



CRISIS EN VENEZUELA

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www.crisisenvenezuela.com



Transparencia Venezuela - www.transparencia.org.ve

Red balances of Tarek William Saab's "struggle" against corruption

"No-way-back" struggle against corruption, started in 2018 by Tarek William Saab, Attorney General appointed by questioned Constituent National Assembly (ANC), did have way-backs, when compared with AG's goals in the previous year. Although actions against responsible officials were promised, all that really happened was a series of vengeful actings against those who became opponents or dissidents from the so-called revolution.

Whereas in 2017 the Attorney General's Office investigated 117 cases of corruption, that entity's website informs that, in 2018, only 36 investigations were forwarded. From those, 21 cases are related to high level officials, especially in the State Company Petroleos de Venezuela (PDVSA).

Particularly remarkable was the vigorous action against ex-president of PDVSA, Rafael Ramirez, who turned towards disidency after being for years the right hand of



late President Hugo Chávez. Equally remarkable are the cases of ex-ministers involved in a plot for legitimizing capitals at Andorra's Private Banks.

In 2018, the Prosecutor's Office -under ANC's protection- diminished its presence and action, not only numerically, but also respecting opportune investigations: many impulsed investigations were

activated after a long time had passed, when other countries' justice systems had gone ahead on the same cases. Besides, key matters -like the CLAP's corruption nets concerning imported food -were simply disregarded. Among the latter, gold trafficking mafias operating in Orinoco's Mining Arch; and the defalcation within the so-called Operation Money Flight- a case initiated by the Prosecution Office of Southern Florida, U.S.A

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CEPAZ - www.cepaz.org.ve

A guide for understanding humanitarian help

Within the framework of a complex humanitarian emergency, Venezuela faces an unprecedented crisis. Economic and political collapse in our country -getting worse by the day- have derived into a crisis, in which food and medical inputs are not available to many venezuelans.

Humanitarian help is a mechanism foreseen in International Humanitarian Law, destined to aid vulnerable populations that suffer severely, due to natural phenomena or to armed conflicts. According to the definition stated by UNO/ONU, such help must be consistent with humane principles; and be impartial, neutral, and operatively independent. The organism that normally channels this type of mechanism is UNO/ONU; or a coalition of countries that wish to support a vulnerable population in a specific case.



What is left to civil society's organizations? Civil society's organizations are important actors, they contribute strengthening collective democratic values, and civic participation. That is the reason why they have had a fundamental participation in processes of humanitarian help, especially organizations that work on human rights. Their job focuses centrally not only on dispensing humanitarian help, but also on realizing the

combined team work of documenting and controlling, from the human rights point of view, in order to comprehend the wide spectrum of the situation.

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PROVEA - www.derechos.org/ve

Avoiding a forced way out by promoting free elections

After the swearing-in of the president of National Assembly (AN) deputy Juan Guaidó, as the president in charge of Venezuela, more than 40 countries have not recognized Nicolás Maduro as a mandatory, due to his illegitimacy of origin, because his second presidential period derives from a scandalous electoral fraud. The route defined by the board of directors of AN –the only legitimate Public Power in Venezuela– aims, first of all, at the ceasing of the usurpation; then, at a transition government; and then, at free elections. The answer of the ruling circle has been grasping Power and replying protests in popular sectors with decesses and arrested people. As for supporting transition, two days of nationwide protest, January 23 and February 2, have ratified the blunt rejection of the majority of the population before the Present Executive Power.

The Group of Lima –except México– has demanded free and democratic elections, as a mechanism for solving the crisis; and has refused the possibility of any type of military action. Except Italy, the rest of European Union



countries have recognized Guaidó as the current president of Venezuela; and have agreed on a Linking Commission for supporting a negotiated way out within 90 days. The United States, playing a leading role as for diplomatic pressure, has stated that “all the options are on the table” –without discarding the use of their armed forces, yet initiating a series of sanctions against

Venezuelan oil.

