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## EXECUTIVE SUMMARY

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In December 2014, CEPAZ, in its commitment to defend and promote human rights in Venezuela, published the report "Political Persecution in Venezuela, Systematization of Patterns of Persecution of Venezuelan Political Dissidents", which revealed the existence of repeated and systematic persecution practices to political dissent by the Venezuelan government, which violate the civil and political rights enshrined in the CRBV, the ICCPR, the ACHR and other legal instruments, as well as international principles and standards related to due process, fundamental freedoms of manifestation and opinion, non-discrimination and the right to equality, political participation and respect for the individual's physical integrity, among others<sup>1</sup>. At that time we identified that "*political persecution is a form of repression and attack against the practice of an ideology that discerns of those in power, it is necessary now to make a statistical count by the political party that has been more involved in the cases of persecution according to the leaders who have been affected*" (Cepaz Report, 2014).

The previous report, which reviews the year 2014, was a first

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<sup>1</sup> CEPAZ Report, "Political Persecution in Venezuela. Systematization of patterns of persecution to Venezuelan political dissidents". Caracas, 2014, p. 8. Available at: [www.cepaz.org.ve](http://www.cepaz.org.ve)

approximation to the scheme/patterns of political persecution that had developed in recent years, which deepened in 2014, a year characterized by large demonstrations against the government of President Nicolás Maduro, as well as by the birth of new dissident political leaders and the resurgence of others.

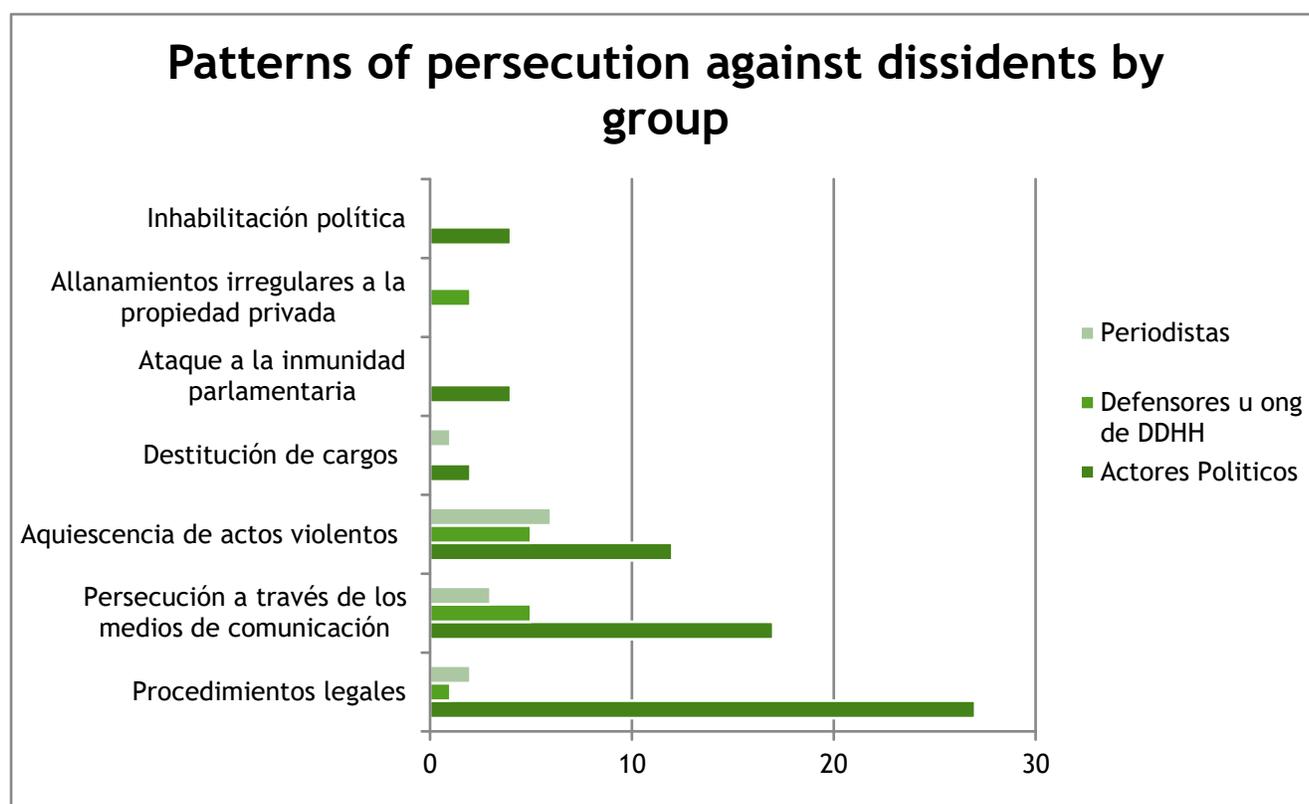
The above-mentioned report showed how a regime of **political suppression was born, through actions that can be classified into eight specific patterns of persecution**, namely: (i) opening of judicial proceedings (now legal proceedings), (ii) persecution through the use of the media (iii) dismissal of dissident politicians from public office (now dismissal from office), (iv) irregular raids on private property, (v) stripping of parliamentary immunity (now an attack on parliamentary immunity), (vi) political disqualification, (vii) misappropriation of public functions, and (viii) acquiescence of violent actions against political leaders (now acquiescence of violent actions).

After a year, it is possible to observe how the policies to eradicate from the political scene any actor who could hold a position in power or exercise a discourse or critical work that undermines the ideals of the current government, continues and deepens. Media violence and government consent to violent actions against these critical and dissident actors of government policies has been maintained, as it will be seen in the present report, the

politicization the national government has made of the activity of human rights defenders and NGOs, as well as the activity of journalists and international observers.

In this sense, based on the eight patterns discussed above, this new report will present a monitoring and follow-up of some cases studied in the report

presented in 2014, which shows **the continuity of the repression imposed by the government**. It will also include analysis of different groups of people equally affected as actors critical to government policies such as journalists, human rights defenders and international delegations (see chart below); concluding that the Venezuelan State has not ceased in the systematic execution of the above-mentioned patterns of persecution.



It should be remembered that in this report, as in the previous report, the 48 cases mentioned serve as reference and study sample to all cases with similar characteristics, which are a much greater number than those mentioned in the reports.

## PATTERNS OF PERSECUTION FOR DISSENT USED BY THE VENEZUELAN STATE

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As a frame of reference for this report, we consider (in a summarized manner) the various patterns of political persecution presented in the first report. Thus, political persecution is the set of repressive action (s) addressed to an individual or a group of individuals because of their ideology or political action thus violating the human rights and fundamental freedoms of the individual. The mentioned patterns are:

### LEGAL PROCEEDINGS

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The opening of legal and especially judicial proceedings, as well as its development (this explains why the change of pattern) have been characterized by the violation of the right to due process and personal freedom, human rights enshrined in both article 49 and 44 of the CRBV<sup>2</sup> respectively, as well as in several international treaties on the matter<sup>3</sup>.

Due process fundamentally implies the following principles: Right to defense and legal assistance in all stages of the process, principle of presumption of innocence, principle of procedural celerity and compliance with procedural lapses, principle of the natural judge, principle of the thing judged.

Additionally, personal freedom is inviolable, therefore, every person should be tried in freedom, unless the

existence of a cause that requires the person to be issued a custodial measure is proven, for example in the crimes of flagrancy. Otherwise, when there is no legal basis for the deprivation of liberty, or when it is intended to deprive a person whose guilt has not been proven, and there are no reasons determined by law to allow the prosecution of the person deprived of liberty, such deprivation of their liberty constitutes an arbitrary detention.

### PERSECUTION THROUGH THE USE OF THE MEDIA

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The use of the various media (including national radio and television networks) by the government in an abusive and arbitrary manner has become a mechanism of political persecution and intimidation for opponents of the political regime, within a policy of "Communicational Hegemony".

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<sup>2</sup> Constitution of the Bolivarian Republic of Venezuela. Published in Extraordinary Official Gazette Number 5.453, on March 24, 2000.

<sup>3</sup> For example, article 14 of ICPCR and article 8 ACHR.

