

Venezuela's Human Rights Situation in the context of the Presidential Elections April 14 - 30, 2013

In the past few years, particularly since 2006, Venezuela has been experiencing a serious deterioration of the rule of law and democratic life, which has gravely affected the guarantees of protection and enjoyment of human rights, as well as their promotion and defense. This process has been characterized by the progressive imposition, through executive decrees and non-democratic measures, of a political project not consistent with the Venezuelan Constitution and the international human rights covenants and democratic charters subscribed by the Venezuelan State. The Government's attempts to impose the so-called "Communal State" -the core of its project- bring along actions that further undermine the enjoyment and exercise of human rights. These are: the promotion of hostility and confrontation among citizens for political and ideological motives; the lack of independence and autonomy of all the branches of power, bound by executive decisions; the closure of spaces for open and plural dialogue with different sectors of society, including civil society organizations; the progressive militarization of public and civic spaces, restricting people's demands for social rights; and the abuse of state powers in the execution of discriminatory, excluding, coercive and punitive practices against broad sectors of the Venezuelan population, by means of legal loopholes, and laws restricting fundamental rights and liberties¹.

In this complex environment, and in the context of the Presidential elections called after President Chávez's demise, a series of serious events took place between April 14 and 16, 2013, as a result of over 3,200 alleged reports of electoral irregularities. These events began the night of April 14, as soon as the *Consejo Nacional Electoral* (CNE: Spanish acronym for National Electoral Council) announced the results, giving the Government's candidate, Nicolás Maduro, a slight margin victory of less than 2% over the opposition candidate, Henrique Capriles. In the following days, the Government authorities omitted the enforcement of the rule of law, or the creation of a space for dialogue and understanding between opposing groups to discuss the controversies arising from the electoral results, by means of constitutional, independent, plural, impartial and transparent mechanisms. Instead, they ignored or manipulated situations of restriction or violation of human rights. The right to peaceful protest was in fact suspended by the Government, and the requests for an audit and recount of the votes were criminalized as attempts by opposition groups to stage a *coup d'état*.

April 14th and 15th

On Sunday, April 14th, a new presidential election took place in Venezuela, after the passing of Hugo Chávez, who had been recently re-elected in October 2012. After 9pm, the CNE announced the results: Mr. Nicolás Maduro, the then acting President, obtained 50.66% of the votes (7,505,338), and Henrique Capriles, the opposition candidate, 49.07% (7,270,403), a difference of 1.59% (234,934) of casted votes. At the end of this announcement, Vicente Díaz, one of the CNE's Directors, addressing national and international media, asked his colleagues to issue a [decree for the implementation of a special citizen audit, in order to verify 100% of the ballots](#), given the narrow margin of votes between the two main candidates.

On the night of April 14th, after learning the results, [Mr. Maduro publicly accepted the 100% recount audit](#) proposed by CNE Director Vicente Díaz. He also stated that Mr. Capriles had made [the same request for a 100% recount](#) in a phone call he received before the results were announced. Just after midnight, at a press conference, Mr. Capriles informed that the Simon Bolívar Command --his electoral platform-- [would not recognize the results announced by the CNE](#) until a detailed review of each vote was made, since their witnesses at voting centers reported over 3,200 irregularities, and their polling results were not consistent with those of the CNE².

At 2pm, on Monday, April 15th, Mr. Capriles made another public statement after the CNE informed that during the following hours Mr. Maduro would be officially proclaimed as President. Given some reported instances of violent protests, Mr. Capriles asked the Venezuelan people, especially his followers, [to keep within the accepted boundaries of legitimate democratic struggles](#). He also condemned any acts of violence promoted by groups outside his electoral command center.

Mr. Capriles also restated his request for a thorough review of the voting process, including all printed ballots and ballot-registry logs, upholding the rights of voters to verify the electoral results, and demanding the safekeeping of all voting materials. He also stated that the *Comando Simón Bolívar* [had requested in writing](#) to the CNE, the suspension of Mr. Maduro's appointment as President, since both parties had already publicly agreed to the audit and recount. Mr. Capriles called for peaceful demonstrations, aimed at supporting this request and demanded from the CNE to uphold the rights of voters, notwithstanding the President's swearing-in, since Mr. Maduro's presidency would be deemed illegitimate pending the dispute resolution.

On Monday, April 15th, at 5pm, [the CNE proclaimed](#) Mr. Nicolás Maduro as President of Venezuela. The ceremony – an official and mandatory broadcast- was transmitted in all public and private media. Ms. Tibisay Lucena, President of the CNE, stated before a plenary of Government authorities and members of the diplomatic corps that the [electoral system had worked seamlessly](#). As to Mr. Capriles' complaints on the veracity of the results, she stated that the former should follow the judicial system's established procedures. Ms. Lucena also stated that since voting in Venezuela is computerized and all records of the voting are contained within the electoral machines (instead of the printed ballots) the results are "proof of the perfect performance" of the system. According to Ms. Lucena, the ballots printed by the voting machines are only used by voters as a verification tool after voting, and to carry out an audit of the citizens once the electoral process ends. Ms. Lucena stated that Mr. Capriles means to complain about the CNE should be construed as acts of "harassment", "threat", and "intimidation"³.

In his first speech as proclaimed President, Mr. Maduro stated that the electoral results had been fair, and constitutional, and that they expressed the will of the majority. He did not mention the previously agreed request for a recount, accepted by him on election night; instead, he denounced as "[a coup d'état](#)" Mr. Capriles' refusal to recognize the results. In Mr. Maduro's words, "*...a majority is a majority, and must be respected in a democracy. One cannot resort to ambushes, fabrications to undermine popular sovereignty (...) this has a name: 'coup'. Whoever tries to undermine the majority in a democracy is only calling for a coup d'état, and I denounce that there is an ongoing attempt in Venezuela to refuse to recognize our democratic institutions...*" He also indicated that [members of the Comando Simón Bolívar](#) were inciting acts of violence and alerted about possible "infiltrators" within the law enforcement personnel who could aim and shoot at protesters⁴. In closing, Mr. Maduro made a call for peace and national unity, adding that the people should be aware of the ongoing [coup conspiracy](#)⁵.

Once the proclamation ceremony was over, Mr. Capriles made a third public statement at a press conference, calling once again for [a democratic and peaceful fight to demand the right of his supporters for an audit](#) of the electoral results. He requested his voters the following three specific actions: to engage in pot-banging ("*cacerolazo*") from their homes on that same night of April 15th; to accompany his state campaign platform coordinators to the corresponding regional CNE offices, on Tuesday, April 16th, so as to formally request a vote recount; and to join him on a demonstration, on Wednesday, April 17th, at the CNE's national headquarters, where he would also legitimately submit the same recount request. Mr. Capriles stated his will to recognize the majority's decision, but that given the reports of irregularities in the electoral process he felt it was imperative to request a full recount of all printed ballots and electoral logs. He addressed Mr. Maduro and Ms. Lucena directly, asking both to accept the audit of the results, and bring an end the political controversy, by upholding the Constitution and guaranteeing peace in the country⁶.

Between 8pm and 9pm on Monday, April 15th, the media reported the people's banging of pots and pans in various parts of the country. At 11:30pm, in an interview in *Venezolana de Televisión* (VTV), Venezuela's leading public channel, President Maduro stated that the [Comando Anti-Golpe](#) ("Anti-coup Command") had met earlier to analyze the situation. This Command was created by the late President Chavez, as a civic-military response to alleged destabilization plans in the context of the October 2012 Presidential elections⁷. Mr. Maduro said that the Anti-Coup Command had met with members of the Armed Forces and of the Bicentennial Security Initiative, and that all public safety forces, including 400,000 members of the *Milicia Bolivariana* (Bolivarian Militia)⁸ had been [deployed in all Venezuelan states](#), to control outbreaks of violence.

