

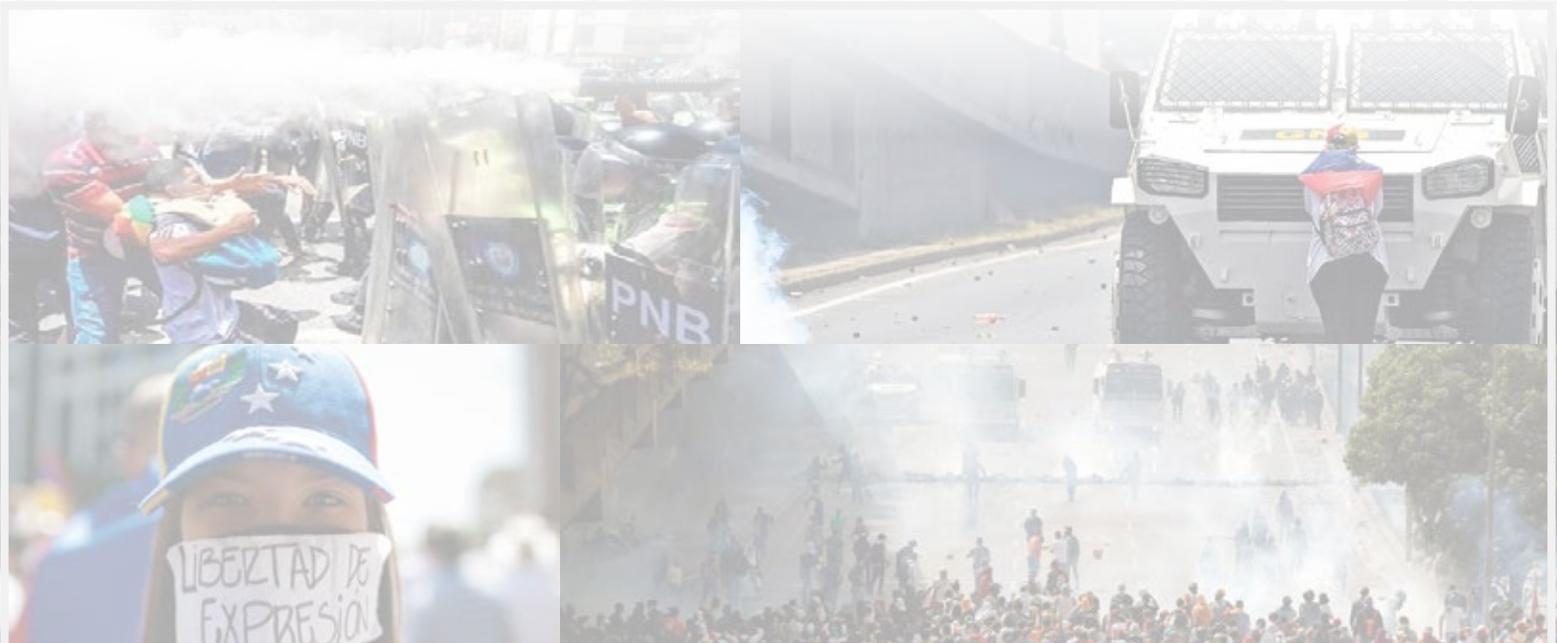


CRISIS EN VENEZUELA

Bulletin No. 145

From August 3 to 10, 2020

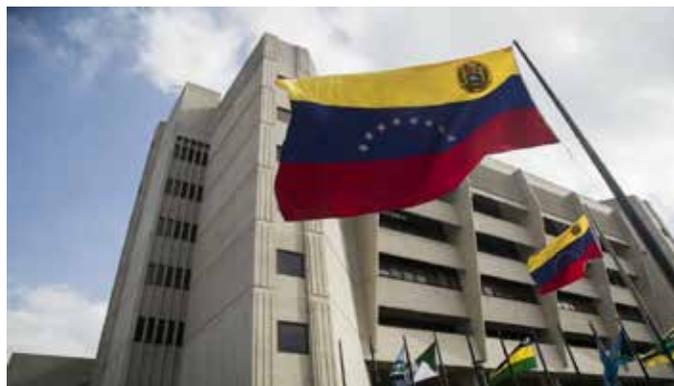
www.crisisenvenezuela.com



Transparencia Venezuela - www.transparencia.org.ve

SC strikes decentralization once more by suspending state and municipal taxes

“The Bolivarian Republic of Venezuela is a decentralized federal State”. Although this is established so in Art. 4 of our Constitution, the Supreme Court of Justice (TSJ) does not seem to like much that states and municipalities may act independently, more specifically related to taxes; and that is why TSJ suspended for 90 days all regional and local tax payments.



Such decision was taken by TSJ's Constitutional Hall in sentence 78, on July 7, 2020; and, on top of that, they ordered Vice-President for the Economical Area, Tareck El Aissami, to integrate a technical table with governors, mayors, and the Governing Chief of the District Capital, for coordinating parameters about their functions concerning taxes –especially for harmonizing tax types and tax aliquot parts.

This sentence –written by Magistrate Arcadio Delgado Rosales– is TSJ's response to a petition of nullity and a

solicitation of caution measures, presented last August 2019 by lawyer Juan Ernesto Garanton against reforms of several Municipal Orders: the creation of Units of Fiscal Values in Chacao Municipality, state of Miranda; and M.O on Civic Cohabitation, also from Chacao Municipality. Via such M.O.s, that Mirandian Mayor's Office established that both taxes and sanctions would be expressed and paid in dollars, according to daily exchange rates published by the Central Bank of Venezuela (BCV).

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PROVEA - www.derechos.org.ve

Provea: it is necessary to have more and better information about Covid-19



At the moment of redacting this text, official ciphers are 21.000 the number of coronavirus cases in Venezuela; and 187 the number of deceases for this cause. However, several hints suggest that the real figures are higher. Misinformation is due to the structural opacity within institutions; and to a limited capability of the State to respond, with one sole laboratory realizing detection test, and a population