## DISMISSAL FROM OFFICE

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In the 2014 Report, "dismissal of dissident politicians from public office" was defined as the removal or dismissal, as the case may be, from public office of various persons who are part of the leadership of the Venezuelan opposition. This has been done with the support the Supreme Court of Justice (TSJ) has given the government by alleging that such persons have committed acts that violate the legal system and therefore proceed to the immediate dismissal of public office they had assumed, including those who were elected. Currently, a more generic term such as "dismissal from office" will be dealt with, since similar situations or similar consequences have been suffered by persons who do not hold positions in the civil service but who have been dismissed or have been forced to resign from their jobs.

## IRREGULAR RAIDS ON PRIVATE PROPERTY

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The search of private property is a measure that the Venezuelan legal framework allows under a court order, it consists of the entry to the domicile of the person to carry out the relevant investigations under the presumption of the occurrence of a punishable act. Irregular searches are those that do not meet the requirements of law. The CRBV

protects the right to private property in Article 47 and directly expresses that property "(...) *cannot be searched, but with a court order, to prevent the perpetration of a crime or to comply with the law, the decisions that the courts dictate, always respecting the dignity of the human being*"<sup>4</sup>.

## STRIPPING OF PARLAMENTARY IMMUNITY

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According to the CRBV, the legislative function at national level is in charge of the National Assembly (NA), which is an independent Public Power, and separated from the other four. The deputies that make up the NA are elected by direct, secret and universal vote.

According to Article 200 of the Constitution and 25 of the Rules of Procedure and Debates of the National Assembly, the deputies who make up the NA enjoy immunity while being in the exercise of their functions as MP *from the day of their inauguration until the end of their mandate or their resignation*. This legal figure seeks to protect the physical freedom of the deputies for reasons of their political opinions, which should represent the opinions of their constituents; so prior authorization from the NA is required for a deputy to be

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<sup>4</sup> Constitution of the Bolivarian Republic of Venezuela. Published in Extraordinary Official Gazette Number 5.453, on March 24, 2000. Article 47.

arrested or prosecuted criminally (except in cases of flagrante delicto).

During 2014 it was possible to observe the stripping of parliamentary immunity without complying with the mechanisms established in the law; that is, the request to the NA to lift the immunity enjoyed by the deputy. The TSJ is the only body responsible for carrying out the criminal process of prosecution of the deputy; with a prior request for the waiver of immunity. The lifting of parliamentary immunity has been a figure used by the government to politically annul members of the parliament and specifically to preclude the deputy from participating at the NA.

During 2015 another form of disrespect for parliamentary immunity was observed, as it was the disrespect of the same to people that after being elected (even proclaimed by the CNE) as deputies their jurisdiction was not recognized.

## POLÍTICAL INHABILITATION

In accordance to Article 39 of the CRBV, any person who is not subject to any type of political inhabilitation or civil interdiction may exercise the political rights and duties of the citizens that are observed in the Constitution.

Thus, inhabilitation is a sentence imposed by a conviction for the

commission of an offense and the CRBV is clear in specifying the scope of this conviction, in the face of the criminal offense that results in the suppression of the rights and political duties of the convicted, these basically refers to being at a public position and participating in public affairs, either by electing (active participation) or being elected (passive participation).

## MISAPPROPRIATION OF PUBLIC FUNCTIONS

According to the CRBV, Venezuela is a Republic with a separation of public powers, so that the exercise of government functions: regulatory, administrative and judicial are clearly determined through the creation of national, state and regional bodies for each one of the public powers<sup>5</sup>. The attributions of each body are clearly described in Article 138 et seq. of the CRBV, whereby all the acts that derive from the usurpation to the public

<sup>5</sup> *Executive Power:* president, vice-president, ministers (National Power), governor (State Power), Mayor (Municipal Power). *Judicial Branch:* TSJ (National Power). *Legislative Power:* National Assembly (National Power), Legislative Council (State Power), Municipal Council (Municipal Power). *Citizen Power:* General Comptroller of the Republic, Attorney General of the Republic, Ombudsman (National Power), State Comptroller (State Power), Municipal Comptroller (Municipal Power). *Electoral Power:* National Electoral Council (National Power).

authority are ineffective and therefore their acts are void.

Thus, after a constitutional and veridical analysis regarding the situation of separation of public powers in Venezuela, there is nothing more to manifest about the clear violation to the supreme rule that governs the Venezuelan legal system, and the clear violation of the Human Right of respect to judicial guarantees, since *“every person has the right to be tried by a competent, independent and impartial “judge or court”*<sup>6</sup>, when judicial or administrative proceedings are directly derived from accusations by the national government, it evidences a clear submission of the judicial power and the absence of the separation of the public powers, which are governed by a central power.

## AQUIESCENCE OF VIOLENT ACTIONS

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In the 2014 Report, it was established as "Acquiescence of violent acts against political leaders", but as it happened with the "Dismissal from office" pattern, the consent given (expressly or tacitly) by the government for the realization of violent actions of any kind against persons have not been exclusive to political leaders, but have

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<sup>6</sup> American Convention on Human Rights. Signed at the Inter-American Specialized Conference on Human Rights, San José, Costa Rica, November 7 to 22, 1969. Article 8.

become widespread and any person who is or is perceived as an opponent of the government can be a victim of such violence, so a more generic term like "Acquiescence of violent actions" will be used. It should be remembered that this also implies the omission of its duty of guarantee, since it does not repress (and in some cases even favors), nor does it investigate or punish the aggression carried out by ideological supporters of the government against the opposition.

## UPDATE OF THE CASES OF POLITICAL PERSECUTION IN VENEZUELA

The list presented below was updated for 2015 and we could see variations in the majority of cases treated in the first report of 2014.

The documentation of the cases listed below is detailed in the full version of the report, which is available digitally.

For the documentation of the cases, it was considered the actions taken by the government that tended to continue the political persecution initiated or actions that were of a new nature but that were included in the patterns of persecution above mentioned.

<i>Members of the opposition before the National Legislative Power</i>	<i>Authorities of the Regional Executive Powers</i>	<i>Members of the Municipal Legislative Powers</i>	<i>Other Political Leaders of the Opposition</i>	<i>Students and other leaders</i>
Richard Mardo María Aranguren Julio Borges Juan Carlos Caldera María Corina Machado	Henrique Capriles Radonski Antonio Ledezma David Smolansky Gerardo Blyde Gustavo Marciano Ramón Muchacho	Darío Ramírez Giuseppe Di Fabio Carlos García	Leopoldo López Carlos Vecchio Pablo Pérez Manuel Rosales Daniel Ceballos Antonio Rivero Vincenzo (Enzo) Scarano Óscar López Hernando y Sandra Garzón	Rosmit Mantilla Gaby Arellano Raúl Emilio Baduel y Alexander Tirado Renzo Prieto Ricardo Hausmann Gerardo Resplendor Rodolfo González

*Note: In the digital version of the report, you will find an update of the most relevant facts of some cases reported in 2014 and new ones in 2015. Likewise, there is a schematic chart where the patterns of persecution applied to each case are determined. See report in digital.*

Through the documentation we were able to observe how the tendency in 2015 was towards the increase of the persecution since in the majority of the cases. There was a continuation of the

actions of persecution and in many cases the occurrence of situations of greater gravity to the documented ones in a first stage.

When we observe the actions carried out by will or with the consent of the government in each case, it is evident that the government continues to remove from the political landscape any politician that may be, in some way, an obstacle to its objectives of expanding revolutionary ideas, through the policy of persecution that has been implemented in recent years.

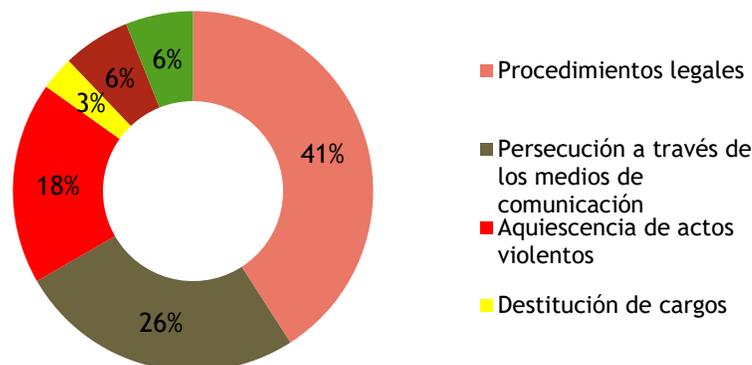
It has also been shown that the government has participated (through actions and/or omissions), in a systematic pattern of violent acts during the current year. Persecution of political leaders, and even students and citizens. It shows the

use of fear as a mechanism for limiting manifestations that are contrary to the government's vision and thinking.

