

# Venezuela: Situation von politischen Gegner\_innen

Schnellrecherche der SFH-Länderanalyse

Bern, 15. Oktober 2018

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Herausgeberin  
Schweizerische Flüchtlingshilfe SFH  
Postfach, 3001 Bern  
Tel. 031 370 75 75  
Fax 031 370 75 00  
E-Mail: [info@fluechtlingshilfe.ch](mailto:info@fluechtlingshilfe.ch)  
Internet: [www.fluechtlingshilfe.ch](http://www.fluechtlingshilfe.ch)  
Spendenkonto: PC 30-1085-7

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# 1 Einleitung

Einer Anfrage an die SFH-Länderanalyse sind die folgenden Fragen entnommen:

1. Werden politische Gegner\_innen verfolgt? Wenn ja, hat die Verfolgung seit 2016 zugenommen?
2. Welche Risiken bestehen für einen Leiter eines studentischen Oppositionskomitees bei einer Rückkehr nach Venezuela?

Die Informationen beruhen auf einer zeitlich begrenzten Recherche (Schnellrecherche) in öffentlich zugänglichen Dokumenten, die der SFH derzeit zur Verfügung stehen, sowie auf den Informationen von sachkundigen Kontaktpersonen.

## 2 Die Krise in Venezuela

**Immer weniger Raum für Demokratie, Machtkonzentration in den Händen der Exekutive und Zunahme der Repression gegen die Opposition seit 2017. Mindestens 136 Tote bei Demonstrationen, gegen die die Regierung mit aller Härte vorging.** Laut *Freedom House* haben sich die Bedingungen für Demokratie während der letzten Jahre in Venezuela sehr verschlechtert. Es kam zu einer Machtkonzentration der Exekutive, und die Repression der Opposition wurde gewalttätiger. Nachdem die Opposition bei den Parlamentswahlen im Jahr 2015 ein gutes Ergebnis erzielt hatte, wurden die Befugnisse der Legislative durch einen von der Politik gelenkten Justizapparat eingeschränkt. 2017 wurde das Parlament durch eine verfassungsgebende Nationalversammlung ersetzt, die im Grunde nur die Interessen der Exekutive vertritt. Bei den grossen Demonstrationen von 2017 kam es zu gewalttätigen Ausschreitungen, bei denen gemäss *Freedom House* zwischen April und September mehr als 1900 Personen verletzt wurden und 136 ums Leben kamen. Die meisten von ihnen wurden von Sicherheitskräften und regierungsnahen Gruppierungen getötet («colectivos») (*Freedom House*, Februar 2018). Laut *Amnesty International* (AI) setzten die Ordnungskräfte im Jahr 2017 exzessive und ungerechtfertigte Gewalt ein, um diese Demonstrationen zu unterdrücken (AI, 1. Februar 2018). Gemäss dem *UNO-Hochkommissariat für Menschenrechte* (UNHCHR) ist diese exzessive Gewalt eine Fortsetzung der Gewalt, wie sie seit 2012 bei Sicherheitsoperationen eingesetzt wird (UNHCHR, Juni 2018). Laut *Human Rights Watch* (HRW) war die Welle der Repressionen und Einschüchterungen nach den Demonstrationen im Jahr 2017 zwar nicht die erste solcher Wellen unter Präsident *Maduro*, aber es sei die grösste und gravierendste in der jüngeren Geschichte Venezuelas gewesen (HRW, 29. November 2017).

**Zwischen 2014 und 2018 verliessen mehr als 2,3 Millionen Venezolaner\_innen ihr Land. Sie flohen vor einem Zusammenspiel aus politischer, wirtschaftlicher und humanitärer Krise sowie vor der Verfolgung von politischen Gegner\_innen.** Laut AI kommt zur politischen eine humanitäre Krise, die insbesondere Kinder, schwangere Frauen und Kranke trifft. Es gab zahlreiche Demonstrationen gegen Inflation und Nahrungs- und Medikamentenknappheit, insbesondere zwischen April und Juli 2017 (AI, 1. Februar 2018). Laut HRW treibt die politische, wirtschaftliche, humanitäre und Lage Venezolaner\_innen dazu, im Ausland Schutz zu suchen. HRW nennt Zahlen des *UNO-Hochkommissariats für Flüchtlinge* (UNHCR) und

schätzt, dass seit 2014 mehr als 2,3 Millionen Venezolaner\_innen ihr Land verlassen hätten. Das stellt die grösste Migrationskrise in der jüngeren Geschichte Lateinamerikas dar. Von ihnen erhielten 567'000 einen legalen Aufenthaltsstatus in verschiedenen Ländern, 298'000 sind Asylsuchende. Das bedeutet, dass mindestens eine Million Menschen einen nicht geregelten Aufenthalt haben. HRW schätzt, dass viele dieser Vertriebenen, insbesondere solche, die vor politischer Verfolgung geflohen sind, Flüchtlingsstatus hätten. Und bei anderen könnten die verschiedenen Faktoren zusammengenommen einen ausreichenden Asylgrund darstellen. Laut dem UNHCR, das von HRW zitiert wurde, suchen nicht alle Venezolaner\_innen, die das Land verlassen haben, einen Schutzstatus als Flüchtlinge, trotzdem meint UNHCR, dass es immer deutlicher wird, «dass eine beträchtliche Anzahl [Venezolaner\_innen] tatsächlich internationalen Schutz benötigen» (HRW, 3. September 2018).

### 3 Verfolgung von politischen Gegner\_innen und anderen Gruppierungen, die als regierungskritisch angesehen werden

**Strategie, um politische Gegner\_innen einzuschüchtern und mundtot zu machen.** Laut *Freedom House* werden Oppositionsmitglieder belästigt, eingesperrt oder werden daran gehindert, am politischen Prozess teilzunehmen (*Freedom House*, 2. Februar 2018). In ihrem letzten Jahresbericht zu Venezuela dokumentierte AI seit 2014 eine beträchtliche Anzahl an willkürlichen Verhaftungen aus politischen Gründen. Sie sind Teil einer grösseren Strategie der Regierung, um politische Gegner\_innen mundtot zu machen (AI, 1. Februar 2018). *Alfredo Romero*, Gründer der NGO *Foro Penal Venezolano* bestätigte in einem Interview mit dem *Miami Herald*, dass willkürliche Verhaftungen und Inhaftierungen aus politischen Gründen Teil einer Regierungsstrategie seien, um diese Gegner\_innen zu verdrängen und sie einzuschüchtern. Die jüngste Abnahme der Gesamtzahl der Gefangenen sei paradoxerweise keine gute Nachricht, da sie darauf zurückzuführen sei, dass die Regierung die Haftstrafen der Einzelnen verkürzt, dafür aber mehr Personen inhaftiert, um die politischen Folgen dieser Verhaftungen zu reduzieren (*Miami Herald*, 16. November 2017). Gemäss UNHCHR gibt es deutliche Anzeichen dafür, dass die Menschenrechtsverletzungen durch die Regierung und ihre Verbündeten insbesondere während der Demonstrationen von 2017 Teil eines grösseren Plans gewesen seien. Damit sollten politische Gegner\_innen sowie alle Personen, von denen angenommen wird, dass sie gegen die Regierung seien oder eine Gefahr für sie darstellen, unterdrückt werden (UNHCHR, Juni 2018).

**Unterdrückung durch Festnahmen und willkürliche Inhaftierungen, auch von Personengruppen wie Aktivist\_innen der sozialen Bewegung, Studierende, Menschenrechtsverteidiger\_innen und Journalist\_innen.** Das UNHCHR stellte bereits in seinem Bericht vom August 2017 einen wesentlichen Anstieg der Stigmatisierung und Unterdrückung von Dissident\_innen und politischen Gegner\_innen fest. Seitdem setzten die Sicherheitskräfte weiterhin willkürliche und widerrechtliche Verhaftungen als Mittel ein, um politische Gegner\_innen oder andere Dissident\_innen zu unterdrücken. Unter diesen anderen Zielgruppen finden sich vor allem Aktivist\_innen der sozialen Bewegung, Studierende, Menschenrechtsverteidiger\_innen und Journalist\_innen. Gemäss der Informationswebsite *Univision News* wurde *Carlos Ramirez*, ein 27-jähriger Studentenfürer, im Mai 2017 von den Behörden verhaftet, als er an

einer Demonstration teilnehmen wollte. Ihm wurde vorgeworfen, Slogans gegen die Regierung gerufen und zur Missachtung der venezolanischen Gesetze aufgerufen zu haben. *Ramirez* wurde in Untersuchungshaft genommen, um von einem Militärgericht verurteilt zu werden. Sein Anwalt sagte, dass ihm bis zu 30 Jahre Gefängnis wegen «Landesverrat» drohen würden (*Univision News*, 5. Juli 2017). Im Oktober 2018 wurde *Lorent Gomez Saleh*, ein Studentenfürher, Präsident einer NGO und Preisträger des Sacharow-Preises von 2017, auf Entscheidung der *Kommission für Wahrheit, Gerechtigkeit, Frieden und öffentliche Ruhe* ins Exil geschickt. Die Deportation von *Saleh*, der seit 2014 im Gefängnis sass, wurde von der NGO *Penal Forum* als verfassungswidrig angeprangert (*MercoPress*, 13. Oktober 2018). Laut der *Washington Post* können selbst weniger einflussreiche Personen belästigt, inhaftiert und bedroht werden, auch wenn die Regierung die bekanntesten und einflussreichsten Aktivist\_innen im Fokus hat (*Washington Post*, 2. August 2017).

