



VENEZUELA

Alternative report on the application of the Covenant on Civil and Political Rights

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## Executive Summary

Although the Constitution recognizes the prevalence of international treaties signed by the Republic over internal law <sup>1</sup>, an **attitude of contempt** of all decisions, opinions, and recommendations of international and regional organizations for the protection of human rights is maintained.

The recommendations to return to the inter-American system since the denunciation of the American Convention on Human Rights in 2012 have been dismissed by the State. Since 2002, no representative of the Inter-American system has been able to visit the country.

The assumptions that led to the degradation of the **Ombudsman's Office** in 2016 for its failure to comply with the Paris Principles persist, especially in terms of independence.

The first **National Action Plan on Human Rights** (NAPHR), which covered the period 2016-2019, was not the product of a broad and inclusive consultation. Since 2019, the State announced the preparation of the second NAPHR with technical assistance from the OHCHR. However, there has not been a participatory evaluation of the previous plan, nor has there been a broad consultation with civil society.

Although the State affirms that the OHCHR has provided **technical assistance**, the truth is that the years included in the period under review presented alarming peaks in the number of violations of many of these rights, in situations that remain in **impunity**. In this sense, it is concerning that the State uses and manipulates the presence of the OHCHR in Venezuela to appear to cooperate, but that is not reflected in its policies and practices.<sup>2</sup>

The **fight against corruption** is carried out outside the guarantees of due process and constitutes another mechanism of political persecution.

There is a **proliferation of irregular armed groups** that have control of territory and governance capacity, that act with the consent or complicity of the State, affecting the rights to life, personal integrity, personal liberty, free transit, peaceful assembly and participation in public affairs. The State has not adopted adequate measures to protect the population against the actions of these groups, nor has it dismantled the irregular armed groups.

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<sup>1</sup> Artículo 23 de la Constitución de la República Bolivariana de Venezuela: “Artículo 23. Los tratados, pactos y convenciones relativos a derechos humanos, suscritos y ratificados por Venezuela, tienen jerarquía constitucional y prevalecen en el orden interno, en la medida en que contengan normas sobre su goce y ejercicio más favorables a las establecidas por esta Constitución y en las leyes de la República, y son de aplicación inmediata y directa por los tribunales y demás órganos del Poder Público”. [Gaceta Oficial Extraordinaria Nº 5.453](#), 24 de marzo de 2000, Caracas.

<sup>2</sup> Véase al respecto: AlertaVenezuela. [La narrativa de “cooperación” del gobierno de Maduro es falsa, pero tiene aliados](#), 29 de abril de 2022; [Ni cooperación ni mejoras: repitiendo un TSJ para profundizar la crisis; Cuatro ficciones del oficialismo y cómo desmontarlas \(I\)](#), 19 de mayo de 2022; [Venezuela se despide del EPU debilitando la cooperación internacional](#), 6 de julio de 2022; [Venezuela debe entrar al camino de la cooperación](#), 13 de octubre de 2022.

## Presentation and methodology

This report is a contribution by *AlertaVenezuela* to present before the Human Rights Committee (hereinafter, the Committee), issues of concern about the human rights situation within the framework of the international commitments assumed by the Bolivarian Republic of Venezuela, by virtue of the International Covenant on Civil and Political Rights (hereinafter, the Covenant). Its contents are focused on the List of Issues prepared by the Committee in November 2022 and the responses sent by the State in June 2023.

*AlertaVenezuela* is an information and analysis initiative that regularly and strategically feeds international political decision-making bodies, from a rights perspective, based on information generated by allied organizations in Venezuela and others of their own production. *AlertaVenezuela* also has a research component, to critically evaluate the role of international actors and organizations and their current capacity for a timely response to complex situations, such as the one Venezuela is going through.

Although *AlertaVenezuela's* work focuses on two pillars, namely, human rights and humanitarian emergency, its areas of work also include institutional crisis, international criminal justice, and violence and organized crime, since these have effects on the situation of the two mentioned pillars.

