



# CRISIS EN VENEZUELA

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[www.crisisenvenezuela.com](http://www.crisisenvenezuela.com)



## Codevida - [www.codevida.org](http://www.codevida.org)

### Bachelet will do a technical visit to Venezuela due to the complex humanitarian emergency

United Nations' High Commissioner for Human Rights, Michelle Bachelet, has been invited by Nicolás Maduro's government to visit Venezuela; but such will not be a diplomatic courtesy visit, it will be a technical one, for verifying the violations against Human Rights we venezuelans suffer, within the complex humanitarian emergency that troubles our population.



Bachelet holds a mandate granted by the Commission for Human Rights: to render an exhaustive inform on the political, economical, social, and humanitarian situation that affect venezuelans; an inform that the High Commissioner has already said she is preparing, and will present during the 41st period of sessions, June and July, 2019. Although there is a risk, that the government will intend a political

manipulation around this top-level visit, our complex humanitarian emergency is impossible to be denied.

The suffering of Venezuelan population has been verified by international community. For instance: the exodus of over three millions of venezuelans, who have crossed borderlines since 2014, in search for food and medical attention -unavailable in our country-, which is clear violation of the most elemental Human Rights. Daily, more venezuelans die, due to the absence of public policies that may guarantee the supply of aliments and medicaments to the most vulnerable people; and that means a devastating damage going counter our society.

## PROVEA - [www.derechos.org.ve](http://www.derechos.org.ve)

### Provea: Contradicted official version on Fernando Alban's death

In Bogotá, Provea had an interview with Zair Mundarain, Head of the General Proceedings Office of the Public Prosecutor, who found himself obliged to leave the country after the installation of Constituent National Assembly (ANC). Mundarain, a career official in criminology, exposed in detail for Provea the information he has about the case of councilor Fernando Alban, who died last October 8, while he was imprisoned by Bolivarian National Intelligence Service (SEBIN). "Alban should have never been arrested without a capture warrant, without an open due process against him. The information we have is that he really died from suffocation and other tortures, to which he was submitted to make him involve other persons in the supposedly attempted assassination of Nicolás Maduro". According to that version, the officials in charge discussed for one hour what they would do with the corpse, until the suicidal explanation was agreed, "trying to mask the truth".



determined the real cause of decease, and also whether the injuries in the body were previous or subsequent to the fall. "Alban's autopsy is not verifiable, because no cuts were made, and because it was not realized by an anatomopathologist, but by a community integral physician, not capable for accomplishing microscopical autopsies".

According to the lawyer and criminologist, who is an expert in Penal Law, the forensic investigation should have

Mundarain summed up other details that contradict the official version: "They were so clumsy when intended to manipulate the crime scene, that they removed all cameras and left the cables exposed. That is why the usurping Prosecutor says "there are no cameras in there". How could there be any? The Attorney General gave time enough to do the removal of all cameras". To the expert, it is reproachable that the Prosecutor -appointed by illegal Constituent National Assembly- was the one who offered a version of the facts: "Although you have a political slanting, a minimal prudence orders you to say: we are just beginning an investigation, let's wait and find out whatever happened".

## CIVILIS Derechos Humanos - [www.civilisac.org](http://www.civilisac.org)

### The state of Anzoátegui goes through a large-scale complex humanitarian emergency

Population in Anzoátegui confronts generalized and grave violations against the Right to Health, due to the increasing deterioration of the public sanitary system, which causes severe damage to people's physical, mental, and social conditions, who do not have an access to a minimal adequate good quality attention.

A report on the Complex Humanitarian Emergency in Anzoátegui gathered various actors, who watched out for the matter, sharing and contrasting experiences and data.

The study remarks that public health centers in Anzoátegui do not have a way to guarantee a minimal, adequate attention; and that includes hospitals, national



health clinics, and the so-called Barrio Adentro modules. Maternal and infantile deceases go on ascending, due to the medicament shortage and the impossibility of getting a proper, safe attention at the main hospitals in the state. Epidemics that were eradicated decades ago have re-appeared and spread, with an increasing index of mortality; and this is a consequence of the cessation of the programs for the epidemical and environmental surveillance, plus the scarcity of oportune treatments.