**Zwischen 2014 und 2018 mindestens 12'300 Personen willkürlich inhaftiert. Ende 2017 weiterhin fast 200 politische Gefangene im Gefängnis. Von den mehr als 5300 Personen, die nach den Demonstrationen von 2017 festgenommen wurden, sassen Ende des Jahres noch 216 im Gefängnis und warteten auf einen Prozess.** *Freedom House* stellt fest, dass im Jahr 2017 die bürgerlichen Freiheiten wesentlich eingeschränkt worden waren. Personen, die als Gegner\_innen der Regierung angesehen wurden, wurden ohne faire Verfahren verfolgt (*Freedom House*, Februar 2018). Laut UNHCHR, das sich auf Zahlen der Zivilgesellschaft stützt, wurden zwischen Januar 2014 und April 2018 mindestens 12'320 Personen, vornehmlich politische Gegner\_innen oder Personen, die als Gegner\_innen der Regierung oder als für die Regierung gefährlich angesehen werden, willkürlich inhaftiert. Von diesen wurden 7000 unter freiheitsbeschränkenden Bedingungen freigelassen. Auf die meisten von ihnen wartet immer noch ein Strafprozess vor dem Militärgericht (UNHCHR, Juni 2018). Laut *Freedom House* stieg die Zahl der politischen Gefangenen von 103 Ende 2016 auf mehr als 600 im Juli 2017. Fast 200 von ihnen sassen Ende 2017 immer noch im Gefängnis (*Freedom House*, 2. Februar 2018). Gemäss AI nahmen als Reaktion auf die Demonstrationen von 2017 die Unterdrückungsmassnahmen der Regierung stark zu. Laut der NGO *Foro Penal Venezolano*, die von AI zitiert wurde, wurden im Rahmen der Demonstrationen 5341 Personen festgenommen. Ausserdem kam es zu mindestens 120 Toten und mehr als 1177 Verletzten. Von den 5341 Festgenommenen wurden 822 verurteilt, die meisten von ihnen von einem Militärgericht. Ende 2017 sassen immer noch 216 Personen im Gefängnis und warteten auf ihren Prozess (AI, 1. Februar 2018).

**Folter und Misshandlung werden von den Sicherheitskräften bei Personen in Haft regelmässig angewendet, insbesondere bei Personen, die im Rahmen der Demonstrationen von 2017 inhaftiert wurden.** In seinem Bericht vom Juni 2018 hat das UNHCHR mehr als 90 Fälle von Personen dokumentiert, die vor, während und nach der Demonstrationswelle von 2017 willkürlich festgenommen wurden. Sie wurden Opfer von einer oder mehrerer grausamen, unmenschlichen oder erniedrigenden Formen der Behandlung, die in vielen Fällen Folter darstellten. Die Sicherheitskräfte setzten diese Massnahmen zur Einschüchterung und Bestrafung der Gefangenen ein und um Geständnisse oder Informationen zu erzwingen. Zu den Misshandlungen und Folterungen zählten der Einsatz von Elektroschocks, Schlägen, Vergewaltigungen und anderen Formen der sexuellen Gewalt, Erstickten mit Plastiktüten und chemischen Substanzen, Scheinexekutionen und Wasserentzug. In einigen Fällen wurden auch die Familien der Inhaftierten Opfer von grausamer, unmenschlicher oder erniedrigender Behandlung. Das UNHCHR hält fest, dass die Fälle von Gewalt keine Einzelfälle seien, sondern Teil eines Plans und eine klare Tendenz darstellten (UNHCHR, Juni 2018). Das UNHCHR

hatte bereits in seinem Bericht vom August 2017 festgehalten, dass Personen, die im Zusammenhang mit den Demonstrationen festgenommen wurden, Opfer von Misshandlungen und Folter wurden (UNHCHR, August 2017). In ihrem Bericht von November 2017 dokumentierte HRW 53 Fälle, die sich auf mindestens 232 Personen beziehen, die inhaftiert und physisch oder psychisch missbraucht worden waren. Mit den Misshandlungen sollten die Inhaftierten bestraft werden oder dazu gezwungen, sich selbst zu beschuldigen. In einigen Fällen handelte es sich ganz klar um Folter, insbesondere mit Elektroschocks, Schlägen, Schlafentzug, Ersticken und sexuellem Missbrauch bis hin zu Vergewaltigung (HRW, 29. November 2017).

**Schlechte Haftbedingungen.** Laut AI entsprechen die Gefängnisse und Haftanstalten nicht den Minimalstandards beim Zugang zu Gesundheitsversorgung, sanitären Anlagen, Nahrung und Trinkwasser (AI, 1. Februar 2018). Gemäss UNHCHR stellten die Haftbedingungen an sich bereits eine grausame, unmenschliche und erniedrigende Behandlung dar, da die Gefängnisse überfüllt seien und es nur eingeschränkten Zugang zu Nahrung, Wasser und medizinischer Versorgung gebe (UNHCHR, Juni 2018).

## 4 Mangelnde Unabhängigkeit des Justizsystems

**Kein Gegengewicht zur Exekutivgewalt. Mangelnde Unabhängigkeit des Justizsystems, das hauptsächlich dazu genutzt wird, um Dissident\_innen zum Schweigen zu bringen.** Laut der *Washington Post* gibt es keine unabhängige Institution, welche die Macht der Exekutive ausgleichen könnte. Der oberste Gerichtshof bestätigte regelmässig Massnahmen, welche das Fundament der venezolanischen Demokratie aushöhlen und die Grundrechte verletzen. So beschloss der Gerichtshof unter anderem, dem *Parlament* die legislativen Befugnisse zu entziehen. Und statt darauf zu bestehen, dass sich Präsident *Maduro* an die Verfassung hält, unterstützte der Gerichtshof dessen Vorschlag, sie umzuschreiben (*Washington Post*, 2. August 2017). Gemäss AI beeinflusst die Regierung immer noch das Justizsystem, insbesondere wenn es um politische Gegner\_innen oder andere Dissident\_innen geht. Das System wird also hauptsächlich dazu genutzt, um Dissident\_innen mundtot zu machen (AI, 1. Februar 2018). Gemäss *Freedom House* übernimmt der nationale Geheimdienst (SEBIN) immer häufiger Polizeiaufgaben und verhaftet politische Gegner\_innen und Journalist\_innen, ohne die Staatsanwaltschaft darüber zu informieren (*Freedom House*, 2. Februar 2018).

**Weit verbreitete Straflosigkeit für Täter\_innen von Gewalttaten und Menschenrechtsverletzungen.** Laut HRW herrscht weit verbreitete Straflosigkeit für die Täter\_innen von Folter und Misshandlungen. Die Behörden unternahmen nichts, um diese Taten zu untersuchen, um die vermutlichen Täter\_innen vor Gericht zu bringen und den Opfern Wiedergutmachung zuzusprechen. Ebenso wenig untersuchten die Behörden den Einsatz von exzessiver Gewalt durch die Sicherheitskräfte während den Demonstrationen. Die Familien von 19 Personen, die während den Demonstrationen im Jahr 2017 getötet wurden, und die vom UNHCHR interviewt wurden, sagten alle aus, sie hätten jegliches Vertrauen in das Justizsystem verloren und dass sie nicht darauf warten würden, dass die Regierung zur Rechenschaft gezogen würde. Sie hätten auch kein Vertrauen in die *Kommission für Wahrheit, Gerechtigkeit, Frieden und öffentlicher Ruhe*, die von der verfassungsgebenden Versammlung im August 2017 ins Leben gerufen wurde. In einigen der vom UNHCHR dokumentierten Fälle unterband die bo-

livarische Nationalgarde Anstrengungen des Generalstaatsanwalts und seines Büros, die Täter\_innen der Gewalttätigkeiten zu identifizieren. In anderen Fällen wurden die Beweismittel nicht registriert oder die Dossiers verschwanden (UNHCHR, Juni 2018).

**Wiederholte Verletzung des Rechts auf Verteidigung. Einsatz von Militärgerichten verstärkt die Kontrolle über die Gerichtsverfahren.** Das UNHCHR stellte wiederholte fest, dass das Recht auf ein faires Verfahren verletzt wird, insbesondere durch Isolationshaft, kurzzeitiges Verschwindenlassen, starke Einschränkungen des Rechts auf angemessene Verteidigung und ungerechtfertigte richterliche Fristen (UNHCHR, Juni 2018). Eine Vielzahl der Verhafteten, insbesondere solche, die während den Demonstrationen verhaftet wurden, werden vor Militärgerichte gestellt. Laut Anwält\_innen, die von *Univision News* interviewt wurden, kann die Regierung damit noch mehr Kontrolle über die Gerichtsverfahren ausüben, da das *Verteidigungsministerium* die Richter\_innen auswählen kann. Ausserdem sind die Staatsanwält\_innen häufig von niederem Rang und treffen in der Regel keine eigenen Entscheidungen. Im Fall von *Carlos Ramirez*, einem 27-jährigen Studentenführer, der im Mai 2017 von der Regierung verhaftet wurde und vor ein Militärgericht gestellt wurde, zeigte *Univision News*, dass sein Verfahren von vielen Unregelmässigkeiten und Verletzungen des Rechts auf ein faires Verfahren geprägt war. Abgesehen davon, dass Ramirez oder seine Anwält\_innen das Dokument der Polizei nicht einsehen konnten, in dem die Anklagepunkte gegen ihn festgehalten waren, wurde er auch während mehr als drei Wochen in Isolationshaft gehalten, ohne seine Angehörigen darüber informieren zu können (*Univision News*, 5. Juli 2017). Laut *Luis Almagro*, dem Generalsekretär der *Organisation Amerikanischer Staaten* (OEA), der von der BBC zitiert wurde, sind die Grundrechte und insbesondere die Rechte auf ein rechtmässiges Verfahren nicht mehr garantiert, wenn eine Zivilperson vor ein Militärgericht gestellt wird (BBC, 9. Mai 2017).