afraid of informing symptoms because of bad conditions in isolation centers prepared by the Executive. Given that publishing and even talking publicly about the matter could have consequences, private social networks have begun to inform about persons who have died from Covid-19, but this is not registered in their death certificates.

The government goes on considering the pandemic for political and military purposes. If rulers approached the situation as it is, a sanitary emergency, they should be articulating effort with all sectors in society. Jointly with mass media and journalists, they could have designed the best possible response: one integral and efficient informative campaign, including preventive measures and evolution of the illness

itself. Instead, official spokespersonship was assigned to political actors, not to scientific experts and technicians, which has generated social distrust; and sanitary public policies seem to be entangled with military secrecy.

Nonetheless, we may be still on time for demanding credible and transparent information about this pandemic and the real situation of our hospitals nationwide, in order to implement corrective measures as necessary, in short/middle/ long terms. More and better information generates confidence and diminishes anxiety levels of the population, when they are asked to increase precaution and safeguarding. We all must press for and go on exacting international organisms of protection of Human Rights to ease acceding to public information in our country.

Acceso a la Justicia - www.accesoalajusticia.org

Native populations in Venezuela lose their right to direct secret voting



Venezuelan native populations will go back to being second-class citizens, because next December 6 they will not elect their representatives for the National Assembly (AN) same way as the rest of 19 million voters will do.

That is so due to the decision of the fraudulent National Electoral Council (CNE) appointed by the Supreme Court of Justice's (TSJ's) Constitutional Hall, who decided to change the electoral procedures for electing deputies of our indigenous ethnoses.

