



CRISIS EN VENEZUELA

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www.crisisenvenezuela.com

Un Mundo Sin Mordaza - www.sinmordaza.org

Announcement of the new ICC Prosecutor must continue the work performed in the preliminary exam



Fatou Bensouda's term as the International Criminal Court (ICC) Prosecutor culminated on June 15th. During her mandate she initiated a preliminary exam on the Venezuela situation in order to determine if it was necessary to open an investigation on the allegedly committed crimes in the country since at least April 2017. Later, on September 27th, 2018, a group of States requested that the ICC Prosecutor's Office initiate an investigation for crimes against humanity committed in Venezuela since February 2014. It was the first time that the ICC received a collective remission from the States on the situation of another State. Afterwards, on December 5th, 2018, the Prosecutor's Office announced that the Venezuela situation had advanced to the second stage, and on December 14th, 2020, the report on the activities of the 2020 preliminary exam left on the record that it had advanced to the third stage.

The culmination of Prosecutor Bensouda's mandate, without the expected declaration, generates questions on



the preliminary exam, the scope of the process and the possible scenarios. However, it's expected that the decision regarding whether or not a formal investigation on the Venezuela situation will be initiated should be announced by the new ICC Prosecutor, Karim Khan, who was sworn in on June 16th, 2021. Said decision mustn't be subjective or personal, on the contrary, it must have objective grounds, since it'll be made on behalf of the Prosecutor's Office and it must be performed based on the findings by the ICC Prosecutor's Office during the different stages of the preliminary exam.

Un Mundo Sin Mordaza is expectant of the announcement and we'll keep moving forward with the work that characterizes us, marked by an unavoidable commitment of supporting all the victims of these serious human rights violations, as the alleged crimes against humanity that are currently under preliminary exam.

Bloque Constitucional - www.bloqueconstitucional.com

The impact of not producing gasoline and diesel fuel in Venezuela violates Venezuelans' rights



The crisis Venezuelans are going through because of the lack of fuel threatens to paralyze food transportation in the country. It concerns a standstill that would have very serious consequences that would hinder tending to the supply of the few foods that are produced in Venezuela, but that constitute most of the basic food basket consumed by Venezuelans, comprised of grains, meat, milk, legumes, and vegetables.

The employers' federation, the Venezuelan Federation of Chambers of Commerce and Production [*Fedecámaras by its Spanish acronym*], published a survey performed by the Productivity Digital Observatory of this entity, in which it refers that 89.4% of Venezuelan corporations are suffering the lack of fuel.



Nicolás Maduro stated that not one drop of petroleum has arrived to Venezuela in over 14 months. It's embarrassing that gasoline and diesel fuel are imported when it's a country that has the largest petroleum reserves in the world. Due to this, Venezuela currently doesn't have the capacity to supply itself with gasoline or diesel fuel because PDVSA isn't incapable of producing even the 18,000 daily barrels per day that are required. And when the market is supplied with these imported products, they're of a very low quality and cause damages to the vehicle fleet, besides the fact that the process for their access gets more and more difficult because of the criminal filters that have been installed around fuel sales. Thus, Venezuelans see how their rights to work and nourishment are violated, their resources are despoiled, and their vehicles are destroyed for having to mandatorily purchase and use gasoline and diesel fuel of the worst quality and spending several hours, even days, exposing themselves to danger, in order to stock up with fuel.

Transparencia Venezuela - www.transparencia.org.ve

The National Development Fund committed over 174 billion dollars in shady and unfinished projects

The National Development Fund [FONDEN by its Spanish acronym] was created in mid-2005 as a State-owned company whose purpose was financing large-scale investment projects, paying foreign public debt and tending to special situations, but it ended up being an instrument for absorbing billions of dollars coming from petroleum sales, aggravating government public expenditures and facilitating the irregular money withdrawal of all Venezuelans. This is deduced from the report *Fonden, una estrategia política para gastar sin control* [Fonden, a political strategy for uncontrolled spending], recently published by Transparencia Venezuela.



revolutionary government to spend billions of dollars without any accountability whatsoever. The text refers that between 2005 and mid-2015, FONDEN financed 781 projects for which it committed in paying 174.89810 billion dollars. Up to this date, 153.11708 billion dollars have been paid, in other words, 87.55%.