## 5 Quellen:

AI, 1. Februar 2018:

**«Le Venezuela était toujours en état d'urgence, cette mesure ayant été prolongée à plusieurs reprises depuis janvier 2016. Une Assemblée nationale constituante a été élue sans la participation de l'opposition. La procureure générale a été démise de ses fonctions de façon irrégulière. Les forces de sécurité ont continué d'avoir recours à une force excessive et injustifiée pour disperser des manifestations. Des centaines de personnes ont été arrêtées de façon arbitraire. De nombreuses informations ont fait état d'actes de torture et d'autres mauvais traitements, y compris de violences sexuelles, infligés à des manifestants. Cette année encore, le système judiciaire a été utilisé pour réduire au silence des dissidents, et des civils ont été poursuivis devant la justice militaire. Des défenseurs des droits humains ont fait l'objet de manœuvres de harcèlement et d'intimidation, et ont subi des descentes des forces de sécurité. Les conditions de détention étaient extrêmement rudes. Les crises alimentaire et sanitaire se sont encore aggravées, touchant en particulier les enfants, les personnes atteintes de maladies chroniques et les femmes enceintes. Le nombre de Vénézuéliens ayant demandé l'asile à l'étranger a augmenté.**

*L'année a été marquée par une multiplication des mouvements de protestation due à la hausse de l'inflation et à des pénuries de nourriture et de médicaments. L'état d'urgence déclaré en*

janvier 2016 est resté en vigueur, octroyant au gouvernement des pouvoirs spéciaux devant lui permettre de faire face à la crise économique. Malgré le dialogue politique engagé entre le gouvernement et l'opposition au cours de l'année, aucune avancée concrète n'a été constatée concernant les questions relatives aux droits humains.

#### *Liberté de réunion*

Entre les mois d'avril et de juillet en particulier, des manifestations massives contre le gouvernement ont eu lieu dans plusieurs régions du pays. **Le droit de réunion pacifique n'était pas garanti. Selon les chiffres officiels, au cours de ces manifestations de grande ampleur, 120 personnes au moins ont été tuées et plus de 1 177 blessées, parmi lesquelles des manifestants, des membres des forces de sécurité et des passants.**

Le bureau du procureur général a également indiqué que des groupes d'individus armés agissant avec l'appui ou l'assentiment du gouvernement avaient mené des actions violentes contre des manifestants.

**Selon le Forum pénal vénézuélien, une ONG locale, 5 341 personnes ont été arrêtées dans le cadre de ces manifestations, et 822 d'entre elles ont été jugées – dont 726 déférées à la justice militaire et inculpées d'infractions militaires pour avoir manifesté contre le gouvernement, en dépit du fait qu'il s'agissait de civils. À la fin de l'année, 216 personnes étaient toujours détenues dans l'attente d'un procès. [...]**

#### *Recours excessif à la force*

En janvier, le gouvernement a relancé son programme de sécurité publique, appelé par le passé Opération Libération du peuple, et renommé Opération Libération humaniste du peuple. Des informations ont cette année encore fait état de cas de recours excessif à la force de la part d'agents des forces de sécurité.

Dans le cadre des mouvements de protestation qui ont eu lieu entre avril et juillet, le gouvernement a annoncé l'activation du « Plan Zamora », qui visait à « garantir le fonctionnement [du] pays [et] la sécurité » en mobilisant les civils aux côtés de la police et de l'armée afin de « préserver l'ordre interne ». Les détails de ce plan n'ont toutefois pas été rendus publics.

**La Police nationale bolivarienne et la Garde nationale bolivarienne, entre autres forces de sécurité civiles et militaires, ont continué de recourir à une force excessive et injustifiée contre les manifestants.** Entre les mois d'avril et de juillet, les autorités ont déployé de façon accrue les forces militaires pour réprimer les mouvements de protestation. En conséquence, on a assisté à une augmentation du recours excessif à la force à létalité réduite et du recours injustifié à la force meurtrière : jets de grenades lacrymogènes directement sur des personnes, tirs de diverses munitions telles que des balles en caoutchouc, passages à tabac, utilisation d'armes à feu, etc. Toutes ces pratiques entraînaient le risque de blesser grièvement ou de tuer des manifestants.

#### *Arrestations et détentions arbitraires*

**Amnesty International a rassemblé des informations sur 22 cas emblématiques d'arrestations arbitraires opérées pour des motifs politiques depuis 2014, les autorités ayant**



**utilisé pour ce faire diverses méthodes illégales telles que le recours abusif à la justice militaire, les arrestations sans mandat d'arrêt et l'utilisation de définitions ambiguës d'infractions pénales interprétées de façon arbitraire. Ces agissements s'inscrivaient dans le cadre d'un vaste ensemble de mesures visant à réduire au silence les dissidents.** À la fin de l'année, 12 de ces personnes s'étaient vu accorder une mesure de substitution à la détention ; les 10 autres étaient toujours détenues de façon arbitraire alors même que la justice avait ordonné la libération d'un grand nombre d'entre elles.

Parmi les personnes concernées figuraient le député Gilber Caro et la militante Steyci Escalona, tous deux membres du parti d'opposition Volonté populaire, arrêtés de façon arbitraire en janvier après que des hauts responsables du gouvernement les eurent accusés publiquement de mener des « activités terroristes ». Bien qu'il ne puisse pas faire l'objet de poursuites judiciaires sans l'autorisation du Parlement, Gilber Caro a été maintenu en détention arbitraire et déféré à la justice militaire. Steyci Escalona, qui avait été placée en détention provisoire, a obtenu en novembre une libération conditionnelle. Ils n'avaient ni l'un ni l'autre été jugés à la fin de l'année.

**Des centaines de personnes ont signalé avoir été arrêtées de façon arbitraire au cours des manifestations qui ont eu lieu entre les mois d'avril et de juillet.** Un grand nombre d'entre elles n'ont pas été autorisées à recevoir des soins médicaux ou à contacter l'avocat de leur choix, et beaucoup ont été traduites devant des tribunaux militaires. Le nombre de civils déférés à la justice militaire s'est considérablement accru.

En décembre, 44 personnes détenues arbitrairement pour des motifs jugés politiques par des ONG locales ont bénéficié d'une libération assortie d'autres mesures de restriction de leur liberté.

*Torture et autres mauvais traitements*

**De nombreux nouveaux cas de torture et d'autres mauvais traitements ont été signalés.** Wilmer Azuaje, membre du Conseil législatif de l'État de Barinas, a été arrêté en mai. Sa famille a indiqué qu'au cours de sa détention il avait été enfermé dans une pièce où se dégageaient des émanations toxiques, menotté pendant de longues périodes et parfois détenu au secret, autant de conditions constitutives d'un traitement cruel. En juillet, la Cour suprême a ordonné son transfert en résidence surveillée ; toutefois, à la fin de l'année, Wilmer Azuaje était toujours au centre de détention du 26 Juillet, sans qu'aucune charge n'ait été retenue contre lui ni que ses conditions de détention aient connu une quelconque amélioration.

**Selon certains témoignages, durant les manifestations qui se sont déroulées entre avril et juillet, des agents de l'État ont infligé des mauvais traitements à des manifestants lors de leur arrestation. Certains ont été frappés, notamment à coups de poing, ou ont subi des violences sexuelles.**

*Système judiciaire*

**Le gouvernement s'est cette année encore ingéré dans l'exercice du pouvoir judiciaire, en particulier dans des affaires mettant en cause des opposants ou des personnes dont les actions étaient considérées comme contraires aux intérêts des autorités.** Le Service bolivarien de renseignement national a continué de ne tenir aucun compte des décisions de justice demandant le transfert ou la libération de personnes qu'il détenait.

*Deux policiers de la municipalité de Chacao étaient toujours détenus de façon arbitraire depuis juin 2016, alors même que leur remise en liberté avait été ordonnée en août 2016. Douze de leurs collègues, accusés dans la même affaire et détenus comme eux depuis juin 2016, ont été libérés en décembre. En juin 2017, les 14 policiers avaient mené une grève de la faim, pendant 23 jours pour certains, afin d'obtenir que les autorités les remettent en liberté conformément à la décision rendue par la justice<sup>5</sup>.*

*En août, quatre représentants de l'opposition qui avaient été élus à des fonctions publiques ont été arrêtés, et cinq autres ont fait l'objet de mandats d'arrêt. Ces mandats ont été décernés par la Cour suprême selon une procédure non conforme à la loi. Au total, 11 personnes élues à des fonctions publiques par le vote populaire ont été démisées de leurs fonctions à l'issue de procédures irrégulières.*

#### *Prisonnières et prisonniers d'opinion*

*Leopoldo López, dirigeant de Volonté populaire, un parti d'opposition, et prisonnier d'opinion, a été placé en résidence surveillée en août. Pendant sa détention à la prison militaire de Ramo Verde, à Caracas, des violences à son encontre avaient été signalées à plusieurs reprises ; il avait notamment été torturé et privé des visites de ses avocats et de ses proches.*

*Villca Fernández, landinfoiant et militant politique de l'État de Mérida, était toujours détenu arbitrairement par le Service bolivarien de renseignement national à Caracas. Ce prisonnier d'opinion s'est vu refuser des soins médicaux urgents à plusieurs reprises et a signalé avoir subi d'autres mauvais traitements depuis son incarcération en janvier 2016. [...]*

#### *Détention*

***Malgré les réformes du système pénitentiaire de 2011, les conditions carcérales demeuraient extrêmement rudes. Le manque de soins médicaux, de nourriture et d'eau potable, les problèmes sanitaires, la surpopulation ainsi que la violence dans les prisons et les autres lieux de détention persistaient. Il demeurait courant que les détenus aient recours à des armes à feu lors de flambées de violence dans des centres pénitentiaires. De nombreux détenus ont mené une grève de la faim pour protester contre leurs conditions de détention.*** »  
Quelle: Amnesty International (AI), Rapport 2017/2018 - Venezuela, 1. Februar 2018: [www.amnesty.org/fr/countries/americas/venezuela/report-venezuela/](http://www.amnesty.org/fr/countries/americas/venezuela/report-venezuela/).

BBC, 9. Mai 2017:

***«Venezuela's opposition, non-government organisations and international bodies have accused the government of using military courts against its critics.***

*The courts have detained at least 50 protesters, according to a local human rights organisation. The secretary general of the Organisation of American States (OAS) likened the country to a dictatorship. **Government officials have not confirmed the arrests or the military processing of civilian suspects.***

*Meanwhile, official figures show there has been a sharp rise in infant mortality and maternal death rates in the country as its economic crisis continues.*

*Military assembly plan*

**"The right and basic guarantees of due process no longer exist in Venezuela from the moment a civilian is forced to appear before a military court," said Luis Almagro, the Uruguayan head of the OAS, in a video statement on Monday.**

Venezuela announced its withdrawal from the OAS last month, accusing the US-based group of meddling in its affairs.» Quelle: BBC, Venezuela military courts 'used against protesters', 9. Mai 2017: [www.bbc.com/news/world-latin-america-39858057](http://www.bbc.com/news/world-latin-america-39858057).