Just like in 2014, after the analysis of the cases raised, we can affirm the existence of eight patterns that have been continuously and systematically applied as part of the political persecution that is currently experienced in Venezuela; among which the most common is the opening of procedures against dissent as it can be observed in the following chart:

<i>Patterns of persecution against dissent applied to the update of cases</i>	<i>Total of cases where present</i>
Legal Proceedings	27
Persecution through the use of the media	17
Acquiescence of violent actions	12
Dismissal from public office	2
Stripping of parliamentary immunity	4
Political Inhabilitation	4

## Patterns of persecution against politicians



## PERSECUTION TO NON-GOVERNMENTAL ORGANIZATIONS AND HUMAN RIGHTS DEFENDERS.

During 2015, in the context of the continued repression of Venezuelan dissidents, the work of human rights defenders has deepened, taking into account the importance of visualizing the problems that exists in Venezuela. Non-Governmental organizations and their activists are persecuted by the Venezuelan government, as it was reflected in the report presented by CIVILIS (2015) entitled "Report prepared by Organizations of the Human Rights Movement in Venezuela for consideration by the IACHR on the situation of Defenders of human rights in Venezuela

during the 156th Period of Sessions of the Commission." <sup>7</sup>

In 2015, the situation of Human Rights Defenders in Venezuela was presented in the hearings before the Inter-American Commission on Human Rights. There, victims and representatives of non-governmental organizations presented to the commission the different methods of

<sup>7</sup>Report available at: <http://civilisac.org/civilisweb/wp-content/uploads/InformeDefensoresVenezuelaCIDH.docx-1.pdf> [Consulted on: 10-03-2016]

political persecution they have suffered in recent years from the Venezuelan state.<sup>8</sup>

Therefore, they requested the Commission (i) to put an end to the acts of persecution from state and non-state agents against Human Rights Defenders in Venezuela; (ii) to investigate and prosecute, in an independent and impartial tribunal, those responsible for the alleged acts of persecution; and (iii) to guarantee the physical and psychological integrity of Human Rights Defenders in Venezuela.

Meanwhile, the Institute of Press and Society Venezuela (Ipys) stated in its report<sup>9</sup> that in 2015 after the print media, the sector with the most attacks by the Government were non-governmental organizations of Human Rights (101 cases reviewed), where it was mainly reflected actions of intimidation and derogatory declarations by public authorities. The report affirmed "the official discourse was characterized by offensive and defiant messages from public authorities against journalists, media and human rights activists who were in charge of producing and disseminating information that could lead

<sup>8</sup> Vid.

[http://www.derechos.org.ve/2015/10/20/informe-movimiento-de-defensores-de-ddhh-denunciaron-ante-la-cidh-politica-de-agresion-del-estado-venezolano/?utm\\_source=feedburner&utm\\_medium=email&utm\\_campaign=Feed%3A+Provea+%28PROVEA%29](http://www.derechos.org.ve/2015/10/20/informe-movimiento-de-defensores-de-ddhh-denunciaron-ante-la-cidh-politica-de-agresion-del-estado-venezolano/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+Provea+%28PROVEA%29).

<sup>9</sup>Informe 2015 Ipys

<http://ipysvenezuela.org/2016/05/03/informe-anual-2015-ipys-venezuela/>

to criticism from the citizens." It accounted that 14 times the attacks were given directly by President Nicolás Maduro, 18 by Diosdado Cabello, President of the National Assembly at that time, among other high officials. All of this in spite of the fact that the Inter-American Commission on Human Rights (IACHR) asked Venezuelan public officials to refrain from making statements that stigmatized human rights defenders or suggesting that their organizations acted improperly or illegally in the country.

In order to exemplify the above mentioned context, we will take as example the following cases:

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### ROCÍO SAN MIGUEL

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Lawyer and president of the Civil Association Control Ciudadano. She has been one of the major targets of persecutory acts by some government officials. In 2004, when she was part of the National Border Council, she was dismissed from her position, along with Magally Chang and Thais Peña, for having signed in support of the presidential recall referendum against former President Hugo Chavez. Having served as a teacher at the Air War Superior School and at the Naval War Superior School, she took a critical position against the National Armed Forces (FAN), after being fired from those institutions that same year.

The criticisms and denunciations about irregularities in the Armed Forces (FAN) that she continually highlights have placed her at the center of the attention of a policy of persecution from the Venezuelan State. Since 2011, the threats that she has received against her personal integrity and her family, which have been denounced before the Prosecutor's Office number 30 with national jurisdiction, have not been "accepted", which derived on the granting of precautionary measures by the IACHR to on January 18, 2012.<sup>10</sup>

On the other hand, in 2012, the 13th Circuit Court of First Instance in Functions of Control of the Metropolitan Area of Caracas agreed to the interception of the cell phones and the email of Rocío San Miguel, after the Bolivarian Service of National Intelligence (SEBIN) so requested to the Public Prosecutor. This, because it considers, without a base, that Rocío San Miguel is linked to the alleged commission of the crimes of computer espionage and association to commit crime by Colonel José de Jesús Gámez Bustamante of the National Guard.

Rocío San Miguel has been repeatedly attacked and intimidated by Deputy Diosdado Cabello through his tv program "Con el mazo dando", broadcasted by Venezolana de Televisión, a public television station.

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<sup>10</sup> Vid. CIDH: MC 349/11, Rocío San Miguel, Venezuela. Available [online] <http://www.oas.org/es/cidh/defensores/proteccion/cautelares.asp#218-11>

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## MARCO ANTONIO PONCE

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General Coordinator of the NGO Venezuelan Observatory of Social Conflict (OVCS), dedicated to the analysis and study of situations of conflict, tension and protest in the Venezuelan reality since 2010

According to Ponce, the acts of persecution against the OVCS and him began in 2014, after presenting the results of his investigation, which showed that only 8% of the protests that took place during that year were violent<sup>11</sup>, contrary to what was established by the National Government. Since that time they have been subject to acts of harassment by government officials presided by Nicolás Maduro and Deputy Diosdado Cabello via his program "Con el mazo dando", calling him a conspirator against the regime and subversive. So the IACHR issued a precautionary measure in favor of Ponce on March 20, 2015, by resolution 9/15.<sup>12</sup>

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## FORO PENAL VENEZOLANO

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Foro Penal Venezolano (FPV) is a human rights NGO in Venezuela formed by lawyers who provide free legal assistance (Pro Bono) to individuals who

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<sup>11</sup> Vid.

<http://www.abc.es/internacional/20150415/abci-marco-antonio-ponce-201504131513.html>

<sup>12</sup> CIDH, Provisional Measure No. 71-15 in favor of Marco Antonio Ponce, March 20, 2015, par. 2. Available at: <https://www.oas.org/es/cidh/decisiones/pdf/2015/MC71-15-es.pdf>.

are victims of arbitrary detention, violations of due process, torture, cruel and inhuman treatment or mistreatment at the moment of being arrested.

Since 2013, they have been involved in the defense of individuals detained during peaceful demonstrations against the national government, and in reporting cases of torture and other inhuman treatment of the detained demonstrators. Because of these events Alfredo Romero, Director of the organization, and other members of the organization (Luis Armando Betancourt, Gonzalo Himiob, Tamara Suju and Marcelo Crovato) have been persecuted and harassed by officials of the national government.

During 2013, Tamara Suju was named by the Minister of Interior and Justice Miguel Rodríguez Torres as "promoter of violent actions"<sup>13</sup>.

Similarly, other members of the FPV have been publicly named by national government officials as "traitors to the country", "political operators" and "conspirators", among other names. In the same way, they have suffered harassment by public agents for example Luis Armando Betancourt has been persecuted by officials of the Bolivarian Intelligence Service (SEBIN); Marcelo Crovato was arrested within the framework of a raid by State officials. He was charged with

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<sup>13</sup> Vid. <http://www.eluniversal.com/nacional-y-politica/130506/rodriguez-torres-explico-a-rangel-el-plan-conspirativo>

crimes of public instigation, obstruction of the public road, instigation to civil disobedience and association to commit a crime<sup>14</sup>. Alfredo Romero's telephone and his electronic mail were intervened by the SEBIN with a judicial order issued within the framework of an alleged investigation against him for "terrorism" and "association to commit crimes, neglecting the multiple death threats that Romero has received.