Mr. Maduro stated that violent groups had tried to set on fire several *Centros de Diagnóstico Integral* (CDI: Spanish acronym for Comprehensive Diagnostic Centers), part of the “*Misión Barrio Adentro*” (a primary healthcare program developed during Mr. Chávez Presidency), and had attacked neighborhoods belonging to the “*Misión Gran Vivienda Venezuela*” (a public housing program developed by Mr. Chávez), regional headquarters of the ruling party *Partido Socialista Unido de Venezuela* (PSUV: Spanish acronym for Venezuelan United Socialist Party), people’s socialist markets and the home of the President of the National Electoral Council. Mr. Maduro also stated that he had spoken with the Prosecutor General, Luisa Ortega, asking her to take legal action against those who were promoting violent acts. He also requested from the population peace, calm and tolerance, but to “defend the CDIs as well and requested from Mario Silva, anchorman of VTV’s show “*La Hojilla*” (“the razorblade”), to show images of all violent acts throughout the country⁹.

Statements by State authorities, from April 16 to 24

In the aforementioned context, from Tuesday, April 16, to Wednesday, April 24, several government authorities and State entities¹⁰, made Mr. Capriles directly responsible for the outbreaks of violence, accusing him of “instigating acts of violence”, “insurrection”, and “fascism”, stemming from the public statements that he made after the elections. These accusations were made in official releases, press conferences, and statements broadcast through the National System of Public Media and the Bolivarian Communications and Information System, including a video shown in an official and mandatory media broadcast on April 23 and 24. State officials said that the calls for violence had resulted in the deaths of seven government supporters, violent attacks against public health centers and social programs, PSUV facilities, as well as in the siege of regional CNE offices, state media, and the homes of public authorities. Government officials showed videos of the alleged attacks, purportedly provoked by opposition leaders, without conducting a prior investigation of the events.

Gabriela del Mar Ramírez, Director of the Venezuelan Human Rights Institution (Tuesday, April 16th)

During a press conference and through a news release, the Ombudswoman expressed her support for the [“activation of an Anti-Coup Command”](#), given the similarity of the acts of violence reported on the events leading to the April 2002 coup attempt. In her statement, the Ombudswoman said that those acts were “outbreaks of violence” promoted by the “losing candidate”, calling for violent groups to block streets, “obstructing the transportation of food products” —this has been typified as a crime in new laws that restrict the right to peaceful protests. Ms. Ramírez reported that those violent acts included violent intimidation against CDIs, the setting on fire of buildings housing social missions such as MERCAL and PDVAL (low-cost food programs), as well as the siege of public radio and TV stations and the homes of public authorities. She requested the execution of investigations, and the prosecution of material and intellectual perpetrators. She also stated that her office had yet to receive reports on the irregularities of the electoral system and deplored the “losing candidate’s refusal to recognize” the electoral results.

Luisa Ortega, Prosecutor General (Tuesday, April 16th)

At a press conference, the Prosecutor General stated that [Mr. Capriles was directly responsible for instigating the acts of violence](#) that led to the deaths of 7 people, and indicated that 135 individuals had been arrested. She announced that the General Prosecutor’s Office had initiated the investigations, but stated that the violent acts could be typified as crimes of “advocacy of hatred”, “disobedience of the law”, “civil rebellion” and “conspiracy”, pursuant to the Venezuelan Criminal Code and the Law against the Financing of Terrorism and Organized Crime¹¹. She also suggested —as did the Ombudswoman— that these acts were similar to those that took place in 2002, including oil industry’s strikes and the *coup* attempt against President Chávez¹². In a second press conference, on April 24, the Prosecutor General submitted a [summary of the violent acts occurring between April 15th and 16th](#), attributing them in part to the calls to action made by private and social media, through “*direct and subliminal messages, encouraging citizens to take to the streets, to commit hostile acts, violating the law, which led one side of the population to attack the other side, impacting public peace, with the erroneous idea that the CNE was not being impartial (...) that resulted in 9 people dead and 78 people injured...*”

Luisa Estella Morales, President of the Supreme Tribunal of Justice (Wednesday, April 17th)

The President of the Supreme Tribunal of Justice (TSJ) also made a public statement, in support of CNE's President Tibisay Lucena, expressing that the [manual ballot recount did not exist in Venezuela](#) since this procedure "had been eliminated" in the 1999 Constitution. She also stated that there were legal means to challenge the results given by the CNE, through the Electoral Court or the Constitutional Court of the TSJ. In addition, she said that asking for a manual recount was an act of "deceit" and "alleged instigation" by those in the opposition knowing that this was "impossible". She also credited reports about people killed or injured in street violence resulting from the opposition's call for a recount, and said that those responsible would be prosecuted without impunity¹³.

Darío Vivas, First Vicepresident of the National Assembly (Wednesday, April 17th)

During an interview on National Public Television VTV, the First Vicepresident of the National Assembly informed that four [parliamentary commissions](#) had been created, only with pro-government deputies, so as to record the "violent actions led by the anti-Chávez candidate Henrique Capriles and his clique". According to Mr. Vivas, these actions created a "climate of insurrection" aimed at producing "the same effects of April 2002, when the same groups staged a coup d'état against the Constitutional Government of President Chávez". In his opinion, since Mr. Capriles had yet to that day not officially challenged the electoral results or requested an investigation into the alleged irregularities, his actions were part of a "well-designed plan to carry out a coup d'état", by means of "disqualification of State Institutions, refusal to recognize electoral results and the elected President, inciting conflict and generating a climate of instability in order to set the stage for a foreign intervention".

Ernesto Villegas, Information and Communications Minister (Wednesday, April 17th)

Mr. Villegas summoned journalists of the National System of Public Media for a press conference, in order to "condemn" the deaths caused by political violence, as well as the attacks against the regional offices of the PSUV and the CNE, and at least 12 CDI's in 6 states, for which he said there was "evidence"¹⁴. He blamed [Mr. Capriles for these events](#) given his "insurrectional stance" and his "irresponsible call to violence" on the night of April 15¹⁵.

General Néstor Reverol, Internal Affairs, Justice and Peace Minister (Thursday, April 18th)

During the [wake](#) of two of the alleged victims of political violence, whose deaths occurred in La Limonera, a low-income neighborhood in Caracas, General Reverol stated that he had designated special task forces to carry out thorough investigations on those responsible for committing these "heinous crimes", including "acts of vandalism" against some public health centers. He called those responsible "fascist, unscrupulous, destabilizing groups, full of hatred", who had reacted to [public statements made by "the losing candidate of the Venezuelan right-wing"](#). He also said that they would identify those responsible for financing the actions of these groups, and prosecute them pursuant to the Organic Law against the Financing of Terrorism and Organized Crime, including the seizure of their assets and freezing of their bank accounts¹⁶. President Maduro stated at the wake that [the deceased were martyrs and heroes of the Bolivarian Homeland, who had died during the fascist and hateful attacks of the bourgeoisie.](#)

Elias Jaua, Foreign Affairs Minister (Monday, April 22nd)

In an article published in the daily *Ciudad Caracas*, under the headline "15-A: the face of hatred", Mr. Jaua wrote that [the statements of Mr. Capriles had led to "generalized violence" and a "bloody and destructive" day throughout the country](#), resulting in "political murders". As proof, he quoted the words of Mr. Capriles, stating that those who felt deceived with the electoral results should drain their anger and frustration by banging their pots and pans from their homes. Mr. Jaua also said that reports of private media and opposition sectors denying the acts of violence, were also proof of "fascist" acts aimed at the "moral execution" of the victims: "Then, as it is typical with fascism, we saw their attempts to make invisible the dead victims, and to morally degrade them; 'they were criminals, they killed one another', stated the opposition and private media spokespersons, in support of the moral execution of the victims of political murders".