According to the document, FONDEN destined 19.76% of its resources to infrastructure projects, many of which were unfinished. Likewise, 9.50% of the funds were sent to public debt services and purchase of bonds; 41.77% to other investments; and 28.97% were for ordinary expenditures. The report also reveals that during its first decade, FONDEN destined 21.18913 billion dollars towards projects in which Cuba participated. That figure equals to 2.6 times the budget approved in Venezuela for the 2021 Fiscal Year.

In the report, the organization examines in depth a document unofficially obtained that shows new evidences on the parallel budget that allowed the so-called

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REDUNI - www.redunivenezuela.com

The RedUni project finalizes, but the commitment with universities continues intact

The Red Universitaria por los Derechos Humanos (RedUni Venezuela) was a project that promoted processes of coordination, communication and interaction between Venezuelan university community members, focusing its attention in 5 states in the country. The organizations Consorcio, Desarrollo y Justicia; Mujer y Ciudadanía A.C.; Cedice Libertad, and the Universidad Nacional Experimental del Tachira [National Experimental University of the State of Tachira] generated actions of education, activism and investigation related to the promotion, defense and documentation of the human rights situation of the university community. RedUni Venezuela had 3 areas of action: monitoring, activism and education, in which actions were promoted that allowed elevating participation, coordination and public advocacy in the different people that comprise the Venezuelan university community.



Here at Monitor RedUni we're in charge of recording, analyzing, investigating, monitoring, giving early alerts, and broadcasting - both nationally and internationally - human rights violations situations that occurred in the Venezuelan university sector between 2019 and 2021. In this sense, we've accomplished 41 bulletins, 36,896 affected people, 8 publications, 13 articles, 31 Infographics, 1 visible campaign, 2 investigations, and 3 annual reports that collect the status of the country's universities.

It was three years of work in promoting and monitoring human rights, an arduous effort that's barely starting, since the RedUni Venezuela project comes to an end, but the commitment with Venezuelan universities continues intact. Here from the member organizations, the coordination, technical and operations teams of RedUni Venezuela we thank those who joined each one of our activities.

PROVEA - www.provea.org

Fatou Bensouda culminates mandate leaving the preliminary exam on Venezuela decision in the hands of the new ICC Prosecutor

Upon culminating her nine year period as the International Criminal Court (ICC) Prosecutor General, Fatou Bensouda informed that she was prepared to make public her conclusions on the Venezuela I situation for crimes against humanity committed against the civil population in the context of the 2014 and 2017 protests, but she had suspended it in consideration of a procedural instance pending for resolution, the Pre-Trial Chamber (PTC).



sent confidentially”, thus, she couldn't refer to them in detail. However, Venezuelan authorities publicly announced that they had exercised such remedies, that some experts consider as “dilatatory”.

Bensouda textually expressed that “in fact, I had already reached a final determination on the exam, and I had been preparing to announce the conclusions in response to the remission of the States Parties that undersigned the Rome Statute, but that, in due deference to the Pre-Trial Chamber, I decided to wait for the decision of that Chamber before making any other announcement”. Bensouda's successor, the British national Karim Khan, was sworn in as the new ICC Prosecutor on June 16th, 2021 at The Hague. He would be in charge of taking the Venezuela case and deciding on the Preliminary Exam in the near future: its closure and filing or its progress to the investigation stage.

In a farewell letter that she made public, Bensouda reminded that she had committed to reach a final determination before her mandate was over, but she pointed out that it was delayed waiting for a response from the PTC regarding a petition made by the State of Venezuela to that chamber so that it exercised judicial control on performing the preliminary exam. The officer added that those government judicial remedies “were

Foro Penal - www.foropenal.com

New ICC Prosecutor must assess the huge amount of evidences in order to decide on crimes against humanity in Venezuela

As of June 18th, 2021 Foro Penal recorded 15,744 arbitrary arrests in Venezuela since January 1st, 2014. 872 civilians have been presented before military courts. Up to this date we have accrued a historical number of 3,624 political prisoners, of which 3,324 have been released under different modalities. As of April 2014 we recorded 117 political prisoners in the country. As of June 18th, 2021 the number is 300 people, out of which 21 are women. Additionally, 9,392 people were or are being unjustly subjected to criminal procedures under cautionary measures.



in our country. Her excuse, the supposed respect that must've been upheld before the Pre-Trial Chamber, was that it had received an illegal and late petition from the Venezuelan State alleging a supposed “lack of equality” in conducting the preliminary exam. Supposedly, once said decision had been reached, which in effect it would've been on the same date, June 15th, the outgoing prosecutor would've submitted her conclusions, which she didn't do.