FPV has alleged that on February 25, 2015 Alfredo Romero was intercepted by a vehicle from which an armed person descended, after having accompanied Marcelo Crovato to his residence. Romero managed to avoid the vehicle and the armed subject, so he was not injured.

It is necessary to mention the case of Yoseth Colmenares, sister of Raquel Sánchez Carreño, Regional Coordinator of the FPV in Táchira state. Yoseth was arrested by police officers, who placed a plastic bag over her head and physically assaulted her during her transfer to the regional police command, "Politéchira." There, Yoseth was kept in solitary confinement, unable to communicate with her lawyers or her relatives. In addition, she was obliged to accept public defenders, after her request that her sister

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<sup>14</sup> Vid. CIDH, Provisional Measure No. 143-13 in favor of Alfredo Romero and others, March, 17, 2015, par. 10. Available at: <https://www.oas.org/es/cidh/decisiones/pdf/2015/MC143-13-ES.pdf>.

and lawyers of the FPV carried out their defense was rejected.<sup>15</sup>

Due to the situation mentioned above, the IACHR granted a precautionary measure in favor of Alfredo Romero and other members of the FPV.

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### CARLOS LUSVERTI

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Member of the National Board of the Venezuelan Section of Amnesty International, which he presided between 2007 and 2013, in addition to being responsible for the implementation in Venezuela of the "Basta de Balas" campaign of the organization.

In recent years, Lusverti has been the victim of two separate attacks with firearms. The first of them, in January 2014, occurred when he met his parents on the return of a trip, at a public transportation terminal in the city of Caracas. Armed subjects on a motorcycle approached his mother, with the apparent purpose of stealing her belongings. As they approached them, Lusverti and his father were shot in the back and left arm, respectively.

After 15 months of that first attack on his life, on April 28, 2015, Lusverti suffered a new attack in the city of Caracas, when he was shot directly when he and other co-workers left the Amnesty International office located in Plaza

Venezuela of the Venezuelan capital, allegedly to steal his cell phone.

Amnesty International expressed "concern that this incident could be linked to Carlos Lusverti's human rights work in the country, given the recent verbal attacks by some authorities against him and against other human rights defenders", especially when Deputy Diosdado Cabello in the program "Con el mazo dando" on March 11, 2015, said that Lusverti participated in a meeting "[...] of political proselytism with US and Canada officials", which was posted on the website of the program.

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<sup>15</sup> Id. IACHR, Romero and others, par. 17(a) and 17(b).

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## MARINO ALVARADO

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Human Rights Activist in Venezuela and former General Coordinator of the NGO "Venezuelan Program of Education and Action on Human Rights" (PROVEA), a non-governmental organization has exposed serious violations of human rights in Venezuela.

On October 1, 2015, Marino Alvarado was beaten, robbed and kidnapped in his residence with his 9-year-old son. Despite the fact that the Public Ministry has begun an investigation of the facts, they have not still found responsible for Alvarado's assault in his residence.

Marino Alvarado and PROVEA have been subject to persecution and public harassment through the TV program "Con el mazo dando", directed by the deputy Diosdado Cabello, and through the website of the same program. For example, shortly before attending the 157th session of the IACHR, the names and some information on the flights to and from of Alvarado and other human rights defenders, such as the date and airline to be used were published online in the television program "Con el mazo dando". On other occasions, information has also been published regarding trips made by Marino Alvarado during the year 2015. In addition, in the same platform, Marino Alvarado has been identified as

being linked to the Colombian paramilitary forces.

Similarly, President Nicolás Maduro has publicly stated, "I know Marino Alvarado, he was born in Colombia, I met him many years ago, he was a Red Flag militant, he is financed by the United States government, we have the proofs of his financing by the NED, here are the evidence of funding from the NED. The United States Government finances Provea [sic] is a political organization that they call NGOs and then they finance them and put them to talk in the world and in Venezuela."

Through Resolution 36/2015 on October 14, 2015, the IACHR granted precautionary measures in favor of Marino and other members of the NGO PROVEA, after considering that their physical integrity is in grave danger, given the context of political persecution in Venezuela.

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## FELICIANO REYNA

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Founder and President of the Civil Association Solidarity Action in Venezuela (ACSOL); he is also an activist and advocate for the human rights of people with HIV/AIDS. ACSOL is a non-profit civil association whose aim is to help reduce the impact of the HIV/AIDS epidemic on society.

He was a victim of defamation in the program “Con el mazo dando” on July 1, 2015, led by Diosdado Cabello then president of the National Assembly. Cabello questioned his credibility as president of ACSOL, linking him to an international plan to discredit the Venezuelan government.

This occurred after Reyna and members of other NGOs came back from participating as members of the civil society at the committee for the evaluation of civil and political rights of Venezuela at the UN. Additionally, Reyna was subject to acts of intimidation in several airports of the country, where unidentified people take photos of him while they check his luggage in detailed and meticulous form.

Feliciano Reyna has also been accused of owning a company in Panama with a capital of \$ 1,000,000<sup>16</sup>.

There were different attacks on human rights defenders. We can see how the most recurring attack was aimed at harming the most important tool of the defenders is their credibility. In most cases, through the mass media and social networks, attacks were carried out in order to discredit the work of human rights defenders in Venezuela.

The following is a schematic table where the patterns of persecution applied to each case:

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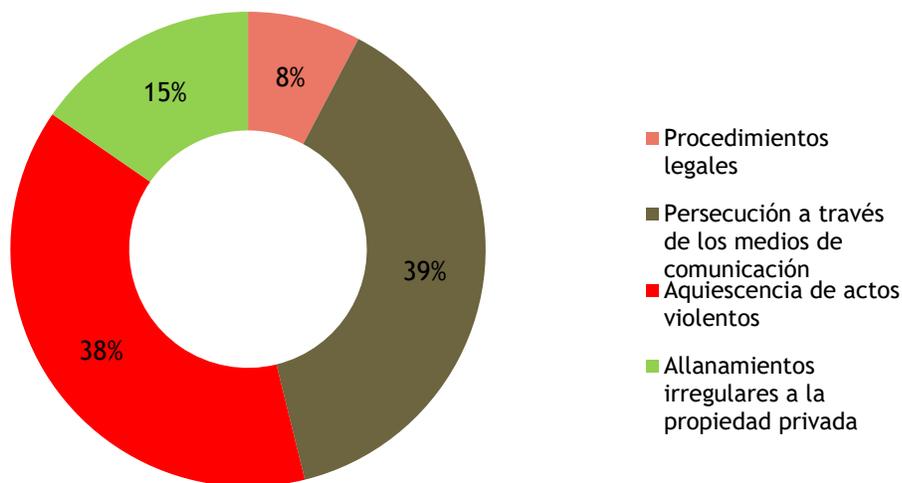
<sup>16</sup> <http://www.conelmazodando.com.ve/feliciano-reyna-ganteaume-vive-de-una-ong-y-acusa-al-mazo-de-perseguirlo/>

<i>Cases</i>	<i>Patterns Identified in Human Rights Defenders</i>
Rocío San Miguel	<ul style="list-style-type: none"> <li>• Irregular Raids on private property</li> <li>• Persecution through the use of the media</li> <li>• Acquiescence of violent actions</li> </ul>
Marco Antonio Ponce	<ul style="list-style-type: none"> <li>• Persecution through the use of the media</li> <li>• Acquiescence of violent actions</li> </ul>
Foro Penal Venezolano	<ul style="list-style-type: none"> <li>• Judicial Proceedings</li> <li>• Persecution through the use of the media</li> <li>• Acquiescence of violent actions</li> </ul>
Carlos Lusverti	<ul style="list-style-type: none"> <li>• Persecution through the use of the media</li> <li>• Acquiescence of violent actions</li> </ul>
Marino Alvarado	<ul style="list-style-type: none"> <li>• Irregular Raids on private property</li> <li>• Persecution through the use of the media</li> <li>• Acquiescence of violent actions</li> </ul>
Feliciano Reyna	<ul style="list-style-type: none"> <li>• Persecution through the use of the media</li> <li>• Acquiescence of violent actions</li> </ul>

The above table allows us to outline that there are four patterns that have been continuously and systematically applied as part of the political persecution to the critical position and denunciation of organizations and human rights defenders.