The report is made up of two substantive sections. The first section provides information to the Committee on the constitutional and legal framework for the application of the Covenant (art. 2), as well as effects on due process in the context of the fight against corruption (arts. 14 and 26). The second block examines the affectation by irregular armed groups of the rights to life (art. 6), personal integrity (art. 7), personal liberty (art. 9), liberty of movement (art. 12), peaceful assembly (art. 21) and participation in public affairs (art. 25). These are irregular armed groups that have control of territory and governance capacity and that have reached this situation because the State: i) has not adopted adequate measures to protect the population against the action of these groups; ii) it has not dismantled irregular armed groups such as criminal mega-bands, armed collectives and armed organizations of Colombian origin; and, iii) it has not taken measures to reduce the proliferation of potentially lethal weapons among unauthorized persons, as established in General Comment No. 36 of the Committee on Economic, Social and Cultural Rights.

## Application of the Articles of the Covenant

- **Constitutional and legislative framework (arts. 1 and 2)**

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### ***Constitutional rank of human rights instruments***

1. According to article 23 of the Constitution, international treaties on human rights have constitutional rank, and it is recognized that these prevail over domestic law when "they contain rules on their enjoyment and exercise that are more favorable to those established in the Constitution." and in the laws of the Republic". However, the jurisprudence of the Supreme Court of Justice (TSJ) that declared a sentence of the Inter-American Court of Human Rights (IACHR) in 2008 "unenforceable"<sup>3</sup> remains in force. Since then, no judgment of the Inter-American Court has been complied with, nor have the precautionary measures agreed by the Inter-American Commission on Human Rights (IACHR), the decisions of the Working Group on Arbitrary Detention, nor the other Special Procedures been complied with.

2. Venezuela ratified the Convention on the protection of the rights of all migrant workers and their families and the Additional Protocol on Economic, Social and Cultural Rights. However, the following treaties have not been ratified: Optional Protocol against torture and other cruel, inhuman or degrading treatment or punishment; Investigation procedure of the Optional Protocol to the Convention on the Rights of the Child; Convention for the protection of all persons against forced disappearances.

3. The recommendations to return to the inter-American system since the denunciation of the American Convention on Human Rights in 2012 have been dismissed by the State. Since 2002, no representative of the inter-American system has been able to visit the country. The Inter-American Commission on Human Rights had planned an on-site visit to Venezuela from February 4 to 7, 2020. However, the State prevented the delegation from entering the country, so Commissioners traveled to Colombia, from where they took different testimonials and conducted interviews with organizations.

### ***Recommendations***

**4. Fully comply with the recommendations, resolutions, and judgments of international and regional bodies for the protection of human rights, without alleging interference in internal affairs or violation of sovereignty.**

**5. Ratify the Optional Protocol against torture and other cruel, inhuman or degrading treatment or punishment; Investigation procedure of the Optional Protocol to the Convention on the Rights of the Child; and the Convention for the protection of all persons against forced disappearances.**

**6. Reconsider its decision to denounce the American Convention on Human Rights and return to the jurisdiction of the Inter-American Court of Human Rights.**

**7. Allow access to the country to representatives of international and regional bodies for the protection of human rights.**

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<sup>3</sup> Tribunal Supremo de Justicia, sentencia N° 1939 de la Sala Constitucional, 18 de diciembre de 2008.

***Measures adopted to ensure that the Ombudsperson's Office fully, effectively and independently exercises its mandate to protect and promote human rights***

8. As a result of the special review that took place in March 2015, the Accreditation Subcommittee of the International Coordination Committee of National Human Rights Institutions (SCA - CIC) recommended lowering the accreditation of the Venezuelan Ombudsperson's Office (DPV) to category B. In May 2016, a new review was carried out, to determine if the DPV had accepted the observations made by the SCA - CIC, ratifying the reduction to Category B, due to its lack of independence and breach of the Paris Principles. The DPV challenged the recommendation, which was ratified by the SCA-CIC in October of the same year.

