



CRISIS EN VENEZUELA

Bulletin No. 160

From November 16 to 23, 2020

www.crisisenvenezuela.com

CEPAZ - www.cepaz.org

The international community is fundamental in rebuilding democracy in Venezuela



The multidimensional crisis existing in Venezuela and the Complex Humanitarian Emergency that are also based on a political crisis worsen every day and have kept the international community concerned in matters affecting the quality of life of Venezuelans. This is why the Venezuelan crisis is still in debate in the international agenda, gaining even more attraction through the different international monitoring mechanisms. In spite of this serious political crisis, the last electoral processes in Venezuela have not been a solution, and the parliamentary electoral process to be held on December 6th is no exception.



by multiple irregularities and under conditions that lack authenticity.

The civil society organizations insist that the electoral agenda of the next years is not dismissed as a path towards a solution of the crisis and, likewise, motivating and making effective the application of the international

The role played by the Venezuelan civil society organizations has been fundamental in terms of documentation and visibility in the national and international circles of the serious violations of civil and political rights of Venezuelans and the alarming conditions under which the electoral timeline is developing for the parliamentary electoral event. Additionally, despite the efforts of the regime of Nicolás Maduro of giving an apparent legality to the upcoming parliamentary elections, the international community made another declaration about Venezuela expressing a conclusive rejection of holding elections that are marked

observation mechanisms that allow to guarantee the legitimacy of the next electoral processes. From the Centro de Justicia y Paz (Cepaz) we reassert that by rebuilding the electoral path in Venezuela, reestablishing the autonomy of the public powers, the basic electoral liberties and guarantees and the respect of civil and political rights of all Venezuelans, is the path that best responds to a pacific and constitutional resolution of the Venezuelan political crisis. The inclusion of the international community is fundamental in this process of rebuilding and transition towards democracy.

Read more in spanish here 

Foro Penal - www.foropenal.com

Preliminary hearing of the Pemon Indigenous People was deferred once again almost one year after they were detained



As of November 20th, 2020 Foro Penal recorded 15,668 arbitrary arrests in Venezuela since January 1st, 2014. 870 civilians have been presented before military courts. Up to this date we have accrued a historical number of 3,549 political prisoners, of which 3,184 have been released under different modalities.



This week the preliminary hearing of the 13 Pemon Indigenous People detained in an arbitrary manner in December 2019 was deferred yet again, for allegedly having participated in a military assault to Batallion 513 of the Jungle Infantry, in the Municipality of Gran Sabana. In this opportunity the reason was

As of April 2014 we recorded 117 political prisoners in the country. As of November 20th the number is 365 people, out of which 24 are women. Additionally, 9,296 people were or are being unjustly subjected to criminal procedures under cautionary measures.

because there was no interpreter available that would allow them to fully understand the act, as mandated by law. Their preventive detainment has been arbitrarily extended given the continuous delays that the process has suffered, and the right to be judged has not been guaranteed to them, in any case, respecting their ancient customs. 8 of them have a delicate health situation.

Transparencia Venezuela - www.transparencia.org.ve

The *Dilo Aquí* app is available for receiving complaints of corruption with the humanitarian aid

Transparencia Venezuela joins the rejection expressed by other civil society organizations of the propagandist use that has been given to the humanitarian aid that has entered the country, and calls on all political actors to abstain from following these practices that represent a violation of the governing principles of the humanitarian aid established in Resolution 46/182 of the United Nations General Assembly.

During these last weeks, Venezuelan communication media described that candidates of the Partido Socialista Unido de Venezuela [*United Socialist Party of Venezuela - PSUV by its Spanish initials*] used the UNICEF humanitarian response, directed towards relieving the suffering of Venezuelan boys and girls, as propaganda in their campaign actions for the upcoming parliamentary elections to be held on December 6th. The event led to a reaction by the defenders of human rights, representatives of the Parliament, among other civil



society actors. The UNICEF office in Venezuela called on not using the humanitarian response for political and electoral purposes.

Before this irregularity, Transparencia Venezuela prepared a special section on the *Dilo Aquí* mobile application for filing complaints of corruption cases with the humanitarian aid. In this space, any individual who wishes to do so may report on any irregularity of which they are victims or witnesses. The cases will be attended by the Anticorruption Legal Aid attorneys of the organization. The application is available for devices with Android or iOS operating systems and allows to file complaints of corruption in different areas, as well as for gender violence.