Iris Varela, Correctional Affairs Minister (Tuesday, April 23rd)

At a press conference, Ms. Iris Varela addressed Mr. Capriles directly, in a personal and threatening manner, accusing him of being responsible --as intellectual author-- of the political murders of April 15 and 16. According to Ms. Varela, those murders were the consequence of Mr. Capriles' statements. She referred to him as an "assassin, instigator, fascist, negative leader, drug addict and women-hater". In the same outspoken tone, Ms. Varela said that she had [a prison cell ready for his arrest and that her Department would make sure that his "crimes" would not remain in impunity](#). Ms. Varela also said that the audit of the electoral process would not alter the results of the elections, since they were irreversible; therefore, they would not be repeated. She stated that they would ascertain that the results and the Presidency of Mr. Maduro were respected, and that in this regard, all workers of her Ministry, which she identified as "revolutionary political cadres", would be deployed around the country to show the evidence of the opposition's "violent and fascist acts". She added that they would also provide such evidence to the diplomatic corps and international media¹⁷.

Pedro Carreño, Member of Parliament, PSUV (Wednesday, April 34th)

At a press conference, Mr. Carreño informed that a new commission had been designated [in order to investigate Henrique Capriles and Leopoldo López \(opposition party leader\) accountability in "planning a coup"](#) so as to challenge the electoral results, since they had no proof of irregularities impacting on the elections. He said that they had a "document related to this plan, drafted 15 days before the elections". He also stated that PSUV Deputy Darío Vivas, and Mario Silva from State Channel VTV, would be members of this Commission, which would not include ["undemocratic" deputies](#). In this regard, he said: *"The undemocratic opposition cannot be a member of a democratic Parliamentary Commission. If they behaved in a democratic manner, we could (...) think about letting them be part of this Commission. We would be wasting parliamentary investigative resources should this Commission include deputies who would disregard the facts; they have not even admitted them (...). Faced by these fascist aggressions (...), the Commission will unmask the media swine, as well as the coup-mongers, fascists, and the bigoted, criminal and murderous right led by Capriles"*.

The course of the electoral dispute

The [formal request for an audit of the electoral process](#) was presented to the CNE on April 17 by the Simón Bolívar Command. On April 18, in a national broadcast by all public and private media, CNE President, Tibisay Lucena, acknowledged the right of the opposition to challenge the electoral results and stated that the proper procedure to solve the dispute would be to challenge said elections before the TSJ. The former could only be done after the swearing-in of the proclaimed candidate. She warned that the CNE had announced transparent and true results that expressed the will of the voters. She also explained that the formal complaint brought before the CNE asked for the completion of the 100% audit of the process that had taken place on election-day, and not for a recount, since the voting process and scrutiny were automated. A recount would only ensue after challenging the results before the TSJ. The CNE then decided in favor of [extending the auditing process to the 46% of ballot boxes that had not been audited at the end of the day on April 14](#), but explaining that this could not be construed as a scrutiny of the electoral process. On April 20, at a press conference, CNE Director Sandra Oblitas said that [the extended audit was only a technical process that would not modify the electoral results, which were "irreversible"](#). She ratified that the dispute regarding results could only be solved by challenging them before the TSJ.

Mr. Capriles, who had returned to his position as Governor of the State of Miranda, [publicly accepted the results of the elections after they were announced by the CNE](#), and, referring to the statements of public authorities, said: *"we are looking for the solution of a political dispute generated by the Government itself, this situation could have been prevented on Sunday night"*.

On Monday, April 22, CNE Director Vicente Díaz explained that the extended audit consisted of a recount of the ballots, comparing them to the certificates printed by the voting machines and to the number of voters depositing their ballots in each center, recorded in the electoral logs. [This would be the only way to determine inconsistencies](#). However, given the delays by the CNE in announcing the starting date for the auditing process, Mr. Capriles made two public statements, on April 25 and 26, explaining that [they would not participate in an incomplete audit](#) and that they had [decided instead to challenge the elections](#), so they would not go past the 15-day time-limit pursuant to the law for such a process, after the formal proclamation of the President.

On April 26, CNE Director Vicente Díaz stated publicly that he had initially supported the idea to extend the audit of the results, by auditing 100% of the ballots, instead of the customary 54%, but realized later that this extension did not entail the [exhaustive examination of the electoral registry logs](#), as had been legitimately requested by Mr. Capriles. He also said that [an audit of fingerprints was necessary](#): "I understand and completely share the demands of Mr. Capriles, to include the electoral registry logs to be examined exhaustively. This is a legitimate and reasonable demand..." On April 27, CNE President Tibisay Lucena, in a mandatory national media broadcast explained [the schedule for the extended audit process, rejecting the requests for an exhaustive examination pursuant to the terms proposed by the Simón Bolívar Command](#). She argued that the opposition's complaints lacked precision and an accurate description of irregularities.

On April 29, in a radio interview, CNE Director Vicente Díaz stated that the CNE should give a proper answer to the requests of the opposition in order to clear any doubts regarding the credibility of the CNE and of the electoral results. He said that the Simón Bolívar Command's complaints were not about the operation of the automated voting machines or numeric inconsistencies, but about irregularities during act of voting. In this regard, he said that it was necessary to carry out an exhaustive audit, which implied opening all the ballot boxes and examining all the electoral registry logs —where it would be possible to determine whether some votes were casted using another persons' identity card. He also said it was important to find out if there were fingerprint duplicates in the logs, by means of the Identity Identification System, a control mechanism included in CNE's procedures. He also warned that the CNE had not handed out these reports, which allowed to verify potential irregularities such as voting under the names of deceased individuals, multiple voting, number of votes casted with fingerprints other than those of the actual voter, number of votes rejected because the person had allegedly already voted, and number of disabled people who had voted without providing their fingerprints.

Director Díaz also said that the CNE had failed in its capacity as overseer of the electoral process, as it had failed to control abuses and situations of reported coercion, such as the distribution of propaganda at voting centers and "assisted" voting by "political commissars". He denied that the results of elections would be irreversible, since, if such were the case, there would be no need for establishing legal procedures to challenge elections. In this regard, he said that the CNE had legal authority to proceed autonomously to provide a solution to the political crisis, without the need for a legal challenge. He reiterated his accusations of the presence of a slant during the electoral campaign in favor of the Government, saying that it underscored the "undemocratic struggle of an individual (referring to Mr. Capriles), against the State".

Human Rights violations in the electoral context

Stigmatization and criminalization of dissidence

In the aforementioned electoral context, spokespersons for State institutions systematically used stigmatizing language in their public discourse against opposition leaders and their supporters, as well as against independent groups leaning towards the ideas and opinions of opposing parties. This practice of stigmatization is dehumanizing and morally degrading. It also undermines personal and institutional credibility, and is a source of violations of human rights¹⁸. This public discourse can be also deemed as a practice that advocates hatred, incites violence, and promotes political discrimination as well as cruel, degrading and inhuman treatment. Together with these systematic conducts of disqualification and public discrediting against dissenting sectors or those questioning Government conducts, in the past few years (due to conviction or coercion), public authorities, including military officers, have declared themselves active militants of "the Bolivarian Revolution". These conducts are in clear violation of the Venezuelan Constitution and international democratic instruments requiring political impartiality when exercising public duties.

The inappropriate conduct of State institutions, expressly forbidden by the Venezuelan Constitution, was evidenced when the authorities of the Executive, Legislative and Judiciary branches, together with the Director of the National Human Rights Institution, upon reporting the acts of violence allegedly caused by the opposition (before any investigations were carried out) referred to opponents as "violent, fascists, coup-mongers, murderers, and sectors who hate and despise the people". In a stern public statement, the General Prosecutor stated:

“Do you know what it means to try to burn alive a Venezuelan? That is terrible; do you know their argument for carrying out these acts of violence? (...) since the people did not elect me (...) Am I going to attack the people? Because the attacks against PDVAL, MERCAL and the CDI’s, against government services, are attacks against the Venezuelan people (...). The candidate who did not get the people’s support, said to them: ‘since you did not vote for me, I am going to harm you, I am going to call on other people to attack you, and I am going to kill you, [I am going to kill you, I am going to go after you, I am going to raid your house, to set on fire everything that benefits you, because this is what they are doing now, and that is the balance of the situation that we have insofar...](#)”.