9. In August 2017, the unconstitutional National Constituent Assembly appointed a new Ombudsman without complying with the selection procedure provided for by the Constitution, therefore the assumptions that led to the degradation of the Ombudsperson's Office in 2016 remain valid.

***Recommendations:***

**10. Adapt the operation of the Ombudsperson's office in accordance with the standards established in the principles relating to the statute of national institutions for the promotion and protection of human rights (Paris Principles).**

**11. Guarantee that the selection process of the Ombudsperson complies with constitutional regulations, with criteria of transparency and participation of civil society organizations.**

***National Human Rights Plan***

12. Contrary to what the State affirmed in its report, the first National Plan of Action on Human Rights (PNDH), which covered the period 2016-2019, was not the product of a broad and inclusive consultation, nor did it have technical assistance. OHCHR for its preparation. Since 2019, the State announced the preparation of the second PNDH with technical assistance from the OHCHR. However, there has not been a participatory evaluation of the previous plan, nor has there been a broad consultation with civil society<sup>4</sup>.

***Recommendation:***

**13. Develop a second PNDH, based on a broad and participatory evaluation of the previous Plan, with the technical assistance of the OHCHR.**

***Technical assistance and cooperation with the OHCHR***

14. In view of the fact that the State made several references in its report and in the response to the list of issues to the relationship with the Office of the High Commissioner for Human Rights (OACNDH), we consider it important to formulate some clarifications and concerns. The State mentioned a Letter of Understanding signed with the OHCHR in September 2019. Civil society organizations have only been made aware of this letter and its renewals through public statements, but its content remains secret due to a

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<sup>4</sup> Al respecto, véase: AlertaVenezuela. [Cumplimiento de compromisos internacionales por parte de Venezuela. Comentarios al informe presentado por el Estado \(EPU\)](#), 12 de enero de 2022; [La zanahoria de la asistencia técnica](#), 17 de marzo de 2022.

condition imposed by the government of Venezuela, which reduces the transparency of OHCHR activities in Venezuela and prevents adequate monitoring by civil society<sup>5</sup>.

15. Although the State affirms that the OHCHR has provided technical assistance to strengthen the capacities of the Ombudsman's Office, the updating of the police standards applied to the most complex services, including the action protocols of tactical and control groups of public meetings and demonstrations, the preparation of a joint investigation protocol on cases of alleged violation of the right to life, the strengthening of mechanisms for monitoring the human rights of persons deprived of their liberty in terms of prevention of torture and other cruel, inhuman or degrading treatment, the development of a joint investigation protocol on cases of alleged violation of the right to personal integrity, and the review of police action manuals for the control of public meetings and demonstrations, the truth is that, as this Committee will have the opportunity to observe, the years included in the period under review presented alarming peaks in the number of violations of many of these rights, in situations that remain in impunity. Thus, for example, according to Human Rights Watch, under the umbrella of Operation Liberation of the People (OLP), the security forces committed abuses that resulted in nearly 16,000 arbitrary detentions and 245 extrajudicial executions, only in the first five months of operation<sup>6</sup>, while the Social Conflict Observatory recorded violent actions by paramilitary groups in at least 523 protests in 2017, with the use of firearms. The Observatory also recorded at least 163 deaths, most of which were caused by the disproportionate use of force.<sup>7</sup> In this sense, it is concerning that the State uses and manipulates the presence of the OHCHR in Venezuela to appear to be cooperating while this is not reflected in its policies and practices.

16. An alarming case is that of the six social fighters Reynaldo Cortés, Alonso Meléndez, Alcides Bracho, Néstor Astudillo, Gabriel Blanco and Emilio Negrín<sup>8</sup> who were arbitrarily detained since July 2022. At the time of being sentenced to 16 years in prison in a trial without due guarantees, the general prosecutor imposed by the illegitimate national constituent assembly stated that "this case involved a meeting (sic) with representatives of the United Nations High Commissioner for Human Rights, and the UN delegation was satisfied with the information given to them"<sup>9</sup>, showing even a photo of the meeting. A spokesperson for the OHCHR in Venezuela had to provide a statement in which she stated that the OHCHR took note of the verdict against the trade unionists, and "reaffirms previously raised concerns regarding the criminalization of human rights defenders in Venezuela, including those engaged in demands for better working conditions