[Read more in spanish here](#) 

Espacio Público - www.espaciopublico.org

The Office of the Prosecutor did not produce evidence against Pedro Jaimes

The first hearing in the trial of the tweeter Pedro Jaimes case was held after 15 deferrals. The aviation aficionado was able to state before the Second Court of Trial of Los Teques, State of Miranda, and the defense exercised by Espacio Público presented their arguments on November 19th. On their part, the Office of the Prosecutor did not present any elements against Pedro Jaimes.

The proceeding initiated at around 10:45 in the morning, the defense attorneys made their statements before the Judge Jaqueline Marín de Soto, considering the right to freedom of speech and the right to access public information, they pleaded all the procedural irregularities and included information regarding jurisprudence, international pacts and treaties that protect these rights and that must be mandatorily complied by the Venezuelan State.

The Office of the Prosecutor should speak about all the expertise of the investigation and accusation;



however, during the hearing they did not produce any witnesses, expert witnesses, documents, evidences, nor did they interrogate Pedro Jaimes. Therefore, the evidence examination process was not performed, wherein each and every evidence is analyzed, it is determined if it is legal, pertinent, useful, and necessary and, furthermore, the witnesses are interrogated.

Without evidences there are no elements of conviction demonstrating that there is any type of responsibility on behalf of Pedro Jaimes regarding the crimes of which he is being accused. Consequently, by not examining evidence in the next hearing the Court must decide and grant full freedom to the tweeter who was imprisoned during one year and five months. The date set is December 3rd, 2020.

[Read more in spanish here](#) 

Acceso a la Justicia - www.accesoalajusticia.org

«Anti-blockade Act» of the null and void National Constituent Assembly



In almost three years of sessions, the fraudulent National Constituent Assembly [ANC by its Spanish initials] did not present any Constitution project, but it did assume the legislative functions of the Parliament and in the most recent occasion it did so, it approved the Anti-blockade Act for the National Development and Guarantee of Human Rights, that Nicolás Maduro presented with the supposed object of counteracting the international sanctions imposed on his administration.



This law is a blank check so that the government of Nicolás Maduro may perform any act, action or contract with absolute freedom that he considers convenient to tend to the effects of the international sanctions. He can also make existing rules in laws or other legal instruments null and void.

Upon revising the instrument, classified as a «constitutional law», allowed Acceso a la Justicia to warn that it deals with the greatest abuse to the Rule of Law up to this date, since it intends to produce radical transformations in the legal system of the country by means of a non-constitutional path. It is unlikely that this «law» can be considered as such in light of the 1999 Constitution due to the fact that it was not issued by the Parliament, but also it did not comply with the constitutional procedure for its approval in regards to the drafting of laws.

There are no limits or controls to exercise these functions, with the aggravating circumstance that the anti-blockade act institutionalizes the State Secret as a principle and not as an exception. Summarizing, it is about a law that grants even more limitless power to the regime of Nicolás Maduro and does not acknowledge the right of access to public information, which increases the lack of transparency and with this also corruption.

Read more in spanish here 

Defiende Venezuela - www.defiendevenezuela.org

The native people of Venezuela are still in oblivion



A legal framework was installed in Venezuela with the 1999 Constitution and later with the Indigenous People and Communities Organic Act [LOPCI by its Spanish acronym] that should have served as a basis for public policies that allowed assuring the respect and guaranteeing the human rights of the indigenous people in the country.



Nevertheless, the indigenous people are among the most vulnerable groups attacked by the Venezuelan State for many years. Therefore, what occurred on November 18th and 19th, 2020, at which time 300 members of the Yukpa ethnic group protested a few meters from the Miraflores Palace [seat of the Venezuelan Government and Office of the President of the Republic] is no surprise.

If we look back, there are no real inclusive public policies in Venezuela that assure the incorporation of the native people, respecting their traditions and

customs. The indigenous people are still without any roads, quality public utility services, among other basic aspects. Additionally, because they are victims of state and semi-public violence that acts with absolute acquiescence in their territories. The Inter-American Commission on Human Rights (IACHR) issued injunctions in favor of the Pemón ethnic group of the San Francisco de Yuruani community in 2019.

This is in addition to the Orinoco Mining Arc, an ecocide that has forced hundreds of indigenous people to move from their original lands or being susceptible to modern slavery product of the joint ventures that are established there. Consequently, the legitimate claim of the indigenous people at a few meters of the Miraflores Palace on the night of November 18th has sufficient reasons and hopefully all citizens, whether indigenous or not, accompany them.

