



CRISIS EN VENEZUELA

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www.crisisenvenezuela.org

Un Mundo Sin Mordaza - www.sinmordaza.org

We reject the violation of freedom of speech and the arbitrary detention of two citizens because of a TikTok video

Un Mundo Sin Mordaza issued a statement rejecting the arrest warrant against Olga Mata de Gil and Florencio Gil Mata issued by the Fourth Special Court of Control after exercising their right to freedom of speech through the TikTok social media, where they posted a video alluding to members of the public administration in a humorous manner, being among them the Prosecutor General, Tarek William Saab, the Member of Parliament, Cilia Flores, and Nicolás Maduro.



public personalities”, a call to the crime of promoting or instigating hatred.

Expressing ideas and opinions through humor forms part of the individual and social dimension of the right to freedom of speech, a right recognized in Article 53 of the Constitution of the Bolivarian Republic of Venezuela, as well as

After it was posted, Florencio Gil Mata was detained by officers assigned to the Computer Crimes Division of the Criminal and Scientific Bureau of Investigation [CICPC by its Spanish initials], while an arrest warrant was issued against his mother, Mrs. Olga Mata de Gil, who's 72 years old. All of this because according to the Prosecutor General's opinion, the video “instigated the murder of

in Article 13 of the American Convention on Human Rights; therefore, we condemn any and all acts of restriction, sanction or persecution against the accused and we urge the United Nations Office of the High Commissioner for Human Rights (UN-OHCHR), the Special Rapporteur on Freedom of Speech of the Inter-American Commission on Human Rights (IACHR), and the rest of the international organizations in charge of protecting human rights to pay close attention and monitor the continuous and systematic violation of the right to freedom of speech in Venezuela.

Acceso a la Justicia - www.accesoalajusticia.org

Saab affirms that “there’s no need” for the ICC to investigate anything in Venezuela

Tarek William Saab doesn't want to accept the decision adopted in November by the International Criminal Court (ICC) and later ratified on April 20th, in which it resolved to open an investigation for crimes against humanity that have occurred in Venezuela since 2014. For the Venezuelan Prosecutor General imposed by the questionable National Constituent Assembly [ANC by its Spanish initials], this decision, which he branded as “distinctive”, is unwarranted, since he assures that his office is processing and investigating the events that have all the attention of the British jurist Karim Khan.



Caracas. “If you have nothing to hide, you have nothing to fear”, he said. Nevertheless, if we analyze the figures of extrajudicial executions from 2014 to 2020 of the Programa Venezolano de Educación Acción en Derechos Humanos (Provea), as well as those from 2021 in their joint initiative along with the Centro Gumilla, Lupa por la Vida, they increase to 7,220 people, without counting other crimes against

humanity such as torture, sexual violence, arbitrary detentions, or enforced disappearances.

When Saab presented his annual report corresponding to the year 2021 before the government-biased Parliament on April 8th, he assured that just last year his office accused 242 State security officers for presumably violating fundamental guarantees, as well as 24 civilians for colluding with them. Likewise, he revealed that 98 police officers and members of the military were imprisoned and that “they achieved a record number of almost 100 public officials convicted for human rights violations”. This is why Saab insisted on considering Khan's decision of opening an investigation on Venezuela as “unjustified”; even so, he saluted the opening of the branch that the ICC Prosecutor's Office will have in

Even though Venezuelan justice has pretended in recent months to make people believe that it's supposedly interested in solving the cases regarding crimes against humanity that have been committed at least since 2014, it hasn't succeeded. In this way, the ICC Prosecutor ratified his decision made on April 20th of this year, stating that Venezuela demonstrated that it didn't have the capacity to indeed attain justice, after granting an extension of four months, therefore the investigation of the Venezuelan case is still in his hands.

Read more in spanish here 

Defiende Venezuela - www.defiendevenezuela.org

DEFIENDE VENEZUELA

Arrested and accused of instigating hatred for posting a video on TikTok

Olga Lucila Mata de Gil, 72 years old, along with her son, Florencio Gil Mata, recorded and broadcasted a video through social media using satire and comedy to criticize Nicolás Maduro, a former minister (now a Member of Parliament), and the Prosecutor General. The video is about a parody in which you can see Mrs. Olga preparing arepas and naming each one after government officials, depending on their filling or flavor. Because of this situation, they were arrested on April 18th and accused of instigating hatred, a crime regulated in Article 20 of the Law against Hatred, for Peaceful Coexistence and Tolerance, with a penalty of up to 20 years of prison.



2022, Mrs. Olga Mata de Gil was detained along with her son and they were both taken before the 4th Court of Common Pleas in Functions of Control with Competence in the Crimes of Terrorism, and they were charged with the crime of instigating hatred, remaining under custodial measures. Moreover, she was forced to give a public apologize through a video.

