



TASK FORCE ON THE AMERICAS

In solidarity with the social justice movements of Latin America and the Caribbean

**Voluntary contribution to the Second Cycle of the Universal Periodic Review
of the Bolivarian Republic of Venezuela
for the Working Group on the Universal Periodic Review
(Review Period 2012-2016)**

To: Office of the High Commissioner for Human Rights

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Notes:

* “Articles” refer to the Universal Declaration of Human Rights (Ref 1)

* Numbered source references are at bottom.

1. Task Force on the Americas (TFA) is a non governmental organization initiated in 1985 under the name Marin Interfaith Task Force. TFA operates primarily with volunteers and a nominally paid small staff. We receive no funding from any government agency or large foundation and rely on donations from our members. We have expanded from initial work supporting El Salvador refugees to doing work all over Latin America and the Caribbean. TFA does education work in North America and lobbies the U.S. Government and politicians. We provide material support and funding for schools in Haiti and El Salvador. We also lead delegations in partnership with organizations such as the National Lawyers Guild and Alliance for Global Justice. Over the past ten years we have organized over twenty delegations to many different countries in Latin America.
2. Since February 2004 we have organized and led many delegations to Venezuela. The most recent delegations were in July and December 2015. We were in Venezuela in July in partnership with the National Lawyers Guild (NLG) which has had observers at five previous elections. The team included ten attorneys including the current and a past NLG president plus another ten people from various professions. In December we led another observation team and observed the situation in Caracas, Barquisimeto and rural Lara before, during and after the National Assembly election. We are submitting this report based on our long study and experience with Latin America and our specific first hand observations and discussions in Venezuela, especially during 2015.
3. Regarding Article 2, discrimination on basis of race and gender, Venezuela is an interesting mix of people with European, African and Indigenous heritage. Government officials, police and military authorities seem to be well integrated with substantial inclusion of both women and people of African/Indigenous descent in positions of authority. It is common to see dark skinned female officers for example.
4. Regarding Article 9, arbitrary arrest or detention, we have seen accusations that Venezuela was arbitrarily arresting people with the most prominent example being Leopoldo Lopez. It is claimed that Lopez was unfairly convicted. It is asserted that street protests in February 2014 were “peaceful” or “largely peaceful”. However, in sharp contrast with these claims, we have talked with numerous Venezuelans and seen videos which confirm that there was substantial violence carried out by sections of the opposition including 43 deaths and over 100 serious injuries during the Spring 2014 “guarimbas”. We had the opportunity to meet privately with Venezuelans who were actual victims of the street protests and violence. One woman lost her husband who was

killed by the protesters. Another woman recounted how the protesters attacked the government run childcare center where her daughter was being looked after. A man who had been victim of an attack and had his lower arm blown off described how protesters in Tachira state (bordering Colombia) threw an explosive into the cab of his truck when he was delivering medical supplies. These are just a few of the stories. The majority of deaths were government supporters or bystanders. (Ref 2) Leopoldo Lopez and others were not arrested or detained arbitrarily; they were tried and convicted for initiating or participating in the violence. The street riots and blockades were launched under the banner of “la salida” which technically means “the exit”. It is generally understood that the goal of the protest was to force the exit or overthrow of the government. North American mainstream media portrayed the situation as very dire, very violent and near breakdown. Regarding Leopoldo Lopez, he is not the innocent “freedom fighter” sometimes portrayed by well funded NGOs and misguided foreigners. There is video evidence showing him leading in the arrest (and subsequent beating) of the Minister of the Interior during the short-lived coup of 2002.(Ref 3)

5. Regarding freedom of opinion and expression (Article 19), both in July and during the election period in December 2015 we observed ample freedom of political expression and belief. We talked with many people on the streets in urban Barquisimeto and rural (Lara province) Venezuela. In addition we met formally with opposition candidates and opposition supporters to hear their perspective. There were no reservations or hesitation about political expression. The MUD (Democratic Unity Roundtable) opposition candidates had no hesitation in criticizing the government. We talked with different voters who openly favored PSUV (United Socialist Party of Venezuela) or MUD candidates on election day. They all were uninhibited and vocal about their preferences. Our NLG colleagues who have accompanied many Venezuelan elections have observed large and loud opposition rallies which all took place without incident.

6. Despite these observations and facts, we note there is a pattern of false accusations that the Venezuelan government is using violence to intimidate political opposition. This occurred, for example, in the run-up to the December 2015 election. When an opposition candidate was killed at a political rally in late November, foreign critics of Venezuela insinuated the death was caused by government forces. These accusations turned out to be false (Ref 4). The damage was done and never corrected.