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## Defiende Venezuela - [www.defiendevenezuela.org](http://www.defiendevenezuela.org)

### Preventive judicial detention, for assuring what?

In the Venezuelan juridical order, preventive judicial detention proceeds when based on arts. 236-241 of the Penal Process Organic Code (COPP), if the following three elements are: a) the punishable fact merits privation of liberty; b) founded and convincing elements about the imputed person's participation in the facts being considered; c) reasonable presumption about danger of escape, or about obstruction of the process. In addition, according to COPP's art.242, there are other caution measures for substituting imprisonment, which permit the person to be judged in liberty, whenever none of the aforementioned elements is present, but, all the same, an investigation should be done.

International standards establish that the personal characteristics of the supposed author, and the gravity of the imputable offence are not, in themselves, sufficiently strong to justify a preventive detention, since the



reason-to-be for this juridical figure is assuring that the defendant will not impede the proceedings development nor avoid the action of justice. That is to say: this measures do not imply pre-judging or anticipating punishment, but just assuring the correct handling of the process and an effective resolution.

Nevertheless, in Venezuela, preventive judicial detention is overused and regrettable cases occur. Like student Antonio José Garbi, who remains interned in Judicial Retention Center Tocuyito since 2014; or Yaracuan Lebanese-descendant Kamel Salame, who has been imprisoned along 10 years, submitted to a penal process for offences that the Prosecutor's Office has not been capable to demonstrate up to now. It is not at all acceptable that deficient investigations happen to be suffered by inmates that should not be imprisoned. Therefore, we must urge Venezuelan State and the Judicial Power to cease using arbitrarily the preventive judicial detention.

## Transparencia Venezuela - [www.transparencia.org.ve](http://www.transparencia.org.ve)

### Venezuelan new Constituent: apple of discord or made-to-measure suit?



“There is no project of Constitution”, said last November 12 Diosdado Cabello, president of the Constituent National Assembly (ANC), the plenipotentiary legislative corps impulse by president Nicolás Maduro in 2017, which is not

recognized by a great part of international community, and has been qualified as illegal by National Assembly (AN).

With that statement, Cabello has demolished all declarations made by constituent Hermann Escarrá, president of the ANC’s Constitutional Commission, who assures there is a project for the new Magna Carta, 80% of which is ready, and is based upon that organ’s propositions.

Cabello’s statement means they are right, those who say that ANC, instead of writing Venezuela’s new Constitution, has served to lessen legitimacy to AN, which was elected

within Venezuelan constitutional framework in December 2015, and is predominantly opposed to the government. ANC has assumed constitutional faculties that are AN’s; and has been exhibited by governmental leaders as an “instrument for peace”, after the protests in 2017, when more than one hundred people were killed.

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## Acceso a la Justicia - [www.accesoalajusticia.org](http://www.accesoalajusticia.org)

### Absence of the State becomes regional authoritarianism



Institutional deterioration in Venezuela cannot be hidden. From the non-existent separation of powers to the usurpation of functions, including public organisms that work only when the Executive wants them to... In this country, all sorts of events prove the absence of the State, and a consequential feudalism or anarchy in a major part of the national territory. One clear example of this is how the Executive has found itself obliged to emit resolutions for ratifying and/or reminding attributions at different levels of power; or even for annulling regulations emitted illegally by local or regional authorities. That is the case of the distribution of essential edible

goods, like meat, fish, milk, cheese, and agricultural products, in general.

During the present year, two resolutions were published to counter and stop authoritarianism and arbitrariness in regional domains –a kind of inheritance, from the central power. The most recent one appears in Official Gazette 415 26, November 18, 2018; it ratifies another, published in Official Gazette 41325, January 22, 2018; and both refer to a “restriction for regional and municipal authorities to act in controlling the distribution of aliments, when actings imply holding and keeping food items from producers, distributors, and servicers that operate in the agro-alimentary sector, nationwide”.

To mention just one case of overdoing when exercising functions that concern food distribution: along the stretch between Acarigua-Araure (state of Portuguesa) and Cabudare-Barquisimeto (sate of Lara), normally a 45-minute obligatory stops:

Bolivarian National Guard’s, Bolivarian National Police’s, and regional and municipal Police Corps’. It is somehow a way-of-the-cross for food transporters –as well as for transporters, in general. It is a must, understanding that the absence and the excess of governing –both present in Venezuela, the former as the lack of institutionality and the latter as authoritarianism- equally promote irregularities, such as “coimas” (diverse forms of briberies). Apart from being anti-ethical, this has an impact against the consumers’ budgets, because any kind of extra “expense” is later charged to production and/or distribution costs-which raise the final price of products.