Freedom House, 2. Februar 2018:

**«Venezuela's democratic institutions have deteriorated since 1999, but conditions have grown sharply worse in recent years due to a concentration of power in the executive and harsher crackdowns on the opposition. Following a strong performance by the opposition in 2015 legislative elections, the legislature's powers were curtailed by a politicized judiciary, and in 2017 the body was supplanted by a new National Constituent Assembly that serves the executive's interests. Government corruption is pervasive, and law enforcement has proven unable to halt violent crime. The authorities have restricted civil liberties and prosecuted perceived opponents without regard for due process. [...]**

**Members of the opposition continue to be harassed, imprisoned, and otherwise impeded from participating in the political process. Opposition leader Leopoldo López was moved to house arrest in July 2017 after spending more than three years in prison on spurious charges. Dozens of other political leaders have been subjected to harassment, including Capriles, who in April was banned from holding public office for 15 years due to alleged financial "irregularities." López and former Caracas mayor Antonio Ledezma, who was also under house arrest, were taken from their homes by security officials in August for speaking publicly against the vote for the National Constituent Assembly, which violated the terms of their detention; both were eventually returned to house arrest, though Ledezma was able to flee to Spain in November. At least five mayors were removed from office in August for failing to stop protesters from blocking roads earlier in the year; they included David Smolansky, mayor of El Hatillo in Caracas, who was also sentenced to 15 months in jail.**

**The number of political prisoners increased from 103 at the end of 2016 to over 600 in July 2017. Most were later released, leaving about 200 behind bars at year's end. [...]**

*In recent years, the government has repeatedly aired illegally intercepted conversations of opposition members. Ordinary Venezuelans have become more reticent about calling attention to their political views in situations where they might be overheard. [...]*

**Although freedom of peaceful assembly is guaranteed in the constitution, in practice this right is not protected. Widespread antigovernment protests in 2017 gave way to violent clashes with security forces, leading to injuries for more than 1,900 people and, according to the nongovernmental organization (NGO) Foro Penal, the deaths of 136 people between April and September, at least 102 of whom were apparently killed directly by**

**security forces or state-affiliated colectivos. At year's end, many of those arrested at the demonstrations remained in custody. [...]**

**Activists and NGOs are routinely harassed, threatened, and subject to legal and administrative sanctions for their work. The government has sought to undermine the legitimacy of human rights organizations and other civil society groups by questioning their international ties. Dozens of civil society activists have been physically attacked in recent years. [...]**

**Opponents of the government and ruling party are routinely detained and prosecuted without regard for due process.**

**In recent years, the Bolivarian National Intelligence Service (SEBIN) has increasingly carried out policing functions and arrested opposition politicians and journalists without informing the Public Ministry or presenting official charges. The military has also assumed roles previously reserved for civilian law enforcement institutions, and foreign governments allege that the military has adopted a permissive attitude toward drug trafficking.**

*In August 2017, the National Constituent Assembly dismissed prosecutor general Luisa Ortega, a former Maduro ally who in the preceding months had become critical of his administration, denouncing the TSJ's attempts to undermine the elected legislature and speaking out in defense of antigovernment protesters. She fled the country following her dismissal, saying she feared for her life.» Quelle: Freedom House, Freedom in the World 2018 - Venezuela, 2. Februar 2018: [www.refworld.org/docid/5a784f3b26.html](http://www.refworld.org/docid/5a784f3b26.html).*

HCDH, Juni 2018:

**«This report provides an update on the main human rights violations documented in the report "Human rights violations and abuses in the context of protests in the Bolivarian Republic of Venezuela from 1 April to 31 July 2017" published by the UN Human Rights Office (OHCHR) in August 2017. It addresses in particular issues of accountability and access to justice for victims of serious human rights violations and their families. The report also documents human rights violations committed by State authorities since August 2017, including the use of excessive force in non-protest related security operations, new instances of arbitrary detentions, torture and ill-treatment, as well as violations of the rights to the highest attainable standard of health and to adequate food. Further, the report documents human rights violations, such as alleged extrajudicial killings, arbitrary detentions, and torture and ill-treatment, committed by State authorities since 2014. The information gathered by OHCHR indicates that human rights violations committed during demonstrations form part of a wider pattern of repression against political dissidents and anyone perceived as opposed, or posing a threat, to the Government.**

*As the Venezuelan Government did not grant OHCHR access the country, the information was collected through remote monitoring. This included 150 interviews with victims and witnesses, as well as civil society representatives, journalists, lawyers, medical doctors and academics, and the review of numerous reports and information from a range of sources.*

*Access to justice for protest-related killings*

*Since the change of Attorney-General in early August 2017, State authorities have failed to act with due diligence to promptly and effectively investigate the excessive use of force and the killings of protestors by security forces, punish the alleged perpetrators, and establish chain of command responsibilities of senior authorities, in violation of victims' and families' rights to truth and justice. The relatives of 19 victims killed during protests in 2017 interviewed by OHCHR all stated they had lost trust in the justice system and did not expect the Government would provide genuine accountability.*

*Security forces, particularly the Bolivarian National Guard, blocked the efforts of the former Attorney-General and her Office to identify alleged perpetrators. OHCHR identified cases in which evidence was not integrated or disappeared from case files. It also documented cases where security forces allegedly responsible for the extrajudicial killings of demonstrators were released despite judicial detention orders or were held in police or military compounds where they were free to move around and were not treated as detainees. In the few cases where alleged perpetrators were identified and deprived of their liberty, unjustified judicial delays punctuated the proceedings. OHCHR received information on only one case where investigations had led to the opening of the trial of the alleged perpetrators. Moreover, none of the relatives of victims interviewed by OHCHR trusted the Commission on Truth, Justice, Peace and Public Tranquillity, created by the Constituent Assembly in August 2017, as they considered it lacked independence and impartiality.*

*Excessive use of force and killings in other types of security operations*

***OHCHR found that security forces' excessive use of force during demonstrations is one aspect of a larger problem of excessive use of force in security operations in general that has been ongoing since at least 2012.*** *Since July 2015, State authorities have used security operations known as Operations for the Liberation of the People (OLPs) as an instrument to showcase alleged results in crime reduction. OHCHR identified a pattern of disproportionate and unnecessary use of force by security forces in these operations, which resulted in high numbers of killings that could constitute extrajudicial executions. From July 2015 to March 2017, the Attorney-General's Office recorded the killing of 505 people, including 24 children, by security forces during OLPs. OLPs were also characterized by high levels of impunity. Indeed, the Bureau for Scientific, Criminal, and Forensic Investigations, allegedly responsible for most of the killings during OLPs, is also in charge of conducting forensic examinations in all violent deaths.*

*The pattern of violations identified during OLPs was also observed during the security operation that led to the killing of 39 detainees in the detention centre of Amazonas in August 2017, as well as during the security operation that resulted in the killing of seven members of an alleged armed group in the area of "El Junquito" in January 2018. Information gathered by OHCHR indicated that in both cases security forces used excessive force and tampered with the scene and evidence so that the killings would appear as having resulted from the fire exchanges.*

*Arbitrary detentions and violations of due process guarantees*

***OHCHR observed that, since the end of July 2017, security forces, notably the intelligence services, have continued to use arbitrary and unlawful detentions as one of the main tools to intimidate and repress the political opposition or any person perceived as***

*a threat to the Government for expressing dissent or discontent. These detentions were, however, more selective than during the period of mass protests. Persons arbitrarily deprived of their liberty included political and social activists, students, human rights defenders, media workers, and members of the armed forces. According to civil society records, at least 570 persons, including 35 children, were arbitrarily detained from 1 August 2017 to 30 April 2018. OHCHR identified recurrent violations of due process, including incommunicado detention, brief enforced disappearances, severe restrictions to the right to an adequate defence, and unjustified judicial delays. “Talking about criminal proceedings is illusory because there are absolutely no legal guarantees,” said one lawyer. Civilians also continued to be processed before military courts. In a number of cases, persons were deprived of their liberty despite a judicial release order in their favour.*

*According to civil society, at least 12,320 political opponents or persons perceived as either opposed, or posing a threat, to the Government were arbitrarily detained from January 2014 to April 2018. Of those, more than 7,000 have been released on the condition that they abide by a number of measures restricting their freedoms. They still face lengthy criminal trials, including in some cases before military tribunals. Many are living in fear of being re-arrested and some have left the country.*

*Torture, ill-treatment and conditions of detention*

*For this report, OHCHR documented over 90 cases of persons arbitrarily deprived of their liberty and subjected to one or more forms of cruel, inhuman or degrading treatment, which in many cases could constitute torture, prior to, during, and after the 2017 wave of mass protests. Security forces, notably members of the SEBIN, the DGCIM and the GNB, resorted to such measures to intimidate and punish the detainees, as well as to extract confessions and information. The most serious cases generally took place on the premises of the SEBIN, the DGCIM and the military throughout the country. In some cases, people were held in unofficial detention places. Ill-treatment and torture documented included electric shocks, severe beatings, rape and other forms of sexual violence, suffocation with plastic bags and chemicals, mock executions and water deprivation. “I’m not the only one – there are many more [victims] throughout Venezuela,” said a man arbitrarily arrested and raped by security forces. OHCHR also documented cases of cruel, inhuman or degrading treatment of detainees’ families. OHCHR observed that conditions of detention of persons deprived of their liberty did not meet basic international standards for the humane treatment of detainees and often constituted in and of themselves cruel, inhuman or degrading treatment. Overcrowding is rife and the infrastructure is insalubrious. In many detention centres across the country, detainees have limited access to food and water, including drinking water, which has to be provided by their relatives. Further, OHCHR found that a number of detainees were in poor health, but were **denied medical care in a manner that constituted a violation of their rights to health**, to physical integrity and to be treated with humanity.*

