Bulletin No. 191
From July 12 to 19, 2021
www.crisisenvenezuela.com
The government insists on arbitrary detentions in spite of claims from the UN

Claims of forced disappearances and arbitrary detentions made by the United Nations High Commissioner for Human Rights (UNHCHR), Michelle Bachelet, in her latest report on Venezuela published towards the end of June, seem to have fallen into deaf ears. At least that’s what’s implied in the case of the Representative Freddy Guevara, Member of Parliament elected in 2015, who was detained by National Bolivarian Intelligence Service (SEBIN by its Spanish acronym) officers and presented before a judge 58 hours later, instead of the 48 hours mandated by law.

“The previously identified patterns of forced disappearances and isolated detentions persisted”, denounced Bachelet, who confirmed that in Venezuela it’s a recurring practice detaining a person and then subjecting them to forced disappearances, during which they remain isolated and the authorities refuse to disclose their whereabouts to their defense team or relatives. Guevara was apprehended at the Francisco Fajardo Highway while driving his vehicle on Monday July 12th. The Member of Parliament managed to transmit his capture through his phone and you could see how armed officers pointed their guns at him.

Hours after his detention, the Office of the Prosecutor General intervened by the National Constituent Assembly assured that Guevara’s capture was required by this authority, even though it didn’t specify the court that had issued the warrant, due to “his ties to extremist and paramilitary groups associated to the Colombian government”. One day later, the President of the Parliament, Jorge Rodríguez, linked Guevara to delinquent groups. During his intervention, the Member of Parliament denied that the opposition representative had “disappeared” as alleged by those close to him and his defenders. Nevertheless, he was presented before court 58 hours later; in other words, 10 hours more than what’s stipulated by law, and his legal representatives denounced that they didn’t have any access to him, which violated the right to defense and to due process, set forth in Articles 44 and 49 of the Constitution.

June: Without authorization to report on vaccination

June ended with the documentation of 30 freedom of speech violations. Among the most frequent aggressions were: intimidation, censorship and threats.

In this month, journalists (52%), communication media (30%) and citizens in general (8%) were the main victims, while those responsible for most of the cases were security forces, State institutions and public officials.

Upon closing the sixth month of the year, 116 cases are accrued, corresponding to 227 freedom of speech violations in midst of a pandemic and with a reduced spectrum of communication media. Intimidation repeated as a pattern of action on behalf of security forces and officers, restricting the work of journalists during coverage.
Once again, but this time with increasing ferocity, residents of the west of Caracas were sequestered by armed groups for more than three days with no let-up for the population or the security forces when they drew an arsenal of weapons whose caliber could be measured by the amount bullet impacts in houses, not only in the Cota 905 [or Guzman Blanco Avenue, a road in the west of Caracas], which is where they act, but also in nearby neighborhoods such as El Paraiso, Montalban, Vista Alegre, El Cementerio, and other surrounding areas.

A sort of war was unleashed between different criminal groups and security forces just three kilometers from Miraflores Palace [seat of the Venezuelan Government and Office of the President of the Republic]. What seems unheard-of and very serious are the heartbreaking testimonies of hundreds of citizens living in the areas of conflict and their surroundings, and observing the displacement of entire families because no one can guarantee their survival.

It concerns the internal exodus occurring not only from one city to another seeking better life conditions, but also within the capital city itself, motivated by the violence of criminal bands that expand their power more and more and that through the use of violence they’ve subdued an entire population that even recognizes them as an authority that must be obeyed because of fear. This is the result of the authority vacuum left by those who should guarantee the safety of the inhabitants of these areas. Facing this situation, what do Nicolás Maduro’s regime’s officials do? They deploy operations that, in most cases, end innocent citizens’ lives because in 21 years effective policies against violence haven’t been designed, on the contrary, they have been praised by those in power.

Un Mundo Sin Mordaza categorically rejects the arbitrary detention and disappearance of the Member of Parliament Freddy Guevara, as well as the hounding and political persecution against Interim President Juan Guaidó.

On July 12th, 2021, the arbitrary detention and consequent disappearance of the Member of Parliament legitimately elected in 2015, Freddy Guevara, while leaving his place of residence in Caracas was denounced. The act was committed by irregular groups without any identification or judicial order, and with the use of long guns and weapons of war, which forced Guevara to remain sheltered in his vehicle.

At the same time, State security forces hounded and harassed the interim president at his place of residence. However, in spite of the threats, Guaidó managed to avoid detention and denounced in press statements that he was victim of harassment by unidentified groups and without a judicial order.

Un Mundo Sin Mordaza, in its work of promoting and defending human rights, rejects and condemns the regime’s actions in detriment of Representative Freddy Guevara and of Interim President Juan Guaidó, which attempt against personal security and freedom, their political rights and access to due process set forth in Articles 9, 10 and 14 of the International Covenant on Civil and Political Rights (ICCPR). Likewise, we demand that the authorities release Guevara immediately and to cease the persecution against Venezuelan civil society, and we urge the United Nations High Commissioner for Human Rights (UNHCHR), Michelle Bachelet, and the rest of the international authorities in charge of the protection of human rights to take note of the matter and condemn this new aggression.
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**PROVEA - www.provea.org**

Attacks against civil society are still happening

The most recent report of the United Nations High Commissioner for Human Rights (UNHCHR) ratifies the persecution patterns against dissidence in Venezuela and the use of the justice system for violating their rights. She ratifies that torture and cruel, inhuman or demeaning treatments are constant in the country along with the persistence of forced disappearances and isolated detentions. When a detainee dares to denounce the tortures to which they’ve been subjected before court, the judges return them to the custody of those who are responsible for the aggressions.