The road to a democratic transition has two alternatives: a negotiated way out or a forced way out. Nicolás Maduro has closed all the possibilities for a pacific and constitutional solution of the conflict; he seems to be interested in a warlike confrontation. We, Venezuelans have a decisive part in determining now our destiny as a country. All the social, guild, and human right organizations in the country must sum up for the negotiated solution that leads to transparent elections, inclusive and democratic; and sum up for avoiding extremes; which might result regrettable for our country as well as for human rights.

Defiende Venezuela - www.defiendevenezuela.org

What is US AID?

Recently, the government of United States began to send packages of humanitarian help to Venezuela –aliments and medicines– via neighbor country Colombia. This is a response to the petition of president in charge Juan Guaidó, emitted on January 24, 2019. Under which mechanism USA’s government is sending us humanitarian help?

The answer is United States Agency for International Development (US AID), which was created by President John F. Kennedy in 1961 for leading international development and humanitarian help of United States’ government.



It is an agency that supports the government’s foreign policy; directs assistance in disastrous situations, through associations and investments that save lives; reduces poverty; strengthens democratic governability; and helps people to get out of humanitarian crisis and progress, beyond immediate assistance.

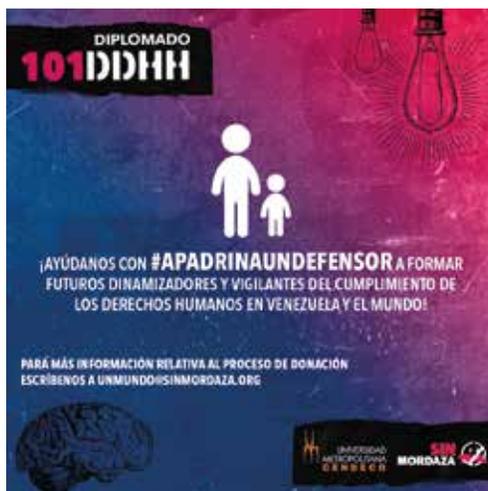
Therefore, US AID is a governmental USA’s mechanism designed for supporting persons, and also for helping them to grow auto-sufficient, to be able to lead their own developmental processes, by means of solving conflicts, preventing the spread of pandemic illnesses, and counteracting violence, instability, transnational delinquency, and other threats to collective security.

Un Mundo Sin Mordaza - www.sinmordaza.org

#ApadrinaUnDefensor (SponsorADefender) campaign aims at forming activists in Human Rights

NGO Un Mundo Sin Mordaza, allied with the Extension Center of Metropolitan University (CENDECO), offer the Diploma Course 101 DDHH, in which participants will be provided with bases and tools necessary for working on Human Rights, in order to deepen and understand the ethical, political, and juridical dimensions concerned.

Graduates will be capable to develop and emerge as new social leaders: dynamic, sympathetic, always watching over the accomplishment of fundamental rights. In this opportunity, a campaign called #ApadrinaUnDefensor (#SponsorADefender) is addressed to all persons and institutions that may support the course Diploma on Human Rights, which aims at forming leaders with a civic commitment, for working in promoting a participative culture of respect and defense of Human Rights in the country.



How to collaborate? Our campaign includes seven plans. In each one, contributions are different; and those who wish sponsoring a defender will choose the most convenient plan in each case. Plans are: Documenting Truth, We Resist for Venezuela, Projects of Hope, Sponsor a Defender of HHRR (DDHH), Forming Future, I

Am Gagless, and Un Mundo Sin Mordaza. Sponsors can follow up the development of the participant(s) sponsored by them. The Course runs along 120 academic hours of assistance in person, during which the participant will acquire theoretical knowledges that a person must command when starting in the world of human rights, for effectively protecting them, both nationally and internationally. Besides, they will be taught all the necessary knowledges for elaborating a factible project related to Human Rights.

Students will consider in depth the real situation of Human Rights in Venezuela; and will share and interact with leaders and activists, who will give them appropriate tools for developing their initiatives in future times. Finally, they will present a project oriented to the full application of Human Rights, and to Juvenile Leadership.

Espacio Público - www.espaciopublico.org

January 2019! No talking about politics!

