the Organisation of American States Almagro who objected to the sentence, saying it was not an offence to advocate human rights.

Order of restructuring of the Venezuelan Red Cross by means of a court ruling

On 04.08.23, a judgement of the Supreme Court was published ordering the restructuring of the National Red Cross and, among other things, the removal of the then President Mario Villarroel. Already a fortnight ago, the vice-president of the ruling party PSUV Diosdado Cabello had publicly accused Villarroel in his weekly television programme Con el Mazo Dando of, among other things, misuse of power and funds. Shortly thereafter, the public prosecutor's office had started to investigate alleged harassment or mistreatment of staff and volunteers. A restructuring committee is to be chaired by Ricardo Cusanno, the former president of the Fedecámaras business association, who has been described as close to the government. The decision has drawn harsh criticism, it is feared that it will negatively affect humanitarian aid in the country.

28 August 2023

Announcement of the new governing body of the Supreme Electoral Council

On 24.08.23, the National Assembly, dominated by the ruling party, announced the new leadership of the Supreme Electoral Council (CNE). Three of the new senior figures are considered close to the government, two close to the opposition. In addition, ten substitutes were appointed. The new chairman will be the pro-government Supreme Comptroller Elvis Eduardo Hidrobo Amoroso. His office had recently banned presidential candidate María Corina Machado, along with other opposition politicians, from holding public office.

11 September 2023

Controversial arrest and detention of student John Álvarez

On 30.08.23, John Kelvin Álvarez, a student and suspected Bandera Roja party member, was arrested. For the next 24 hours his whereabouts were unknown until he was brought before a court on 04.09.23. According to his lawyers, he is accused of conspiracy and links to the six trade union leaders convicted in a controversial trial in August (cf. BN of 07.08.23). He is currently in custody. His lawyers, relatives and various NGOs accused the security forces of using torture to coerce him to denounce others for crimes. Various actors described the arrest as arbitrary and warned of intensified repression of voices from civil society in the run-up to the next presidential elections. A recent report by AI criticises arbitrary detention by the Venezuelan government as a politically motivated means of repressing critical voices, which continues to be used, and discusses its patterns. The report also lists nine specific cases from recent years and calls for the release of these individuals, including political activist and journalist Roland Carreño and human rights defender Javier Tarazona.

18 September 2023

Deaths and injuries during clearing of a gold mine in the state of Amazonas

At least two people were killed and six others injured in clashes between military personnel (FANB) and miners on 13.09.23 during the clearance of an illegal gold mine in the Yapacana National Park in the state of Amazonas. Human rights defenders have called for an independent investigation into the events and a local UN representative urged to protect human rights and to de-escalate the situation. On 08.09.23, the journalist Luis Alejandro Acosta, who had been researching the military operations in Yapacana, was arrested. He is accused of illegal mining and occupation of protected areas.

Health care: Treatments suspended on haematology ward in children's hospital

Following the suspension of treatment in the haematology department of the country's most important children's hospital, J.M. de los Ríos in Caracas, due to problems with the chemotherapy drug Metrotexate, numerous parents of affected children filed a constitutional complaint for the protection of the right to life and health before the Supreme Court on 14.09.23. A few weeks ago, the administration of the drug caused serious side effects in the form of bacterial meningitis in ten children, one of whom died. As a result, the drug had been handed over to the health authorities for investigation; findings on a possible contamination of the drug are still outstanding. Until a response is received, the admission of new patients has been stopped and the treatment of children with haematological cancers has been suspended for the time being. At this time, it is not known when treatments might be resumed. However, there is a lack of alternative treatment centres in the public health system and most families lack the financial resources for private treatment.

25 September 2023

Fourth Report of the Independent International Fact-Finding Mission

On 20.09.23, the fourth report of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela was presented. This report for the UN Human Rights Council is based on 256 interviews and group discussions and takes a close look at 43 new cases in the period between 01.01.20 and 31.08.23. The first part of the report mainly deals with various forms and manifestations of state repression. Repression continues, for example in the form of enforced disappearances, arbitrary detentions or cruel inhuman treatment or torture, which

particularly affects opposition members or persons perceived as such, the report finds. The number of such cases has decreased slightly since 2021, though. However, in addition thereto, other forms of repression are gaining ground which serve to undermine civil liberties, for example by restricting freedom of the press, freedom of expression, freedom of assembly and association and political participation. In this context, in addition to threats and intimidation, there were reports of surveillance, defamation, criminalisation or political disqualification of individuals (human rights defenders, trade union representatives, media and political activists) or civil society organisations critical of the government or voicing criticism. However, there are indications that such mechanisms are increasingly being used selectively to set examples. In some cases, also the involvement of colectivos in physical assaults or threats was noted. In addition, the report points to four violent homicides in 2022 involving two media workers, an indigenous leader and a socio-political leader. However, it could not be conclusively determined whether these cases were related to state repression, the report said.