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<sup>5</sup> Véase al respecto: AlertaVenezuela. [Cumplimiento de compromisos internacionales por parte de Venezuela. Comentarios al informe presentado por el Estado \(EPU\)](#), 12 de enero de 2022; [La narrativa de "cooperación" del gobierno de Maduro es falsa, pero tiene aliados](#), 29 de abril de 2022; [Ni cooperación ni mejoras: repitiendo un TSJ para profundizar la crisis; Cuatro ficciones del oficialismo y cómo desmontarlas \(I\)](#), 19 de mayo de 2022; [Venezuela se despide del EPU debilitando la cooperación internacional](#), 6 de julio de 2022; [Venezuela debe entrar al camino de la cooperación](#), 13 de octubre de 2022.

<sup>6</sup> Human Rights Watch / Provea. Unchecked Power. Police and Military Raids in Low Income and Immigrant Communities in Venezuela. <https://www.hrw.org/report/2016/04/04/unchecked-power/police-and-military-raids-low-income-and-immigrant-communities>

<sup>7</sup> Observatorio Venezolano de Conflictividad Social <https://www.observatoriodeconflictos.org.ve/sin-categoria/venezuela-6-729-protestas-y-157-fallecidos-desde-el-1-de-abril-de-2017>.

<sup>8</sup> These victims, through their lawyers, have authorized their names to be mentioned.

<sup>9</sup> Ministerio Público. Cuenta Twitter <https://twitter.com/MinpublicoVEN/status/1687131206356209664>

and labor rights”<sup>10</sup>, which was later ratified by two experts from special procedures <sup>11</sup>. Thus, it is clear that the different branches of public power use and manipulate the presence of the OHCHR in Venezuela for their own purposes, with objectives other than the protection of the rights recognized in the International Covenant on Civil and Political Rights and other legal instruments.

**Recommendations:**

**17. Make public the Letter of Understanding signed between the State and the OHCHR to facilitate transparent monitoring of technical assistance in terms of compliance with the obligations derived from the International Covenant on Civil and Political Rights.**

**18. Ensure the due participation of civil society organizations in all technical assistance spaces agreed with the OHCHR.**

• **Fight against corruption (arts. 14 y 26)**

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19. The fight against corruption is carried out outside the guarantees of due process and constitutes another mechanism of political persecution. In March 2022, the State carried out an alleged campaign to fight corruption, undertaken by the National Police against Corruption (PNCC), a ghost police, which has no headquarters, no faces, and no head, created by the executive in 2014 and who follows direct orders from the president. As of April 19, 2023, at least 61 people have been detained. The first group of detainees was taken to the presentation hearing in a place that was not a court, ten days after being detained, despite the fact that the law establishes that the presentation must be made within 48 hours, and they were detained in El Helicoide, a political police torture center, where two of them have died<sup>12</sup>.

20. One of the detainees had been appointed substitute magistrate of the Supreme Court of Justice in April 2022, in a selection process that did not comply with the provisions of the Constitution, as part of the so-called judicial revolution. The official was sworn in as a judge of the Court of Appeals and president of the Criminal Judicial Circuit of Caracas since October 29 of the same year and was one of the first detainees on March 18, 2023. His vacancy was filled by a former public prosecutor <sup>13</sup> who had been dismissed in October 2018 and who is among the first people sanctioned by the US Treasury Department <sup>14</sup>, accused of human rights violations.

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<sup>10</sup> Diario Tal Cual. Oficina del Alto Comisionado ratifica criminalización a seis sindicalistas en Venezuela.