In "Especial Regulations for the Elections of Native Representation of AN, 2020", which appears in CNE's resolution 200630-0024, dated June 30, 2020; that illicit electoral arbiter approved a procedure that integrates diverse new dispositions, yet not sufficiently precise, for electing native deputies. Besides, the document violates constitutional dispositions.

CNE's resolution establishes that such deputies will be elected only and solely by inhabitants in native communities, via assemblies for that purpose in each indigenous community. But it is not explained, how will be elected the members of those "general assemblies", and this matter is passed on another normative instrument, called "Norms about Functioning of Community Assemblies" (Art.11), without specifying when will this handbook be approved and by whom, despite being the electoral event only four months ahead. In turn, Art.17 establishes that the procedure for voting to select "spokesmen" will be "raising hands", according -once more- to the "Norms about Functioning" mentioned above, this time for appointing native candidates to AN. This modality violates the right to direct secret voting.

These deliberate and grave arbitrarinesses just ratify the regime's need to take advantage, in favor of the official political party, on coming December 6; and prove how originally illegitimate and highly politically partial this CNE and its rectors are.

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Espacio Público - www.espaciopublico.org

GNB arrested a journalist of daily *El Tiempo*



Last Wednesday August 4, officials of Bolivarian National Guard (GNB) detained Francismar Rivas, a journalist of newspaper *El Tiempo*, when she was complying with an informative

schedule at El Guaraguao gas station, in Puerto La Cruz, state of Anzoátegui; and kept her arrested for one hour.

Rivas was interviewing some users and taking pictures in spots around the gas station, when GNB effective approached her, and obliged her to erase all she had already recorded and filed in her cell phone.

The newspaper informed that Rivas was submitted to interrogation for one hour, and accused for doing "something illegal". Her intimidating

detention ended after mediation by daily's representatives, under a warning to the graphic reporter not to photograph again in the same place.

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Un Mundo Sin Mordaza - www.sinmordaza.org

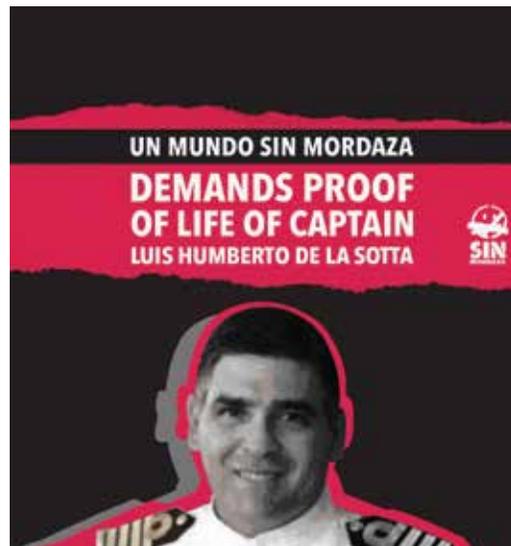
Un Mundo Sin Mordaza demands proof of life of Captain Luis Humberto De La Sotta

On May 18, 2018, captain Luis Humberto De La Sotta was detained by officials of General Direction of Military Counter-Intelligence (DGICM), for presumably having committed offences of “instigation to rebellion and high treason”. Capt. De La Sotta was accused before a military tribunal and imprisoned in DGICM headquarters, where he remains since.

Numerous times, his relatives have denounced via social networks that the Captain has received cruel and inhumane mistreatments,

including not to accede medical attention –indispensable for him, because he suffers from hypertension. Besides, he has been bereft of food for long periods.

Un Mundo Sin Mordaza demands a proof of life of Capt. Luis De La Sotta; and rejects both, mistreatments and not providing minimal conditions according to his human dignity. In this case, his rights to liberty and to personal integrity –Arts.7 and 5 of American Convention on Human Rights – are violated at the same time.