The major theme the report's second part examines the police unit DAET (Dirección de Acciones Estratégicas y Táctica), which was newly founded in July 2022, in more detail. The report said that the experts had good reasons to assume that the DAET is basically continuing the roles and activities of the meanwhile disbanded police unit FAES (Fuerzas de Acciones Especiales), which had been heavily criticised in the past for human rights violations, including extra-judicial killings. At the same time DAET is employing many of the former FAES members.

16 October 2023

Henrique Capriles withdraws from contest for presidential candidature

On 08.10.23 the candidate of the opposition Primero Justicia party, Henrique Capriles, declared that he no longer intended to run as the presidential candidate for the Plataforma Unitaria alliance. He stated that his decision was necessary in order to pave the way towards “a united and stronger Venezuela”. 51 year-old Capriles, who has already run for the presidency on two occasions, was considered one of the favourites for nomination as the opposition’s presidential candidate. The opposition intends to select its applicant for the 2024 presidential elections on 22.10.23.

Arrest warrant for opposition leader Juan Guaidó

On 05.10.23 the Venezuelan public prosecutor’s office issued an arrest warrant for opposition politician Juan Guaidó. The chief public prosecutor has accused him of high treason, false assumption of authority, embezzlement, money laundering and forming a criminal organisation. Guaidó, who lives in exile in the USA, spoke of “physical and moral” persecution of the opposition.

Guaidó declared himself interim president in 2019 and was recognised by a number of countries, including the USA and Germany. The incumbent president, Maduro, was able to retain his hold on power, however. At the end of 2022, the opposition removed Guaidó as interim president because the strategy of a parallel government had not led to the anticipated political change.

23 October 2023

Government and opposition sign election agreement

Government representatives and opposition figures have agreed on guarantees for the presidential elections in the coming year in talks brokered by the Norwegian foreign ministry which were held in Barbados on 17.10.23. Both sides have undertaken to conduct fair election campaigns and to recognise the election result. The election is to take place in the second half of 2024 and is to be overseen by observers from the EU and the UN, among others. These were the first talks between the parties concerned since November 2022.

A number of issues remain unresolved, however, including the release of political prisoners and the lifting of bans preventing a number of opposition candidates from running in the elections, such as Maria Corina Machado, who leads the field in most polls.

Opposition alliance holds preliminary elections

The opposition held preliminary elections on 22.10.23 in order to put up a joint candidate for the presidential elections. With vote counting still in progress, former MP Maria Corina Machado has a clear lead, although the final results have yet to be announced. This is the first preliminary election to be held by the opposition for eleven years. It has not supported a presidential candidate since 2013.

USA eases sanctions against Venezuela

In a joint declaration by the USA, the EU, the United Kingdom and Canada, the agreement was described as a necessary step towards restoring democracy in Venezuela. In the light of the government's concessions to the opposition, the USA additionally announced an easing of the sanctions which were imposed in 2019. Among other things, this means that for the time being Venezuela will be able to produce oil and gas and mine gold without any restrictions and export these commodities to any markets.

06 November 2023

Court declares result of primaries null and void

The supreme court in Venezuela has annulled the opposition's primaries for the presidential election for the time being on account of "irregularities". It criticises the fact that the opposition carried out the primaries itself, instead of involving the state electoral authority. The organisers have further been instructed to submit documentation identifying the approx. 2.3 million voters. The opposition and its candidate, Maria Corina Machado, who won 90 % of the vote, have stated that the ballot on 22.10.23 was transparent and fair, referring to the accord concluded between the government and the opposition in Barbados on 17.10.23, in which it was agreed, among other things, that the government and the opposition would conduct a fair election campaign and that they could elect their candidates according to their own rules (cf. BN of 23.10.23).

11 December 2023

Border dispute over Essequibo region following referendum in Venezuela

On 10.12.23, 96 % of respondents participating in a non-binding referendum voted in favour of annexing the Essequibo region, which is under the control of neighbouring Guyana. The Essequibo region consists primarily of rain forest and savanna, and makes up two thirds of Guyana's surface area. The majority of Essequibo's population is indigenous. The conflict has been ongoing for centuries. Venezuela's interest in the region has grown since oil was discovered off the coast of Essequibo in 2015. Guyana brought the dispute before the International Court of Justice in The Hague, but Venezuela does not recognise the court's jurisdiction. A number of countries in the region have called on Venezuela and Guyana to settle the matter peacefully. Brazil's president, Luiz Inácio Lula da Silva, now intends to mediate between the two countries. Meanwhile, Venezuela has ordered the arrest of several politically active individuals with close links to the opposition's presidential candidate, Maria Corina Machado. The individuals concerned are critical of the ballot and have raised questions about the turnout.