*According to OHCHR’s findings, impunity for acts of torture and ill-treatment prevails, as the authorities have failed to promptly and effectively investigate credible allegations of torture and ill-treatment, bring the alleged perpetrators to justice, and provide reparations to the victims. The cases documented by OHCHR, together with the information gathered, indicate that the ill-treatment and torture of persons deprived of their liberty for their political opinions and/or for exercising their human rights were not isolated incidents.*

*To the contrary, the same forms of ill-treatment have been documented to have been committed by members of different security forces throughout the country, in different detention centres, reportedly, with the knowledge of superior officers, demonstrating **a clear pattern**.*

*Attacks and restrictions on democratic space*

***The report finds that, since the end of the 2017 mass protests, State authorities have continued to intimidate and repress the political opposition and any person expressing dissenting opinions or discontent, but in a more targeted way than during the demonstrations. In 2017 and during the first months of 2018, OHCHR recorded attacks against leaders and members of opposition parties, including elected representatives, as well as social activists, students, academics and human rights defenders. Senior authorities often publicly accused them of terrorism, treason and other serious crimes. “The regime has a file with my name on it,” said a political activist from the state of Lara. The victims were harassed, stigmatized, intimidated, threatened and/or physically attacked by government authorities, including security forces, and/or pro-government individuals. In some cases, they were arbitrarily detained, ill-treated or tortured, and reportedly charged with groundless crimes.***

***OHCHR further documented recurrent violations of the rights to freedom of opinion, expression, peaceful assembly, and association. Civil society organisations working on human rights issues are also facing increasingly difficult conditions in which to operate and human rights defenders have been subjected to smear campaigns, threats, harassment and surveillance, and, in a few cases to arbitrary detention and ill-treatment or even torture, for carrying out their legitimate work. This has led to a general climate of fear. “Every day the fear of retaliation for doing one’s job is greater,” said a human rights lawyer. »***  
Quelle: Bureau du Haut-Commissariat aux droits de l'homme (HCDH), Human Rights Violations in the Bolivarian Republic of Venezuela: a downward spiral with no end in sight, Juni 2018, S. ii-iv: [www.ohchr.org/Documents/Countries/VE/VenezuelaReport2018\\_EN.pdf](http://www.ohchr.org/Documents/Countries/VE/VenezuelaReport2018_EN.pdf).

HCDH, August 2017:

*«On 6 June 2017, the Office of the United Nations High Commissioner for Human Rights (OHCHR) established a team to document and report on human rights violations in the context of mass protests in the Bolivarian Republic of Venezuela between 1 April and 31 July 2017. In the absence of authorization from the Government to enter the country, the OHCHR team conducted remote monitoring activities in the region that included 135 interviews with victims and their families, witnesses, representatives of non-governmental organizations (NGOs), journalists, lawyers, doctors, first responders and the Attorney General’s Office. OHCHR received written information from the Ombudsperson’s Office and the Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations in Geneva.*

***OHCHR’s findings detailed in this report point to an increasingly critical human rights situation since the protests began, with mounting levels of repression of political dissent by national security forces, and increasing stigmatization and persecution of people perceived as opposing the Government of President Maduro. OHCHR documented extensive violations of human rights by national authorities in the context of country-wide demonstrations aimed at curbing any type of anti-government protests. OHCHR found that security forces systematically used excessive force and arbitrarily detained protesters.***

**Patterns of ill-treatment, in some cases amounting to torture, and serious violations of due process rights of persons detained in connection with the protests by Venezuelan authorities were also documented.**

Credible and consistent accounts of victims and witnesses indicate that security forces systematically used excessive force to deter demonstrations, crush dissent and instil fear. The Bolivarian National Police (PNB) and the Bolivarian National Guard (GNB), which is part of the armed forces, used tear gas and other less lethal weapons, such as water cannons and plastic pellets, during demonstrations without prior warning, in a non-progressive manner, and in violation of the international legal principles of necessity and proportionality. Less lethal weapons were also used systematically in a manner intended to cause unnecessary harm, for example security forces shot tear gas grenades directly at demonstrators at short range and manipulated ammunition to make them more harmful. OHCHR also documented the use of lethal force against protestors by security forces. Authorities rarely condemned incidents of excessive use of force, in most cases denied security forces were responsible for such incidents, and repeatedly labelled demonstrators as “terrorists.”

As of 31 July, the Attorney-General’s Office was investigating 124 deaths in the context of demonstrations. OHCHR found that security forces (mainly the GNB) were allegedly responsible for at least 46 of these killings. According to the government, nine security officers were also killed in the context of demonstrations.

No official data on the number of detentions connected to the protests is publicly available. **According to NGO sources, 5,051 individuals, including 410 children, were arbitrarily detained between 1 April and 31 July, with more than 1,300 persons still in detention as of 31 July. OHCHR found that some detentions may have constituted enforced disappearances, as the authorities refused to acknowledge, for an initial period of time, the fate or whereabouts of the detainees.**

Security forces regularly used excessive force at the moment of arrest and in a majority of detention cases documented by OHCHR. **Detainees were often subjected to cruel, inhuman or degrading treatment or punishment and, in several cases documented, the ill-treatment amounted to torture.** Treatment included the use of electric shocks, severe beatings, stress positions, suffocation, and threats of sexual violence and death, and intended to punish, humiliate and terrorize the detainees, as well as to extract confessions and information about alleged anti-government activities. OHCHR identified a pattern of serious violations of due process in the cases of detention documented, including lack of arrest warrants, incommunicado detention, lack of access to legal counsel, and breaches of the principle of presumption of innocence. Over 600 civilians detained in the context of the demonstrations were subjected to military jurisdiction, and charged with military offences, in violation of fair trial guarantees under international human rights law.

OHCHR documented a pattern of violent and illegal house raids throughout the country. The raids usually involved intentional and unnecessary destruction of private property. The violent way the raids were conducted suggests that security forces intended to instil fear within communities and deter them from further protests.



**Authorities systematically violated the right of peaceful assembly, mainly by repressing protests, criminalizing individuals who exercise this right and by imposing undue restrictions on this right.**

OHCHR received consistent accounts from journalists and media workers that security forces targeted them including by shooting buckshot and tear gas grenades directly at them, detaining them and stealing their equipment, to prevent them from covering demonstrations. OHCHR also received numerous accounts about the activities of pro-Government armed groups (armed colectivos) in the context of protests. **According to these accounts, armed colectivos routinely broke into protests riding motorcycles and carrying firearms. They harassed, attacked and shot at demonstrators, media workers and by-standers. They also arrested demonstrators and participated in violent house raids. Witnesses and sources reported how these groups had been operating with the acquiescence of, and sometimes in coordination with, security forces and local authorities.** According to OHCHR estimates, armed colectivos are allegedly responsible for at least 27 killings during recent demonstrations.

Loosely organised groups of anti-Government protestors have resorted to violent means, in some cases targeting security forces, vehicles and government offices. At least four people were allegedly killed by anti-government groups or individuals.

The worsening human rights situation described in this report is taking place within a wider severe economic and social crisis in the country and an increasingly unstable and polarized national political situation. At the end of the report, OHCHR offers recommendations to State authorities aimed at preventing further violence and human rights violations and in support of political dialogue, and urges the Venezuelan authorities to implement them without delay. OHCHR continues to request full and unfettered access to the Bolivarian Republic of Venezuela to assess the human rights situation in the country and stands ready to engage in dialogue with the Venezuelan government, including on technical cooperation.» Quelle: HCDH, Human rights violations and abuses in the context of protests in the Bolivarian Republic of Venezuela from 1 April to 31 July 2017, August 2017, S. ii-iii: [www.ohchr.org/Documents/Countries/VE/HCREportVenezuela\\_1April-31July2017\\_EN.pdf](http://www.ohchr.org/Documents/Countries/VE/HCREportVenezuela_1April-31July2017_EN.pdf).

HRW, 3. September 2018:

**«The current exodus of Venezuelans has generated the largest migration crisis of its kind in recent Latin American history. More than 2.3 million Venezuelans have left their country since 2014, according to the United Nations, and many others have left whose cases have not been registered by authorities.**

**Venezuelans are fleeing their country for multiple reasons. Severe shortages of medicine, medical supplies, and food make it extremely difficult for many families to have access to the most basic health care and to feed their children. A ruthless government crackdown has led to thousands of arbitrary arrests, hundreds of prosecutions of civilians by military courts, and torture and other abuses against detainees. Arbitrary arrests and abuses by security forces, including by intelligence services, continue. Extremely high rates of violent crime and hyperinflation are also key factors in many people's decision to leave the country.**

*The massive flow of people leaving Venezuela is one of the major challenges that governments in the Americas face today. Over the past two years, many of these governments have made exceptional efforts to welcome Venezuelans fleeing persecution, violence, and severe material deprivation. More recently, however, some countries have been shifting to a harder line, making it more difficult for Venezuelans to apply for legal status. Some of these moves could put the rights of Venezuelan asylum seekers in jeopardy. Recent incidents of xenophobic violence, and a climate that threatens to give rise to more of those attacks, are also a growing concern.*

***The political, economic, human rights, and humanitarian crisis in Venezuela creates a mix of factors that cause Venezuelans to leave the country and makes them unable or unwilling to return. Some of these factors alone may qualify a person for refugee status, while for some others the cumulative impact of various factors could give rise to a valid claim for refugee status. In other cases, individuals fleeing Venezuela may not be able to claim refugee status but would face severe hardship if returned to Venezuela and are in urgent need of humanitarian assistance in the countries to which they have migrated.***

*Under the terms of the 1951 Refugee Convention, refugee status is contingent on a well-founded fear of persecution based on racial, religious, political or certain other grounds. In Latin America, however, non-binding regional norms as well as the domestic laws of some states embrace a broader eligibility for asylum. In particular, 15 regional states have incorporated the 1984 Cartagena Declaration, which provides guidance to Latin American states in developing their refugee protection frameworks, into domestic law. In addition to their obligations under the Refugee Convention, these governments also cannot forcibly return people to their country of origin if they meet the Declaration's criteria for refugee status.*