7. Regarding the right to periodic and genuine elections (Art 21), Venezuela seems to be doing an exemplary job. The election process in Venezuela is substantially free and fair. A few years ago, former US President Jimmy Carter stated *"As a matter of fact, of the 92 elections that we've monitored, I would say that the election process in Venezuela is the best in the world."* (Ref 5) In December 2015, we talked at length with an opposition supporter who is part of the technical team monitoring elections. While he was critical of government influence in the media, he confirmed that the Venezuelan election process is transparent and accurate. It should be noted that, while the government did utilize its media, the private media in Venezuela has overwhelmingly supported the opposition. We visited several voting stations during the December election and spoke with monitors from both the PSUV and MUD. They confirmed the process was running smoothly with no irregularities. Any doubts about the accuracy of the process should be further put to rest by the results of the last election.

8. Regarding Article 25 concerning the right to “food, clothing, housing and medical care”, we believe the Venezuelan government has made outstanding progress in some areas with major problems and challenges in others.

* Regarding housing, the initiative to build one million new homes for poor families has been a tremendous success. (Ref 6) We talked with one of the recipients in Palo Verde (Lara Province) and she remarked how the new house, subsidized by the government but built under the supervision of the community, had transformed her life. Her family had a safe, secure home with running water and electricity. The community used the resources carefully and built nine homes with funding intended to build eight.

* Regarding medical care, we witnessed the results of Venezuelan government policy that has hugely improved access to quality health care throughout the country. In the little town of Palo Verde, for example, there are now three resident doctors. We talked with one of these doctors, a young woman and mother who had completed the

7 year higher education and professional training and was now serving the community. By training doctors from rural communities the government is improving health care outside the cities and reducing migration to urban areas.

* While health-care and housing have achieved dramatic improvements, the situation regarding some food and other household items is problematic. For the past 18 to 24 months, there have been shortages and long lines to buy (at subsidized prices) non-perishable basic commodities such as flour, sugar, bathroom paper and sanitary napkins. Some Venezuelans say the government is at fault; others say the shortages have been intentionally created by the national oligarchy to foment political unrest. Whatever the causes, the situation is unsatisfactory for Venezuelans who have to stand in long lines and reduce their consumption of basic food and household items. Venezuela is dealing with a very difficult economic situation with rampant inflation plus problems in production and distribution of certain food products. As a country dependent on oil exports, the dramatic fall in oil prices has severely hurt their economy and national income. Clearly there are major challenges and a need to diversify the economy and improve production and distribution.

9. Regarding the right to education (Art 26), Venezuela has progressed in all spheres: from Literacy and Elementary Schools (organized through Mission Robinson) to Higher Education and University (Mission Sucre). (Ref 7) Educational opportunities have been extended to many areas which previously were without. In rural Lara province we met one example: a woman of about 55 years who was barely literate but with encouragement and access, she finished high school, then became a teacher, then became a teacher of teachers. Venezuela has extended higher education opportunities to rural areas, enabling people in the countryside to take university classes without migrating to the city. Even members of the political opposition say that the social missions have been successful and they intend to continue them.

10. The Preamble to the Universal Declaration of Human Rights says that “it is essential to promote the development of friendly relations between countries”. Unfortunately, we observe that the Venezuelan government is working to meet the human rights goals in a context of hostility from the USA. In 2014 the U.S. Congress imposed punitive sanctions on Venezuela. (Ref 8) In March 2015 the White House issued an Executive Order declaring Venezuela to be a “threat to the national security” of the United States. (Ref 9) The order was officially extended just weeks ago. This is perverse: Venezuela is not a threat to the USA. The truth is the reverse: the United States is a threat to the government of Venezuela. The situation is comparable to assertions in 2002 that the Iraqi government posed a “threat” to the US. The truth was the exact opposite as events confirmed. We believe that it is a duty of all people genuinely concerned about human rights to speak out against foreign aggression and interference which easily leads to destabilization, conflict and even war. Anyone sincerely concerned about human rights in Venezuela should speak out against interference and acts of aggression by the United States or any other country. Living and working in the United States, we are acutely aware of the long history of aggression by the US government against smaller and weaker Latin American governments dating back to the “Monroe Doctrine”. In the cases of Guatemala, Chile, Argentina, Brazil and Nicaragua, the aggression occurred after the governments chose to act in their own interests rather than those of the US government or powerful corporations.