These speeches allowed for prosecutions and police and military actions against those identified as material and intellectual authors of violent deeds and deaths. They were avowed by the Executive and backed by the National Human Rights Institution, the Public Prosecutor, the Supreme Tribunal of Justice, the Internal Affairs Ministry and pro-government members of Parliament. Without carrying out investigations, those identified responsible for the attacks, were accused of “abetting violence, destabilization and insurrection”, and of being involved “in a pattern leading to a *coup d’état*, similar to the events of April 2002”, and “a conspiracy for staging a *coup d’état*”. Government authorities automatically supported information given by some civil servants regarding attacks and acts of violence, and refused to review reports contradicting that information. They said that such reports were not substantiated and that the reports of disproportionate use of force against protesters, arbitrary detentions, and cruel treatment, were all part of a “media show”.

On April 23, President Maduro designated General Miguel Rodríguez as the new Minister of Internal Affairs and Justice, who also remained at his old post as Director of the Bolivarian Intelligence Service (SEBIN)¹⁹. On April 25, during a press conference, General Rodríguez stated that he had proof of a [conspiracy plan called “April Connection”](#), which had been devised in September 2012 by “extreme-right sectors”. He explained that the arrest of Timothy Tracy, a US citizen, was in response to this plan. Even though Mr. Tracy’s relatives and his Venezuelan friends said that he was a filmmaker working on a documentary on the Venezuelan political situation, Minister Rodríguez referred to him as an “intelligence agent” and *liaison* for dissident Venezuelan groups with “foreign governmental organizations”, to secure funding for destabilizing activities that would be implemented once the “candidate of the right” expressed his “refusal to recognize the electoral results”, as part of an “electoral *coup*”.

He also reported on the raid of a house where members of the youth movement [Operation Sovereignty](#) were meeting, and where more than [500 videos evidencing the conspiracy](#)²⁰, were seized. These accusations were rejected by the leaders of this youth group in a public [statement and release](#). At the same time due to his alleged participation in the conspiracy, a retired General and member of the political party Voluntad Popular was arrested — without the guarantees of due process. Mr. Rivero was accused of “abetting hatred” and “conspiracy”. The accusations were based in [seized videos](#) in which, according to the Minister, Mr. Rivero was abetting youth to commit acts of violence, following the instructions of opposition candidate Capriles. The members of Voluntad Popular condemned the [arbitrary detention and deprivation of liberty of Mr. Rivero](#) and alerted that this deed could be a first step towards a possible “illegalization of political parties” in Venezuela.

Suspension of the right to peaceful protest and repression against protesters

In the context of the post-electoral dispute concerning the results and the proclamation by the CNE of Mr. Maduro as President of Venezuela, on Monday, April 15, Mr. Capriles and his electoral platform, the *Comando Simón Bolívar*, called on supporters to express their rejection of the results through peaceful protests, demanding the recount, by standing in front of regional offices of the CNE. These protests would take place on April 16 and 17. That same night, Mr. Maduro and other State authorities activated the “Anti-*coup* Command”, calling supporters to the streets, including party militants, ministers and governors²¹. They also reported acts of violence against public buildings, and attempts at destabilization by Mr. Capriles and opposition groups, as well as the deaths of government supporters in various cities around the country, due to the opposition’s acts of political violence.

On Tuesday, April 16, the protests were dispersed by means of a disproportionate use of force and acts of repression against protesters in different states of Venezuela. Over 150 people, most of them youth, were arrested as they made their way towards their assembly points, or after they had started their protest. At the same time, in a national mandatory media broadcast, Mr. Maduro addressed the country to [forbid the mobilization called by Mr. Capriles for the following day, April 17, to the CNE's headquarters](#), calling the private media to “make up their minds” as to which side they stood, whether it was for “peace and homeland” or for “fascism”. That night, Mr. Capriles decided to cancel the mobilization to the CNE²². What had taken place, in fact, was the suspension of the right to peaceful protests, under the assumption that this protest was part of a conspiracy or an agenda of violence.

Repression against individuals and protesters was reported through the media and social networks, including videos, showing [persecutions](#), close-range [shootings with pellets](#), and throwing [tear gas in enclosed spaces](#), [harassment](#) and [aggressions](#) by law enforcement officials. [Attacks](#) and [violent actions](#) against civilians by pro-government armed groups were recorded as well in various states: Lara, Zulia, Carabobo, Sucre, Mérida and Barinas. There were also reports of cases of [cruel, degrading and inhuman treatment](#) against youth arrested during the demonstrations: on April 19, [relatives of young protesters from the state of Carabobo who were still detained by the end of April](#), stated the following: “They were asked: ‘¿What is the name of the President?’ And they made them repeat the name of Maduro. They were made to wear the 4F cap (commemorating Mr. Chávez coup attempt on February 4, 1992) and, if they took it off, they were hit with (the guard’s) helmets”. [In the state of Barinas, the lawyer representing 44 young people arrested](#) declared that 5 of them were put together with the prison population and were “forced to say that Maduro was their president; those who refused to comply were beaten”. In the state of Lara, once released from detention, [Carlos Doubront](#)—whose deceased father was an officer of the National Guard and a supporter of Mr. Chávez-, told the media:

“...some of those detained with me, were subject to different sorts of mistreatment by the national guard when asked ‘who is your President?’ (...) there were some who even said that it was Hugo Chávez, but they were still mistreated by the guards, until they got the answer they wanted, which was ‘Nicolás Maduro’. One group arrived screaming, it was the group from Sambil (a shopping-mall where they were arrested), they made them yell and chant ‘President Maduro’, during the half-kilometer walk to the military post (...). During the first day we were completely isolated, we could not make phone calls and had no access to lawyers. They made us sleep in the patio, in inhuman conditions. When one of the public defenders came, he realized the conditions in which we were kept. There were some who had been injured with pellets. They were covered with blood and torn clothes. I was a victim of humiliating treatment, because my father was a military officer. One officer, a Captain, subjectively said that I was a disappointment, and that my father, who had been a revolutionary officer, was turning in his grave seeing how I had dissented”.

In this regard, a group of civic organizations from the state of Lara, publicly condemned the events that had occurred in Barquisimeto, from April 15 to April 22. They expressed their

“concern for the outrageous number of people injured, arrested and treated in a cruel and inhumane manner for protesting peacefully in the vicinity of the offices of the National Electoral Council, on April 15 and 16. We also reject the breaking-in of private spaces, such as homes, institutions and commercial areas, by the military in their disproportionate persecution of protesters. The multiple witness accounts and medical reports on those injured and detained, together with eyewitness accounts, and the images and videos gathered by human rights organizations and the media, allow us to state that the law enforcement bodies of the Venezuelan State used excessive and disproportionate force against protesters, using fire arms and chemical substances prohibited when controlling public gatherings. Those who were detained, according to their accounts, were victims of cruel and inhuman treatment, expressly prohibited by Venezuelan legislation and international covenants subscribed by the State.”

In spite of media reports on these events, and documents such as the one above, the General Prosecutor [publicly disqualified them as “baseless”](#) and stated that the human rights of all detainees had been respected:

“Between April 22 and 23, the Prosecutor’s Office has been receiving reports of alleged human rights violations occurring on April 15 and 16 (...). These reports have come together with a media matrix (...). There is no mistreatment of persons deprived of liberty in Venezuela. Those who were arrested had their rights respected (...). These reports shown in the media are well written, in a solemn and serious tone, but when you read the ones brought to our institution they are unfounded, there is no basis to them. Evidently, there is a disproportionate manipulation of reality, and this steals away their credibility”.