<i>Patterns of persecution against dissent</i>	<i>Total of cases identified</i>
Legal Proceedings	1
Persecution through the use of the media	5
Acquiescence of violent actions	5
Irregular Raids on private property	2

## Patterns of persecution against Human Rights Defenders and NGOs



## PERSECUTION TO JOURNALISTS

Freedom of expression carries with it contemporaneously the freedom to choose what information to receive and which opinion to adhere to. In this sense, journalistic activity, whether through written, verbal or visual means, constitutes a fundamental means for the development of the constitutional right to free expression and opinion, characteristic of a democratic State.

The Magna Carta has been consonant with the importance of free expression of citizens, Article 57 of the norm in reference

"Everyone has the right to express freely his or her thoughts, ideas or opinions by voice, in writing or by any other form of expression, and to make use of any means of communication and dissemination (...)" <sup>17</sup>. In addition to the foregoing, article 58 establishes "... Everyone has the right to timely, truthful and impartial information, without censorship..." <sup>18</sup>

<sup>17</sup> CRBV. Art. 57.

<sup>18</sup> CRBV. Art. 58.

Contrary to what was legally established, since the government of former President Hugo Chávez, communication hegemony has been present and, currently, this particularity has been sharpened. Dissenting from the government through expressions in social media and networks has been heavily politicized, causing those who engage in the communications profession to impose a silence tax or a risk of being submerged in the typical patterns of persecution implemented by the government. This makes us wonder: Is the right to free expression and the existence of free and independent media in force in Venezuela?

The closing of the television channel Radio Caracas Television (RCTV) in 2007, and successively the arbitrary closure of at least 34 broadcasting stations, makes clear the need for media control of the government of the Bolivarian Revolution. By 2015 the government controls almost all the television spectrum and the profession of journalists and communicators has been tightly controlled, turning, in some cases, communicators in persecuted professionals.

The NGO Espacio Público states in its report of 2015 that during that year 286 violations of freedom of expression occurred in 237 different cases, with 2015 being in the third position as the year with the highest number of complaints of violations of freedom of expression within the last 14 years.

Likewise, the report points out that "physical confrontation during street coverage, as well as offensive speech by public officials legitimizes disqualification against critical and independent journalism. This translates into a vicious circle that encourages a climate of confrontation, where those who question, denounce or seek information are treated as public enemies. The main consequence: inhibited press and uninformed society."<sup>19</sup>

According to the NGO's registry, 46% of the victims of this type of violation were journalists, 28% corresponded to the media, 10% were graphic reporters and 6% were other press workers (cameramen, assistants and drivers of transport units), representing 90% of the total number of victims.

In the annual report of the NGO IPYS Venezuela points out that 2015 is the year as the greatest conflicts in terms of freedom of expression and right to information that have registered, in addition to observing a significant increase in the number of cases since Nicolás Maduro became president, first as an acting president and then as an official president, counting a total of 1,016 cases of violations of freedom of expression

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<sup>19</sup> Espacio Público. Report 2015 Situation of freedom of expression and information in Venezuela 2015.  
<https://espaciopublico.org/informe2015/>

and information from January 2013 to December 2015.<sup>20</sup>

In the same report, there is a trend towards self-censorship on the part of both journalists and media (31 cases), judicial proceedings against social communicators and the media, where, for example, 61% of the cases registered are the result of the lawsuit filed by Then president of the National Assembly Diosdado Cabello. (27 /1/ 2015).

Among the various cases that have been named and/or which form part of the statistics mentioned above, are the following cases:

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### LEOCENIS GARCÍA

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A journalist and president of Grupo 6to Poder, he was arrested in June 2011, after his newspaper 6to Poder published an image "[...] that showed the faces of the head of State powers in cabaret bodies at a show under the orders of then-President Hugo Chávez,"<sup>21</sup> as a result of which he was accused by the Public Ministry for his alleged participation in the crime of incitement to hatred.<sup>22</sup>

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<sup>20</sup> Instituto de Prensa y Sociedad Venezuela. *Annual Report, 2015*.

<http://ipysvenezuela.org/2016/04/03/informe-anual-2015-ipys-venezuela/>

<sup>21</sup> Vid. La Verdad, Leocenis García is released and will be tried in freedom. Available at: <http://www.laverdad.com/politica/41201-excarcelan-a-leocenis-garcia-y-sera-juzgado-en-libertad.html>. Consulted on March, 28, 2016.

<sup>22</sup> Vid. Medios24, *Leocenis García was formally accused for instigation to hatred*. Available at:

Subsequently, in 2013, the journalist was again charged by the Public Prosecutor's Office for his alleged participation in the crimes of legitimization of capital, tax evasion and financing of terrorism, and was arrested on July 30 of that year by officials of the General Directorate of Military Counterintelligence (DGCM), based on an arrest warrant requested by the Public Prosecutor's Office against him. The investigation was initiated by the Public Ministry, based on a complaint filed (July 2013) by PSUV deputy Julio Chávez.

On Thursday, August 1, 2013, the deprivation of liberty was decreed by the 30th Control Court of the Metropolitan Area of Caracas, and he was ordered to be held at the headquarters of the DGCM. Days before his arrest, the same 30th Court of Control ordered the freezing of the bank accounts of the newspaper 6to Poder and Leocenis García.

In November of 2013, the release of Garcia was dictated, which allowed him to be judged in freedom<sup>23</sup>. This, because of the deteriorated state of health in which he was following a hunger strike that he kept while in detention.

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<http://www.medios24.com/acusan-formalmente-al-periodista-leocenis-garcia-por-instigacion-al-odio.html>. Consulted on March 28, 2016.

<sup>23</sup> Vid. La Verdad, Leocenis García is released and will be tried in freedom. Available at: <http://www.laverdad.com/politica/41201-excarcelan-a-leocenis-garcia-y-sera-juzgado-en-libertad.html>. Consulted on March, 28, 2016.

On March 22, 2015, while the criminal proceedings against him were still in progress, Garcia was again deprived of his liberty, by "[...] a group of armed men dressed in civilian clothes, without identification who forced him to get into a van", based on the request of the Court 11 of Judgment of the Metropolitan Area of Caracas<sup>24</sup>, by virtue of the alleged repeated absences at the opening of his oral trial. To these allegations, Garcia said that he had not been notified of the respective citations.<sup>25</sup> The Court decided that he was to be held at the premises of SEBIN.

On May 1, 2015, several assets belonging to Leocenis García were seized, by order of the 29th Judge of First Instance in Trial Functions, of the Criminal Judicial Circuit of the Metropolitan Area of Caracas.<sup>26</sup>

Finally, on the occasion of a new hunger strike that he maintained for several days and his subsequent deterioration of health, Garcia was again

released from prison on July 26, 2015 and transferred to his home.<sup>27</sup> In this regard, organizations such as the Inter American Press Association have reported that Garcia has not received the medical care he requires, because of his state of health.<sup>28</sup>

The criminal proceedings against Garcia continue at the date of publication of this report.

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### GÉNESIS ARÉVALO (LA VERDAD)

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Arévalo was dismissed from her post as a journalist in the newspaper "La Verdad", following the publication of a newspaper article, on June 4, 2015, in which she denounced a series of irregularities related to a project of the Governor's Office of Vargas state for the construction of a sports stadium in the region of La Guaira, which involves the State Governor, Jorge Luis García Carneiro.<sup>29</sup>

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<sup>24</sup> Vid. El Nacional, Arrested Leocenis García, president of *6to Poder*. Available at: [http://www.el-nacional.com/sociedad/Detenido-Leocenis-Garcia-6to-poder\\_0\\_596340382.html](http://www.el-nacional.com/sociedad/Detenido-Leocenis-Garcia-6to-poder_0_596340382.html).

Consulted on March 28, 2016.

<sup>25</sup> El Universal, *Arrest of Leocenis García requested by Public Ministry*. Available at: [http://www.eluniversal.com/noticias/politica/detencion-leocenis-garcia-fue-pedida-por-fiscalia\\_39568](http://www.eluniversal.com/noticias/politica/detencion-leocenis-garcia-fue-pedida-por-fiscalia_39568). Consulted on March, 28, 2016.