Acción Solidaria - www.accionsolidaria.info

Menstrual poverty as a gender gap

Menstrual poverty refers to the limitations that millions of adolescent girls and women face throughout the world by not having access to those products that assure a correct menstrual hygiene, whether it is due to lack of availability or the economic impossibility to access them. A deficient menstrual hygiene management affects the lives of women and teenage girls. The impossibility of accessing the necessary hygienic products affects work attendance, increases truancy and, above all, restricts participation in society. In Venezuela women and teenage girls do not have the purchasing power to access menstrual hygiene products due to the economic crisis, thus resolving the issue with temporary sanitary napkins made out of old socks, toilet paper or cartons, which entails health risks.



poverty by missing classes or work. This was alerted by Human Rights Watch, who also sees it as a threat to a dignified life because it reflects “on many other human rights, such as the right to education, to work and to health.” Additionally, this also increases the gap of inequality with the male gender.

The State must assume menstrual rights as a public health concern, guaranteeing among other measures that menstrual hygiene products are tax free and be given free of charge in public schools, in this way the gender inequality gap is decreased and supporting teenage girls and women towards their education and adequate access to work.

Contracting an infection in a Complex Humanitarian Emergency is a serious hazard, but beyond this situation, the lack of sanitary towels has a human rights and social-economic aspect. Women who do not have access to menstrual hygiene products are more likely to stay in

[Read more in spanish here](#) 

Un Mundo Sin Mordaza - www.sinmordaza.org

Un Mundo Sin Mordaza publishes biannual report of Freedom of Speech 2020

The NGO Un Mundo Sin Mordaza published a general balance regarding the freedom of speech situation in Venezuela during the first semester of the year in which it details that during the pandemic the attacks, violations and restrictions increased against journalists, communication media and individuals exercising their right to freedom of speech.



Un Mundo Sin Mordaza documented 281 cases from January to July 2020, recorded by the NGO Espacio Público, in which 623 violations of freedom of speech were determined. A good portion are linked to the context of the quarantine and to the State of Alarm presidential decree, which has served the authorities to make use of excessive power and attempt not only against the media and journalists, but also against individuals that try to overcome censorship, inform and be informed in the country.

Arbitrary detentions increased during that semester; 48 journalists, graphic reporters, press workers, health sector and individuals were detained, mostly by officers of the National Guard. The censorship applied by the dictatorship of Nicolás Maduro through the National Telecommunications Commission of Venezuela [CONATEL by its Spanish acronym] was also at the order of the day; 13 radio stations and 2 television programs were taken off the air, 4 television channels suffered a temporary suspension, 17 websites and social media were blocked and a satellite television service ceased its operations in the country.

[Read the complete report here](#) 

Comisión para los Derechos Humanos y la Ciudadanía - www.codehciu.org

Young man has disappeared for 5 years in the State of Bolivar by the hands of state officials



Nelson Carpio Guarisma was victim of an enforced disappearance on November 17th, 2015, in San Felix, State of Bolivar. The case of the young man is still with little progress and discloses many arbitrary situations and violations of human rights. After 5 years of struggle, the silence from the authorities lessens hope of the victim's relatives, although they persist in demanding justice.



disappearance of the teenager, and approximately three months later a *habeas corpus* was filed before the First Court of Control of the Criminal Judiciary Circuit for the State of Bolivar. 2 of the 4 officers allegedly implicated in the case have been released.

The International Convention for the Protection of All Persons from Enforced Disappearance defines this in its Article 2

The young man was 17 years old when he left his house, in San Jose de Chirica, on the morning of November 17th, 2015 on a borrowed bicycle. Witnesses stated that four officers of the Police of the State of Bolivar [*PEB by its Spanish acronym*] aboard a patrol vehicle asked for his identity document and they detained him. The young man did not resist, but was beaten by the police officers and forced to enter the patrol vehicle. That was the last thing anybody heard of him.

as "the arrest, detention, abduction or any other form of deprivation of liberty that are made by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law." Codehciu urges the State to remedy the victims, assuring justice and an impartial investigation. An enforced disappearance is a serious human rights violation.

The Comisión para los Derechos Humanos y la Ciudadanía [*Codehciu by its Spanish acronym*] accompanied the parents of the teenager, Nelson Carpio and Eladia Guarisma, in demanding an impartial and effective investigation. In 2015 authorities detained 4 people allegedly implicated in the enforced

Read more in spanish here 



PROVEA - www.derechos.org.ve

Three challenges for the year 2021

The year 2021 will imply challenges in human rights matters. The first one is to contain the foreseeable antidemocratic laws that shall be sponsored and approved by the new Parliament. And in a representativeness crisis scenario of the democratic field this containment work can only be coordinated and performed from the diversity of civil society. In order to face the legislative arbitrariness we need active and mobilized social and popular organizations, in an independent and autonomous manner with their own agenda based on their principles.



must continue to stimulate the actions of international protection mechanisms of human rights in our country. The objective of the authorities will be to delay and impede international justice actions, such as the International Criminal Court, in our country.