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CEPAZ - [www.cepaz.org.ve](http://www.cepaz.org.ve)

## The challenges of women defenders of Human Rights

November 29 is the International Day of Women Defenders of Human Rights. For that occasion, the Center for Justice and Peace (CEPAZ), as a promoter of the Orange Net, realized a tribute to thousands of women, in Venezuela and worldwide, who work tirelessly and courageously for defending Human Rights, especially those women that search for equality at all levels of society. Everyday, more women undertake individual and collective actions pro justice, equality, and peace. They are agents for a change, constantly struggling against all forms of discrimination and unevenness. Today, they are recognized as women defenders of Human Rights.

Due to their commitment in favor



of fundamental liberties, women defenders are objects of repressive actions, either by the State or by private groups or by para-State groups: restrictive laws and usages related to freedom of association, of expression, of reunion, of pacific grouping; defamation campaigns; mistreatments; death menaces; arbitrary detentions and imprisonment; forced disappearances;

tortures; and murders.

It is necessary to underline that, when a woman defender has been attacked and she denounces, claiming for justice, it is probable she will face authorities who might re-victimize her, and distrust the validity of her testimony and the gravity of the facts; all of which proves that, one of the major challenges in our fight is searching for efficient responses to our needs and priorities, well focused at the concept of equality of genders.

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## Un Mundo Sin Mordaza - [www.sinmordaza.org](http://www.sinmordaza.org)

### Stand-up #EstoEsTuyo goes over Venezuela successfully



After a successful second tour through universities, presenting the humoristic workshop #EstoEsTuyo, NGO Mundo Sin Mordaza announces its intention of taking this event to every-single-where in the country, for promoting and informing about Human Rights and the situation in Venezuela, among university youngsters -via comedy and humor.

During 2018, over 1.900 persons participated in 16 performances of the stand-up #EstoEsTuyo in 7 Venezuelan cities. Student movements, federations, centers, universities and NGOs figure into 50 allies, who collaborated for the

realization of the national tour. The success of this project was evident: 10 interviews on the radio and digital platforms. Besides, it was strikingly present in social networks.

For all the above, we intend to go on with #EstoEsTuyo; yet, in a more dynamic way, more interactive and educational, through four phases, which include the launching of a new publicity campaign; the continuation of the contest #EstoEsTuyo (photos and transfers); the presentation of a short documentary; a mass-media tour; and other activities that will be announced via social networks.

## Foro Penal - [www.foropenal.com](http://www.foropenal.com)

### 31 women still political prisoners of Venezuelan regime

By November 30, 2018, Foro Penal has registered 12.948 arbitrary detentions, since January 1st, 2014.

811 civilians have been presented before Military Courts. Since January 1st, 2014 up to the present day, we have accumulated 1.641 certified political prisoners. Full liberty or release under diverse modalities have been obtained in 1.363 cases.



By April 2014, we had 117 political prisoners. Today, the figure for that category of inmates is 278, which has been certified by OAS/OEA, based on data provided by Foro Penal. From those, 31 are women. Besides, 7.512 persons are still unfairly submitted to penal processes under caution measures.

## Bloque Constitucional - [www.bloqueconstitucional.com](http://www.bloqueconstitucional.com)

### The regime does not give a respite to arbitrariness

On November 27, 2018, illegitimate Electoral Hall of the Supreme Court of Justice (TSJ) clawed again counter the lessening democratic institutionality left, which had been kept safe among the corners of autonomous universities in the country. However, the opprobrious regime reaches campuses as well, just as it did at University of Carabobo, where it imposed a student government de facto after trampling the majority's will, expressed through a clean and democratic electoral process for renewing the Federation of Student Centers (FCU), in which the winner -80% of the voting-was Alianza 23, headed by Marlon Diaz.



What governor Rafael Lacava could not get via violence, intimidation, and more than 19 wounded during the assault he directed against Carabobian alma mater -witnessed by the entire country-, TSJ's Electoral Hall intends

to achieve now, by this decision that comes to fatten the wide range of arbitrariness currently committed.

Such a sentence violates the norms of a due process, in this case because the counterpart was not heard. They are showing what they really are: mere employees of a regime. They do not even stand as magistrates, since they perform unconstitutionally. Moreover: the sentence orders to prosecute the students by means of pseudo-judicial processes, and to charge them with offences, only because they practiced their legitimate right to have the student government they freely elected.