<sup>26</sup> Vid. El Nacional, Court seized assets to Leocenis García by legitimization of capital Available at: [http://www.el-nacional.com/sucesos/Tribunal-Leocenis-Garcia-legitimacion-capitales\\_0\\_620338060.html](http://www.el-nacional.com/sucesos/Tribunal-Leocenis-Garcia-legitimacion-capitales_0_620338060.html).

Consulted on March, 28, 2016.

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<sup>27</sup> Vid. El Tiempo, *Editor of 6to Poder is transferred from hospital to his house where he continues hunger strike*. Available at: <http://eltiempo.com.ve/venezuela/situacion/traslado-a-editor-de-6to-poder-del-hospital-a-su-casa-donde-continua-huelga-de-hambre/189315>.

Consulted on March, 28, 2016.

<sup>28</sup> Vid. El Universal, IAPA calls on Venezuela to fair treatment to Leocenis García. Available at: [http://www.eluniversal.com/noticias/politica/sip-pide-venezuela-trato-justo-leocenis-garcia\\_84808](http://www.eluniversal.com/noticias/politica/sip-pide-venezuela-trato-justo-leocenis-garcia_84808). Consulted on March 28, 2016.

<sup>29</sup> To access the article published by Arévalo, vid. The Truth, Lack of material and allegations of corruption delay stadium of the Sharks. Available at: <http://laverdaddevargas.com/24/escandalos-y-modificaciones-retrasan-obra-del-estadio-de-los-tiburones/>. Consulted on March, 28, 2016.

According to the testimony of Arévalo, Governor García Carneiro went to the headquarters of the newspaper "La Verdad" the day after the publication of the newspaper article, with the aim of requesting her dismissal to the directors of the newspaper for which she worked. On the other hand, in the days following the publication of her article, Genesis Arévalo was the object of threats through text messages, being intimidated "... with future legal actions against her."<sup>30</sup> On June 11, 2015, Arevalo was finally dismissed from the newspaper "La Verdad".

It is noteworthy that the newspaper La Verdad was temporarily closed by officials of SENIAT and the Superintendency of Fair Prices (Sundee), for alleged administrative irregularities.<sup>31</sup> A day later, the closure was lifted without any explanation from the competent authorities.<sup>32</sup>

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<sup>30</sup> Vid. Instituto de Prensa y Sociedad Venezuela, Journalist was fired after receiving pressures from the regional government. Available at: <http://ipysvenezuela.org/alerta/vargas-periodista-fue-despedida-de-diario-luego-de-recibir-presiones-del-gobierno-regional/>. Consulted on March 28, 2016.

<sup>31</sup> Vid. Instituto de Prensa y Sociedad Venezuela, *Vargas: Closing action against regional newspaper lifted*. Available at: <http://ipysvenezuela.org/alerta/vargas-levantan-medida-de-cierre-en-contra-de-impreso-regional/>. Consulted on March 28, 2016.

<sup>32</sup> Vid. Instituto de Prensa y Sociedad Venezuela, *Vargas: Closing action against regional newspaper lifted*. Available at: <http://ipysvenezuela.org/alerta/vargas-levantan-medida-de-cierre-en-contra-de-impreso-regional/>. Consulted on March 28, 2016.

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## NOÉ PERNÍA

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He is a journalist who worked on the extinct television network Radio Caracas Television (RCTV), forced to close in 2007, after being revoked the renewal of the concession for the use of the radioelectric spectrum, because of its critical stance towards the government of President Hugo Chávez.

Because of this closure, several attacks directed against Pernia, and other journalists and social communicators linked to RCTV, the Inter-American Court of Human Rights condemned the Venezuelan State for being responsible for the violation of their Human Rights.<sup>33</sup>

Since then, Pernia has been attacked on several occasions, by officials of the national executive, media linked to the official sector, or supporters of Chavismo; for example, in March 2015 he was attacked by supporters of Chavismo in the presence of the Venezuelan Ambassador to Spain, Mario Isea, after Pernia asked about the existence of political prisoners in Venezuela.<sup>34</sup>

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<sup>33</sup> CorteIDH, *Ríos and others vs. Venezuela*, Judgment on Preliminary Objections, Merits, Reparations and Costs, January 28, 2009. See paragraphs 242-245, 258-260 and 264.

<sup>34</sup> Vid. El Universo, Journalist denounces aggression when interviewing Venezuelan ambassador in Spain. Available at: <http://www.eluniverso.com/noticias/2015/03/18/nota/4675631/periodista-denuncia-agresion-cuando-entrevistaba-embajador>. Consulted on March, 28, 2016.

Similarly, through the web page of the television program "Con el mazo dando", directed by the deputy Diosdado Cabello, he has been named "fauna of the ultra-right" along with other individuals linked to the Venezuelan opposition sector.<sup>35</sup>

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### GABRIELA SALCEDO

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The journalist of the network VerTVNoticias, and her cameraman, Ontiel Trocozo, were arbitrarily detained by SEBIN officials, on February 20, 2015,<sup>36</sup> when she covered the arrest of Antonio Ledezma, Metropolitan Mayor and opponent of the national government. According to Salcedo's testimony, one of the SEBIN officials approached the team with the aim of informing them that, due to safety reasons, it was not allowed to take photographs in the surroundings of the SEBIN headquarters located at the Plaza Venezuela sector, in the city of Caracas.

The official asked Salcedo and Trocozo to identify themselves and when he found out that it was a team of

journalists, contacted other officials of the same intelligence body and asked journalists to enter the headquarters of SEBIN. Shortly afterwards, a group of SEBIN officials approached the vehicle where Salcedo and Trocozo were located, and again asked them to enter the SEBIN precinct, in order to make statements.

Salcedo and Trocozo were detained for 3 hours at the SEBIN headquarters, they were questioned about their profession and their relationship with political actors, and their belongings (cameras, cell phones, among others) were checked by officials of that institution.<sup>37</sup> Later, they were finally released.

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<sup>35</sup> Vid. Con el Mazo dando, All the fauna of the ultra-right present at the opening of El Venezolano TV in Spain. Available at: <http://www.conelmazodando.com.ve/toda-la-fauna-de-la-ultraderecha-presente-en-la-inauguracion-de-el-venezolano-tv-en-espana/>. Consulted on March 28, 2016.

<sup>36</sup> Diario Las Américas, Journalists arrested for asking about opposition leader Antonio Ledezma are released. Available at: <http://www.diariolasamericas.com/4848-venezuela/2962525-arrestan-a-periodistas-preguntar-ledezma.html>.

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<sup>37</sup> Vid. Instituto de Prensa y Sociedad Venezuela, *Caracas: Team of journalists was held for three hours at Sebin*. Available at: <http://ipys.org.ve/alerta/caracas-equipo-reporteril-fue-retenido-tres-horas-en-sede-del-sebin/>. Consulted on March 28, 2016.

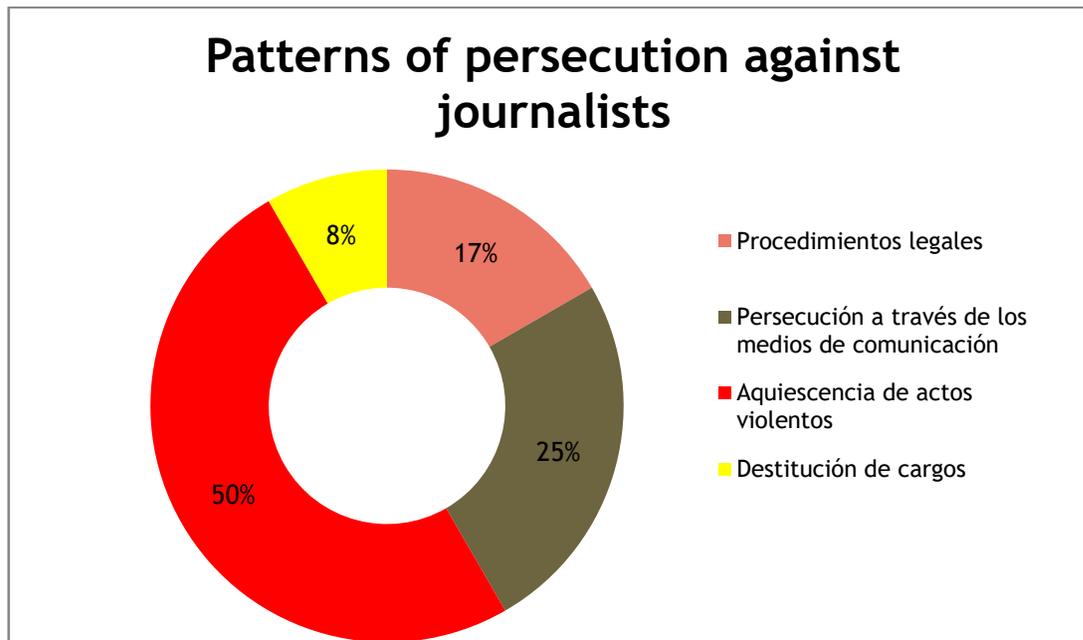
## FOREIGN JOURNALISTS

CESAR MORENO (CARACOL - COLOMBIA), MARIE - EVE DETOEUF (LE MONDE - FRANCIA) AND JOHN OTIS (NRC - USA):