On April 14th, the Prosecutor General appointed by the National Constituent Assembly, Tarek William Saab, made the arrest warrant public against Olga Mata de Gil and Florencio Mata through his Twitter account for the crime of instigating hatred. Likewise, the 4th Special Court of Common Pleas in Functions of Control with Competence in cases linked to crimes associated to terrorism ordered the apprehension. On April 18th,

Attacks against freedom of speech have evidently gotten worse ever since Nicolás Maduro came into power: 115 communication media have disappeared, representing a serious setback in civic spaces in Venezuela. These attacks from the government against freedom of speech are very clearly evidenced through the criminalization and detention of people who use of their rights legitimately. The criminal terms and figures expressed in the Law applied in this case, such as "hatred", are so broad and vague that any expression can be framed within this figure; thus, granting broad discretion for interpreting the rule and are constituted as a violation of the right to freedom of speech.

Foro Penal - www.foropenal.com

Foro Penal

ICC Prosecutor's Office will request the Court's authorization to resume its investigation on Venezuela

As of April 22nd, 2022 Foro Penal recorded 15,772 arbitrary arrests in Venezuela since January 1st, 2014. 875 civilians have been presented before military courts. Up to this date we have accrued a historical number of 3,658 political prisoners, of which 3,418 have been released under different modalities.

As of April 2014 we recorded 117 political prisoners in the country. As of April 22nd, 2022 the number is 240 people, out of which 14 are women. Additionally, 9,414 people were or are being unjustly subjected to criminal procedures under cautionary measures.

The International Criminal Court (ICC) Prosecutor's Office submitted a document before the Pre-Trial Chamber on April 20th, 2022, which refers to the request for deferment of the investigation filed by the Venezuelan government on April 16th. In said document, the Prosecutor's Office indicated that the State didn't provide



any new material or information supporting its petition for deferment, but it refers to 9 previous reports that had already been presented during the preliminary exam.

Consequently, the Prosecutor's Office shall request the Court's authorization to resume its investigation "as soon as possible", and based on Article 55(1) of the Rules of Procedure and Evidence to accept the observations of the

victims and their legal representatives. It also indicated that, according to Article 18(6) of the Rome Statute, while the petition is being decided, it shall make progress on the inquiries it deems necessary for preserving the evidences that it may need in further stages of the process. The Venezuelan State is expected to oppose the Prosecutor's Office's petition and to reiterate its request for deferment, intending to demonstrate the country has supposedly made progress in order to achieve objective and genuine justice in crimes against humanity.

CEPAZ - www.cepaz.org

The ICC Prosecutor's Office rejected the Venezuelan State's petition of suspending the investigation of crimes against humanity in Venezuela

The International Criminal Court (ICC) Prosecutor's Office notified the Pre-Trial Chamber through a public document on April 21st the reception of a petition filed by the Venezuelan State on April 16th under Article 18, 2nd numbered paragraph of the Rome Statute, in which it requests the prosecutor to remove himself from the investigation. The State indicated that the deferment of the investigation of the Venezuela I situation was should proceed due to the existence of genuine procedures on an internal level against the presumed responsible authors for the committed crimes. Demonstrating that its willing to exercise its jurisdiction, the State reported to have sent new reports to the Prosecutor's Office containing detailed information on the legal framework applicable in Venezuela, the institutional structure of several public powers, the reforms adopted to reinforce the capacity of the justice system, and the investigation of 124 allegedly responsible persons.

When responding to this petition, the Prosecutor's Office pointed out that the Venezuelan State didn't submit any new information proving that it has effectively conducted or is conducting genuine domestic procedures. The nine reports used as a legal bases of the petition for deferment are the same that were sent during the preliminary exam, which were revised by the Prosecutor's Office and considered as insufficient to impede the initiation of an investigation at the Court's seat. Prosecutor Karim Khan reminded the application of the principle of complementarity, according to which the States are the first who are called to investigate and prosecute the crimes committed in its territory or by its citizens, can't be prospective nor speculative; neither can it be based on actions that could happen in the future.



Taking all of this into consideration, the Prosecutor's Office indicated that it will request the Pre-Trial Chamber's authorization for continuing the investigation of the Venezuela I situation.