11. Human rights are severely damaged when social destabilization, conflict and violence occurs. We see evidence of this currently happening in Venezuela. There are many forms, including an information war by “civil society” actors who are actually trained agents of a foreign government. In her book “*Hard Choices*”, US Secretary of State Clinton boasts of the US State Department training thousands of “dissidents” globally to “promote America’s interests and values”. (Ref 10) Venezuela is clearly one of the targets for this foreign funded interference. There is substantial risk that conditions and human rights in Venezuela will get dramatically worse if opposition factions resort to violence. In fact this is already happening: in the past two months several government and PSUV leaders have been assassinated. (Ref 11)

12. Those who are evaluating human rights conditions in Venezuela need to be aware of the depth of opposition extremism. Since coming into office in January, the new opposition led Venezuelan National Assembly has passed an Amnesty Bill which is astounding in its sweep and irresponsibility. (Ref 12) The bill would give

amnesty for virtually all crimes committed by political “activists” during the entire Chavez/Maduro period of government. The amnesty would cover crimes including arson, assault, property damage, obstruction of public roads, incitement, conspiracy and terrorism. As described by Dr. Francisco Dominguez in the article referenced above, the “Amnesty Bill is not at all a mechanism for reconciliation as claimed by the Bill (pp. 1-7) but it is actually an impunity law for political crimes against the nation, the constitution, the country’s stability, its laws, its people, its institutions, its government, its installations, its military institutions, its civil servants, its infrastructure and much more. The Bill is actually a Manual for Golpismo and Impunity, but above all, an admission of guilt of 17 years of political delinquency.” Over the past 17 years, with free and fair elections almost every year, elements of the Venezuelan opposition have resorted to coups, riots, and murder. Those who ignore this are in effect condoning it and doing great harm to the human rights of Venezuelan citizens.

13. Our organization TFA was born in the 1980’s when the U.S. government was funding and arming a proxy army against the Nicaraguan government while coordinating death squads to destabilize El Salvador and illicitly providing weapons to the military junta in Guatemala. The International Court at the Hague ruled the US was in violation of customary international law regarding Nicaragua. (Ref 13) Unfortunately, the US government has not stopped its policy of interference and aggression against governments it cannot control. This is a major factor threatening the human rights situation in Venezuela. It should not be hidden or ignored.

14. TFA plans to send a delegation to Venezuela in May 2016.

References:

- 1) <http://www.un.org/en/universal-declaration-human-rights/>
- 2) <http://venezuelanalysis.com/analysis/10580>
- 3) <http://www.correodelorinoco.gob.ve/nacionales/villegas-leopoldo-lopez-se-llevo-esposado-a-rodriguez-chacin-2002-%C2%BFle-hicieron-mismo-a-el-2014/>
- 4) http://www.huffingtonpost.com/mark-weisbrot/hillary-clinton-and-a-ven_b_8722598.html
- 5) <http://www.theguardian.com/commentisfree/2012/oct/03/why-us-demonises-venezuelas-democracy>
- 6) <http://www.telesurtv.net/english/news/Venezuelan-Housing-Program-Hands-Over-Millionth-Free-Home-20151230-0011.html>
- 7) <http://venezuelanalysis.com/news/10334>
- 8) <https://www.congress.gov/bill/113th-congress/senate-bill/2142>
- 9) <https://www.whitehouse.gov/the-press-office/2015/03/09/fact-sheet-venezuela-executive-order> and <http://latino.foxnews.com/latino/politics/2016/03/03/obama-extends-order-declaring-venezuela-national-security-threat/>
- 10) “Hard Choices” by Hillary Clinton, Simon and Schuster, NYC, 2014.
Page 546: “Technology was opening up new avenues to help solve problems and promote America’s interests and values. We would focus on helping civil society across the world harness mobile technology and social media to hold governments accountable, document abuses, and empower marginalized groups”

Page 549: “Was it worth the risk to empower and protect the activists? ... I decided that striking a blow for free expression and association around the world was worth the risk.... Our team got to work, and by the time I

visited Lithuania in 2011, we had invested more than \$45 million and trained more than five thousand activists worldwide”

- 11) <http://venezuelanalysis.com/news/11906> and <http://venezuelanalysis.com/news/11907> and <http://venezuelanalysis.com/news/11825>
- 12) http://www.huffingtonpost.com/dr-francisco-dominguez/venezuelas-right-wing-con_b_9401644.html?utm_hp_ref=venezuela
- 13) <http://www.icj-cij.org/docket/?sum=367&p1=3&p2=3&case=70&p3=5>