



Defiende Venezuela - www.defiendevenezuela.org

A window for the Defense of Venezuelans' Rights



Facing the big number of violations against Human Rights in Venezuela, Defiende Venezuela aims promoting and defending those Rights, via denouncing before the Interamerican System and the Universal System for Human Rights.

Génisis Dávila, founder and president of the NGO, watches for coherency between the quantity of violations of Human Rights and the quantity of denounces made on this matter. In 2017, only 53 cases were denounced before Interamerican Commission for Human Rights (CIDH). In 2018, it is expected that the figure will reflect more exactly our country's reality: "Respecting the Protective mechanism offered by the Commission, we use effectively the system of individual petitions; solicit caution measures; make whatever urgent calls; and present informs within the general hearings".

"This coherence goes accompanied by the spread of parallel activities, such as formative workshops for venezuelans, which offer tools and generate alliances, destined to identify and make the victims visible, respecting violations against Human Rights. Besides, we also report the cases before the Commission", Dávila remarked.

Transparencia Venezuela - www.transparencia.org.ve

Government pretexts sanctions for not fulfilling payments of the External Debt



U.S.A.'s sanctions imposed to Venezuela –plus those imposed by 42 countries against some Venezuelan hierarchs– are used by the government as an excuse for not fulfilling its obligations, such as the payments of the External Debt. This is stated by economist Tamara Herrera, Head of Síntesis Financiera, a team of consultors.

Herrera affirms that these extraordinary measures accelerated our default; but, paradoxically, gave the government a certain space for maneuvering on its

finances, which are quite depressed. "First of all, they stopped paying because they ran out of money. Later, they kept on failing to pay because sanctions delayed the payments, which is not true. A proof of this: when they had to accomplish with PDVSA's Bonus 2020 (Citgo is a subsidiary) deposits were made rightly on time".

Tamara Herrera explained that the sanctions interrupted abruptly every possibility of searching for financings, since they impede to re-structure the Debt. She underlined the fact that, even before the sanctions, it was already very difficult to get financings, for which reason the authorities made quite uncommon operations. She added that the government was still able to gather US\$ 2.000 millions via Bonuses, but sanctions prevented from that.

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CEPAZ - www.cepaz.org.ve

International Penal Court: the Venezuela case

International community, following up an initiative of the Organization of United Nations (UNO/ONU), created the International Penal Court (IPC/CPI). It is the first permanent International Court, in charge of judging those who are responsible for crimes against humanity, genocides, and war crimes. Its creation meant a historical step towards universalizing Human Rights. Its jurisdiction extends over everybody in the world, as much as international grave and transcendental offences are concerned.

The first pronouncement of this entity on Venezuela was emitted on February 8, 2018. The IPC's Attorney, Fatou Bensouda, declared that an investigation had been opened around the Venezuelan case, for violations of Human Rights, and for actions against International Humanitarian Law. On May 29, a panel of independent experts, appointed by the Organization of American States (OAS/OEA), presented an Inform, containing evidences of Lese Humanity in Venezuela. As a result, there are enough fundaments for considering that such



crimes have really happened in Venezuela.

Recently, Argentina announced officially its intention to attend IPC, jointly with other Latin American governments, for accusing President Nicolás Maduro. It would be the first time that a State, or a group of States, impulse a penal process. The introduction of a course of this

sort by a State that is a member of the Statute of Rome is meaningful. The action would generate a special pressure on the Court, and would oblige the Prosecutor to begin a new investigation, and a search for new informations. That is the reason why it is a must registering our situation of vulnerability in Human Rights. The registrations imply denunciation, documentation, and diffusion of all cases, for providing full data that may merit an eventual investigation by IPC.

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Bloque Constitucional

Serious immigration crisis rapidly mutates to migratory catastrophe

The collapse produced by economical setback, political chaos, and social anonymity has forced millions of venezuelans into an exodus, running away from misery and starvation. It is true: the main characteristic of this exodus is compulsion. Our compatriots cross the borderlines carrying just a suitcase, with no money, many with no documents; but all of them act under the pressure of the existential need to escape from Maduro's plan, which is submitting us to depend entirely on the State, via rationing.

The recent forced exodus of over three million venezuelans is seriously affecting neighbor countries, especially Brazil, Colombia, Ecuador and Peru, which have found their spaces invaded, and their public services



insufficient. This tremendous situation may generate a migratory catastrophe, unprecedented in the region.

Based upon the previous considerations, we exhort the governments in our region and the natives concerned, in order to keep their solidarity, widely shown by their giving shelter to our compatriots. For this we are

eternally and gratefully committed with all of you! In addition, we also exhort them to express strongly during the coming session of OEA's Permanent Council, in order to appoint a commission of presidents, who may verify in situ the humanitarian crisis, derived from our hard conditions of rationing and apartheid; and may also verify in the frontiers, in situ, the effects of the grave migratory crisis -rapidly becoming a migratory disaster.

Acceso a la Justicia - www.accesoalajusticia.org

Sheer Injustice: the Requesens case

Since the supposed frustrated assassination of Nicolás Maduro on August 4, 2018, there is no hope that the State's repressive corps respect our almost-forgotten-yet-in-force Constitution's minimal guarantees in favor of all Venezuelan citizens -opponents included. The case on which we are focusing on now happened three days after the terrible attack with drones, during an act headed by the president. A commission of officials of Bolivarian National Intelligence Service (SEBIN) captured deputy Juan Requesens, not only illegally -no warrant for arrest- but violently. Requesens's sister, Rafaela, was also detained, and released a few hours later; but she was not given any information about her brother's destination, nor about her own detention.