Cases documented during the first month of this year concerning violations of freedom of expression are not alone punctual events. In Venezuela, there is a State policy, realized jointly or separately by authorities of the Public Powers, for restricting the free circulation of information and ideas.

Such restrictive State policy includes a constant disqualification of mass media and journalists; massive blocking of social nets; unpunished violent attacks against reporters in the streets; institutional violence, by opening administrative and/or judicial processes; and exhortations to private radio hosts to not treating certain matters.



In January 2019, 69 cases of this type meant 131 violations against the right to freedom of expression in Venezuela. Data reveal an unusual increase, which points out a social and political conflict: 20 mass media workers were detained, 9 communication enterprises and programs were put off the air, social nets were blocked, and coverage was restricted.

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CIVILIS Derechos Humanos - www.civilisac.org

Venezuelans count on a new data base, charge-free, about national and international juridical contents



Civilis Derechos Humanos designed a new data base of juridical contents, with a national and international range, applicable in Venezuela. Civilis had the support of NGOs Acceso a la Justicia and Proiuris. Website <https://bajuridh.appcivilisac.org.ve/index.asp>

x is destined to strengthen the work pro defense of human rights assumed by civil society, as for documentation, juridical assistance, activism, and academic investigation, among many other aspects. Those who visit this page will find sentences, laws, and other norms and juridical acts, all of them of strong impact on our national life.

Given that the defense of human rights is a job that requires knowledge and action; and given that access to public information is restricted; the principal strength of BajuriDH is being easily reachable and charge-free, therefore available for everyone. Venezuela faces huge challenges respecting the State of Rights, democratic institutionalality, practise of liberties, human rights, and an effective access to justice; that is why

it is obligatory for all of us handling the juridical context.

What else can be found in BajuriDH? Resolutions of organism with judicial, legislative, and administrative functions in Venezuela, international treaties; documents related to international systems of protection (Interamerican, United Nations, European Court, and African Commission, among others); and a complete glossary and a wide stock of juridical information related to human rights.



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Foro Penal - www.foropenal.com

Foro Penal proposes an exclusion clause for the Amnesty Law presented by National Assembly

By February 8, 2019, Foro Penal has registered 14.025 arbitrary arrests in Venezuela since January 1st, 2014. 817 civilians have been presented before Military Courts. Since January 2014 up to date, we have accumulated 2.570 certified political prisoners. Full liberty or release under diverse modalities have been obtained in 1.611 cases.



By April 2014 we had 117 political prisoners. Today, the cipher for this category of inmates is 959, which has been verified by OAS/OEA. From those, 102 are women. Besides, 7.760 persons are still unfairly submitted to penal processes under caution measures.

In the context of the Amnesty Law proposed by AN –at this moment under political consultations–, Foro Penal has

proposed integrating an express clause of exclusion, to favor all the persons that, within the period covered by the amnesty, may have committed grave violations of Human Rights. In addition, we have demanded respect of all criteria fixed by UNO's/ONU's Office of the High Commissioner for Human Rights that concern amnesties, deemed as instruments for being used

by societies that go out of conflict; and also separating amnesty from other similar mechanisms within transitional justice. This intends to grant privileges or judicial benefits to those who recognize being responsible for committing crimes; yet, may and will contribute to the restoration of democracy. We think that amnesty cannot be a synonym for impunity, in case of grave violations against human rights.

Codevida - www.codevida.org

Codevida exhorts United Nations to activate humanitarian help in Venezuela

In Codevida, we warn people with chronic health conditions: the humanitarian help announced by National Assembly (AN) will not be enough to satisfy the sanitary demands of the entire population. It is just a punctual action that could alleviate sufferings along the borderline, but not so elsewhere in the country.



Each day that passes by without the activation of such mechanism of cooperation, more venezuelans suffer and die because of the humanitarian emergency we are enduring. ONU's responsibility is clear: it is a human right to count on and accede humanitarian help.

Due to the former, we call out to United Nations Organizations (ONU) to activate the mechanism they have available by mandate, in order to favor humanitarian help.