Additionally, she denied that there were violations of human rights by the State and added that those detained had been “treated with respect, according to their human condition”, they had received forensic medical care and had been assisted by public defenders who protected their physical integrity. She concluded by saying that no protest would be criminalized as long as it was a “benign protest”.

The majority of arrested protesters and bystanders were freed between April 18 and 22, through precautionary measures requiring them to appear in court every 5 to 30 days, and forbidding them to participate in protests. The courts charged those arrested with “disturbance of public order”, “abetting minors to commit crime”, “resisting arrest” and “causing generic damages to public property”, for alleged damages to public buildings. Their lawyers dismissed these charges and [rejected the statements made by the Prosecutor General](#), saying that dissenting youth, had been victims of abuse and aggression, as recorded on the forensic reports.

Weakening of electoral rights

The National Electoral Council’s reaction, in the context of the narrow margin of the results and the reports of violations to the rights of freedom of assembly and expression; the absence of independence of the judiciary, as well as the high level of impunity, have generated serious doubts within sectors of the population vis-a-vis the transparency and authenticity of electoral results. This, in turn, has weakened the value of exercising the right to vote, and the possibilities of seeking justice in electoral matters through the proper judicial channels. Governmental open bias during the campaigns; absence of balance and equity of electoral conditions; intimidation, coercion and impunity from public authorities; are all elements that weaken the exercise to vote, and the peaceful resolution of conflicts.

After announcing the electoral results on April 14, the National Electoral Council, supported by all branches of Government, maintained its position that challenging the results was “inadmissible”, given the “irreversible nature, meticulousness, and precision” of the electoral process.. The CNE also underscored that the precision guaranteed by the automated system, made it unnecessary to recount the ballots. Even though the pre-vote audit exercises indicated a fairly accurate number of recorded votes, there are certain situations where a person could vote multiple times, or that the voting machines could be activated by fingerprints other than the actual voter; thus the need to guarantee free and fair voting.

The National Electoral Council, the Supreme Court of Justice and the National Human Rights Institution, affirmed that they had not received any report or legal complaint by voters or political parties, on irregularities or wrongdoing, that would justify an audit of all the elements of the voting process (printed ballots, voting registry logs, final certificates, recorded incidents and fingerprints), even though the media, eyewitnesses and [international observers](#)²³ reported having seen [undue assisted voting](#)²⁴, harassment by pro-government [groups in motorcycles](#), and the so-called “red kiosks”¹ near voting areas. The CNE made no comments regarding these irregularities.

The CNE’s refusal to conduct a thorough audit of all elements related to the voting process, as agreed by the [Presidents of the member States of UNASUR](#) (Union of South American Nations) in a consensus document signed with the presence of Mr. Maduro, does not bring a solution to the electoral dispute. Also, the CNE’s refusal to carry out an audit generates doubts among the voters about the legitimacy of Mr. Maduro’s victory and undermines the right of voters to obtain timely and transparent responses to their concerns.

¹ *Puntos Rojos* or “Red Kiosks”: Stands with pro-government activists and propaganda.

Politically motivated violence and discrimination

Acts of violence ensued at the National Assembly after the electoral process and opposition parliamentarians became the victims of physical aggression. Some of them were also arbitrarily removed from their chairmanships on various Assembly Committees. On Tuesday, April 16, as electoral irregularities were being discussed, MP [William Dávila was seriously injured when a microphone was thrown at him](#). During this session, MP Diosdado Cabello, President of the National Assembly, denied the [right of speech to those opposition MP's who did not formally recognize Mr. Maduro as President](#)²⁵:

“Since there are some people here who refuse to recognize comrade Maduro as Venezuela’s President, as long as I am (the National Assembly’s) President, no opposition Representatives will have the right of speech until they recognize him (...). If you wish, get up and leave. Leave with the fascist (...) the sustaining wall in this Revolution was called ‘Hugo Chávez’ and only his ideas and inspiration refrain us, do not play with fire (...). You murdered 7 Venezuelans yesterday (...) following the orders of Capriles, the Fascist candidate...”

This type of behavior was repeated in [Regional Legislative Councils in other states](#).

On April 17, also following orders from the President of the National Assembly, opposition MP's were [dismissed from their posts as chairs or vice chairs of parliamentary commissions](#); on April 26, [their salaries were suspended](#). In reference to these events [MP William Dávila](#) said: *“These are attempts to utterly destroy the autonomy of the Legislative...”* Other opposition candidates decried the attempts to force them out of the National Assembly as a *“Constitutional Coup”*.

Violence escalated during the session on April 30, when several opposition MP's were [beaten and injured](#), after protesting a new [suspension of their right to speak](#), made by National Assembly President, MP Cabello. As they lifted a banner and blew whistles and horns, the gates of the hall were locked, and [a group of pro-government MP's attacked opposition Representatives](#). Mr. Maduro observed the situation from the President's podium, without intervening to stop the aggressions. The following day, May 1, President Maduro described these events as [acts of violence from Fascist provocateurs](#), and stated that an evidentiary video would be shown that same night.

On April 18, a series of reports of layoffs in various ministries, State companies and governorships came to light through videos and recordings posted initially in the social media. These reprisals against those who did not vote for Mr. Maduro were decried as [politically-motivated discrimination in the workplace](#). In one of the recordings, [Leonet Cabeza, Regional Director of Sports in the State of Zulia](#), is heard saying to employees during a meeting: *“So that you know, so that I make myself clear, we are going to fire you (...) because I am a Chavista, a socialist ...”* Politically-motivated layoffs were also reported in the governorships of states such as [Miranda](#) and [Nueva Esparta](#). Pro-government union leaders and workers also proposed to [reinstate the “Tascón List”² to “clean up”²⁶](#) State-owned industries from opposition militants (. In Caracas, Ricardo Molina, Minister of Housing and Habitat, decreed “zero tolerance” for employees opposing the revolution: *“To all opposition personnel in our institutions: Zero tolerance! (...), I do not accept activists from fascist parties. Resign, or else. I will fire you. We will not allow such things, I do not care, and I say it to you clearly, I do not care what the Labor Law says...”*. This statement together with [4,000 reports of politically-motivated layoffs](#), were brought on April 25 before the Republican Moral Council²⁷³, by Leopoldo López, leader of the opposition's political party Voluntad Popular.

Slander of human rights defenders

On April 15 and 16, State authorities informed by means of press conferences and public statements, of violent attacks perpetrated by followers of the opposition's candidate, Henrique Capriles. According to the authorities, they had set fire and destroyed 23 Centers of Comprehensive Diagnosis in the states of Zulia, Carabobo, Barinas and Miranda; caused damages to some housing projects of the *“Misión Gran Vivienda Venezuela”*, as well as several offices of the ruling United Venezuelan Socialist Party; and also murdered between 7 and 9 pro-government

² The “Tascón List” refers to a large data-base gathered by the late Luis Tascón, a pro-government MP, with all the names of those who called for a referendum to challenge Mr. Chavez's Presidency in 2004. This list was used to discriminate against them in many different ways, i.e. working for public or private companies in the oil business, obtaining public scholarships, even being beneficiaries of the so-called “social missions”.

³ Órgano coordinador de la Defensoría del Pueblo, Fiscalía General de la República y Contraloría General de la República.

activists. The National System of Public Media showed photographs and videos and presented testimonies of these events, through national [mandatory media broadcasts](#), stating that all cases had been reported and had sufficient evidence to allow them to identify those responsible, material and intellectual perpetrators. These reports were complemented with press conferences from the [Director of the National Human Rights Institution](#), the [Prosecutor General](#) and the [Information and Communications Minister](#).