CEPAZ - www.cepaz.org

Venezuelan State does not comply with international obligations concerning gender

Although aggressors are directly responsible for violent acts against women and girls –name it murder or any other form of attacking them physically or psychologically–, the State also has a fundamental role to play in preventing, investigating, and repairing; for which it must act and provide all the available resources for fighting gender violence. This obligation means



to protect women’s right to live free of violence at all levels, the one right that works unitedly and interdependently with the rest of their Human Rights: to life, to liberty, to equity, to free transit, and to free association, among others.

These obligation must be accomplished de jure and de facto. It is established so in the International Convention for the Elimination of all Forms of Discrimination against Women. This implies not only condemning any type of discriminatory treatment, but also taking the necessary measures at all levels to ensure their full development. When a State does not comply with these important duties concerning gender, it happens to be responsible for the victims’ misfortunes.

We, Centro de Justicia y Paz (Cepaz), have documented how, through diverse patterns of actions and no-actions, women have been denied to accede justice, even before the sanitary emergency. Although we have in Venezuela a law against gender violence, it is deficient and insufficient, for not counting on the corresponding regulations to permit correct applications and accurate interpretations of

the letter. The High Commissioner of United Nations for Human Rights, in her last report recently published, stated that there are five shelter homes for the protection of victims in Venezuela; but this has not been appropriately and widely diffused, for which practically speaking, most women do not know about a safe place to go to when they find themselves trapped in violent situations.

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Foro Penal - www.foropenal.com

Nicmer Evans must be released immediately, free of charges



those, 3.098 have obtained full liberty or release under diverse modalities.

By April 2014, we had 117 political prisoners in our country. The number by August 7, 2020, is 383, out of which 29 are women. Besides, 9.220 persons were or still are unfairly submitted to judicial processes under caution measures.

International Amnesty (IA) emitted an “Urgent Action” in favor of political prisoner Nicmer Evans, as solicited by Foro Penal. IA demands from the General Attorney appointed by Constituent National Assembly to refrain from accusing Evans; and also his immediate release from his arbitrary detention. Since last July 7, nobody has been permitted to see him. Evans is a civilian, but he is kept in custody in General Direction of Military Counter-Intelligence (DGICM) premises.

By August 7, 2020, Foro Penal had registered 15.543 arbitrary arrests in Venezuela since January 1st, 2014. 870 civilians have been presented before Military Courts. Up to date, we have accumulated 3.481 political prisoners. From

Bloque Constitucional - www.bloqueconstitucional.com

Covid-19 in Venezuelan jails and dimensions of humanitarian crisis

In Venezuela, persons bereft of liberty are permanent victims of violations of the right to accede justice, due to slowness in penal processes, and judicial and gaol corruption. An inmate could be waiting over two years for a translation ordered by a tribunal, according to data collected by the Institute for Crime and Justice Police Research: in our country, 63% of inmates are waiting for their corresponding trials. The right to life and personal security is equally violated constantly, because prisoners are submitted to whatever “pranes” –convict capos– decide on order; as well as to custodians’, who collected money from them for guaranteeing their integrity. In addition, the rights to alimentation and health are also violated daily: insufficient food, lack of hygiene, stacking, and absence of medical attention; while tuberculosis, a disease that had been eradicated in our country, is reappearing now among those in prisons.



aforementioned human piling. On top of that, visits have been suspended; and they meant a way for inmates to receive more and better food. The pandemic came to show once more how the merciless regime has turned penitentiaries and other detention centers into extermination camps, where Human Rights to life, health, alimentation, security, and personal integrity are not respected and duly protected.

Amidst such a desolating situation, Covid-19 arrived, imposing a measure of “social distance” that is impossible to accomplish in detention centers, given the

Organizations that monitor and denounce about this matter have warned repeatedly on the vulnerability of inmates in Venezuela. Had their alarms been heard on time, many lives would have been saved like those 47 that were cut down last May 1st, in Los Llanos Penitentiary Center, when other 75 persons got injured during a protest held by over 100 prisoners. NGO Una Ventana a la Libertad informed that there are at least 53 inmates infected by Covid-19 in diverse preventive detention centers. Respecting this fact, as well as any other critical situation here in, the regime does not pay attention, eluding the responsibility it has before countless violations of Venezuelan inmates’ Human Rights.