Before leaving her position as the International Criminal Court Prosecutor, Fatou Bensouda didn't keep her word and left the preliminary exam of the Venezuela I situation unconcluded, which involves serious crimes against humanity committed against the civil population

These facts leave the preliminary exam in the same situation in which it was before Bensouda left the Prosecutor's Office, and places on the responsibility of assessing the huge amount of evidences that have been submitted during these last few years on the new Prosecutor's shoulders, Karim Khan, as well as putting an end to the preliminary exam on the Venezuela situation.

Defiende Venezuela - www.defiendevenezuela.org



Defiende Venezuela supports cancer patient on a hunger strike in prison

José Ernesto Lasorsa is a Venezuelan physician, established in the city of Valencia. He's been imprisoned at the Criminal and Scientific Investigation Bureau [CICPC by its Spanish initials] detention center, located at the Valencia Bull Ring, since September 15th, 2020, under the preventive prison measure imposed by the 5th Court in Functions of Control of the Criminal Judiciary Circuit of the Judicial Circuit for the State of Carabobo. He's been a cancer patient since 2016, who, after making a recovery, relapsed in 2020, presenting maxillary sinus squamous cell skin cancer and acute myeloid leukemia, approximately in stage III/IV since January this year; thus, he must be urgently subjected to biological therapy cycles, radiotherapy and chemotherapy in order to stop his illness from advancing.



authority, criminal association, and forging documents upon suggesting that he wasn't a physician and to have marketed medications against COVID-19. Nevertheless, he's proven that he's a licensed physician, holder of the Caracas Medical Association registry N° 21.232, and having been a visiting physician in different State institutions such as the national oil company *Petróleos de Venezuela, S.A. [PDVSA by its Spanish acronym]* and the national petrochemical company *Petroquímica de Venezuela, S.A. [PEQUIVEN by its Spanish acronym]*, among others. Regarding the crimes of which he's being accused, Lasorsa has explained that when he was detained he was channeling donations of medications to other physicians residents of the Enrique Tejera Hospital of Valencia, who were hospitalized there with COVID-19.

In spite of requesting the revision of the preventive prison measure, it was denied by the court on January 29th. It was requested again on April 6th, 2021, but without a decision as of this date. Due to this, Defiende Venezuela filed a petition of a cautionary measure on his behalf before the Inter-American Commission on Human Rights (IACHR) on April 17th, 2021. Lasorsa was accused of crimes of usurping functions, resisting

During his detention he's lost mobility of his lower extremities, he doesn't count with any medical treatment and he's been dined food and medications sent by his family. On June 9th he started a hunger strike facing the lack of response on behalf of the authorities, and on June 14th he sewed his lips together as a radicalization method of the protest. He still awaits responses while his state of health keeps deteriorating.

Espacio Público - www.espaciopublico.org



The Venezuelan State didn't inform about the armed conflict in the State of Apure

Conflicts between irregular armed groups were recorded around mid-March, specifically between the Bolivarian National Armed Forces [FANB by its Spanish initials] and the Revolutionary Armed Forces of Colombia [FARC by its Spanish acronym].



information: the national guards in charge of receiving the document acted in a hostile manner and expressed that "the President of the Republic is the only one to whom we are accountable", violating the right to access public information set forth in Article 28 of the Constitution,

Due to this situation, Espacio Público made a petition for information to the Ministry of Defense on June 8th, 2021 in order to obtain more information of the armed conflict in the region of the plains.

besides being acknowledged in Article 13 of the American Convention on Human Rights.

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There were obstacles when delivering the petition for

CEPAZ - www.cepaz.org

Cepaz documented 43 acts of persecution and criminalization in Venezuela during May

During May 2021, here at the Centro de Justicia y Paz (Cepaz), we recorded at least 43 acts of persecution and criminalization exercised by Nicolás Maduro's regime against press workers, non-governmental organizations, political organizations, political leaders, and the population in general, during this period at least 23 attacks against press workers occurred. Specifically 17 acts of threats, stigmatization or violence; 2 arbitrary detentions; 4 openings of judicial procedures, investigations or seizures; 3 blocked websites and closure of media. The press has also been affected by the Complex Humanitarian Emergency the country is going through. The lack of paper, fuel shortage, inflation, and the high cost of equipment left the printed version of the *El Tiempo* journal out of circulation.