The Venezuelan government denied them entry to the country, when they tried to enter to cover the demonstration called for September 1st, under the motto "Toma de Caracas", a demonstration that was carried out to protest the delays in the activation process of the Recall Referendum against President Nicolás Maduro.

Moreno denounced that "after not being admitted to Venezuela", the three have had to travel "back to Colombia".<sup>38</sup> He also states that they were declared "non-admissible person", for allegedly not complying with the requirements of Venezuelan migratory legislation.

Otis denounced that: "My press trip in Venezuela has a bad start: I am being deported back to Colombia, together with Detoef and Moreno."<sup>39</sup>



<sup>38</sup>Vid. Notimerica. Three International Journalists, expelled from Venezuela before the Toma de Caracas. Available at: <http://www.notimerica.com/politica/noticia-tres-periodistas-internacionales-expulsados-venezuela-antes-toma-caracas-20160901024031.html>. Consulted on September 2, 2016.

<sup>39</sup> Ibídem.

## ESPECIAL SITUATIONS

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### INTOLERANCE TO INTERNATIONAL VISITORS

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Foreign political leaders, senators, ex-presidents, international organizations, among others, have directed their critical view of the social, economic and political situation in Venezuela, with special attention to the human rights situation, to the point where they have interceded - or treated - through communications and / or visits to improve the reality in that matter.

In democratic countries, the opinions, requests, criticisms and visits of high-ranking political figures are allowed and considered, except in Venezuela, where the strong repression of opinions contrary to the revolutionary ideals invoked by Hugo Chávez, and continued by the current President Nicolas Maduro, have hindered international visits and even offended those who express such opinions.

This was observed in the opinions issued by President Maduro in relation to the visit of the Spanish Senators, Ander Gil, from Partido Socialista Obrero Español (PSOE), Dionisio García, from Partido Popular (PP), Iñaki Anasagasti, del Nacionalista Vasco (PNV) and Josep Maldonado from Convergencia i Unió (CIU), in July 2015, on Television Channel TELESUR, where he said: *"It is very irritating that people come from Spain to tell Venezuela what to do. That is*

*vomiting to hear this Spanish right come to tell Venezuelans, how to vote and what to do. We are waiting for you on the bajadita on December 6th, we expect the Spanish ultra-right and its internal allies"*<sup>40</sup>

Another case that helps to exemplify the aforementioned was during the attempt of Andrés Pastrana's visit to the opposition leader imprisoned in a military prison, Leopoldo López: "Would Colombia accept that some important political figure of Venezuela would support a movement that wants to overthrow Santos and to support terrorists who murder men and women of the town?"<sup>41</sup> In addition, the following cases can be seen:

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<sup>40</sup>NTN24. President Maduro calls "irritating" the visit of senators to Venezuela. <http://noticiasntn24digital.info/noticia/presidente-maduro-califica-de-irritante-visita-de-senadores-a-venezuela-61235>

<sup>41</sup> AVN. Maduro: Visit of former presidents seeks to create conflicts with neighbor countries. <http://www.avn.info.ve/contenido/maduro-visita-expresidentes-busca-crear-conflictos-pa%C3%ADses-hermanos>

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## PASTRANA, PIÑERA, CALDERÓN AND QUIROGA

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Former Presidents Andrés Pastrana (Colombia), Sebastián Piñera (Chile), Felipe Calderón (México) and Jorge Quiroga (Bolivia), have expressed publically their critical opinions in relation to the Venezuelan government, denouncing ill-treatment of opposition political leaders, human rights violations and advocating for transparent and democratic electoral processes. This has exposed them to public assaults by official media and officials of the national government.

In early 2015, Piñera, Pastrana and Calderón traveled to Caracas to visit political prisoners held in Ramo Verde military prison and to participate in a forum on democracy. Their visit was criticized by officials of the Venezuelan government.

In this regard, the deputy to the National Assembly and presenter of the television program "Con el mazo dando", Diosdado Cabello, referred to the visit of the former presidents as [...] a "plan orchestrated with Uribeismo to provoke the Venezuelan people and promote destabilization in the country"<sup>42</sup>

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<sup>42</sup> Vid. Con el mazo dando, *Cabello revealed that Tomás Guanipa traveled to the USA to look for dollars for the campaign*. Available at: <http://www.conelmazodando.com.ve/cabello-develo-que-diputado-guanipa-viajo-a-eua-para-busca-dolares-para-la-campana/>. Consulted on March 29, 2016.

Similarly, President Nicolás Maduro cataloged the forum in which the former presidents participated as organized by a "terrorist group of ultra-right, financed by Colombian drug traffickers"<sup>43</sup>

In this context, the former leaders Piñera and Pastrana attempted to visit the opposition leader Leopoldo López detained in Ramo Verde. However, authorities in the prison prevented them from visiting the leader of Voluntad Popular and verify his health situation.<sup>44</sup> In this regard, Pastrana said that there is no condition to avoid a president's visit a political prisoner, he added: "I think The minimum act of respect for human rights is to visit a political prisoner. That's why we are going to visit Leopoldo"<sup>45</sup>

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<sup>43</sup> Vid. BBC Mundo, *Venezuela: Former Presidents Pastrana and Piñera prevented from visiting Leopoldo López*. Available at: [http://www.bbc.com/mundo/ultimas\\_noticias/2015/01/150125\\_ultnot\\_venezuela\\_expresidentes\\_visita\\_leopoldo\\_lopez\\_ng](http://www.bbc.com/mundo/ultimas_noticias/2015/01/150125_ultnot_venezuela_expresidentes_visita_leopoldo_lopez_ng). Consulted on April 1, 2016.

<sup>44</sup> Vid. BBC Mundo, *Venezuela: Former Presidents Pastrana and Piñera prevented from visiting Leopoldo López*. Available at: [http://www.bbc.com/mundo/ultimas\\_noticias/2015/01/150125\\_ultnot\\_venezuela\\_expresidentes\\_visita\\_leopoldo\\_lopez\\_ng](http://www.bbc.com/mundo/ultimas_noticias/2015/01/150125_ultnot_venezuela_expresidentes_visita_leopoldo_lopez_ng). Consulted on April 1, 2016.

<sup>45</sup> EL tiempo. Government of Maduro prohibits visit of Pastrana and Piñera to Leopoldo Lopez. <http://www.eltiempo.com/mundo/latinoamerica/visita-de-andres-pastrana-a-leopoldo-lopez-en-venezuela/15145176>

In May 2015, former President Pastrana, accompanied on that occasion by Bolivia's former President Jorge Quiroga, attempted to visit the detained political leaders Daniel Ceballos and Leopoldo López, and again they were banned from entering <sup>46</sup>, arguing that "[...] the politician is prohibited from having visits for three weeks, after it was found out he had a cell phone ...". <sup>47</sup>

At the end of 2015, Pastrana, Quiroga, Calderón and Piñera made a visit to the Venezuelan territory along with other leaders of the region, before the parliamentary elections on December 6. Thus, the presidents were invited by Venezuelan political sectors and accredited by the CNE to witness the electoral process as political companions. However, after public statements made questioning the integrity of the electoral process, the CNE revoked the credentials of the former leaders, while Deputy Diosdado Cabello publicly requested that they be expelled from the country. <sup>48</sup>

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<sup>46</sup> Vid. Diario Las Américas, Ceballos political prisoner denied visit. Available at: [http://www.diariolasamericas.com/4848\\_venezuela/3133025\\_pastrana-quiroga-rumbo-visitacion-ceballos-lopez-venezuela.html](http://www.diariolasamericas.com/4848_venezuela/3133025_pastrana-quiroga-rumbo-visitacion-ceballos-lopez-venezuela.html). Consulted on April 1, 2016.