According to the provisions of Rule 54 of the Rules of Procedure and Evidence, the Prosecutor must present the petition for authorization to continue with the investigation in writing before the Pre-Trial Chamber, specifying the factual and statutory reasons upon which it has based the petition. Under the same formality it must inform the Venezuelan State of its decision to continue the investigation. When deciding whether or not the investigation should continue, the Pre-Trial Chamber shall examine the Prosecutor's petition and the observations presented by the State in the light of the factors stipulated in Article 17 of the Rome Statute with the purpose of determining if the State authorities have the will and capacity of exercising their jurisdiction and, should this be the case, if genuine procedures have been conducted on an internal level. The decision to be issued by the Pre-Trial Chamber, either authorizing to continue with the investigation or denying it, can be appealed upon request of the Prosecutor's Office or the Venezuelan State. This decision shows that, in Karim Khan's criterion, up to this moment the Venezuelan Judiciary Power hasn't investigated correctly the events that occurred in the country.

Read more in spanish here 

Espacio Público - www.espaciopublico.org

Cautionary measure issued against a citizen for a humorous video of Venezuelan officials

A court issued a cautionary measure after Tarek William Saab released the arrest warrant against Olga Mata de Gil and her son Florencio Gil Mata because of a humorous video they posted on the TikTok social media.

The video posted by Mata makes reference to several Venezuelan government officials, such as Saab himself, Diosdado Cabello, Iris Varela, the former and late President Hugo Chávez, Cilia Flores, and Nicolás Maduro. Nevertheless, it was an audio file that had already been previously published in the social media and Mata just made the imitation.



On April 9th, Mario Silva, a pro-government Member of Parliament and host of the show *La Hojilla*, transmitted by the State-owned TV channel, Venezolana de Televisión (VTV), harassed Olga Mata de Gil for the video and pointed out that it was an "endorsement or incitement of criminal acts" and asked on air "if anyone knew where that lady was".

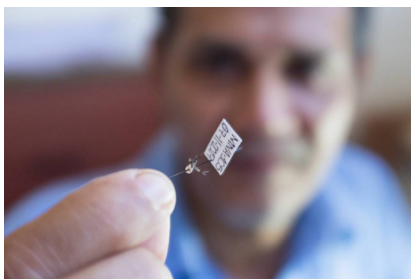
Read more in spanish here 

Acción Solidaria - www.accionsolidaria.info

An unattended epidemic: malaria in Venezuela

World Malaria Day is celebrated every April 25th, with the purpose of giving priority or putting on the table the need to continuously invest in the prevention and control of this disease. This year the slogan proposed by the World Health Organization was "Harness innovation to reduce the malaria disease burden and save lives". However, Venezuela isn't a country that can join this cause due to the inattention on behalf of the State and the consequent Complex Humanitarian Emergency that deteriorated the health system.

Venezuela hasn't published any official numbers since 2016, when it reported approximately 240,000 cases,



76.6% more than the year before. According to the last world report on malaria from the WHO, the country represented at least 35% of the cases produced by malaria that were notified in the continent. Illegal mining, poverty and environmental destruction have worsened this health crisis in recent years.

The International Red Cross, Doctors without Borders and the Rotary Club are currently working together with local authorities in order to implement preventive and mitigating measures, such as the distribution of medications and mosquito nets treated with insecticides.

PROVEA - www.provea.org

Provea: "Normality" isn't possible without democracy

The collision of the Complex Humanitarian Emergency (CHE) and the pandemic worsened the multidimensional crisis suffered by Venezuelans, generating a standstill in different dimensions of the population's everyday life. When it seems that the strains of the coronavirus have decreased their lethality after two years of restrictions, the population needs to recover some level of certainty; and in the case of millions of Venezuelans with job insecurity, carrying out a productive activity in order to put food on their family's dinner table. Venezuelan authorities have detected in this reality an opportunity for attempting to normalize authoritarianism, developing a communicational strategy on different levels in order to assure that "Venezuela has been fixed". The result of this campaign can be observed in statements made by people such as the Argentine President, Alberto Fernández, who assured that Venezuelans' human rights problems "are being resolved".

Reality is very different. According to what the last Life Conditions National Survey [ENCOVI by its Spanish acronym] revealed, 10% of people with the better incomes



represent 40% of the entire national income. The gap between those who have the most and those who have the least has grown in a substantial and alarming manner, which will keep forcing Venezuelans out of their territory as forced migrants. With the excuse of being a victim of sanctions, authorities refuse to make corrections in order to resolve problems of millions of Venezuelans, in a wide variety going from insufficient income to lack of basic services.

Never before had we seen such a clear connection between democracy and the enjoyment of human rights. The absence of institutions that operate correctly and independently, respecting the Rule of Law and without systematic policies of discrimination for political reasons have aggravated the problems even more. It's delusional to think that under this plan of operation, situations will begin to be solved when the experience of recent years demonstrates quite the opposite. As long as Venezuela doesn't recover a minimum institutional operation that can be qualified as democratic, violations of social and civil rights will keep getting worse as time goes by.