Apprehensions without arrest warrants or flagrancy are still a pattern. Also the imposition of a public defense; this is why detainees can’t be assisted by an attorney they can trust. The victims can be kept in detention for months without being presented before court. The repeated use of military courts and “terrorism” accusations were also documented, in which the judicial processes are performed in an “express” or “expedited” manner and under complete secrecy. Civil trials under military jurisdiction are repeated in spite of being prohibited by the Constitution.

It’s not by chance that the two main topics of this report have been the justice situation and the Rule of Law, as well as the threats against civic space. Authorities have increased attacks against activists in these last few days, being the most serious case the detention of 3 members of the NGO Fundaredes, who have been linked to scandalous situations in an attempt of undermining the legitimacy of the human rights movement. This happened during the visit of a European Union delegation to the country. In our case, the international community has an important task to fulfill in containing authoritarianism.

**Acceso a la Justicia - www.accesoalajusticia.org**


“Allowing an injustice to be made is opening a path to all those that follow.” Venezuelans have spent two decades witnessing in the flesh the truthfulness of this phrase said by the former German Chancellor, Willy Brandt (1913-1992), because due to the control exercised by Maduro’s regime over the Supreme Court of Justice [TSJ by its Spanish initials] and the Office of the Prosecutor General, the citizens not only have they seen their fundamental rights diminished, but they’ve also discovered that the law isn’t applied to everyone alike. It was even sadder verifying that, in spite of being right, a citizen may win a trial, but in exchange they obtain a sentence that isn’t even worth the paper on which it’s printed.

Acceso a la Justicia reached this conclusion in its book Diaria injustica: Historias de decepción en tribunales venezolanos [Daily Injustice: Stories of Disappointment in Venezuelan Courts], a free digital publication in PDF format in which 43 rulings issued by different chambers of the highest court in the country are presented, which are an example of the malfunctioning of the Venezuelan justice system.

“None of the cases chosen have a political content”, warns Acceso a la Justicia Director, Ali Daniels, regarding the investigation, which took two years to compile. “It’s about private dramas that can occur in any country (claims for pensions, real-estate property, damage claims, etcetera) but that, specifically in the Venezuelan case, when they culminate after trials that in some cases can last decades, finalize with decisions that beyond their legality, absent by the way, are blatant mockery towards those who fought for their claims for years.”

**Read more in spanish here**
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**CEPAZ - www.cepaz.org**

At least 50 acts of persecution and criminalization were recorded in Venezuela in June

During the month of June 2021 here at Centro de Justicia y Paz (Cepaz), we recorded at least 50 acts of persecution and criminalization exercised by Nicolás Maduro’s regime against political officials, civil society organizations, journalists, reporters, writers, and communication media and against the population in general. In these acts we’ve identified the development of patterns such as the exercise of violence, threats, stigmatizations and harassment, impediments to carry out the journalistic work, blocking websites, home raids, arbitrary detentions, and judicial processes characterized by illegal irregularities.

We recorded 26 attacks against press workers. Specifically 2 journalists were forced to delete material they had in their equipments, 5 weren’t allowed to tape, photograph or record an event, 9 were victims of threats, violence and harassment. Additionally, 5 websites were blocked or suffered cyber attacks, a newspaper was victim of an arbitrary judicial process, and 4 radio stations have been affected due to electric power failures product of the Complex Humanitarian Emergency. What’s more, a writer, after having published an editorial article, was arbitrarily detained and charged with instigating hate.

On the other hand, during June we recorded 3 attacks against citizens, all of them union leaders. Political leaders are still victims of persecution and violation of their rights. In total, we recorded 19 attacks against people linked to politics. We specifically documented the transfer of 15 political prisoners, 3 acts of harassment and 1 arbitrary detention. Lastly, the stigmatization against civil society organizations continues because of their humanitarian work and their work for the defense and promotion of human rights. During this month we recorded at least 1 attack of this type.

**Foro Penal - www.foropenal.com**

Venezuelan regime advances in the long chain of systematic attacks against civil population

As of July 16th, 2021 Foro Penal recorded 15,751 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 3,629 political prisoners, of which 3,330 have been released under different modalities.

As of April 2014 we recorded 117 political prisoners in the country. As of July 16th, 2021 the number is 299 people, out of which 22 are women. Additionally, 9,392 people were or are being unjustly subjected to criminal procedures under cautionary measures.

This week there was a strong attack against members and spokespersons of opposition political parties. Political leader Freddy Guevara, for example, was arbitrarily detained, and after remaining disappeared and isolated for almost 60 hours, he was presented before a court with special competence in crimes of terrorism without being allowed to be assisted by his reliable attorneys. He was forced to accept a public defense attorney and was incarcerated, which constitutes yet another link of a long chain of systematic attacks against civil population that are identified as crimes against humanity of persecution and arbitrary imprisonment.