*Of particular relevance to the situation in Venezuela, the Cartagena Declaration includes as refugees people fleeing "massive violation of human rights or other circumstances which have seriously disturbed public order." The United Nations High Commissioner for Refugees (UNHCR), when interpreting the meaning of the clause "other circumstances which have seriously disturbed public order" noted that this phrase "is the least frequently applied by national adjudication bodies when determining refugee claims under the Cartagena refugee definition." States need to carefully consider, in some cases without much in the way of domestic precedent to draw on, the extent to which their laws give rise to valid claims of protection by Venezuelans who have fled the country for humanitarian reasons rooted in the ongoing crisis. In a preliminary ruling, a Brazilian Supreme Court judge recently ruled that incorporating the expanded definition of the Cartagena Declaration into domestic law generates a "duty of humanitarian protection" with regard to Venezuelans seeking refuge in Brazil.*

*For its part, the UNHCR has argued that "the broad circumstances leading to the outflow of Venezuelan nationals fall within the spirit of the Cartagena Declaration." In addition, **UNHCR has stated that while not all Venezuelans left for refugee-related reasons, "it is becoming increasingly clear that a significant number [of Venezuelans] are indeed in need of international protection," and are now unable or unwilling to return. [...]***

*According to the United Nations, **more than 2.3 million Venezuelans left Venezuela between 2014 and 2017.** However, given the number of Venezuelans who leave their country through irregular border crossings, and those who have not yet been able to obtain legal status, it is likely that many more have left in recent years. **The total Venezuelan population is estimated to be around 32 million. According to UNHCR, over 298,000 are asylum seekers and more***

**than 567,000 obtained other forms of legal stay in various countries, which means that the rest—over one million Venezuelans—remain in an irregular situation. [...]**

**The number of Venezuelan applicants for international protection in the European Union increased from 325 in 2014 to 11,980 in 2017. In April 2018, Venezuela appeared for the first time in the list of top five countries of origin of asylum applicants in the EU. During that month, 2,324 Venezuelans filed applications for international protection in the European Union, a 62 percent increase from March. In June, Venezuelan applicants lodged fewer applications than in May (when 3,070 were lodged), but applications were still at a much higher level than at the beginning of the year. 17 Venezuelans had a very small share of repeat applications, which suggests that they tended to be newly arrived in the European Union.**

*In 2016 and 2017 alone, more than 40,000 Venezuelans arrived in Spain, where the largest number of Venezuelans have arrived in Europe. In those years, more Venezuelans filed asylum requests than nationals of any other country. According to official statistics, 10,350 Venezuelans requested asylum in 2017—up from 3,960 in 2016 and 596 in 2015. More than 26,000 Venezuelans have sought asylum in Spain since 2014.» Quelle: Human Rights Watch (HRW), The Venezuelan exodus - The Need for International Protection and the Region's Response, 3. September 2018, S. 1-8, [www.hrw.org/sites/default/files/report\\_pdf/venezuela0918\\_web.pdf](http://www.hrw.org/sites/default/files/report_pdf/venezuela0918_web.pdf).*

HRW, 29. November 2017:

**«In April 2017, tens of thousands of people took to the streets in Venezuela to protest against the government-controlled Supreme Court's attempt to usurp the powers of the country's legislative branch. Demonstrations quickly spread throughout the country and continued for months, fueled by widespread discontent with the authoritarian practices of President Nicolás Maduro and the humanitarian crisis that has devastated the country under his watch.**

**The government responded with widespread violence and brutality against anti-government protesters and detainees, and has denied detainees' due process rights. While it was not the first crackdown on dissent under Maduro, the scope and severity of the repression in 2017 reached levels unseen in Venezuela in recent memory.**

*Security forces and armed pro-government groups attacked protesters in the streets, using extreme and at times lethal force, causing dozens of deaths and hundreds of injuries. Authorities detained thousands of protesters and bystanders, many of whom have been subsequently prosecuted in military courts.*

*The crackdown has extended beyond the protests, with government intelligence agents pulling people from their homes or detaining them on the streets even when no demonstrations were taking place.*

**Once detained, government agents have subjected opponents to abuses ranging from severe beatings to torture involving electric shocks, asphyxiation, and other techniques.**

*This joint report by Human Rights Watch and the Penal Forum, based on in-country research, documents 88 cases involving at least 314 people who were victims of serious human rights*

violations during the crackdown between April and September 2017. These abuses were committed by different security forces and armed pro-government groups known as *colectivos* in Caracas and 13 states—Anzoátegui, Aragua, Carabobo, Barinas, Bolívar, Lara, Mérida, Miranda, Monagas, Sucre, Táchira, Vargas, and Zulia.

While Human Rights Watch and the Penal Forum have, to date, been unable to determine the full scope of human rights violations committed during the crackdown, **our research shows that the abuses were not isolated cases or the result of excesses by rogue security force members. On the contrary, the fact that widespread abuses by members of security forces were carried out repeatedly, by multiple security forces, in multiple locations across 13 states and the capital—including in controlled environments such as military installations and other state institutions—over the six-month period covered by this report, supports the conclusion that the abuses have been part of a systematic practice by the Venezuelan security forces.**

Our findings are broadly consistent with those of the Office of the High Commissioner for Human Rights (OHCHR), which in August 2017 reported “the existence of a policy to repress political dissent and instill fear in the population to curb demonstrations” in Venezuela. In its report, the OHCHR stated that it found “a picture of widespread and systematic use of excessive force and arbitrary detentions against demonstrators,” as well as “patterns of other human rights violations, including violent house raids, torture and ill-treatment of those detained in connection with the protests.”

Despite the overwhelming evidence of human rights violations, we found no evidence that key high-level officials—including those who knew or should have known about the abuses—have taken any steps to prevent and punish violations. On the contrary, they have often downplayed the abuses or issued implausible blanket denials. These high-level officials bear responsibility for pervasive, serious abuses being committed on their watch.

The government has repeatedly blamed the violence on the protesters. There have indeed been credible reports of violence by some protestors, and governments not only have a right but an obligation to bring the perpetrators of such violence to justice. It is, nonetheless, unlikely that any opponent accused of crimes would receive a fair trial today in Venezuela, given the **absence of judicial independence in the country.**

The violent abuses compiled in this report were not carried out by security force personnel who were under attack or threatened with violence. **This report describes acts of torture and other violent brutality carried out against people who were in the custody of security forces, as well as acts of disproportionate violence and deliberate abuse carried out against people at protests, in the streets, and even in their own homes.**

During 2017, democratic governments throughout the region and elsewhere have spoken out about the crackdown on peaceful expression and protest in Venezuela. It is urgent that they redouble multilateral pressure on the Venezuelan government to ensure it releases those who were arbitrarily arrested, drops charges in cases in which detainees were subject to politically-motivated prosecutions, and holds accountable those responsible for human rights violations. If the Venezuelan government proves unable or unwilling to do so, they should push for accountability abroad.

#### *Torture and Other Cruel, Inhuman, or Degrading Treatment of Detainees*

***In 53 cases involving at least 232 people documented in this report, detainees were subjected to physical and psychological abuse, with the apparent purpose of either punishing them or forcing them to incriminate themselves or others. Most of these abuses have been carried out at bases of the Bolivarian National Guard (Guardia Nacional Bolivariana, GNB) or headquarters of the Bolivarian National Intelligence Services (Servicio Bolivariano de Inteligencia Nacional, SEBIN). In some of these cases, the abuses suffered by detainees clearly constituted torture.***

#### ***These include:***

- ***Electric shocks;***
- ***Severe beatings;***
- ***Being hung in stress positions;***
- ***Sleep deprivation;***
- ***Asphyxiation; and,***
- ***Sexual abuse, including in some cases rape.***

*In other cases, security forces have engaged in abuses that included detonating teargas canisters in closed environments where detainees were being held, holding detainees for prolonged periods of time with other detainees in small confinement cells, and denying them access to food or water or forcing them to eat raw pasta mixed with excrement or other food deliberately tainted with cigarette ashes or insects.*

*Security agents have also denied or failed to provide access to medical treatment to some detainees who had preexisting medical conditions or suffered serious injuries during their arrest and subsequent detention—including being shot with pellets at very close range.*

*This report describes in detail seven cases of detainees who were tortured. These cases illustrate how far security agents have been willing and able to go to punish or intimidate detainees. It also includes dozens of other cases where victims were subject to cruel, inhuman, and degrading treatment while in detention, including some that may also rise to the level of torture.*

#### *Arbitrary Arrests and Prosecutions*

*Since early April, more than 5,400 people have been detained in the context of massive anti-government demonstrations in Venezuela, according to data gathered by the Penal Forum.*

*While those arrested included demonstrators, bystanders, and people filming demonstrations—as had happened during the suppression of protests in 2014—**this year saw an increase in the number of detentions carried out by intelligence or security agents in incidents completely unrelated to the protests. Those detained in such cases were political opponents, including lesser known activists, or people whom the government claimed had links to the political opposition. In some of these politically motivated prosecutions, detainees were taken away from homes or arrested hours or days after demonstrations in unrelated incidents.***

*In most cases of arrests documented by Human Rights Watch and the Penal Forum, detaining agents belonged to the GNB, SEBIN, the Bolivarian National Police (Policía Nacional Bolivariana, PNB), or state police forces. Often, detainees were not informed of the reasons for their*

arrests, and sometimes were not told who was detaining them. **In some cases, the detentions were carried out by members of armed pro-government groups called colectivos, who then handed over detainees to security forces.**

*In several cases, those arrested described being driven around and parked in different places for hours—a practice called “spinning around” or “ruletear” in Venezuela—instead of being taken directly to a detention center or before a judge. During this period, security forces often harassed and threatened detainees, at times putting them in armored vehicles and detonating teargas canisters inside the vehicles, rubbing teargas powder on their faces, or subjecting them to heavy beatings. Security agents and members of colectivos sometimes stole such personal belongings as money or cell phones from detainees during arrests.*