<https://talcualdigital.com/oficina-del-alto-comisionado-ratifica-criminalizacion-a-seis-sindicalistas-en-venezuela/>

<sup>11</sup> OACNUDH. Venezuela: Expertos de la ONU condenan el uso de leyes antiterroristas para condenar a sindicalistas y dirigentes sindicales. <https://www.ohchr.org/es/press-releases/2023/08/venezuela-un-experts-condemn-use-counter-terrorism-laws-convict-trade>

<sup>12</sup> Muere segundo implicado en la trama de corrupción petrolera venezolana

<https://www.latercera.com/mundo/noticia/muere-segundo-implicado-en-trama-de-corrupcion-en-la-petrolera-venezolana-pdvs/IHHLJQ4ACRFCVDWU2WPOD3GPYE/>

<sup>13</sup> Avanza la purga de Maduro: designó a una magistrada acusada de “torturadora” para un alto cargo de Caracas.

<https://www.infobae.com/venezuela/2023/03/23/avanza-la-purga-de-maduro-designo-a-una-magistrada-acusada-de-torturadora-para-un-alto-cargo-de-caracas/>

<sup>14</sup> Fiscal Katherine Harrington entre los funcionarios sancionados por EEUU. <https://efectococuyo.com/politica/fiscal-katherine-harrington-entre-los-funcionarios-sancionados-por-eeuu/>



**Recommendation:**

**21. Ensure compliance with the guarantees of due process in the framework of judicial processes in which the fight against corruption is invoked.**

• **Right to life (art. 6)**

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22. In 2017, the armed *colectivos* were responsible for the murder of at least 28 protesters<sup>15</sup>. The OHCHR on the 2017 protests indicated that irregular armed groups broke into the protests "on motorcycles and carrying firearms." A witness informed the OHCHR that "when some armed *colectivos* attacked a group of protesters", he would have asked a police officer to stop them, but the latter replied: "I'm sorry, but we have orders not to act"<sup>16</sup>. Additionally, the *colectivos* use executions as a way of imposing their order on the communities they control; during the quarantine due to the COVID-19 pandemic, they even murdered three people who were playing in the street. There have also been cases of execution of informers. The vast majority of these murders remain in a situation of impunity.<sup>17</sup>

23. 23. The mega-gangs have implemented "social coexistence codes" in different popular areas in which the denunciation of irregular situations leads to disappearances and murders. These norms are established in the absence of the State and generate in affected populations a subculture of living with restrictions on their freedom in general. Non-compliance with these rules generates risks to people's lives<sup>18</sup>.

24. 24. AlertaVenezuela obtained information on social cleansing operations carried out by the Colombian National Liberation Army (ELN) in four states of Venezuela, which positions it as a paramilitary group.

• **Right to personal integrity (art. 7)**

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25. The armed *colectivos* have participated in torture practices in different areas of the country using methods similar to those of the state security forces, which suggests that these actors could at the same time be officials of the state security agencies, or act in coordination with them. In 2017, 104 people were reported injured in protests by members of armed groups and 70 threats and harassment attributed to members of groups in coordination with officials of the Bolivarian National Intelligence Service (Sebin).<sup>19</sup> In 2019, 15 people were detained in protests and tortured by members of armed *colectivos* and 297 people were injured in protests by members of these irregular groups.<sup>20</sup> Currently, the headquarters of the former Metropolitan Police in Caracas is used as a detention and torture center by the group that took over those facilities.

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<sup>15</sup> Provea, *Protestas 2017/Colectivos: de ejecutores de un patrón a parte de un sistema represivo*, 2018. En <https://provea.org/paramilitarismo/protestas-2017-colectivos-de-ejecutores-de-un-patron-a-parte-de-un-sistema-represivo/>

<sup>16</sup> OACNUDH, *Violaciones y abusos de derechos humanos en el contexto de las protestas en Venezuela, 2017*. En: [https://www.ohchr.org/sites/default/files/Documents/Countries/VE/HCReportVenezuela\\_1April-31July2017\\_SP.pdf](https://www.ohchr.org/sites/default/files/Documents/Countries/VE/HCReportVenezuela_1April-31July2017_SP.pdf)

<sup>17</sup> AlertaVenezuela. *Una tragedia ignorada. La afectación humanitaria y de derechos humanos por parte de grupos armados irregulares en Venezuela*; Bogotá, 2023.

