



Foro Penal



SITUATION OF
**POLITICAL
PRISONERS
IN
VENEZUELA**

JANUARY-FEBRUARY 2026



Foro Penal

Av. Luis Roche, Edif. Bronce, piso 2,
Oficina 2. Altamira, Caracas, Edo.
Miranda.

República Bolivariana de Venezuela
+582122638586 / +584142694287

www.foropenal.com

info@foropenal.com

[@ForoPenal](https://www.instagram.com/ForoPenal)



Este reporte fue elaborado y coordinado por Alfredo Romero y Gonzalo Himiob Santomé, con la colaboración de Mariela Suárez, Patricia Velázquez y con base en la información suministrada por los coordinadores regionales del Foro Penal y abogados miembros de la organización.

El Foro Penal es una ONG que ha trabajado en la defensa de los derechos humanos desde 2002, asistiendo de manera gratuita a las víctimas de la represión del Estado, incluyendo detenciones arbitrarias, violaciones graves a los DDHH, tortura y tratos crueles, inhumanos o degradantes.

El Foro Penal cuenta al día de hoy con aproximadamente 200 abogados voluntarios y más de seis mil activistas en toda Venezuela y en representaciones en más de 26 países, que se ocupan de prestar asistencia y apoyo legal a las víctimas.

El Foro Penal ha sido galardonada con diversos premios de derechos humanos nacionales e internacionales en virtud de su labor en la defensa de derechos humanos.

POLITICAL CONTEXT

On January 3, 2026, a political rupture occurred in Venezuela following the capture and extraction of **Nicolás Maduro** during a United States military operation conducted in Caracas, referred to as “*Operation Absolute Resolve*.”¹ Since then, the interim government led by **Delcy Rodríguez** has promoted a narrative of reconciliation, announcing large-scale releases of detainees and proposing the adoption of an Amnesty Law. Nevertheless, patterns of repression, institutional mistrust, and judicial opacity continue to persist.

This report summarizes key developments between January 3 and February 24, 2026, based on information collected and verified by our organization, Foro Penal.

CURRENT SITUATION AND VERIFIED DATA

According to our records, as of February 24, 2026, more than 573 individuals classified by our organization as political prisoners remain in detention, despite 436 verified releases from detention since January 8, as well as 109 full releases following the entry into force of the Amnesty Law on February 19, 2026.

¹ Inside ‘Operation Absolute Resolve,’ the U.S. Effort to Capture Maduro:
<https://www.nytimes.com/2026/01/03/us/politics/trump-capture-maduro-venezuela.html>

Information verified to date indicates that a significant number of individuals released from detention remain subject to restrictions on their liberty or have not had their rights fully restored.

ANNOUNCEMENT OF JANUARY 8 AND SUBSEQUENT RELEASES

On January 8, Jorge Rodríguez, speaking from the National Assembly of Venezuela, announced that a significant group of Venezuelan and foreign nationals would be released from detention. The measure was described as a unilateral gesture by the Bolivarian government aimed at reaffirming its stated commitment to consolidating peace in the country.² However, despite these public statements, Foro Penal verified that only 42 individuals were effectively released on January 8, with additional partial releases occurring in the following days.

By January 17, the total number of verified releases had increased to 270, and by the close of this reporting period, 436 releases from detention and 109 full releases had been documented.

While these developments represent some progress, the lack of transparency regarding official release lists and the absence of clear legal criteria governing these processes remain significant concerns.

REPRESSION, FEAR, AND ATTACKS ON CIVIL SOCIETY

At the same time, institutional repression has not ceased. Foro Penal has documented cases in which relatives have refrained from reporting detentions due to fear of reprisals, indicating that opacity and intimidation continue to function as structural features of the current context. Following the announcements of releases made on January 8, our organization has observed an increasing number of post-electoral detention cases that have not been formally reported, largely due to fear or a lack of trust in public institutions. Relatives of individuals detained for political reasons frequently approach our offices to report these detentions and possible enforced disappearances, seeking guidance and legal assistance before deciding whether to file formal complaints.