As the days went by, neighbors and personnel working in the allegedly burnt down or damaged buildings; and relatives of some of the deceased and eyewitnesses, gave out contradictory information [from that of State institutions](#). In view of these contradictions, the Venezuelan Program on Education and Advocacy on Human Rights (PROVEA) --one of Venezuela's most respected human rights organizations dealing with economic, social and cultural rights-- conducted an [investigation to verify the conditions of the CDI's](#). PROVEA collected data, testimonies and images published in public media, and compared them to information gathered on site, with the support of eyewitnesses and photographs. With the evidence collected, PROVEA was able to prove the untruthfulness of the official information on the attacks and the damage caused to the CDIs. None of the CDI's had been set on fire or destroyed, and the so-called "acts of fascist violence" had actually consisted in groups of opposition supporters banging their pots and pans in front of the CDI's, throwing stones and bottles, and in one of the cases, lighting a large firecracker and pointing it towards a CDI. The results of PROVEA's investigation, [proving the untruthfulness of the official reports](#) were published on the organization's web site on April 18, together with a statement, in which PROVEA also stated its condemnation of all acts of aggression or violence.

On April 19, Ernesto Villegas, Minister of Information and Communications, called the Director of PROVEA asking for a clarification, stating that the Government [had "sufficient evidence" on the aggressions](#). PROVEA's Director assured the Minister of their willingness to make this information available, after verifying all evidence provided by the Minister. The aforementioned requested evidence was never received. Instead, the Minister responded via Twitter, with a series of [slandering messages against PROVEA](#), altering the wording of official statements on buildings that were set on fire or destroyed:

"The media and some NGO's have come together as accomplices in hostilities against doctors and patients harassed by the noise of pots and pans; and by gunmen and drivers running people over. Provea is placing its anti-Chavism stance before its obligation to defend the human rights of victims of intolerance. Provea promotes the denial of violent outbreaks, after M. Capriles refused to recognize the electoral results. We will do what Provea refused to do: to receive and make public the testimonies of the victims of aggressions against the CDI's and other buildings under attack. This is the same behavior the media exhibited on 11A (April 11, 2002, the date of a coup attempt against President Chávez): they make the victims invisible or turn them into perpetrators, thus validating the coup. At the press conference given by Provea/Globovisión they tried to disqualify what I said, that is that the CDI's were the target. An NGO allegedly defending human rights, should have looked for testimonies from victims of aggression on April 15, instead of lending itself to exculpate the fascists. It is shameful that Provea lends itself to act as the backend of fascism, certifying that there is 'no evidence' of the havoc wreaked by the gangs attacking the people".

Mr. Villegas suggested through the public media that Provea should have the right to a reply in public TV station VTV. On April 25, Provea formally replied to Mr. Villegas offer "[accepting the right to reply but under 'the conditions set by Provea so as to guarantee the true exercise of its rights and pursuant to Article 58 of the Venezuelan Constitution'](#)". However, through an official statement published on Twitter, the Minister once again reiterated [his accusations against PROVEA, as an organization that protects the interests of the political right](#). He said that these statements were based on the exercise his own "freedom of expression", regardless of his duties as a State official.

On April 20, Gabriela Ramírez, Director of Venezuela's National Human Rights Institution, called on human rights organizations to "[act responsibly and avoid turning into political actors](#)". She said she was astounded to learn about PROVEA's report: "*instead of substantiating condemnations as serious as the attacks against health centers, an NGO denied them (...) acting against its own principles as a human rights organization*". She called on Provea "to revise its research mechanisms" since, their report is based on "newspapers".

Elías Jaua, Minister of Foreign Affairs, also took part in the slanderous campaign against Provea. On April 22, in an article under the heading of “15A: The Face of Hatred”, published in CiudadCCS, an official newspaper, he accused Provea of [“covering up and protecting fascist violence”](#):

“The private media rush in to white-wash Fascism. This makes them an accomplice of intolerance and political crimes. But also Provea, which in the past was a spirited human rights organization, has become one of the white-washers of violence. ‘No CDIs were set on fire’, hastened to say Provea’s spokespersons. What were they expecting, to find them aflame with people inside? Thanks to the courage of the people’s defense mechanisms, there were no further serious consequences. For Provea the murders never happened, its representatives did not even bother to visit the relatives, or the injured. The attacks against party offices did not occur either, and nothing was said about the intolerant rhetoric of the opposition candidate. Regretfully, the people have lost an old human rights stalwart. Today, Provea is devoted to concealing fascist violence. What a shame. Julio Borges (one of the opposition MP’s injured at the National Assembly), ultra-fascist and a phony politician, has announced the ‘death of the revolution’. The revolution is not dead, and will not die, but 8 men and women of humble origin died. But private media and Provea still protect him”.

On April 22, as the official media was being used to discredit human rights defenders and organizations, the Information and Communications Ministry published a press release signed by 32 people, identifying themselves as former members of human rights organizations, questioning [the impartiality of human rights defenders and members of Foro por la Vida](#), (Forum for Life, Coalition of Venezuelan Human Rights Organizations) with regard to a [statement](#) published on April 16 and an open letter addressed to human rights organizations in the Americas, expressing concern for the post-electoral situation²⁸. Many of those signing the communiqué either work in State institutions or publicly defend Government’s ideology and party lines, but failed to mention this fact. One of these activists, in an interview published in CiudadCCS on April 24, stated that *“practically 100% of the staff and members of the Board of Provea [are active members of the opposition](#)”*, and added that *“Provea’s position is aligned with that of Forum for Life, because they are part of the opposition’s strategy to refuse to recognize the electoral results and legitimize future political conflicts”*.

Conclusions

The absence of dialogue between pro-government and opposition political parties, and the State authorities’ refusal to work towards implementing mechanisms that would allow for a peaceful solution of the electoral dispute, have generated a serious political crisis which could severely affect human rights and peaceful coexistence in Venezuela. The former is framed in a context where the legitimacy of Government institutions has been questioned, and its actions have led to human rights violations. This has led to the criminalization of the citizens’ demands for a transparent audit of electoral results, considered to be part of a fascist coup agenda. Therefore, it is urgent and necessary to:

1. Engage in joint efforts –all sectors, public and private, domestic and international- in pursuit of an effective implementation of unbiased and transparent democratic and peaceful mechanisms, that would bring about a resolution of the electoral dispute, as well as contribute to put an end to all measures, decisions or practices that threaten or restrict the enjoyment and exercise of all human rights and liberties without discrimination.
2. Implement mediation initiatives that contribute to persuade opposing political actors to recognize and respect each other, to engage in democratic dialogue, and reject all forms of stigmatization and the use of force, so as to prevent politically-motivated violence, and seek the restitution of all conditions for peaceful coexistence and the enjoyment and exercise of human rights, as prescribed by the social and democratic State, based on Justice and the Rule of Law, as set forth in the Venezuelan Constitution.

¹ Between 2009 and 2011 the Venezuelan government consolidated a body of legal instruments granting the exercise of power through a centralized, vertical and undemocratic State structure. Among such instruments, the First and Second Socialist National Plans stand out. The latter was included in President Chávez’s electoral program, and also became the basis for Mr. Nicolás Maduro’s electoral campaign. These plans have allowed the government to approve over 60 laws which affect the territorial, political and economic structure of the State, giving form to the so-called “Communal State” or “People’s Power State”. This Project, contained in the Constitutional Reform proposed by President Chávez in 2007, had been rejected by popular referendum.

² “I want to make this clear (...) you have obtained a result, announced by the CNE, based on 3,200 reported irregularities that affected the electoral process (...). We refuse to recognize this result until every ballot is counted. We demand that the CNE opens every ballot box. The Venezuelan people deserve respect (...). With the best of wills, when we talked to the Government, we said that according to our polls, we obtained a different result from the one announced and that we, for the benefit of our democracy and peace in Venezuela, want an audit to be conducted (...), we are talking about a slim margin (...). We have the right to demand a recount, an audit, for us and for the world to know (...). The people have spoken, and the results do not reflect our country’s reality, and we want the truth to be known...”