*Many detainees were released without being brought before a judge, but thousands of others were subject to arbitrary prosecutions that lacked the most basic due process guarantees. In addition to those who remain behind bars, according to the Penal Forum, 3,900 people are still subject to arbitrary criminal prosecutions and to precautionary measures that limit their freedom in different ways. At least 757 civilians were prosecuted by military courts, in violation of Venezuelan and international law. Others were brought before civilian courts without adequate access to lawyers or families to face prosecutions based on what they claimed was planted evidence. Dozens remained behind bars for periods of up to several months, despite having a judicial order for their unconditional release or a judicial order for their release on bail. [...]»  
Quelle: Human Rights Watch (HRW), Crackdown on dissent : Brutality, Torture, and Political Persecution in Venezuela, 29. November 2017: [www.hrw.org/sites/default/files/report\\_pdf/venezuela1117web\\_0.pdf](http://www.hrw.org/sites/default/files/report_pdf/venezuela1117web_0.pdf).*

MercoPress, 13. Oktober 2018:

*«Activist Lorent Gomez Saleh has been freed and secretly transferred by Venezuelan authorities to the international airport of Maiquetía, one hour from Caracas, to be “referred” to Spain.*

***Arrested since 2014, Saleh was detained by the Bolivarian National Intelligence Service (Sebin) and was banished by order of the self-proclaimed Truth Commission of the National Constituent Assembly (ANC) after a statement released on the government television VTV. The student leader, president of the NGO Operation Freedom and winner of the 2017 Sakharov Prize, was never proven any crime after his audience was deferred more than half a hundred times.***

*For the mother, Yamile Saleh, it was not possible to meet him, she only received a phone call in which he heard his voice from the prison where Gómez Saleh was detained, waiting to meet his son after knowing unofficially on Friday that the activist would be released.*

*According to the statement issued by VTV, Saleh was subjected to various psychological evaluations in which he had manifested “violent, destructive and suicidal” behaviors that put his life at risk.*

***The exile of Saleh has been described as unconstitutional, by the NGO Penal Forum.»***

Quelle: MercoPress, Student leader banished from Venezuela; pressures rise by case Alban, 13. Oktober 2018: <http://en.mercopress.com/2018/10/13/student-leader-banished-from-venezuela-pressures-rise-by-case-alban>.

Miami Herald, 16. November 2017:

*«For more than a decade, Alfredo Romero has been keeping tabs on people that Venezuela authorities have been doing their best to bury: political prisoners languishing in jail.*

*The number this week: 342.*

**“Since 2014 until now, there have been 11,903 people detained for political motives,”** Romero said this week as he traveled to the U.S. to receive the 2017 Robert F. Kennedy Human Rights Award on Thursday. *“You go to any political rally and ask anyone if they know someone who has been arrested for protesting and they will all tell you they do.”*

**Amid the country’s spectacular economic collapse and political turmoil, detentions have become a key strategy for the socialist administration to sideline and cow adversaries. Political arrests also have become one of the factors forcing hundreds of thousands to leave the country in recent years — an exodus that is reshaping the hemisphere and South Florida.**

*South Florida exiles*

*The Miami-based organization Politically Persecuted Venezuelans Abroad, or Veppex, estimates that there are anywhere from 45,000 to 50,000 Venezuelans in Florida who have been granted, or are seeking, some type of political protection.*

*Romero and the group he founded, Foro Penal Venezolano, began tracking arbitrary and political detentions in 2005. In a country where official information is hard to come by, the organization relies on more than 4,000 volunteers to hunt down and identify prisoners.*

*That job has been particularly crucial during periods of street protests, most recently in April, when authorities in President Nicolás Maduro’s government tossed hundreds of marchers in jail without hearings or notifying relatives. At one point, there were more than 700 people behind bars for participating in largely peaceful street demonstrations.*

**While the total number of prisoners is down from those highs, Romero said it’s not necessarily a sign of progress.**

**The government seems to be imprisoning more people but for shorter periods of time, expanding the “intimidation impact,” he said.**

**“There’s a revolving door effect. While some are being detained others are being released,” Romero said. “The government is trying not to have a lot of people in jail at any one time, in order to avoid the political costs.”**

*The government insists it doesn’t punish political dissent. Rather, it says high-profile prisoners like presidential candidate Leopoldo López and Caracas Mayor Antonio Ledezma, who have been jailed or under house arrest for years, are there for good reason.[...]*

*The Venezuelan exile community has been pushing for migratory relief, including Temporary Protected Status, or TPS, in the United States. But as that same protection is being pulled from Nicaraguans and Hondurans, they admit that's unlikely.*

*Romero also said that the U.S. and neighboring countries that denounce Venezuela need to be more welcoming to exiles.*

*"If there's the absolute clarity and understanding that there are human rights abuses [in Venezuela], then there should be the clear understanding that people need protection," he said. "Even if it is temporary."*

*The volunteers at Foro Penal have paid a price for their work, Romero said. Some have been jailed. Many have been intimidated.*

*In 2015, the Inter-American Human Rights Commission demanded the government of Venezuela provide protection for Romero and another Foro Penal member, saying their "lives and safety are in jeopardy."*

*Romero said he hopes that winning the prestigious human rights award will keep up international pressure on Venezuela and encourage more volunteers — even those in other countries — to work with his organization.*

*"One of our achievements has been our ability to register everyone who has been detained, to have that database, and that's thanks to our 4,000 volunteers identifying people," he said. "And that's had a political cost for the government."» Quelle: Miami Herald, There are 342 political prisoners in Venezuela this week. Here's how we know that, 16. November 2017: [www.miami-herald.com/news/nation-world/world/americas/venezuela/article184803988.html](http://www.miami-herald.com/news/nation-world/world/americas/venezuela/article184803988.html).*

Univision News, 5. Juli 2017:

**«There was virtually no evidence presented to incriminate Carlos Ramírez, a well known student leader in Merida, of trying to overthrow Venezuela's government.**

**No witnesses appeared at his hearing at a military court.** Yet a police declaration, which said that he had screamed out anti governments slogans and invited others to disobey Venezuelan laws, was all the judge needed to order his imprisonment.

**Ramirez was jailed for 45 days while a military prosecutor investigates the alleged subversive activity.**

*"This is an abhorrent violation of his human rights," says Ramírez's lawyer, Pedro Troconez. "He was only protesting peacefully," adds his father, Carlos Alfredo Ramírez.*

**Ramírez is one of dozens of protesters captured by Venezuelan security forces and sent to military courts under dubious circumstances, since a wave of almost daily street protests began in April against President Nicolas Maduro, leaving 80 dead.**

**His prosecution has been plagued with irregularities, and violations of due process, that appear to be common in Venezuela's military courts.**



### *Arrested in May*

*Ramírez's nightmarish journey through Venezuela's military justice system started on May 15, when he was arrested near his apartment in Merida.*

*According to Rafael Mora, a student activist who witnessed the detention, Ramírez was headed to a protest on one of the city's main avenues when a group of around 15 policemen on motorcycles approached him and the group of people he was walking with.*

*"The cops got off their motorcycles and started to point their guns at people" said Mora, who studies with Ramírez at the University of Los Andes. "The crowd dispersed, but our colleague (Ramírez) stayed at the spot because he hadn't committed any crimes."*

*Ramírez, known to his friends as "Pancho," has led dozens of student protests.*

*On three occasions he staged hunger strikes to demand better funding for his state-run university. When former President Hugo Chavez was secretly dying from cancer in 2013, Ramirez joined a group of protesters who chained themselves to the gates of the Supreme Court in Caracas to demand more transparency about his health from Venezuela's government.*

***Mora believes that this type of activity made Ramírez a target for local politicians, who have struggled to contain protests in Merida.***

*"He's a natural leader" says Mora, who has replaced Ramirez as the spokesman for Movimiento 13, a group of activists at the University of Los Andes. "The (Merida) state governor has tried to implicate him in the death of some policemen who died in the 2014 protests, but he never had any proof to back it up."*

***After being detained on May 15, Ramirez was taken to a police station where he was allowed a brief visit from his parents. Then he was transferred to a National Guard base, where communication with his family was cut off.***

### *Moved to another city*

*Two days later, on May 17, Ramírez was put on a military flight to Barquisimeto, a city about 200 miles away. He was given a brief phone call upon arrival, and managed to get through to his girlfriend, Adelmina D'Ambrosio.*

*"He told me that we had half an hour to get him a lawyer," D'Ambrosio recalled. Ramírez was about to be appear at a military court in a city where he didn't know anyone.*

*"It was scary," his girlfriend said. "But he asked me to stay strong."*

***It used to be rare for civilians to be taken military courts in Venezuela, but the practice has become increasingly common since the anti-government protests began.***

***Lawyers say that the use of military courts is a sign that the government is losing its grip over the civil justice system. Venezuela's attorney general, once a staunch loyalist of***

*the ruling party, split with the Maduro administration over a ruling that stripped the National Assembly of its powers at the end of March. Now, her prosecutors are refusing to seek jail time for youths arrested during protests.*

*“So, the government is taking detainees to military courts,” says Gonzalo Himiob, from the Penal Forum, a Venezuelan group that defends political prisoners.*

#### *Accused of treason*

*According to the Penal Forum, Venezuelan security forces have presented 388 civilians at military courts between early April. More than 260 of these detainees were imprisoned while they are being investigated for military crimes.*

*“Treason is the most common crime they are charged with,” says Himiob. “And that can carry a penalty of up to thirty years in prison.”*

***Lawyers say it's a system where the government can easily control outcomes. Judges are picked by the Ministry of Defense, and prosecutors are low ranking officials who are unlikely to make independent decisions.***

*Carlos Ramírez entered his hearing at a military court on May 17 with a military officer as his defense attorney. His girlfriend reacted quickly to his surprise phone call and found two lawyers from the Penal Forum who agreed to defend him. But the judge refused to delay the proceedings to give them time to be present.*

*“We weren't allowed into the hearing,” says Troconez, who coordinates several cases for Penal Forum in Barquisimeto. “After it was done we had to file a complaint so that we could be appointed as his attorneys.”*

#### *Denied documents*

***But that wasn't the only problem. Ramírez's lawyers were not allowed to see the police statement accusing him of treason, nor any other court documents related to his case.***

*“All we know about (the police declaration) is from what he heard during the hearing,” says Troconez. “There is no legal reason for us to be denied access to those documents.”*

*According to Ali Daniels, a Venezuelan legal analyst, these types of obstacles have become common in military courts as a form of intimidation.*

*“The message they want to give you is that everything there works differently than in civilian courts,” Daniels said. “They want each step to be so difficult, that you eventually give up.”*