<sup>18</sup> Ídem.

<sup>19</sup> Provea, *informe anual 2017*. En: <https://provea.org/wp-content/uploads/2018/06/14IntegridadPersonal-1-1pdf>

<sup>20</sup> Provea, *informe anual 2019*. En: [https://provea.org/wp-content/uploads/2021/08/14IntegridadPersonal\\_compressed.pdf](https://provea.org/wp-content/uploads/2021/08/14IntegridadPersonal_compressed.pdf)

26. In border States, acts of torture and degrading treatment by the ELN have been documented against people accused of having committed robberies; These practices include stripping those accused of committing crimes naked and sending them back to their place of residence without clothes.

27. In the case of the mega gangs, acts of torture tend to occur in cases of denunciations and resistance to extortion payments; however, there were also cases of people executed with signs of torture

- **Right to personal freedom (art. 9)**

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28. Irregular armed *colectivos* carry out arbitrary detentions, in some cases for the purpose of extortion and kidnapping, and in others as punishment for actual or perceived dissent. The groups carry out deprivations of liberty for political reasons, either on their own initiative or to hand over the detainee to a police force, especially in the context of repression of demonstrations. On the other hand, the ELN has used intelligence actions in border areas to denounce presumed opponents of the government in order for them to be detained by state forces.<sup>21</sup>.

- **Right to Liberty of movement (art. 12)**

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29. The irregular armed groups that operate in Venezuela impose rules of coexistence in the areas under their control. These provide certain security in exchange for restrictions on freedom of movement, such as prohibiting access to certain places; extortion to pass through certain routes, mainly against merchants; or request permission for non-residents to access the area controlled by the armed group. In the case of *colectivos*, it is also common to force people to attend political acts of the Government so as not to lose social benefits. The actions of irregular armed groups have led people to leave controlled areas, generating a phenomenon of internal displacement<sup>22</sup>.

30. Indigenous groups have displaced within the south or towards the center of the country as a result of pressure from irregular armed groups. With the increased activity of organizations of Colombian origin in their territories and of groups dedicated to drug trafficking, internal displacement intensified between 2021 and 2023.

31. On the Colombian-Venezuelan border there is a context of violence caused by clashes between irregular armed groups that has led to the displacement of people. This conflict has brought acts of violence with the consent of the Venezuelan State<sup>23</sup>. Thus, since January 2022, the confrontation between irregular organizations of Colombian origin and the Venezuelan military in Alto Apure caused the displacement of more than 5,000 people. In this context, women and girls have experienced complex and intersectional forms of violence and are particularly exposed to serious forms of gender-based violence, including human trafficking and sexual violence.

32. Displacement is also a phenomenon that is suffered in urban areas where mega gangs operate, as families with adolescent children move to other areas to avoid their children being captured by criminal

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<sup>21</sup> AlertaVenezuela. [Una tragedia ignorada. La afectación humanitaria y de derechos humanos por parte de grupos armados irregulares en Venezuela](#); Bogotá, 2023.

<sup>22</sup> Ídem.

<sup>23</sup> Human Rights Watch, Colombia/Venezuela: Abusos de grupos armados en zona fronteriza, 2022, disponible en <https://www.hrw.org/es/news/2022/03/28/colombia/venezuela-abusos-de-grupos-armados-en-zona-fronteriza>.

organizations. Sources informed AlertaVenezuela that, in the case of spaces under the control of *colectivos*, there is also displacement of families in the context of actions of political intimidation.

33. The forced migration of people from Venezuelan territory is due in some cases to the actions of irregular armed groups that affect, on the one hand, the right to reside in the country itself, and on the other, the right to return in dignified conditions. According to the International Organization for Migration (IOM), "insecurity and violence" is one of the main four registered motivations for leaving Venezuela.<sup>24</sup> Insecurity is related to the actions of irregular armed groups such as the mega gangs, which have practiced crimes such as kidnapping, extortion and the recruitment of children and adolescents, which has led to forced migration.