³ “The Venezuelan electoral system worked seamlessly. The whole country witnessed the speed with which the process was carried out, to everyone’s pride (...). We must say that there were very few incidents, all minor, without consequences (...). Since last night, Candidate Capriles expressed some demands to the CNE, and has refused to recognize the results we announced. This is his decision, but the rule of law must be upheld. Differences regarding the electoral results have a way to be challenged, through the corresponding entities (...). 54% of ballots were audited and, 14 audits were also performed before and throughout the electoral process; if something deserves to be challenged, they have the legal means to do it. Intimidation, threats or harassment are not means to challenge the performance of the Electoral process. The Constitution and the Law are the only path taken by real democrats”.

⁴ “...listen to what (Deputy) Borges says, he insists in taking the fight to the streets, and he says: ‘the Government’s defeat has fatally wounded the revolution’. This is what this desperate Fascist, hiding behind the mask of Bolivarianism, is saying (...). He speaks about the death of the revolution. This is the Right’s Project and I call upon the people to be aware, they want the death of the revolution, they want to put an end to all our Constitutional achievements, with all our social achievements, with democracy itself, and hand over the Homeland to the US Empire. This is what they want (...) they have an overdose of hatred, an overdose of vindictiveness.”

⁵ He added (regarding a protest in Plaza Altamira, in the Municipality of Chacao): “They were the ones closing again Plaza Altamira (...) encouraged by the Mayor of Chacao (...), if they cross the line of legality by one centimeter, he will be brought to justice (...). We are not going to allow coup-mongers on the streets (...). If they want to block spaces in the state of Miranda (where Chacao is located), the first responsibility lies with the Mayor, and then with the Governor (referring to Mr. Capriles) (...). If they want to stage a coup d’état, here are the People, here are the Armed Forces; all we want is peace and democracy”.

⁶ “I want to start by sending the Venezuelan people a message of peace, of confidence, of commitment. We voted yesterday to defeat violence. We will never side with violence (...). Do not stray away from the democratic path, the path of demanding our rights; instead, always uphold the Constitution (...). We are not refusing to recognize the will of the people (...). We are asking that the boxes carrying the ballots, which express the people’s will, are open, together with the ballot-registry logs (...). We were told yesterday that this was possible (...) and that every vote would be counted (...). This is what we have told everyone, including the international community: that I am asking for a recount. In any democratic country, this is what is done (...). We want this dispute to be solved peacefully. No violence. No confrontation among the people (...). The official candidate was proclaimed as President, but the way this has happened means that we are talking about an illegitimate person (...). We are not refusing to recognize the results, we are talking about a recount (...). Yesterday, you (referring to Mr. Maduro) publicly said that you supported opening 100% of the ballot boxes. Presently, you are responsible for contributing to restore peace in the country, for seeking a democratic solution (...). I have asked all regional coordinators (of his electoral platform) to go peacefully to the offices of the CNE (...). This implies a national mobilization to the regional Electoral Boards to demand our right to have the votes audited (...). You (CNE President Tibisay Lucena) have a responsibility before all Venezuelans, and to do all that is necessary to put an end to this conflict. We have committed to recognize the electoral results, provided that every single ballot is counted, with a consistent count with the ballot-registry logs, and once the truth is known, we will abide by the results (...). On Wednesday we will go to the CNE to formally request the implementation of all mechanisms, all legal steps, to demand the recount. We are going to appeal to international entities, doing everything we have to do, with utmost responsibility, with a sense of leadership (...). I ask the people not to let themselves be provoked or to resort to anything that implies violence...”.

⁷ [The Anti-Coup was created by President Hugo Chávez on April 14th, 2012](#), as a civilian-military response against “destabilizing plans of the bourgeoisie’s parties”, aimed at refusing to recognize his victory in the October 2012 election. On the day of the launch of the Anti-Coup Command, President Chávez said: “the Venezuelan people will not be facing political parties playing a fair democratic game. No, they are the fascists of April 11 (2002). The “puppet” (referring to Mr. Capriles) is nothing other than an expression of fascism”.

⁸ These are armed corps –set forth in the 2009 Organic Law of the Armed Forces, - expected to be made-up by Government employees, students and workers of public universities and members of community-based organizations. They answer to a military authority when engaging with “internal and external enemies” who might pose a threat to chartered road of the socialist revolution. The Militia, as part of the Armed Forces, had been rejected by the Venezuelan population in the 2007 referendum to reform the Constitution.

⁹ “We have already been alerting the population for several weeks. This is a plan similar to what they did in Libya, in Syria. They want to fill our country with outbursts of violence (...). First, they attacked the CDI’s, the people’s Health (...). We will act, we have video recordings (...) we have talked to the Prosecutor General (...). And to all of those promoting violence, inciting others to commit crimes, to hatred, to refuse to recognize the results, we will take legal action (...). We know who is behind all this. It is a plan (...). They are trespassing the Constitutional and democratic line (...). We have reinstated the Anti-Coup Command (...). Whoever resorts to violence, will find the State defending its citizens, while upholding the law. Whoever plans to commit acts of sabotage, will also face the State (...). These are violent minorities that must be isolated, and whoever leads them and drives them to madness (...) must face the law, it is time for Government action (...). Let us not fall prey to provocations, I call upon all social groups, the ‘colectivos’ (mostly armed pseudo-paramilitary groups in control of certain areas of Caracas and other cities), this is the time to remain calm (...) nobody should despair or fall prey to provocation, peace is essential ...”.

¹⁰ Director of the National Human Rights Institution, Prosecutor General, President of the Supreme Court, Pro-Government deputies, Minister of Foreign Affairs, Minister of Information and Communications, Defense Minister, Minister of Correctional Affairs, Labor Minister and Director of the National Security Experimental University.

¹¹ Approved in January 2012. It is ambiguous and leaves room from arbitrary definition of crimes such as “acts of terrorism” and “organized crime”.

¹² “...the candidate that did not receive the people’s support has said: ‘since you did not favor me, I am going to hurt you, I am going to call on people to attack you and I am going to kill you, I am going to come after you, to raid your home, to set on fire anything that benefits you, because this is what they are doing now, this is what is happening in the country, this is the information we have insofar (...) I want to tell you that these events could be deemed as crimes of instigation to hatred, disobedience, rebellion, and, most importantly, if the investigations show that these people had planned a conspiracy, we can charge them of ‘conspiracy’, pursuant to the Law against Organized Crime (and Financing of Terrorism) (...). I was watching some videos of these events, and I could see the same format used during the oil strike and the coup d’état (...) it is the same format (...). I hope we are not encountering once more the same format...”.

¹³ “One candidate said there would be a 100% recount of the ballots. So far, he has failed to go to the corresponding bodies to demand this manual recount. However, in Venezuela, the manual count of ballots was eliminated with the 1999 Constitution. Those who think that this could be done have been misled (...). This alleged investigation, the manual recount, has enraged many Venezuelans, who have believed those who acted as their leaders (...). When we ask for a manual recount (...) undoubtedly we are encouraging people to start an endless fight in the streets, and this deserves the identification of those responsible, and we must do it because Venezuelans have been physically harmed and others have died. We have to guarantee, through our Judiciary (...) an answer from the Venezuelan justice system (...). Why did they not start by acting responsibly, by challenging the results through the Judiciary, instead of staging sieges to the homes of those in government, the authorities of the CNE, setting fires, creating devastation, wreaking havoc (...)? We are here, the judges of the courts, ready to receive any legal appeal asking us to review aspects of the electoral process that led to the proclamation of the victorious candidate, President Nicolás Maduro”.