*Lilia Camejo, a criminal defense lawyer says that she had a similar experience at a military court in Caracas.*

*Camejo had to wait for more than 10 days for a military judge to grant her a certificate that said she represented Sergio Contreras, a protester who was arrested and imprisoned on May*

10. Without that document, Camejo was not allowed to visit her client, who is currently in a military prison.

**“Everything in those courts works differently” said Camejo, who was not allowed to keep copies of court documents, related to her client's case. “They don’t let you go into hearings with your phone, and when they allow you to see the documents, it's in a room where a soldier stands next to you.”**

*Facing 30 year sentence*

**In Ramírez’s case there were even more violations of due process. The student disappeared for three weeks after his first hearing on May 17. His family only found out about his whereabouts on June 5, when an anonymous caller informed them that he was being held at the Fenix military prison in Barquisimeto.**

*Troconez says that Ramírez’s judge had initially ordered for him to be sent to a prison in the central state of Guarico. But the family soon realized he wasn’t held there, and began a desperate search to find their son. For 18 days, they got no information from officials on the student’s whereabouts, despite multiple requests.*

*“We filed a petition with his judge, stating that we had no information on his whereabouts,” Troconez said. “But the judge failed to launch any investigation into the matter.”*

*Now, Ramirez spends his days in isolation. Officials at the Fenix prison have told the family that he will not be allowed any contact with the outside world for his first 30 days at that facility. And that continues to hamper his defense, as his second hearing with a military judge approaches.*

*“It’s another violation,” Troconez said. “We have a constitutional right called due process, that includes the right of prisoners to see their lawyers and have as much technical assistance as they require.”*

**The most likely outcome now, according to Troconez, is for Ramírez to be formally charged with treason at his second hearing. If the judge decides to proceed with the case, Ramírez will spend seven or eight months in prison as he awaits trial. If found guilty of treason, he could be sentenced to up to thirty years in prison. [...] »** Quelle: Univision News, How a student leader was prosecuted in Venezuela’s notorious military courts, 5. Juli 2017: [www.univision.com/univision-news/latin-america/how-a-student-leader-was-prosecuted-in-venezuelas-notorious-military-courts](http://www.univision.com/univision-news/latin-america/how-a-student-leader-was-prosecuted-in-venezuelas-notorious-military-courts).

Washington Post, 2. August 2017:

*«Anacelis Alfaro’s troubles started late last year in the main plaza of Barquisimeto, the quiet capital of Venezuela’s Lara state, on the banks of the Turbio River. Alfaro, 51, was an event planner for a private university there — and an activist for an opposition political party, Popular Will, in charge of organizing working-class neighborhoods throughout Lara. On a sunny day last December, the party was celebrating its anniversary fiesta in the town square. Alfaro’s keynote speech celebrated the role of women in politics, mentioned the arbitrary jailing of opposition party leader Leopoldo López, and urged hope in grim times. She basked in the*

December sunshine, catching up with activists from various states, and went home without a clue that life as she knew it was over.

**The next day, a criminal judge issued a warrant to search the homes of two party activists for “posters and signs” and “other evidence of criminal interest.”** Alfaro, unaware that her apartment was on the list, was visiting friends for the weekend in neighboring Carabobo state. So when the police arrived in the small unit, only her 79-year-old mother, who lived with her, was there to see them ransack the place and to answer questions about Alfaro’s whereabouts.

The warrant did not specify a crime, but a friend with links to the government warned Alfaro to stay away from home. Officers who had interrogated the other activist for two days asked repeatedly where Alfaro was. So she spent a week hiding with friends before taking their advice to flee the country. A friend fetched her passport, and Alfaro flew to Buenos Aires, where, after months of getting her papers in order and seeking work, she found a job making sandwiches in a fast-food restaurant in Argentina’s capital — **exiled for the crime of dissenting.** “I felt like a coward,” Alfaro said when I met her in a Buenos Aires cafe. But, she added, “In jail, I am useless.”

**As Venezuela transforms into a police state, hundreds of thousands are fleeing hardship and persecution.** Historically, this country welcomed immigrants, including many who escaped the Latin American dictatorships of the 1960s and 1970s. (Arrivals from Argentina, Chile and Uruguay increased by 800 percent during that period — a wave that included my parents, who fled Buenos Aires days before the 1976 military coup.) But now the pipeline moves in the opposite direction, and countries around the region are scrambling to return the favor.

**I’ve interviewed dozens of people from the new Venezuelan diaspora in recent months, including professionals, students and members of indigenous communities who left the country by plane, like Alfaro, or on days-long bus rides, or even on foot. They fled in search of food, medical treatment or shelter from persecution.** Argentina has more than doubled the number of temporary resident permits issued to Venezuelans every year since 2014, reaching 35,600 in May 2017, according to Argentine immigration authorities. Chile has more than quadrupled its visas to Venezuelans in recent years, from 1,463 in 2013 to 8,381 in 2015. Peru has received more than 10,000 Venezuelan requests to stay so far in 2017, immigration authorities told Human Rights Watch.

Venezuelans were sixth on the 2014 list of countries whose nationals requested legal residency permits in Uruguay, but they jumped to the first place this year, authorities told Human Rights Watch. Brazil has a backlog of thousands of Venezuelan asylum applications, and Venezuela last year sent more asylum seekers to the United States than any other country (some 18,000, according to reports).

Each of my interviewees gave new meaning to the depth of the political and economic collapse.

Hunger forced Pablo López, a 23-year-old member of the Venezuelan Warao indigenous community, to cross to Brazil. When I interviewed him in February, he was sleeping on the street in a Brazilian border city with 100 of his fellow Warao. Men, women and children lived, cooked and ate in extremely unhygienic conditions there. López earned \$1.40 an hour loading trucks. Other members of his community sold handicrafts or begged on the streets. Everyone I spoke with told me they were better off in Brazil than in Venezuela.

Cancer forced out Ludiskel Mass, a 32-year-old schoolteacher and activist with the opposition party, *A New Time*. Doctors in her hometown of Maracaibo told her in 2015 that vaginal bleeding was probably caused by a cyst, but they lacked the medical supplies to provide a proper diagnosis. Two friends paid for her bus ticket to Lima, where she arrived after a six-day road trip, she told me. In Peru, doctors diagnosed her and operated successfully to remove a uterine cancer. A year later, she moved with her 11- and 12-year old children to Lima.

**Alfaro is sure she would be in prison if she hadn't run. Many activists — the powerful and well-known, as well as the low-profile — have been harassed, detained or threatened with arrest since she fled. Venezuelan Penal Forum, a nonprofit group, counts about 400 political prisoners, and says that, since April, military courts have prosecuted more than 460 civilians, over whom such courts are supposed to have no jurisdiction.**

On July 16, more than 7 million Venezuelans participated in an unofficial plebiscite organized by the opposition with the support of civil society groups, universities and hundreds of volunteers. With their participation, they expressed their opposition to President Nicolás Maduro's proposal for a Constituent Assembly made up of government supporters. About 10 percent did so from abroad. Two weeks later, Maduro went ahead with his plan anyway, erecting a Constituent Assembly with frighteningly wide and vaguely defined powers for an indeterminate amount of time.

**Whether they were fleeing privation or imprisonment, all the people I interviewed thought they'd had no choice but to leave. In Venezuela today, there are no independent institutions left to check executive power. The supreme court, which became an appendix of the Miraflores Palace after former president Hugo Chávez stacked it in 2004, has repeatedly upheld measures that erode Venezuela's democracy and violate fundamental rights. Recently, the court stripped the National Assembly of legislative powers — and instead of insisting on Maduro's adherence to the constitution, the court supported his call to rewrite it. It also rejected every legal challenge brought by Attorney General Luisa Ortega Díaz, a former government loyalist who has begun to speak out against the government. The National Electoral Council, likewise, failed to carry out regional elections that the constitution mandated for 2016 and delayed a referendum to recall Maduro — until the courts shut down the recall effort entirely.**

The Maduro administration has taken advantage of its monopoly on power to arrest and prosecute critics, to disqualify opponents from running for office — and jail them for good measure — to detain or expel journalists, and to take TV channels off the air. Venezuelan security forces, together with armed pro-government groups, have brutally repressed massive anti-government protests, killing dozens, injuring hundreds and detaining thousands.

**Since thousands of Venezuelans took to the streets in early April to protest its growing authoritarianism, the government has responded with a brutal crackdown. Security forces have shot demonstrators at point-blank range with riot-control munitions, run over demonstrators with an armored vehicle, beaten people who offered no resistance and broken into homes of suspected opponents. The security forces have also arbitrarily arrested hundreds of demonstrators, bystanders and critics. [...]» Quelle: Washington Post, Venezuela is imploding. These citizens were desperate to escape, 2. August 2017:**

[www.washingtonpost.com/news/posteverything/wp/2017/08/02/venezuela-is-imploding-these-citizens-were-desperate-to-escape/?utm\\_term=.7bc5a3ab1e46](http://www.washingtonpost.com/news/posteverything/wp/2017/08/02/venezuela-is-imploding-these-citizens-were-desperate-to-escape/?utm_term=.7bc5a3ab1e46).

Die Schweizerische Flüchtlingshilfe SFH setzt sich dafür ein, dass die Schweiz das in der Genfer Flüchtlingskonvention festgehaltene Recht auf Schutz vor Verfolgung einhält. Die SFH ist der parteipolitisch und konfessionell unabhängige nationale Dachverband der Flüchtlingshilfe-Organisationen. Ihre Arbeit finanziert sie durch Mandate des Bundes sowie über freiwillige Unterstützungen durch Privatpersonen, Stiftungen, Kantone und Gemeinden.

SFH-Publikationen zu Venezuela und anderen Herkunftsländern von Asylsuchenden finden Sie unter [www.fluechtlingshilfe.ch/herkunftslander](http://www.fluechtlingshilfe.ch/herkunftslander).

Der SFH-Newsletter informiert Sie über aktuelle Publikationen. Anmeldung unter [www.fluechtlingshilfe.ch/newsletter](http://www.fluechtlingshilfe.ch/newsletter).