34. Irregular organizations of Colombian origin also have triggered forced migration<sup>25</sup>. A source specializing in the matter recorded a series of testimonies about people who have had to leave the country as a result of extortion, kidnapping, acts of torture, and death threats against them and their families committed by armed *colectivos*<sup>26</sup>.

35. The situation of the people returned to Venezuela in the midst of the pandemic was incorporated into the range of action of the irregular armed groups. A civil society report indicates that the return by uncontrolled land routes carries risks such as human trafficking, sexual blackmail in exchange for passage, and mistreatment and even risk of death. As part of the cases, the Ombudsman of Tame (Arauca, Colombia) has denounced that ELN control and charge for passage through trails. There are reports of returnees in transitory shelters who were threatened with the "guerrilla" for protesting against the poor state of the food<sup>27</sup>.

#### • Right to peaceful assembly (art. 21)

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36. The *colectivos* have been responsible for the repression of opposition demonstrations, against which they act on their own initiative or in coordination with State agencies. Among the forms of repression is physical aggression, shots that have ended in injured and dead people, arrests and attacks on homes where protesters affected by tear gas are sheltering. The actions of the *colectivos* in the repression of protests were recorded mainly in 2014, 2017 and 2019, and there are abundant records of their actions in coordination with civil and military law enforcement and intelligence forces. In January 2023, the presence and threats of groups were also observed in various cities of the country in demonstrations by the educational sector.<sup>28</sup>

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<sup>24</sup> Provea, Crisis Migratoria venezolana y responsabilidad de los Estados, informe especial a cargo de Ligia Bolívar y Carlos Rodríguez Pérez, 2019. Disponible en: <https://provea.org/wp-content/uploads/2019/05/MigracionLigia-1.pdf>.

<sup>25</sup> Human Rights Watch, [Venezuela: Atrocidades por fuerzas de seguridad en la frontera con Colombia](#), 2021.

<sup>26</sup> Centro de Derechos Humanos de la Universidad Católica Andrés Bello (CDH-UCAB). [Temor Colectivo. La intimidación de colectivos armados como casau de solicitud de refugio](#), junio de 2023.

<sup>27</sup> Centro de Derechos Humanos de la Universidad Católica Andrés Bello. El espejismo del retorno. En: <https://saber.ucab.edu.ve/xmlui/handle/123456789/19843>

<sup>28</sup> Infobae. Las amenazas de los colectivos chavistas no lograron impedir la marcha de los docentes de Venezuela por salarios justos: «El miedo se cambio de acera». En: <https://www.infobae.com/america/venezuela/2023/01/17/las-amenazas-de-los-colectivos-chavistas-no-lograron-impedir-la-marcha-de-los-docentes-de-venezuela-por-salarios-justos-el-miedo-se-cambio-de-acera/>.

- **Right to participate in public affairs (art. 25)**

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37. The armed *colectivos* have been used to physically attack members of the political opposition, including deputies of the National Assembly elected for the period 2016-2021. They have also exercised actions of social control in electoral contexts, intimidating sectors that receive assistance and forming part of the so-called "red points", kiosks that the ruling party installs near the voting centers where people sympathizing with the government and beneficiaries of social subsidies must register before voting. In some cases, they have "assisted" people to vote or threatened their disposition or intention to vote. In addition, they have interfered through political slogans and the use of firearms with the peaceful development of electoral day in certain voting centers. On the other hand, some sources consulted by AlertaVenezuela have also recorded the participation of ELN members in the practice of assisted voting, entering the voting centers armed<sup>29</sup>.

**Recommendations:**

- 38. Adopt adequate measures to protect the population against the action of irregular armed groups.**
- 39. Design a strategy that allows the dismantling of irregular armed groups and the recovery of the territories through a repressive response that is proportional and adjusted to international standards.**

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<sup>29</sup> AlertaVenezuela. [Una tragedia ignorada. La afectación humanitaria y de derechos humanos por parte de grupos armados irregulares en Venezuela](#); Bogotá, 2023.