¹⁴ In the state of Miranda, CDI’s in La Limonera, Palo Verde, Oropeza y Trapichito; in Carabobo, CDI La Trigaleña; In Aragua, CDI’s Flor Amarillo, Villa Baralt, Amaro and Gaitero; In Zulia, CDI La Trinidad; in Táchira, CDI La Grita; and a CDI in the state of Anzoátegui.

¹⁵ “...(Candidate Henrique Capriles) following the tradition of the ‘coup d’état of April 2002 (...) says again ‘it wasn’t me’. He does it as he tries to distance himself from violence. Now, it seems that those who are violent do not fit in his political project. He tries now to distance himself from the impact of his words in Venezuelan society. Who is now accountable for the lost lives? Who answers now for the outbreaks of violence around the country, who is accountable? Is he saying now that his words were only aimed at having some ladies bang their pots, or did they not have the horrible effect of bringing sorrow to their families? Didn’t his insurrectional speech last night have a direct connection to the attacks against the CDI’s in different parts of the country? Were those attacks really spontaneous, or were they the direct consequence of this Venezuelan politician’s irresponsibility?”

¹⁶ “We have committed to finding those involved in these heinous crimes. We are going to do everything in our hands to bring justice to this honorable Venezuelan family whose members regrettably lost their lives in the hands of unscrupulous and hateful fascist groups (...). We have already engaged with the necessary teams so as to conduct a thorough investigation of the murders, and uncover who is truly behind the destabilizing groups; who is financing them; who is leading those groups that resorted to vandalism after the statements made by the losing right-wing candidate (...) we are going to press charges pursuant to the Organic Law on Organized Crime and to seize all of their assets, and freeze their bank accounts...”.

¹⁷ “We are here to defend our institutions, to defend President Maduro, to defend the legacy of our Supreme Commander, and, above all, we are here to defend our people, because the crimes of this fascist (referring to Mr. Capriles) cannot remain unpunished (...). You can go out and say that those murderers are political prisoners. They are not, they are murderers. They are the material authors of hate crimes, abetted by their negative leader, Capriles (...) you are responsible, their intellectual perpetrator (...). The only good news is the prison cell that awaits you, Capriles (...). Let us see if we can cure you of your fascist thoughts and if we can rescue you back as a human being. First, through a process of rehabilitation, which I think you urgently need (...). Because when someone is under the effect of hallucinogenics he is capable of doing anything, and has that look that you have, of eyes (...) filled with hatred (...). Leave hatred behind (...). Leave behind your hatred for women, leave your drug addiction (...) your actions have generated death, sadness, sorrow, and that will not remain unpunished, we will make sure it does not remain unpunished. I can guarantee you that no one will touch you in prison, no one will threaten your life, but I am preparing your prison cell, because you will have to pay for your crimes, because you are a fascist and a murderer (...). We will demonstrate in fora, in press conferences, in videos, your uncontrolled fascism, to condemn you so that the world knows that there is a group of fascists here trying to get hold of power at all costs, even thinking about repeating the elections. No brother, forget it, you lost...”.

¹⁸ According to the UN, “Stigma (...) is the source of many violations of human rights.”
<http://www.ohchr.org/SP/Issues/WaterAndSanitation/SRWater/Pages/Stigmatization.aspx>

¹⁹ The *Servicio Bolivariano de Inteligencia*, *SEBIN* (Bolivarian Intelligence Service) was created in 2010. It carries out activities of intelligence and counterintelligence to detect and neutralize internal and external threats against the nation.

²⁰ *“Since September of last year the SEBIN has been carrying out activities to detect a plan which we have called (same as above: first the name in Spanish in cursive, and then the English meaning in parenthesis). All of the collected evidence revealed a seamless process all the way to the day of the presidential election, but once the results were to be announced by the CNE the right-wing candidate would refuse to recognize them (...). We knew that this refusal would come, and that it would generate violent reactions and street demonstrations, which would escalate, so as to generate a spiral of violence with the purpose of destabilizing and delegitimizing the government (...). We detected a North-American individual who had begun to relate with youths involved in what they called Operation Sovereignty (...). That man was also able to infiltrate revolutionary groups to secure their protection, but he had close ties with the right-wing, and we saw that this man from the United States with youth groups (...). He has received funding from international NGO’s and he then takes the funds to the students and to the young members of the right-wing political party, in order to generate violence (...). A civil war, according to them, would cause the immediate intervention of an external power, in order to bring stability to our country and reestablish democracy. This was, and still is, their objective...”*

²¹ *“...Mobilizing the people. I call everyone to mobilize. I have spoken with some governors... tomorrow, Tuesday, and on Wednesday, there will be mobilizations all over the country, we will deploy all cadres of the National Party Authorities, the cadre of the National Authorities of the Great Patriotic Pole, Ministers, deployed and working with the people on the streets (...) we are calling everyone to a great march in Caracas for the swearing-in ceremony and then, in the afternoon, for a military parade ...”*

²² *“They are thinking about a march into downtown Caracas for tomorrow. This will not be allowed. You will not march into downtown Caracas, to fill it with death and blood. I will not allow it. Do what you want to do. I will not allow it. I am going to treat fascism and intolerance with a strong hand. If they want to overthrow me, come for me. I am here, with the people, with the Armed Forces ...”*

²³ *“Our job has been technical, objective and impartial (...). We affirm that after what we lived yesterday... what we observed... the complicated situations we had to handle, situations, not only complicated, but sensitive as well; what we witnessed yesterday, is clearly, objectively and categorically proof that it not possible to attest to the clean democratic nature of the electoral process. We are not saying that there was fraud. We are affirming that it is necessary to generate the objective conditions that would make all Venezuelans feel confident about the fundamental truth resulting from the process (...). From what we observed, we can only lend our support to the petition made by candidate Henrique Capriles for an objective and detailed recount, but also for the need to generate the conditions for this recount –center by center, ballot certificate by ballot certificate, ballot registry log by ballot registry log- to produce results that can be recognized by all Venezuelans, and the international community (...). I want to tell you that this was not an easy process for us (...) at times our personal safety was at risk. Therefore, having gone through this personal experience, we can come before you today to tell you, with absolute seriousness and responsibility, that the tensions we experienced yesterday as international accompaniment of the electoral process, give us a clear vision in terms of how the electoral process developed yesterday...”*

²⁴ Other videos of assisted voting in: http://www.youtube.com/watch?v=7nOZ-G_GarU y <http://www.youtube.com/watch?v=VcMxZX1SLcl>

²⁵ *“I am only going to ask a question. Since there are people here who refuse to recognize Nicolás Maduro as President of this country, as long as I am its President, every Deputy who refuses to recognize President Maduro, will be denied the right to speak. I will not give you the right to speak. You can do whatever you want, you can go and make statements in Globovisión (a TV station critical of the Government), but not here. You will not have the right to speak. If you refuse to recognize him, you are not recognizing the institution of the National Assembly, and you do not have the right to speak here. If you want to, get up and leave. Go with fascism (...) do not play with fire. Yesterday you murdered 7 Venezuelans. You, following the orders of the fascist Henrique Capriles...”*

²⁶ A database of citizens who had signed for a recall referendum against President Chávez, that was distributed to government institution and companies by the late Deputy Luis Tascón, in order to hamper the hiring of those employees or workers who had called for the referendum.

²⁷ Coordinating entity of the National Human Rights Institution, The General Prosecutor’s Office and the National Comptrollership Office.

²⁸ On April 17th, members of *Foro por la Vida* (Forum for Life), Coalition of Venezuelan human rights organizations, sent an open letter to human rights organizations in Latin America, in order to inform the about the situation of human rights in the context of the recent electoral process. In it, Forum for Life stated the need for finding a peaceful and democratic solution to the political conflict, as a way to guarantee governance, mutual recognition and the strengthening of the Rule of Law and human rights.