We also recorded two attacks against civil society organizations. Javier Tarazona, Director of FundaRedes, denounced having received threats from irregular armed groups that operate in the country and also through the State-owned television channel, Venezolana de Televisión. The other attack was derived from a rule that restricts civic space: Administrative Ruling 001-2021, in spite of being repealed and substituted by Administrative Ruling 002-2021, in no way suspended the fence around civil



society organizations, due to the fact that they're still being subdued to obtaining an authorization for the exercise of freedom of association.

In total, we documented 7 attacks against political leaders. Specifically, 4 acts of detention, one petition for extradition of a leader from the opposition, the transfer of political prisoners to common jails without informing their relatives or their defenders, and one attack to political pluralism. The population is also constantly being threatened, criminalized and discriminated. During May we've recorded at least 11 acts exercised against the population: 5 threats, violence and intimidation, 2 arbitrary detentions, and one act of social control through the *Patria* System. The cases presented in this monitoring constitute a significant example that demonstrates the existence of a pattern of persecution, criminalization and exercise of control on behalf of those who are currently in power.

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Acción Solidaria - www.accionsolidaria.info

Sex education as a tool for acknowledging all people

Sexual and reproductive rights, as all human rights, are inherent to all people. But in order to exercise them it's imperative to have access to sex education, one that's integral and diverse, and that allows to acknowledge all sexual orientations and identities.



sexuality, non-binary gender expression and identity, and sexual orientations.

The visibility of all the sexually diverse communities can reduce inequalities and help us as a society to understand that the real factors that increase risk situations of these people are the lack of access

Especially during this month, Pride Month, as defenders of sexual and reproductive rights of all people, we must insist on starting and maintaining the debate on

to health services, the exclusion in the work sector, discrimination and stigmas, and the abandonment on behalf of the State.



Acceso a la Justicia - www.accesoalajusticia.org

Is the ICC Prosecutor's Office's investigation on Venezuela discriminatory and unjust?

The International Criminal Court (ICC), a court that was created only two decades ago in order to punish crimes of genocide, crimes against humanity, war crimes, and the crime of aggression, has become the talk of the town in Venezuela these days, especially of the Prosecutor General imposed by the questionable National Constituent Assembly, Tarek William Saab, who since May has referred to this authority in at least six occasions, three of them attacking it, for considering that it's giving an «unequal treatment» and that it's not guaranteeing due process.



kept at the entity and the arguments of her denouncement are public. There was a second denouncement remitted to the ICC Prosecutor's Office in 2018 by six Member States of the Organization of American States (OAS) that based their action in a report that's public, prepared by a

group of experts summoned by this organization, in which they accuse Venezuelan authorities of committing crimes set forth in the Rome Statute. Now then, in regards to the information that has been privately remitted by organizations or victims, the situation is different inasmuch as the general policy document on preliminary exams, which regulates their details, indicating in paragraph 87 that they must be kept confidential in order to protect the victims as well as the organizations.

On June 15th, the ICC Prosecutor, the Gambian jurist Fatou Bensouda, left her position to be replaced by the British national Karim Khan. Even though she didn't make the expected announcement on the Venezuela case, it's likely that her successor will soon do so. The postponement of such an important announcement was due to two judicial remedies filed by Saab, one of them directly to Bensouda's office, in which he requested the following: «We've petitioned for information to be sent to us regarding the material and pertinent evidences that are in the preliminary exam, since, up to this date, no detailed information of the events that are being investigated has been provided to us». The other judicial remedy was filed before the Pre-Trial Chamber requested that the « illegally obtained documentation» be excluded from its analysis and to not accept «information sources and complaints that are proven as biased, obtained in bad faith or without any probative value whatsoever».

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Saab also complained that the Venezuela case is advancing faster than those related to Colombia, Guinea or Iraq, for example, in spite of having the same complexity. We consider that this affirmation is a fallacy, due to the fact that it isn't true that the cases of Colombia, Guinea and Iraq are as complex as the Venezuela case. The cases of Colombia and Iraq have to do with armed conflicts, while the Guinea case is the result of the repression occurred after a *coup d'état* or putsch; therefore, the events are neither the same nor the length of a preliminary exam is an indication of a better investigation. In fact, eleven out of the twenty-nine exams performed by the ICC Prosecutor's Office up to this date - more than one third - have lasted less than the one regarding Venezuela.

It's worth mentioning that the denouncement filed by Ortega Díaz, and that gave way to opening the preliminary exam, was based on evidences collected by the Venezuelan Prosecutor General's Office until she was dismissed from her position in August 2017 by the National Constituent Assembly; thus, said evidences are

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