Facing such a panorama, first thing to be emphasized is that our Magna Carta -seemingly discarded by this regime -establishes only two bases for arresting a person: flagrancy or a judicial order. Flagrancy was the alleged one. According to the Supreme Court of Justice (TSJ), flagrancy refers to four conditions: 1) An offence is being committed, and somebody, who is directly affected, states so. 2) An offence has just been committed, which may be illustrated by this example: "When a person hears a shot, looks through a window, and sees an individual with a gun in his hand, aside a corpse". 3) When the offender is



persecuted by authorities, by the victim, or by the public outcry. 4) When a person is caught "short time after the committed offence, either in the place where it occurred or nearby, if the person holds weapons, instruments or objects that lead to think that the person is the offender". Following these criteria that TSJ deems as flagrancy; given the circumstance that three days had passed by since the

facts actually happened; we can make a question like this: was deputy Requesens arrested under any one of the aforementioned premises? The obvious, clear, and objective answer is "no".

We must not forget that Requesens's whereabouts were unknown for four days, which figures a forced disappearance. This is a pattern of the regime: many persons are arbitrarily detained, without a warrant for apprehension, and no information is given about their detention sites. These actions are illegal and shape offences, even if they last only a few hours or a few days. But TSJ says nothing on the matter.

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Foro Penal Venezolano - www.foropenal.com

7.324 persons are unfairly submitted to penal processes in Venezuela

By September 7, 2018, Foro Penal Venezolano has registered 12.472 arbitrary detentions since January 1st, 2014.

810 civilians have been presented before Military Courts. Between January 2014 and the present day, Foro Penal has totalized 1.548 certified political prisoners. Full liberty or release under diverse modalities have been obtained in 1.300 cases.

In April 2014, we had a record of 117 political prisoners. Today, the figure for this category of inmates is 242, which has been verified by OAS (OEA) on the basis of data provided by Foro Penal. Besides, 7.324 persons are still unfairly submitted to penal processes, under caution measures.



CIVILIS Derechos Humanos - www.civilisac.org

“I will go on being a Defender until my country lives a coherent situation”



Mario D' Andrea is a lawyer of NGO Defiende Venezuela, an organization dedicated to promote and defend Human Rights in Venezuela. More specifically: the divulgation of knowledge about the Interamerican System of Human Rights (ISHR/SIDH) and an efficient use of its protective mechanisms.

—How did you get started within Human Rights?

—It all began in 2014, when I figured into a group of students of Law and Social Communications, at Catholic University “Andrés Bello” (UCAB), in Caracas. This group's name was “Asistencia UCAB”, and it was directed by UCAB's Center for Human Rights. Being there, I contributed by helping to collect information, to denounce, and to support and give free juridical assistance to persons who were arrested during the protesting wave, between January and April, that year. My interest for promoting and defending Human Rights was born by then. I left my position as a passing assistant in a lawyers' office, and went into the domain of HR through NGO

Civilis Derechos Humanos. At the same time, I joined the Moot Court on HR, for representing my University at Interamerican Court, in San José de Costa Rica, and in Washington D.C., USA. Civilis taught me many things, mainly by its exemplary actions; that is why I have now a much wider view of the ways we defenders look at the situation in our country. Sitting still to listen to other defenders –who are not necessarily lawyers– makes one a lot more open-minded, it takes one out of the merely legal professional framework. Those are the most enriching experiences, doubtlessly.

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PROVEA - www.derechos.org.ve

Seniors defeat blackmailing via Fatherland's Card

Persevering pensioners defeated Government! Rulers intended to impose having a Fatherland's Card (Carnet de la patria) as a requirement for collecting allowances. The reply was immediate, forceful and massive, in several states of the country. Before the firm attitude of our seniors, Maduro and the ruling board had no other option but stepping back. It was fully demonstrated that, before dictatorship, obtaining victories against arbitrariness is possible, in fact!

The Fatherland's Card (Carnet de la Patria) is being used as an instrument to increase segregation for political reasons. The example given by the seniors means that, if population adopts massively an attitude of rebelliousness and disobedience, and rise to the intended blackmail through the Card, the government might be obliged to stop and withdraw about it. Otherwise, if we adopt a submissive attitude, they might end up consolidating the



use of the Card as a must for acceding the fulfillment of Rights.

This triumph of the struggling seniors is an example to be followed. We must go ahead their way, towards a greater victory: Maduro's resignation, invoking Art.233 of our Constitution. His renounce would drive National Assembly's present president to assume temporarily the presidency of the nation; in 30 days, we would have a reasonable date for elections; and we could expect having a new government that would start the re-construction of our country by re-constructing our democratic institutions.

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Codevida - www.codevida.org

Codevida thanks for the Quito's Declaration on human mobility of venezuelans in the region



Governmental representatives of Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, México, Panamá, Paraguay, Perú, and Uruguay, showed their best disposition to help Venezuelan nationals during the exodus, caused by the humanitarian emergency the country is going through.

Quito's Declaration includes actions like providing humanitarian assistance, favoring access to permanency, favoring access to the status of refugees -in specific cases- and fighting against traffic with persons. They also committed on working against xenophobia and expressions of hate.

However, the Center for Human Rights of Catholic University "Andrés Bello" (UCAB) in Venezuela, pointed out the fact that the regional agreements do not explicitly state the recognition of these persons' Human Rights, nor their inherent condition of refugees, in order to grant them international protective rights, since they migrate forcefully out of their native territory.

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