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Acceso a la Justicia - www.accesoalajusticia.org

Juan Guaidó did not “auto-proclaim”

Last January 23, deputy for the state of Vargas and currently president of the National Assembly (AN), Juan Guaidó Márquez, during a multitudinary concentration of citizens, and in presence of other deputies and the board of directors of the Parliament, swore-in and assumed the Presidency of the Republic for an interim, due to the usurpation of that position by Nicolás Maduro Moros. Such was declared by AN via an Agreement -January 15, 2019- in a formal session. Nonetheless, the oath of the President of the Republic in charge, Juan Guaidó, was qualified by many international mass media as an “auto-proclamation”; and even the United Nations Organization (UNO/ONU) did so, in a press note about the session of the Security Council held on January 26.

Acceso a la Justicia deems as pertinent to clarify on the use of the words “proclamation” and “auto-proclamation”. They are not adequate, because they have a juridical reach and a meaning quite different to the occurrence on January 23, 2019. According to Venezuelan



Legislations -arts.153 of the Organic Law on Electoral Processes, extraordinary Official Gazette 5928, August 12, 2009- the act of proclamation means declaring the results of the scrutiny of a given electoral process, which means the recognition of the elected candidate (s) and consequently, the end of the electoral event. On the other hand, the swearing-in is a solemn act that implies the official's acceptance of the Constitution for both, complying with it and making everyone do the same; and the promise of fidelity. The swearing-in is an indispensable requirement for acceding public positions, as stated by art.1 of the Act on Oath-taking (Official Gazette 21799, August 30, 1945).

In addition, we are concerned about UNO's aforementioned press note, that refers to Nicolás Maduro as the “constitutional president”, despite the fact that he does not fulfill the requirements to be considered as such. Presidential elections for the period 2019-2025 did not happen at the constitutionally established time, which was December 2018, the closest possible to the end of the current presidential period, which was January 10. Those elections were in May 2018, with no justification at all. Besides, the electoral process was not convoked by the National Electoral Council (CNE), the competent organ; instead of it, convocation was made by Constituent National Assembly (ANC). On top: the main political parties of the opposition were annulled via Supreme Court of Justice (TSJ), CNE, and ANC.

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Bloque Constitucional - www.bloqueconstitucional.com

National Assembly approved a Statute to rule transition to democracy in Venezuela

Last February 5, 2019, National Assembly (AN) passed primarily a project of Law called Statute to rule Transition to Democracy and Re-establishment of Validity of the Venezuelan Constitution. The bill foresees the installation of a provisional government, and the convocation to free elections; and also the designation of a new National Electoral Council (CNE), new magistrates for the Supreme Court of Justice (TSJ), and new representatives of the Civic Power.



established in arts.25 and 139 of the Constitution. Every public official has the duty of complying with arts. 7 ('The Constitution is the supreme norm and the foundation of juridical order. All persons and organs of the Public Power are submitted to this Constitution') and 333 ('All citizens, whether invested with authority or not, have the duty of collaborating to reestablish its effective validity') of the Constitution, in order to obey mandates from

legitimates Public Powers in Venezuela, especially when they concern the actings in progress of the present Statute".

We deem as important that, among the objectives of this Law, must be definite lines about the Constitutional integration of National Armed Force within democratic transition, according to art.328 of our Constitution: "National Armed Force is an essentially professional institution, without any political militancy, organized by the State for guaranteeing the independence and the sovereignty of the Nation. It is to serve the Nation exclusively, in no case to a person nor any political partiality". Art. 11 of the Statute -dedicated to the ceasing of due obedience to an usurped authority- states: "No citizen, invested or not with authority, will obey mandates from an usurped authority. Public officials who contribute with the usurpation will commit their responsibility, as it is

Among lines for political transition, art. 18 specifies that AN will emit Laws to promote such political transition according with art. 333 of the Constitution. Those Laws will define policies oriented to the effective accomplishment of art. 328 of our Constitution, regarding National Armed Force within the process of democratic transition. Because of these and other reasons, Bloque Constitucional de Venezuela considers the Statute for Transition as an exceptional normative regime, with the aim of restoring the constitutional institutionality derogated by Nicolás Maduro's usurpation and by Constituent National Assembly (ANC).