

Venezuela: Human rights situation

The human rights situation in Venezuela has deteriorated significantly, due to increased political confrontation and an economy in rapid decline. Criticism regarding human rights from non-governmental, regional and international organisations has intensified. The government, while it has admitted some abuse, has done little to hold those responsible to account.

Political and economic context

The political situation has polarised, particularly since Nicolás Maduro won the highly contested presidential election in 2013 by a slight margin, under accusations of vote rigging by his opponents. Widespread street protests erupted in February 2014 and lasted until June 2014, sparked by the worsening economic and security situation in the country. Inflation is high, food and other basic products are scarce, and Venezuela has one of the highest homicide rates in the world. In 2014 there were no fewer than [9 286](#) public protests, and sporadic demonstrations continue to claim [human lives](#). During these protests, which were brutally suppressed by the security forces, the government and the opposition accused each other of human rights violations. With the popularity of the current President [plummeting](#), the governing coalition has tried to reassert its authority by [extending Presidential powers](#) and [authorising the use of lethal weapons](#) by the armed forces against protesters (in violation of Article 68 of the Constitution).

Main human rights issues

Press freedom: Freedom of the press has deteriorated steadily since the adoption of the [Social Accountability in Radio, Television and Electronic Media Act](#) in 2004. This law, [criticised](#) by the [Inter-American Commission on Human Rights](#) (IACHR) among others, in general terms prohibits the dissemination of content inciting violence or civil disobedience, and [has been used](#) to shut down, or temporarily take off the air, critical broadcasting stations. Journalists documenting the protests in 2014 were victims of abuse by the security forces. While critical reporting still exists, especially in Venezuelan newspapers, [fear of reprisals](#) has led to widespread self-censorship. In 2014, [Reporters without Borders](#) ranked Venezuela 116th out of 180 countries in terms of press freedom.

Crack-down on anti-government protests: Although it has sometimes been [very difficult to assign responsibility](#) for human rights violations in the context of the anti-governmental and anti-Presidential protests of 2014, with some violent acts indeed being committed by the protesters, according to numerous reports the government bears the main responsibility. Aggressive rhetoric used frequently by the government against the opposition further encouraged violence. Excessive force employed by security forces and pro-governmental armed groups, arbitrary detention and even torture of many persons, including numerous bystanders, are widely documented, e.g. in the reports by [Human Rights Watch](#) (HRW) and [Amnesty International](#) (AI). [According to the government](#), 3 351 individuals were detained in relation to the protests, of which 58 remain in custody. Although the government claims to have systematically prosecuted security officials guilty of abuse (15 public security officials have been sentenced), there has been [little accountability](#) according to HRW. Many potential witnesses have been intimidated.

A dysfunctional and politicised justice system: Several opposition politicians (including [Leopoldo López](#) and Caracas Mayor, [Antonio Ledezma](#)) have been imprisoned, with questionable criminal charges brought against them, usually ranging from not clearing road barricades built by protesters (in the case of two opposition mayors), to plotting to overthrow the government. The judicial procedure has been plagued by problems such as a lack of convincing evidence and of due process. According to HRW, the judiciary has lost its impartiality and its independence as a separate branch of government. The Members of the Supreme Court have openly pledged their support to the government's political agenda. In December 2012, 12 new

Members were appointed to the Court by simple vote of the governmental majority in the National Assembly. Furthermore, extrajudicial murders are a persistent problem: 7 998 people were killed by security forces between January 2000 and March 2009, and few of the perpetrators were ever convicted. The case of ten members of the [Barrios family](#), murdered between 1998 and 2013, possibly with the involvement of the police forces, is probably the best known. In 2011, the Inter-American Court for Human Rights [found](#) that the Venezuelan State had not respected its human rights obligations in relation to this case.

Militant armed groups operate with impunity: Usually referred to in Venezuela as *colectivos*, these groups, [affiliated](#) with the revolutionary leftist ideology of the governing coalition, contribute greatly to the precarious security situation in the country, and to increased political tension. They have intimidated and attacked members of the opposition and its supporters and have [raided](#) university campuses. They also repeatedly attacked street protesters in the first half of 2014, sometimes with the acquiescence of the public security forces, and were actually [responsible](#) for many of the casualties. Their relationship with the government has been far from clear, despite [reports](#) – repeatedly denied by the government – according to which they have been trained and armed by the authorities. More recently, one of these groups clashed with government forces, raising [questions](#) about the government's attitude towards them.

Social, economic and cultural rights: These rights have frequently been invoked by the government as one of its main achievements. The data presented by Venezuela for its 2011 [Universal Periodic Review](#) in the UN Human Rights Council showed that extreme poverty had been reduced from 21% in 1998 to 7.1% in 2010, and the country had become the least unequal country in Latin America by 2010. Venezuela was the fifth country in the world to recognise the right to food in its legislation, guaranteeing the right through food programmes and networks that distribute food at fair prices. School enrolment increased by 24% between 1998 and 2010, and free healthcare was significantly extended. While the value of such achievements cannot be disputed (they have been [recognised](#), e.g. by the IACHR), more recent developments, particularly high inflation and scarcity of food and medicines, have reversed some of these advances.

Venezuela within the American and UN human rights systems

[The Constitution of Venezuela](#) (Article 23) recognises the precedence of all human rights treaties ratified by Venezuela over national law. Venezuela partly withdrew from the American Human Rights system, after it denounced the [American Convention on Human Rights](#) in 2012, taking effect one year later. Thus, no further complaints against Venezuela can now be brought before the [Inter-American Court of Human Rights](#). Venezuela remains bound by the [American Declaration of the Rights and Duties of Man](#), and the Inter-American Commission on Human Rights (IACHR) therefore retains the competence to investigate violations of human rights. In 2009, IACHR drafted a critical report entitled [Democracy and Human Rights in Venezuela](#). Within the UN, Venezuela has ratified [ten international instruments](#), accepting the individual complaint procedure for four of these (two being the Convention against Torture, and the Covenant on Civil and Political Rights). Venezuela enjoyed sufficiently good standing on human rights within the UN to be [elected](#) a member of the UN Human Rights Council by the UN Assembly with a comfortable majority of 154 votes, at the end of 2012, despite protests by some media and international organisations. Its membership of the body will expire in 2015. From 2014 to 2016, the country is a member of the Security Council.

UN human rights bodies have recently expressed criticism of the situation in Venezuela. At the end of 2014, the [UN Committee against Torture highlighted](#) alleged abuses committed by security forces, the attacks against protesters by paramilitary groups, the high number of extrajudicial murders and the lack of independence of the judiciary. In March 2015, the UN High Commissioner for Human Rights reported human rights abuses in Venezuela, expressing [concern](#), in particular about 'the government's harsh responses to criticism and to peaceful expressions of dissent'.

EU relations with Venezuela in the human rights field

The EU provides support to Venezuela in the area of human rights through the [European Instrument for Democracy and Human Rights](#) (EIDHR), which funds [projects](#) implemented by civil society organisations.

In recent years the European Parliament has adopted several resolutions on the political situation in Venezuela, deploring human rights violations in the country. At the end of 2014, the EP adopted a [resolution](#) condemning the repression of democratic protest. In March 2015, [a new resolution](#) was adopted, calling for the release of those arrested on political grounds, and for Venezuela to respect its human rights obligations.