REDUNI - www.redunivenezuela.com

At risk ULA's Program, "Fray Juan Ramos de Lora" for leveling up new students

Los Andes University (ULA) developed a special Program called "Fray Juan Ramos de Lora", whose aim is offering an option for entering ULA to low income students, once they finish High School at public educational centers in the region. In general terms, those students have insufficient integral formation to fulfill that university's requirements; and the aforementioned Program helps them achieve higher levels of preparation and join the Andean Alma Mater, under the coordination of Francisco Bongiorno Ponzo.

Now, Bongiorno alerts about the difficult situation that both, students and the Program itself, are confronting at the moment. His office realized a consultation with 305 students out of 530 registered for this XVIII course, at ULA's Mérida academic nucleus. 80% of them do not wish to culminate their studies via web, for the following reasons: constant fails in electric service; not counting on



access to Internet; and not counting on connectivity, which is extremely inefficient. 75% of them do not feel comfortable with the implementation virtual classes: they wish to have real classes in person, for they assure not having a good command of educative technological tools -not even social networks.

Before this reality the Coordinator of the Program "Fray Juan Ramos de Lora" decided a time lag up to the end of September, to determine if conditions will allow or not finishing this 2020 course in -personally or, at least, partially so, somehow. This is very grave, because this ULA's Program is meant for students in disadvantageous conditions; and their possibilities to enter university could be frustrated by inoperational public services; and such is the result of centralism and non-investment, within a political project that has shown -along two decades in Power- to be enormously contemptuous about education.

Defiende Venezuela - www.defiendevenezuela.org

Alexis Bustamante: one year unfairly imprisoned for defending Human Rights



Alexis Bernardo Bustamante Molano, a teacher and activist of Human Rights, member of NGO FundaRedes, was detained on May 17, 2019 by officials of the General Direction of Military Counter- Intelligence (DGCIM) in San Cristobal, capital city of the state of Táchira; and

imprisoned in Ramo Verde Military Jail, in the state of Miranda.

Although he is a civilian, Bustamante Molano was indicted within military jurisdiction, charged with instigation to military rebellion; and, furthermore, obliged to be defended by a military public attorney. The entire situation is an attack against his Human Rights to due process, to judicial guarantees, and to personal liberty.

At this moment, his case is in a sort of juridical limbo, since Bustamante is awaiting for being judged since July 30, 2019. Legally speaking, the Covid-19 pandemic and the consequent paralyzation of penal processes during quarantine -ordered by the regime- should not have affected Bustamante's trial procedures. However, the rulers use and abuse the argument of preventive detention just for keeping him in prison.

Acción Solidaria - www.accionsolidaria.info

OCHA: Complex Humanitarian Emergency in Venezuela worsens with Covid-19 consequences

United Nations' Office for the Coordination of Humanitarian Affairs (OCHA) published an up-dated report about the Venezuelan case, last August 3rd, showing worrisome ciphers about Covid-19 and how it has worsened our country's Complex Humanitarian Emergency.

OCHA's document states that, out of 1.511.433 detection tests realized by July 28, only 6% correspond to the method of polymeric chain reaction (PCR); while the rest was fast testing. OCHA also underlines its worry for the increment of contagions within sanitary personnel: by July 11, there were 212 cases. Additionally, organization Medicos Unidos de Venezuela affirmed that, by July 31st, 38 health workers had died, which means 24.1% of reported cases.



OCHA added that the situation of returning migrants must be considered a State priority: instead of creating a discriminatory criterion against them, the Executive should take measures to procure "a general epidemic response"; and control "immune-preventable illnesses in prioritized states for impeding a re-introduction of the measles virus", which has affected some within this population.

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