<sup>47</sup> Vid. EFE, Pastrana and Quiroga fail to see either Lopez or Ceballos or Maduro. Available at: <http://www.efe.com/efe/america/politica/pastrana-y-quiroga-no-logran-ver-ni-a-lopez-ceballos-maduro/20000035-2626294>. Consulted on April 1, 2016.

<sup>48</sup> Vid. Deutsche Welle, *Venezuela: piden expulsión de expresidentes latinoamericanos*. Available at: <http://www.dw.com/es/venezuela-piden-expulsi%C3%B3n-de-expresidentes-latinoamericanos/a-18898474>. Consulted on April 1, 2016.

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## PABLO MIERES

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Uruguayan political leader and former senator of the Uruguayan parliament, who has openly criticized the Venezuelan government. In July 2015, he visited Venezuela with the purpose of meeting with political prisoners and confirming their health conditions, but a group from the Bolivarian National Guard prevented a Commission of Ibero-American senators from visiting Leopoldo López at Ramo Verde military prison.

## BRAZILIAN PARLIAMENTARIANS (AECIO NEVES, ALOYSIO NUNES, SERGIO PETECAO, RONALDO CAIADO, RICARDO FERRAÇO, AGRIPINO MAIA):

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Brazilian parliamentarians Aécio Neves, Aloysio Nunes, Sergio Petecao, Ronaldo Caiado, Ricardo Ferraço, Agripino Maia arrived in the Venezuelan capital on June 18, 2015, with the purpose of visiting the political prisoners Daniel Ceballos and Leopoldo López but they were denied the visit. On the highway from Maiquetía International Airport to the city of Caracas, a large group of supporters of the national government blocked the passage and attacked the vehicle where they were traveling along with the wives of the political prisoners

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[latinoamericanos/a-18898474](http://www.dw.com/es/venezuela-piden-expulsi%C3%B3n-de-expresidentes-latinoamericanos/a-18898474). Consulted on April 1, 2016.

Lilian Tintori and Patricia de Ceballos; the authorities did not act in a timely and efficient manner.

The aforementioned led the Brazilian Government to send a note of protest to the Venezuelan Government regarding the aggressions suffered by Brazilian parliamentarians during their official visit to Venezuela. On the other hand, the Venezuelan Foreign Ministry, in relation to this visit commented that it sought to "destabilize Venezuelan democracy and generate confusion and conflict between neighbor countries."

## VIOLENCE AND INTOLERANCE IN THE ELECTORAL CONTEXT

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On December 6, 2015, the parliamentary elections were held in Venezuela under an atmosphere of tension and concern. They were developed in a context where restrictions on political rights, declarations of state of emergency in part of the country, restrictions on electoral observation, closure of borders, detentions and/or inhabilitation of opposition leaders such as Manuel Rosales, María Corina Machado and Enzo Escarano, among many others were present.

Another fact added was announced on April 15, 2015 by the president of the National Assembly Diosdado Cabello who declared that the deputies to the Latin American

Parliament (Parlatino) would not be elected by universal, direct and secret vote as they were made in the previous elections, but they would be elected by the National Assembly, once the new National Assembly was constituted, after the elections of December 6, 2015.

The unjustified delay of the announcement of the electoral timetable, caused that the opposition leader Leopoldo López will initiate a hunger strike on May 23, 2015, later other leaders of the Venezuelan opposition and citizens in general joined the hunger strike. The media announced that more than 100 people across the country were involved in the hunger strike. Facing this pressure Tibisay Lucena, president of the National Electoral Council, announces on June 22 at a press conference the date on which the elections are to be held, for the first time the CNE presents the electoral timeline with so little anticipation (almost six months) in ordinary elections.

On July 1, CNE President Tibisay Lucena presented the new election regulations, when MUD announced its candidates on June 24 and the PSUV their own, and after primary elections had already been held on June 29 of that year.

The alleged manipulation of the population index by the National Statistical Institute and the CNE, in order to redefine electoral constituencies (more voters does not mean having a greater number of deputies in the National Assembly) and may affect the final

composition of the Assembly as to the number of opposition deputies could be elected.

Within the context described above, two violent incidents were highlighted during the election campaign: i) On November 22, in the neighborhood José Félix Ribas in the Municipality of Sucre in Miranda state, a caravan supporting the opposition candidate for reelection, Miguel Pizarro, was attacked by armed groups, according to the deputy they were "groups related to William Ojeda and the Psuv" with "short weapons and machine guns confronted the hundreds of motorized who participated in the activity"; and (ii) the murder of the municipal secretary of the opposition party Acción Democrática (AD), Luis Manuel Díaz, on November 25, in Altagracia de Orituco, Guárico state, during a campaign event attended by Lilian Tintori, wife of Leopoldo López.

The candidate for AN and General Secretary of the political party Acción Democrática, Henry Ramos Allup, claimed to have evidence of the link between the assassination and the government: "They will be surprised when they see the killer's links with people related to the government, I have in my power all records, I am waiting for you to say everything you have to say."

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However, according to the investigation released by the Minister of Internal Affairs, Justice and Peace, Gustavo González, they identified the participants in the event and arrested three of them. According to Lopez, the motive attributed to the murder was the dispute between criminal gangs.

On the other hand, the NGO Espacio Público stated in its 2015 report: "Between December 2 and 6, there were 36 cases of violations of freedom of expression, including 31 intimidations, two threats and three attacks. The impediment to journalistic coverage in polling stations was the most frequent complaint, as well as the retention of journalists and the elimination of audiovisual material by police and military officials.

## DIFFERENTIAL APPLICATION OF PERCUSSION PATTERNS IN ACTORS CONSIDERED DISSIDENTS

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<i>ACTORS CONSIDERED DISSIDENTS</i>	<i>PATTERN USED FOR PERSECUTION</i>
Public Officials, Political Leaders, Deputies	Legal Proceedings
Human Rights Defenders and social activists	Persecution through the use of the media
Journalists	Acquiescence of violent actions
Visitors and international guests	Violence and Political Intolerance

As we can see there is a differentiated application of the patterns of persecution to the actors considered by the government as dissidents in Venezuela. When conducting the general study of more than 60 cases of persecution, we observed that the action directed to attack dissent is not naive or about isolated cases, since there is evidence of a recurrence of specific patterns depending on the nature and scope of action of the different actors involved.

## FINAL REMARKS AND CONCLUSIONS

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1. Venezuela continues within a complex political context of protests and pronouncements against the increased crisis and of the social and economic policies initiated by Hugo Chávez Frías and continued by the government of Nicolás Maduro.
2. In Venezuela there is a systematic persecution, they are not isolated cases, since the government acts persistently and consistently against dissent not only in relation to political leaders of the Venezuelan opposition, but also NGOs and Human rights activists, journalists and international personalities who do not share the political vision of the government.
3. The Venezuelan government has turned into “dissident object of persecution” people and groups of people whose objective is the defense and promotion of human rights and journalists as well as internationally prestigious personalities who only seek to collaborate in finding a peaceful, democratic solution and respectful of human rights to the current situation in Venezuela.
4. In all the cases studied, the violation of various human rights contemplated in the CRBV and other pacts signed by the country is manifested, having as central axis the exercise of freedom of thought, since the systematic repression is because of manifesting a different ideology to that of the government, bringing the political persecution as a result.
5. The Venezuelan government has tried to isolate the population of Venezuela from the context and global exchange in general, creating a communication fence, since it only allows contact with information, personalities and organizations that are favorable to government policies; that is why foreign press or some international visitors have not been allowed to come into the country or have been expelled.
6. The government seeks to silence dissenting opinions on its management and/or ideology, regardless of whether they are political leaders, human rights activists, journalists or international personalities. The government's response has been the same: persecution, aggravating the existing crisis in human rights and democratic principles.