A second dilemma will have to do with the will of Miraflores Palace [*seat of the Venezuelan Government and Office of the President of the Republic*] of making favorable or unfavorable decisions for enjoying human rights as a consequence of the international pressure. We

A third challenge will be to mitigate the impact of the forced migration, the criminalization, the Complex Humanitarian Emergency and the coronavirus in the population, but also on the local associative network. Social and popular organizations of the country will be targeted by the *de facto* government during 2021 after the generalized withdrawal of the political leadership due to its exhaustion after the parliamentary race that destroyed a good part of the bridges that linked different groups.

REDUNI - www.redunivenezuela.com



University workers beseech new salary schedules

The salary problem of university workers is a reality that cannot be ignored. The pressing needs of the university community of the Universidad Central de Venezuela are the result of breach of the Sole Collective Convention of the university sector and the federative agreements, product of the governmental policy of budgetary siege and violation of administrative autonomy, set forth in the Constitution and in the Universities Act, as well as the non-acknowledgement of guilds and unions.



beginning of the year. According to the Extraordinary Official Gazette N° 6.532 dated 27/APR/2020, the minimum wage increase was set at Bs. 400,000.00 and the Socialist Meal Allowance Tickets [*Cestaticket*] adjustment at Bs. 400,000.00.

During the year 2020, more specifically during the months of quarantine, the salary increases decreed by the national government can be seen that they have not been enough to cover the basic needs of Venezuelan workers. The Extraordinary Official Gazette N° 6.502 dated 09/JAN/2020 unilaterally set the minimum wage at Bs. 250,000.00 and the Socialist Meal Allowance Tickets [*Cestaticket*] adjustment at Bs. 200,000.00 at the

In November 2020, without any publication of an official presidential decree, a salary of Bs. 1,200,000.00 was imposed. Meanwhile the nourishment bonus (*cestaticket*) was also set at Bs. 1,200,000.00; thus, setting the general salary at Bs. 2,400,000.00, a little more than 3.5 dollars per month at the moment of writing this article. According to the study of the Documentation and Analysis Center [*CENDAS* by its Spanish acronym], the cost of the basic food basket [*canasta básica*] was 283.62 dollars in October 2020. Before this situation, the university workers guilds have publically demanded the discussion of new salary schedules, defined in dollars, even though they are paid in bolivars, and above the family basic food basket defined by CENDAS.

Bloque Constitucional - www.bloqueconstitucional.com



The violation of the right to vote for judgments and acts contrary to the Constitution

The legitimate Legislative Power that represents Venezuelans as citizens was elected on December 6th, 2015. A fraudulent electoral process has been summoned with the intention of replacing the Parliament as the configuration of the electoral authority was made by way of judgments in violation of Article 296 of the Constitution and, having gone through a path filled with violations of the constitutional text, up to the point that it has unconstitutionally increased in over 100 the number of representatives to be elected.



more so when it has already been dismissed by authorities representing the international community.

In the event of an electoral process in which the equality, confidentiality, impartiality, and efficiency demanded by Article 293 of the Constitution have not been guaranteed, nor have they respected Article 63 of the Constitution, which stipulates the right of any individual to vote in free, universal, direct, and secret elections; the people appointed under the violation of these conditions can never be integrated or acknowledged as the authority representing all citizens, in the same way that the grotesque National Constituent Assembly did not do so. An apparent electoral act will be condemned by the majority of Venezuelans and even

Facing the intention of destroying the unitary will of reestablishing the validity of the Constitution, repealed by judicial and administrative acts that have forced its invalidity, Bloque Constitucional de Venezuela has urged the Parliament to prepare a transitory legislative instrument based on Articles 333 and 350 of the Constitution in order to avoid a rupture (disruption) of the only authority that has the representation of popular sovereignty and that has assumed the task of reestablishing the validity of the Constitution to the Venezuelans. In this way the permanence of its term of office in a temporary manner while the referred conditions subsist and being possible the organization of free elections that comply with the constitutional demands and the international parameters inherent of a democracy.

Read more in spanish here 