Particularly concerning are the public statements made by Jorge Rodríguez from the National Assembly targeting human rights organizations. For example, between January 13 and 16, 2026, Rodríguez stated that Foro Penal *“manipulates the figures and acts as a political arm of the opposition.”* He further alleged that the organization *“charges people to process the issue of releases, charging money in a deceitful and mean-spirited manner; it is disgraceful the way Foro Penal uses the situation of people deprived of liberty.”* Similarly, on January 27, Diosdado Cabello referred to non-governmental organizations as *“mafias”* and *“extortionists,”* casting doubt on the figures reported by civil society organizations. These statements were widely rejected by the international community. In response, our organization issued a formal

² Venezuela releasing ‘significant number’ of prisoners as gesture to ‘seek peace’
<https://www.pbs.org/newshour/world/venezuela-releasing-significant-number-of-prisoners-as-gesture-to-seek-peace>

statement on January 13 emphasizing that such attacks appear intended to intimidate civil society organizations engaged in documenting human rights violations.

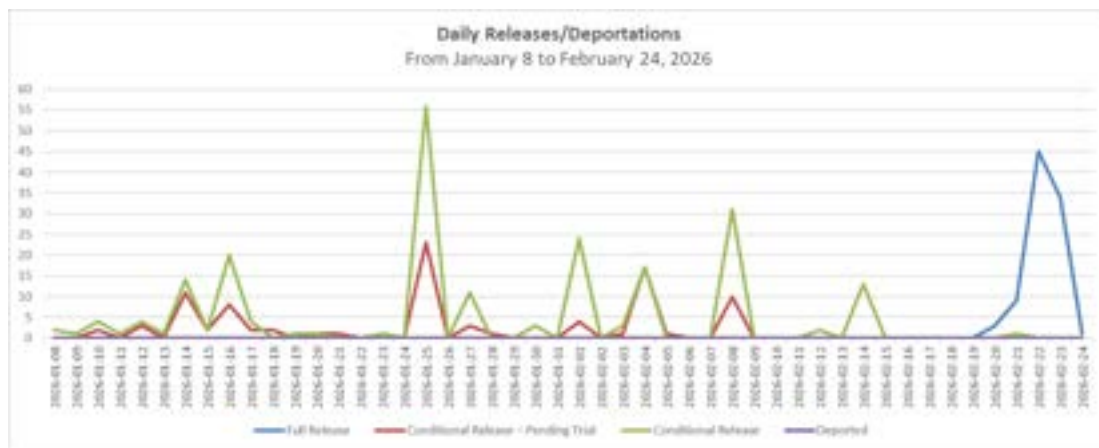
Despite these circumstances, our regional teams continue to accompany the relatives of detainees who, since January 8, have waited outside detention facilities—including Yare Prison, Ramo Verde Military Prison, El Rodeo I Prison, and the PNB Zona 7 Detention Center—for the possible release of their family members. Our volunteers also continue to document irregularities and assist in verifying lists of individuals released from detention outside these facilities.

INTERNATIONAL PRESSURE AND ITS IMPACT ON THE DAILY RATE OF RELEASES

In this context, several international statements are noteworthy, including those made by the President of the United States, Donald Trump, who wrote on the social media platform Truth Social on January 10: “Venezuela has started the process, in a BIG WAY, of releasing their political prisoners...”³ Later that month, he stated: “I am pleased to report that Venezuela is releasing its political prisoners at a rapid rate...”⁴

At the same time, Marco Rubio, serving as U.S. Secretary of State, reiterated that U.S. policy toward Venezuela remains conditioned on respect for human rights and the release of all individuals detained for political reasons.

Figure 1 illustrates the daily evolution of releases from detention and their temporal correlation with the statements referenced above:



Daily Releases from Detention (January 8 – February 24, 2026)

As shown in **Figure 1**, the statements made by President Donald Trump and Secretary of State Marco Rubio appear to have had a notable catalytic effect: following their publication, a sustained increase in the number of releases from detention reported and verified by our organization was observed.

3 Trump says Venezuela is now ‘rich and safe,’ but on the ground uncertainty remains. <https://www.nbcnews.com/world/venezuela/trump-says-venezuela-now-rich-safe-uncertainty-remains-rcna253375>

4 US President Donald Trump lauded the Venezuelan interim government for releasing political prisoners & called the latest release a powerful humanitarian gesture. <https://www.instagram.com/reel/DUAaDPTCHXp?hl=es>

This pattern suggests that these public statements may have exerted additional international pressure on the interim government led by Delcy Rodríguez, contributing to an acceleration of the release process during this period.

THE AMNESTY LAW: PROGRESS AND LIMITATIONS

On February 7, a public consultation process was initiated regarding the draft Amnesty Law for Democratic Coexistence, with the participation of Foro Penal and other civil society organizations. During this consultation, our organization was formally invited and submitted technical observations and concrete proposals, including a draft prepared by our legal team. On February 19, the National Assembly approved the law (Extraordinary Official Gazette No. 6,990⁵), opening the possibility for the judicial closure of hundreds of cases linked to political persecution.

TECHNICAL ASSESSMENT OF THE LAW

Positive Aspects:

- Establishes that it is a matter of public order and must be applied ex officio and without delay (Art. 4).
- Incorporates the principle of favorability (Art. 5).
- Allows individuals abroad to request amnesty through legal representation and establishes that they shall not be detained upon entering the country (Art. 7).
- Establishes procedures with deadlines and remedies.
- Benefits a significant, although limited, group of political prisoners and persecuted individuals

Limitations:

- Although the law formally covers the period 1999–2026, in practice it applies only to very limited timeframes, equivalent to approximately 20 months out of nearly 28 years of political persecution.
- It excludes several offenses frequently used in politically motivated prosecutions, without addressing their often-arbitrary application.
- For individuals outside the country, the law does not guarantee that amnesty will be granted prior to personal appearance before the court; if denied, the individual remains subject to pending criminal proceedings, creating a real legal risk.
- Article 9 broadly excludes individuals potentially linked to armed or forceful actions against the Republic, a formulation that may be subject to discretionary interpretation.
- Its implementation remains in the hands of the same institutions that previously carried out the persecution.

5 Ley de Amnistía para la Convivencia Democrática
<https://www.asambleanacional.gob.ve/storage/documentos/botones/ley-de-ammistia-2026-20260223000136.pdf>

We have also identified procedural obstacles in the processing of amnesty requests, particularly in criminal courts in Caracas, Carabobo, and Zulia. In several instances, judges and court clerks have rejected submissions citing alleged formal errors or lack of jurisdiction.

Denials have also been reported in cases where requests were submitted by defense attorneys, despite the public-order nature of the law, as well as unjustified exclusions of civilians and military personnel who clearly appear to meet the established criteria.

RECOMMENDATIONS

In light of the release process, the enactment of the Amnesty Law, and the current political context, we put forward the following recommendations:

- 1. Dismantling the Repressive Apparatus:** Undertake a comprehensive reform of security forces to eliminate abusive practices and ensure effective civilian oversight, accountability, and institutional vetting.
- 2. Renewal of the Justice System and the Public Prosecutor's Office:** Restructure the judiciary and the Public Prosecutor's Office, including the appointment of an independent Attorney General who adheres to international standards of autonomy and impartiality, in order to ensure the closure of arbitrary cases and the investigation of abuses committed during years of repression.
- 3. Review of the Implementation Framework of the Amnesty Law:** Establish a uniform and expedited procedure to guarantee its ex officio application without delay and prevent discretionary judicial interpretation.
- 4. Protection for Victims and Families:** Create a national program providing psychosocial and legal assistance to victims of political persecution, with a focus on comprehensive reparations and guarantees of non-repetition.
- 5. Strengthening the Role of Civil Society Organizations:** Formally recognize the role of human rights organizations and ensure their participation in the monitoring and evaluation of public policies.
- 6. International Engagement and Cooperation:** Maintain active observation by international bodies such as the United Nations and the Inter-American Commission on Human Rights in order to advance toward verifiable and sustainable transitional justice mechanisms.



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Alfredo Romero – Director Presidente
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Olnar Ortiz – Coordinador Estado Amazonas y Pueblos Indígenas
Néstor Gutiérrez – Coordinador Estado Cojedes
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Daniel Salazar – Coordinador Estado Sucre
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